**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, SEPTEMBER 16, 2014**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, September 16, 2014 at 6:00 PM with Mayor, Marty Follis presiding. Members present were Ed Trumbull, Don Nielsen, Marty Dyer and Ivan Devitt. Also present was City Manager, Bill Keefer; Attorney, Brandon Watkins; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

**PUBLIC COMMENTS**:

Mr. John Martin – 1110 Dogwood Drive addressed the Council and Staff regarding a situation in their neighborhood involving possible Commercial ventures in a residential zoned property. Martin mentioned that there is a home that is being advertised on homeaway.com for nightly rental. The neighbors are upset because the resident is being leased out weekly to various individuals and that it is causing for a large amount of traffic and excess trash accumulations. Martin respectfully asked the City for their support in resolving this commercial activity in their residential neighborhood. The Council also heard comments and concerns from:

* Veranda Landel, and
* Paul Stattel

The Council discussed the situation with the residents and asked the Staff to research the status condition for a report back to the Council. Keefer assured the residents that he would keep them in the loop with the research findings from the Staff in regards to the Planning and Zoning level and any and all Code of Ordinances violations.

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

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

At 6:27 PM Dyer made the motion to open a Public Hearing to receive comments to determine if the property located at 209 W 9TH Street is dilapidated and is detrimental to the health, safety and welfare of the general public and the community. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried. Bottoroff reported that on August 29, 2014, photos were taken showing the property owner is making progress on removing the dilapidated structure. Since the property owner has not completed the demolition and removal of debris; a public hearing was scheduled by the Mayor and Council at their meeting on September 2, 2014. A public hearing was scheduled for September 16, 2014; a Notice to the Public was mailed to the property owner, and posted on the property on September 3, 2014; the Notice was published in the Grove Sun on September 5, 2014. The Structure is in a non-repairable condition, creating a detriment to the health, safety, and welfare of the general public and community. Therefore it is Staff recommendation that the City Council issue an Administrative Order requiring the property owner to remove the dilapidated structure, debris created by the demolition and fill the lot to grade that allows for mowing, all to be completed within thirty (30) days of the Administrative Order. The property owner was not present for comments.

At 6:29 PM Devitt made the motion to close the public hearing. Seconded by Neilsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to the Administrative Order pertaining to the property located at 209 W 9th Street. Dyer made the motion to approve the Staff recommendations and issue an Administrative Order requiring the property owner to remove the dilapidated structure, debris created by the demolition and fill the lot to grade that allows for mowing, all to be completed within thirty (30) days of the Administrative Order. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Devitt made the motion to approve a Resolution directing filing and notification of the publication of the Grove City Code. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to authorization to proceed with a request to close a Public Utility Easement. Keefer reported that the City has received a request to vacate a blanket easement on a portion of a tract of property that they want to sell for development. Per State Statues and City Ordinances there is a process that needs to be followed to “close” any easement. The process includes notification of all franchise holders within the City to “close” the easement and provides them a thirty (30) day window to comment. Upon completion of the thirty day comment period, the Public Works Director is to report and recommend to the Governing Body his findings after which they are to either approve or deny the closure. To the best of the City’s knowledge, the only utility located within the boundaries of the blanket easement is a GMSA water line. This water line is located along the edge of a portion of the blanket easement and would be within the new proposed easement. If the Council was in favor of “closing” the easement, Staff would request direction to proceed with the process and bring back an Ordinance for consideration after the thirty day comment period. Keefer added that GMSA will also take action for the same request. Dyer made the motion to authorize the Staff to proceed with the request for closing the public utility easement as presented and discussed. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to approval of Change Order # 1 for the Airport Terminal Building Project. Keefer reported that the Airport Manager has submitted via memo on behalf of the Grove Municipal Airport Managing Authority the approval of this change order that would authorize the inclusion of a safe room in the terminal building. The Change Order is in the amount of $9,200 and would be paid from the contingency funds for the project. Dyer made the motion to approve Change Order #1 to the Airport Terminal Building Project as presented and discussed. Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion with respect to appointment to the Grove Airport Municipal Managing Authority. Follis announced that the Staff advertised for ‘Letter(s) of Application’ for this position and received only one letter from Dave Claggett. Follis made the motion to reappoint Claggett to the GMAMA Board for a five year term. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Dyer made the motion to approve the annual agreement with Grand Gateway Economic Development Association for public transportation services through Pelivan Transit for a one year term. Seconded by Devitt. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

**CITY MANAGERS REPORT**:

Keefer reported that the City has received official notification from ODOT that they have identified the funding resources for the Downtown Phase II project. Staff has had several discussions with ODOT in reference to the schedule to construct this project as the project design was completed several years ago. The Council may also recall that because ODOT had not funded this project the matching funds were removed from the current Capital budget. ODOT has assured the City that it will take at least 6-8 months to complete the various administrative requirements, etc. and construction can be put off until the next fiscal year which would allow the city to budget for local match. Bottoroff indicated that this project includes sidewalks, lighting and planting starting from Main Street to Hazel to Third Street.

**WARD REPORTS**:

Follis reported that he met with the Eagle Scout regarding refurbishing the BSA sign located at O’Daniel Park. Keefer indicated that they will need to submit a plan to the Staff.

Follis also mentioned that he has received comments from the residents in regards to Halloween being on a Friday this year which conflicts with high school football.

**EXECUTIVE SESSION**:

At 6:48 PM Dyer made the motion for the Council to recess into Executive Session for the purpose of discussing the purchase or appraisal of real property as to Title 25 O.S. Section 307.B.3, and to invite the following individuals into Executive Session:

* City Manager, Bill Keefer
* Assistant City Manager, Debbie Bottoroff, and
* Public Works Director, Jack Bower

Seconded by Trumbull. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 7:11 PM Devitt made the motion for the Council to come out of Executive Session with no action taken. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

Follis opened the floor for discussion regarding Agenda Item E.1. Trumbull made the motion to authorize the Staff to continue negotiations for the right-of-way acquisitions. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.

At 7:12 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Dyer, Devitt and Follis. NAY: None. Motion carried.