**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, MAY 7, 2013**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, May 7, 2013 at 6:00 PM with Mayor, Marty Follis presiding. Members present were Ed Trumbull, Don Nielsen, Marty Dyer and Ivan Devitt. Also present was Acting City Manager, Debbie Bottoroff; Public Works Director, Jack Bower; City Treasurer, Lisa Allred and City Clerk, Bonnie Buzzard. Attorney, Brandon Watkins was absent.

**PUBLIC COMMENTS**:

Follis presented and read in its entirety a Proclamation proclaiming May 18-24, 2013 as “National Safe Boating” week.

Delaware County Sheriff, Harlan Moore presented and read in its entirety a Certificate of Recognition to GMSA employee David Johnston for the heroic efforts he displayed in the rescue of Delaware County Deputy Gayle Wells.

Devitt made the motion to approve the minutes of the previous meeting. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Nielsen made the motion to approve the purchase order register. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion regarding a Resolution establishing a storm siren policy and procedure for the City of Grove. Police Chief, Mark Morris addressed the Council to report that with the recent storm that passed through South of Grove the sirens were not sounded, and Morris felt like it was too close for comfort for him and the resident of Grove. Therefore; Morris met with other emergency personnel to establish a storm siren policy and procedure for the sounding of sirens to provide adequate warning to the Grove area residents during severe weather. Morris indicated that once the national weather service has issued a tornado warning for the Grove area (Grove meaning an eight [8] mile radius from the center of Grove 3rd and Main) then contact will be made to Grove Dispatch to give them the order to send the siren tone to activate the tornado sirens. Morris noted that the sirens will continue to sound until the threat of severe weather is no longer. Morris entertained questions, comments and concerns from the Council, Staff and the following individuals:

* Peggy Miller
* Darlene Campbell, and
* Carl Metcalf

Morris highly encouraged all residents to sign-up for the free CodeRED weather alert system that is sponsored by the City of Grove. Devitt made the motion to approve the Resolution establishing a storm siren policy and procedure for the City of Grove as presented and discussed. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion regarding a Resolution adopting policies and procedures for Wolf Creek Park facility. Bottoroff reported that the Staff compiled a rough draft policy for the Wolf Creek Park Facility from the Civic Center policies and procedures. Some of the procedures from the Civic Center policy may not apply however; the majority of the ones do apply especially the section pertaining to alcoholic beverages and drugs. Bottoroff review the policies and procedures in detail with the Council, and presented the following amendments:

Section 2: Camping / Parking

b. Extended Overnight Stay –

* ~~Additional overnight stays require a new permit~~…No RV or Campers will be allowed to stay overnight for ~~no~~ more than nine (9) ~~days during any given month~~ consecutive nights and must obtain an Extended Overnight Stay Permit if staying overnight for more than three (3) consecutive nights.
* There must be a minimum of fourteen (14) days time lapse between Extended Overnight Stay Permits being issued.

Section 3: Alcoholic Beverages and Illegal Drugs – 3.1.e Definitions: …~~hone~~ honey

Section 3: Alcoholic Beverages and Illegal Drugs – 3.2 Sales, Distribution, and Consumption of Alcoholic Beverages: …During a scheduled event approved by the City of Grove.

Section 3: Alcoholic Beverages and Illegal Drugs – 3.6 ~~Illegal Drugs: Use of possession of illegal drugs or substance in the grounds of the Wolf Creek Park Facility are prohibited.~~

The Council and Staff entertained questions, comments and concerns from the following individuals:

* Cliff Harris
* Robert Plank
* Dave Claggett, and
* Lou Ann Ford

Trumbull made the motion to approve a Resolution adopting the policies and procedures for Wolf Creek Park facility as presented and amended. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to an Automatic Aid Agreement between the City of Grove and Butler Fire Department. Bottoroff indicated that Fire Chief, Mike Reed was scheduled to be at the meeting to present this agreement before the Council. Therefore, Follis made the motion to table this item for the next meeting for presentation from Reed. Seconded by Neilsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to an Ordinance amending Part 17, Chapter 5 Refuse Collection, Section 17-501 Definitions; Section 17-504 Disposal and Section 17-509 Penalty of the Code of Ordinances of the City of Grove. Bottoroff reported that overflowing dumpsters are becoming a real problem at city owned facilities. Residents are dumping household trash, furniture, appliances and general junk in the dumpsters that are to be used by city employees for disposing of trash collected in trash cans at city facilities. Therefore to address this problem the Staff is recommending a proposed change to the refuse collection of the City of Grove Ordinances. Dyer made the motion to approve the Ordinance amending Part 17, Chapter 5 Refuse Collection, Section 17-501 Definitions; Section 17-504 Disposal and Section 17-509 Penalty of the Code of Ordinances of the City of Grove. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to an Ordinance amending and renumbering Animal Regulations of the Code of Ordinances, Part 4 Chapter 1 Sections 4-111, 4-112, 4-113. Bottoroff reported that with the new dog park opening this spring, and to make sure all dogs and cats within the city limits have their required vaccinations; a licensing system is being established. Trumbull strongly expressed his opposition to the Ordinance since it appears to punish individual owners that choose not to spay or neuter their pets and that an individual should be able to make that a personal decision.  The Council and Staff entertained questions, comments and concerns from the following individuals:

* Laura Roberts
* Lori Follis
* Judith Read
* Peaches
* Bill Miller
* Carl Metcalf
* Jessica Parker
* Janet Stanford
* Fran VonLintel
* Mary Ann Metcalf

The Council and Staff again discussed the proposed Ordinance and suggested the proposed changes for the annual licensing fees:

4-111 – LICENSE REQUIRED

The licensing fees herein provided shall be as follows:

1. $~~15.00~~ 5.00 per dog or cat which has been spayed or neutered
2. $30.00 for each dog or cat which has not been spayed or neutered
   * If a dog or cat owner provided proof from a veterinarian that their animal has been spayed or neutered within 30 days of issuance of their license, a $25.00 refund will be provided.
3. ~~$20.00 for each dog or cat which has not been spayed or neutered by qualifies as follows~~

SECTION 2 – EFFECTIVE DATE – July 1, 2013

Devitt made the motion to approve the Ordinance amending and renumbering Animal Regulations of the Code of Ordinances, Part 4 Chapter 1 Sections 4-111, 4-112, 4-113 as presented and amended. Seconded by Dyer. AYE: Dyer, Devitt and Follis. NAY: Trumbull. Nielsen abstained. Motion carried.

Follis opened the floor for discussion with respect to accepting donated items from Lowe’s Home Improvement. Bottoroff reported that recently Lowes Home Improvements Center donated miscellaneous items to the City of Grove. The items include inside doors, mirrors, and outside gates at a total value of $355. Bottoroff noted that as per past practice, and upon recommendation from the City auditors the City Council should approve the acceptance of any donated items. Dyer made the motion to accept the donated items from Lowe’s Home Improvement as presented and discussed. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to construction and placement of a privacy fence along the North side of the North parking lot at Wolf Creek Park Facility. Bottoroff reported that she has visited with the property owners located on the North side of the Wolf Creek Park Facility, and that they have respectfully requested the placement of a 300’ vinyl privacy fence at an estimated cost of $13,600. Bottoroff added that one of the property owners has agreed to provide the amount of credit due to him from Crossland Construction for the replacement of a chain link fence towards the total cost of the vinyl fence, which is an estimated cost of $1,200. Bottoroff noted that she has visited with the Staff and that the following other options were considered:

* Planting 300’ of landscaping to provide a sound barrier and privacy for an estimated cost of $5,000 plus maintenance, or
* Installation of 300’ of Cedar plank privacy fence with metal posts at an estimated cost of $6,000

Bottoroff noted that the installation of 300’ of cedar plank privacy fence will provide the same end results as the vinyl privacy fence for less than one-half the cost. Bottoroff added that it would be Staff recommendation that the City of Grove share ½ the cost of the cedar plank fence with the property owners which would amount to approximately $3,000 per property owner, and that the credit of $1,200 from the one property owner would be between him and Crossland. Dyer reported that he drove that area recently, and if the city agrees to this project, he strongly suggested that the forth house along the South end of the parking lot be consider as well. The house is currently vacant but that doesn’t mean it shouldn’t be considered. The Council agreed. The Council and Staff entertained questions, comments and concerns from the following individuals:

Bill Miller

Cliff Harris, and

Dave Claggett

After a lengthy discussion with the Council, Staff and property owners; Follis made the motion to approve the installation of a cedar plank privacy fence to include the three property owners present, and the vacant house as mentioned by Dyer at 100% cost to the city, contingent upon approval from the City Attorney, and clarification of credit from Crossland Construction. Seconded by Dyer. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to authorize the Staff to advertise for the vacancies on the Grove Municipal Services Authority. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

**ACTING CITY MANAGERS REPORT**:

Bottoroff reported that the FY 2013-2014 budget is ready for review. Bottoroff indicated that she would like to schedule conferences with approximately two (2) council members & a GMSA member at a time next Monday, Tuesday & Wednesday for her and Lisa Allred to detail the budget line items with them.

Bottoroff reported that the CNG Station has been placed at the top of the list, and that a Representative from the CNG Blue Energy will be present 05-21-13 GMSA/City Council meeting for discussion and / or consideration.

Bottoroff announced that on June 6, 2013 @ 12:00 Noon there will be a web-conference with ICMA.

Bottoroff announced that the tree limbs and grass trimmings dumping site out at the Waste Water Treatment Plant is becoming a problem with residents dumping household trash at the site. The Staff has been monitoring it more carefully.

**WARD REPORTS**:

Trumbull asked if the parking lot light timer at the Wolf Creek Park facility has been adjusted to the summer hours. Bower indicated that he doesn’t have a key that is needed to adjust the light but he will be glad to visit with Buildings & Grounds Superintendent Craig Criger. Trumbull then asked about the hours of operation for the restroom facilities. Bottoroff indicated that they are open from 7:30 AM – 4:30 PM.

Follis reported that the Albro property located along State Park Road is coming up for auction. Follis indicated that it would have been nice if that property was annexed inside the city corporate limits. Bottoroff indicated that it would have to be forced annexed for it definitely would not have been voluntary.

Nielsen & Devitt expressed thanks to all of the participating audience for coming to the meeting.

Dyer reported that the City has various goals for each meeting, and that it is good to see the people(s) involvement achieved.

Devitt reported that he received a call that the “School Zone” lights are flashing on Sundays. Bower reported that he would look into that problem.

At 9:00 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.