

**GROVE CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 18, 2017
6:00 PM
MINUTES**

The Grove City Council met in regular session on Tuesday, April 18, 2017 at 6:00 PM with Vice-Mayor Ed Trumbull presiding. Members present were Josh McElhaney, Don Nielsen, Marty Dyer and Ivan Devitt. Also present was City Manager, Bill Keefer; Attorney, Darren Cook; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower and City Clerk, Bonnie Buzzard.

ELECTION OF OFFICERS:

- Mayor – Nielsen nominated Ivan Devitt. Nomination died due to lack of second. Dyer then nominated Ed Trumbull. Nielsen seconded the nomination. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Nomination carried.
- Vice-Mayor – Dyer nominated Ivan Devitt. McElhaney seconded the nomination. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Nomination carried.

PUBLIC COMMENT:

Beverly Helms addressed the City Council to report that the City has been selected to receive the F-4C Phantom jet through the OMES/Federal Surplus program. Helms noted that the Grove Community Foundation representatives will work on the process and procedures of the transfer of the plane on its acquisition for a static display at the airport. Helms presented a check to the City of Grove in the amount of \$2,500 to secure the projects required administrative fees. Helms and Norwood entertained questions, comments and concerns from the Council, Staff and Mr. Bill Miller of the participating audience. Keefer added that the city's match will be in-kind services.

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

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

At 6:22 PM Dyer made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 116 S. Main Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Devitt. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Representative, Peggy Weaver addressed the Council to report that this club is a 'Not for Profit' organization, and that there are no funds available to upgrade the structure to code. Weaver noted that the organization has already relocated, and has listed the property with a realtor. They have a proposed buyer for the property that has requested an opinion from a structural engineer stating that the property can be repaired in a manner to meet code compliance. Weaver respectfully requested an extension of time to get that statement. Weaver entertained questions, comments and concerns from the Council and Staff. At 6:28 McElhaney made the motion to close the Public Hearing. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Trumbull opened the floor for discussion with respect to an Administrative Order for 116 S. Main Street. Dyer made the motion to grant the property owner a 60 day extension in order to allow them time to provide the Council and Staff with a written report from a structural engineer stating the east one-half of the structure can be repaired in a manner that is compliant with City Code, and can safely be a standalone building. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer and Trumbull. NAY: None. Devitt abstained. Motion carried.

At 6:29 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 17 W. O'Daniel Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Property Owner, Rick Schreiber addressed the Council to report that in October 2016 he closed the business, and was unaware that he would have to remove all of the inventory from structure until he received the certified letter from the City. Schreiber indicated that he has approximately 35 years' worth of accumulation in that building, and that it is going to take some time to find a building suitable for all of it. Schreiber respectfully requested additional time to relocate his business, and to remove his inventory from the premises. At 6:32 PM Dyer made the motion to close the Public Hearing. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 17 W. O'Daniel Street. Dyer made the motion to grant the property owner a 60 day extension to allow him time to remove his inventory from inside and outside the premises, and to reappear with a status update to the Council on June 20, 2017. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

At 6:33 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at South Broadway – Lot 3, Block 6 should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. No property owner was present. Bottoroff suggested that the Council require the property owner to obtain a Demolition Permit within 10 days and fill in the open cellar and level the ground in a manner that is adequate for mowing within 30 days of the date of the Administrative Order. At 6:35 PM Devitt made the motion to close the Public Hearing. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at South Broadway – Lot 3, Block 6. Dyer made the motion to require the property owner to obtain a Demolition Permit within 10 days and fill in the open cellar and level the ground in a manner that is adequate for mowing within 30 days of the date of the Administrative Order. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

At 6:37 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 131 S. Cherokee Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Property Owner, Valerie Vitro addressed the Council to report that she is fully aware of the outbuilding(s) condition, and that she is prepared to remove the wooden structure, and repair the metal structure up to code. Vitro entertained questions, comments and concerns from the Council and Staff. At 6:40 PM Devitt made the motion to close the Public Hearing. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 131 S. Cherokee Street. Dyer made the motion to grant the property owner time to complete the following:

- remove the trailer and obtain a demolition permit within 10 days
- demolish and remove the wooden outbuilding from the property and level the ground in a manner that is maintainable within 30 days, and
- repair and secure the metal outbuilding within 60 days all from the date of the Administrative Order

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

At 6:41 PM Dyer made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 200 E. 4th Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Property Owner, Jimmy Claude Williams addressed the Council to report this property and its contents has great sentimental value to him. Williams noted that he knew the house structure was in poor condition and needed to be secured but he didn't understand the concerns for the garage. Williams understood the City's concerns for the cellar and asked for some guidance on how to secure it properly. Williams indicated that he has contacted a contractor to board up and secure the house structure, and that his intentions is to eventually sell the property. Code Enforcement Officer, Calvin Igney reported that the garage has an opening in the ceiling and is trashed out, and that the house front / back entrance(s) and windows are not secured. Williams entertained questions, comments and concerns from the Council and Staff. At 6:53 PM Dyer made the motion to close the Public Hearing. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 200 E. 4th Street. Dyer made the motion to grant the property owner time to complete the following:

- fill in the open cellar and level ground to a manner that is maintainable within 10 days, and
- secure the house and garage; clean up yard and mow property within thirty days of the date of the Administrative Order.

Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Bottoroff reported that this will be subject to the 05-16-17 City Council agenda.

At 7:03 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 115 E. 6th Street should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. No property owner was present. Code Enforcement Officer, Calvin Igney reported that this project consist of 15 total units and that 4-5 of them are currently occupied with possible squatters. Igney added that approximately a year ago one of the unit caught fire and damaged some of the adjacent units. Igney mentioned that no communication has been made with the property owner. At 7:05 PM Devitt made the motion to close the public hearing. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 115 E. 6th Street. Dyer made the motion to require the property owner to:

- secure all units within 48 hours
- repair or remove units 206 and 208 within 30 days, and
- repair or remove units 105, 107, 108, 205 and 207 within 120 days of the date of the Administrative Order

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

At 7:07 PM Devitt made the motion to open a Public Hearing to receive public comments to determine whether a structure located at 1513 98th Street or Lots 2&3, 26-25N-23E, Grove X-Land should be designated as a dilapidated structure and detrimental to the health, safety and welfare of the general public and the City of Grove. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried. Property Owner, Tommy Barker addressed the Council to report that he is in the process of tearing down the two trailer structures and respectfully requested additional time to complete the project. At 7:08 PM Devitt made the motion to close the public hearing. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull then opened the floor for discussion with respect to an Administrative Order pertaining to a structure located at 1513 98th Street or Lots 2&3, 26-25 N-23E, Grove X-Land. Dyer made the motion to grant the property owner 60 days, from the date of the Administrative Order, to complete the demolition of the two mobile homes, fill and level the ground in a manner that is adequate for mowing. Seconded by Devitt. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion regarding the Letter(s) of Application to the Grove Municipal Airport Managing Authority, and that only one letter from Mark Lee was received. Trumbull made the motion to appoint Lee to the Grove Municipal Airport Managing Authority. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion regarding the bids received for haying properties owned by the City of Grove, Grove Economic Development Authority and Grove Municipal Services Authority. Bottoroff reported that the City advertised for this project, and received only one bid from Mike Reed for \$101. Devitt made the motion to award the bid to Reed as presented. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull then opened the floor for discussion regarding the bids for mowing and clean-up of Code Violation Properties. Bottoroff reported that the City advertised for this project, and received only one bid was from Joe Brown Company in the amount of \$40 per hour. Nielsen made the motion to award the bid to Joe Brown Company as presented. Seconded by McElhaney. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion regarding the bids for demolition and clean-up of dilapidated structures located within the city limits and identified by the Code Enforcement Officer and the Fire Chief. Bottoroff again reported that this project was advertised, and that only one bid was received from Joe Brown Company in the amount of \$75.00 per hour. Nielsen made the motion to award the bid to Joe Brown Company as presented. Seconded by Devitt. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion regarding the bids received for the surplus property of one 1991 Fleetwood Bounder Motor Home from the Grove Police Department. Keefer reported that the Staff advertised for this bids for this surplus item, and received only one bid from the Delaware

County Children's Special Advocacy Network (DCCSAN) in the amount of \$1,550. Dyer made the motion to award the bid as presented. Seconded by Devitt. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Devitt made the motion to approve the Agreement with Terracon for geotechnical services at the proposed Civic Center site. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

Trumbull opened the floor for discussion with respect to scheduling a Work Session on Thursday, May 25, 2017 at 4:00 PM to review and discuss the proposed budget for the 2017-2018 Fiscal Year. The Council indicated no problem with that date. Devitt made the motion to schedule a Special City Council Workshop Session for Thursday, May 25, 2017 @ 4:00 PM. Seconded by Dyer. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.

CITY MANAGER'S REPORT:

Keefer reported that as part of the agreement with Orizon Aerostructures, the City agreed to make some repairs and overlay to Industrial Park Road A once their construction project was completed. Keefer mentioned that Staff will be working with the project engineer to solicit a cost from the project contractor to complete this work through a change order in their project unless directed otherwise by the Council, which would require a future agenda item.

Keefer noted that the Staff has been working on a site plan for the parking lot and alley in the block East of City Hall. This public parking area is being used by the patrons of the new 1909 Restaurant and is attracting a lot of activity. Staff believes that this plan will provide some order to the parking lot and traffic in that area.

Mr. Bill Miller expressed his thanks to the Staff for the packet information he receives via e-mail, and asked for an update on the removal of construction equipment on Sailboat Bridge. Bower reported that he anticipates the tear down of that equipment by the end of April or the first of May.

WARD REPORTS:

Dyer also expressed his thanks to the Staff for the packet information and added that it is always full of helpful information.

Dyer added congratulations to Trumbull and Devitt for their appointment of City Council officers.

Devitt noticed some new faces in the audiences and expressed thanks to them for their attendance.

At 7:23 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: McElhaney, Nielsen, Dyer, Devitt and Trumbull. NAY: None. Motion carried.