**GROVE CITY COUNCIL**

**REGULAR MEETING**

**TUESDAY, DECEMBER 3, 2013**

**6:00 PM**

The Grove City Council met in regular session on Tuesday, December 3, 2013 at 6:00 PM with Mayor Marty Follis presiding. Members present were Ed Trumbull, Don Nielsen and Ivan Devitt. Member Marty Dyer was absent. Also present was City Manager, Bill Keefer; Assistant City Manager, Debbie Bottoroff; City Treasurer, Lisa Allred; Public Works Director, Jack Bower; Code Enforcement/Building Inspector, John Fasano and City Clerk, Bonnie Buzzard. Attorney, Brandon Watkins was absent.

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

Trumbull made the motion to approve the purchase order register to include the additional purchase orders as presented by Allred. Seconded by Nielsen. AYE: Trumbull, Nielsen, Devitt and Follis. NAY: None. Motion carried.

At 6:07 PM Devitt made the motion to open a Public Hearing to receive public comments to determine if the property located at 103 N. Main Street is dilapidated and is detrimental to the health, safety and welfare of the general public and the community. Seconded by Trumbull. Fasano reported that he had visited with the property owner Steven Bratcher in regards to the removal of this structure. Fasano and Bratcher came to an agreement that he would remove all personal property within the structure and make arrangements with the Grove Fire Department to schedule a control burn within one-hundred eighty (180) days. Fasano reported that never happened and the structure remains in a dilapidated condition. Bratcher reported that he visited with Fire Chief, Mike Reed pertaining to the removal of this structure by means of control burn, both parties agreed, and it never was fulfilled. Bottoroff concurred with the statements made by Fasano and Bratcher. The Staff and Bratcher entertained questions, and concerns from the Council. At 6:26 PM Devitt made the motion to close the Public Hearing. Seconded by Trumbull. AYE: Trumbull, Nielsen, Devitt and Follis. NAY: None. Motion carried. The Council agreed to table any action with respect to the Administrative Order pertaining to the Bratcher’s property located at 103 N. Main Street to allow the Staff time to visit with Fire Chief Mike Reed.

At 6:42 PM Devitt made the motion to open a Public Hearing to receive public comments to determine if the property located at 210 W. 5th Street is dilapidated and is detrimental to the health, safety and welfare of the general public and the community. Seconded by Nielsen. AYE: Trumbull, Nielsen, Devitt and Follis. NAY: None. Motion carried. Fasano reported that in April 2012 a high grass and weeds notice of violation was sent to the property owner with no response. In May 2012 the City of Grove’s mowing contractor mowed and weed-eated the property and in June 2012 a lien was filed at the Delaware County Courthouse for the cost incurred for mowing and weed-eating the property. No representative of the property was present. At 6:50 PM Devitt made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Trumbull, Nielsen, Devitt and Follis. NAY: None. Motion carried. The Mayor and Council determined the structure is in a non-repairable condition, is a detriment to the health, safety and welfare of the general public and community. Devitt made the motion to order the property owner to clean and mow the property, obtain a demolition permit from the City of Grove within thirty (30) days of the date of Administrative Order, and remove the dilapidated structure and debris created from the demolition within sixty (60) days of the date of Administrative Order. Seconded by Nielsen. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried.

At 6:52 PM Nielsen made the motion to open the Public Hearing to receive public comments to determine if the property located at 1107 S. Mill 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, Devitt and Follis, NAY: None. Motion carried. Fasano reported that a meeting was scheduled with the Property Owner Todd Lee in March 2013 at which time Lee advised that he was in the process of remodeling the structure. Approximately two (2) weeks later Lee advised the City that the remodeling has temporarily halted due to financial issues and would be commencing again. In August 2013 Fasano contacted Lee again concerning the property and was advised that the property was under litigation due to possible arson. The property owner was not present for comments. At 6:57 PM Nielsen made the motion to close the Public Hearing. Seconded by Devitt. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried. The Mayor and Council determined the structure is in a non-repairable condition, and is a t detriment to the health, safety and welfare of the general public and community. Devitt made the motion to order the property owner to clean and mow the property, obtain a demolition permit from the City of Grove within thirty (30) days of the date of Administrative Order, and order the property owner to remove the dilapidated structure and debris created from the demolition within sixty (60) days from the date of Administrative Order. Seconded by Trumbull. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried.

At 6:58 PM Trumbull made the motion to open the Public Hearing to receive public comments to determine if the property located at 901 S. Grand Street is dilapidated and is detrimental to the Health, Safety and Welfare of the General Public and the Community. Seconded by Nielsen. Fasano reported that in March 2013 a certified letter was mailed to the property owner scheduling a meeting with the Code Enforcement Officer and Staff. The letter was signed for, but the property owner did not attend the meeting. Fasano reported that he discussed the need for repairs with the property owner on numerous occasions. The property owner agree to obtain a building permit by June 2013, no permit application was ever received. Another certified letter was mailed and signed for by the property owner regarding the dilapidated structure in August 2013, and no response was received. The Property Owner was not present for comments. At 7:03 PM Trumbull made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried. The Mayor and Council determined the structure is unsecured and in a dilapidated condition; creating a detriment to the health, safety and welfare of the general public and community. Trumbull made the motion for the property owner to board and secure the structure, remove trash and items from the porch and yard, made arrangements with the City of Grove Building Inspector to inspect the inside of the structure within ten (10) days of the date of Administrative Order, the property owner shall obtain a remodel permit within thirty (30) days of the date of Administrative Order and that the property owner shall make the necessary repairs and improvements to bring the structure into compliance with city codes within sixty (60) days of the date of Administrative Order. Seconded by Devitt. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried.

At 6:29 PM Nielsen made the motion to open the Public Hearing to receive public comments to determine if the property located at 119 N. Hazel 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, Devitt and Follis, NAY: None. Motion carried. Fasano reported that in March 2013 a letter was mailed to the property owner(s) scheduling a meeting to discuss the dilapidated structure. The letter was returned undeliverable. Fasano made several attempts to contact the property owner via telephone with no answer, and in November 2013 when calling the same number is learned that the service has been disconnected. Property Owner(s) Angylia Morgan and Erica Wofford were present to entertain any questions, comments and concerns from the Council and Staff. Morgan reported that her first intentions was to demolish the structure but after visiting with her son in the military he wanted to attempt to retain the property for possible remodel for his family. Wofford briefly discussed her financial issues with the Council and Staff. At 6:37 PM Trumbull made the motion to close the Public Hearing. Seconded by Nielsen. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried. The Mayor and Council determined the structure is unsecured and in a dilapidated condition; creating a detriment to the health, safety and welfare of the general public and community. Follis made the motion for the property owner to board and secure the structure, remove trash and items from the porch and yard, and made arrangements with the City of Grove Building Inspector to inspect the inside of the structure within ten (10) days of the date of Administrative Order. The property owner shall obtain a remodel permit within thirty (30) days of the date of Administrative Order and the property owner shall make the necessary repairs and improvements to bring the structure into compliance with the city codes within sixty (60) days of the date of the Administrative Order. Seconded by Nielsen. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried.

At 7:05 PM Trumbull made the motion to open the Public Hearing to receive public comments to determine if the property located at 507 Broadway Street is dilapidated and is detrimental to the Health, Safety and Welfare of the General Public and the Community. Seconded by Nielsen. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried. Fasano reported that in March 2013 a meeting was held with the property owner. The property owner was instructed to board and secure the property within ten (10) days, and was given ninety (90) days to remove or repair the collapsed roof and structure. Fasano added that the building was secured but to date the roof or structure have not been repaired. The property owner was not present for comments. At 7:07 PM Nielsen made the motion to close the public hearing. Seconded by Trumbull. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried. The Mayor and Council determined the structure is in non-repairable condition; and is a detriment to the health, safety and welfare of the general public and community. Trumbull made the motion to require the property owner to obtain a demolition permit from the City of Grove within thirty (30)of the date of Administrative Order, and to order the property owner to remove the dilapidated structure and debris created from the demolition within sixty (60) days of the date of Administrative Order. Seconded by Devitt. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried.

Follis opened the floor for discussion with respect to appointment of Trustee(s) to the Zoning Board of Adjustments. Follis noted that he had visited with applicant Jimmy Campbell and that he was under the impression that he was making application to the Planning & Zoning Board, and upon review of the Zoning Board of Adjustments obligations; he has agreed to serve on the board. Therefore; Follis made the motion to appoint Jimmy Campbell to the Zoning Board of Adjustments. Seconded by Trumbull. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried.

Nielsen made the motion to approve the “Notice of Posting” of the Grove City Council regular scheduled meetings for the 2014 Calendar Year. Seconded by Trumbull. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried.

**CITY MANAGERS REPORT**:

Devitt asked for an update on the 911 Wireless funding issues. Keefer reported that the City Attorney has prepared a draft agreement in which both parties have exchanged comments. Discussions have been heard of a possible 50/50 split. It is still hoped that the Staff will have an agreement to present to the City Council for consideration in the near future.

Follis asked for an update on the trolley project. Keefer reported that Grand Gateway has approached the City soliciting interest in leasing the trolley that was operated by the Chamber of Commerce several years ago. The vehicle is not being used at this time, and that several groups have indicated an interest in putting together a plan to use the trolley. It was noted that it is important that revenue generated by the trolley will need to cover the annual expenses to operate and maintain the vehicle. Hence, to allow time for this group to put together a plan, the trolley insurance will be paid by the City and housed at one of our shops. When a plan is prepared, this lease and plan for this vehicle will come before the City Council for review and consideration.

**WARD REPORTS**:

Follis asked for an update on the Harbor Road project. Bower reported that Swift Construction will start moving in their equipment in tomorrow and the crew anticipates laying the skim coating and patching the same time.

Follis asked about the Jiffy Market project. Fasano reported that they have pulled their permits for removal of the debris this week, and that McGhee Excavating should be on the site within the next few days clearing the rubbish.

Follis asked about the Highway 59 and Center Street culvert. Bower reported that he has some piping left over from another project, and that he was going to research to see if he had enough to possible replace that project.

Nielsen expressed thanks to the City for the ‘Merry Christmas’ signs around the City.

Devitt asked if the City ever looked in the legality of redirecting truck traffic onto O’Daniel off of Highway 59. Bottoroff reported that she has visited with ODOT and that the City can design a truck route but they can’t enforce it by ticketing the drivers that choose not to utilize it.

At 7:52 PM Devitt made the motion to adjourn. Seconded by Nielsen. AYE: Trumbull, Nielsen, Devitt and Follis, NAY: None. Motion carried.