

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

January 05, 2004

Regular Meeting

The regular meeting of Council was called to order by President Saxton at 8:00 p.m. in the Council Chamber, City Hall, 4035 Broadway.

After a moment of silent prayer, a moment of silence and the Pledge of Allegiance, roll was called and the following members were present:

Rich Lester Bob Hatley Bill Saxton Maria Klemack

1. Mr. Saxton moved to excuse Mr. Radi; seconded by Mr. Lester.

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Lester	Yes
Mr. Saxton	Yes

2. Mr. Saxton moved to dispense with the reading of the previous meeting minutes and approve as written; seconded by Mr. Hatley.

Ms. Klemack	Yes
Mr. Lester	Yes
Mr. Saxton	Yes
Mr. Hatley	Yes

3. President Saxton read the agenda items and they were approved by unanimous consent.

The Chair recognized Mr. Lester, Chairman of Lands & Zoning Committee, for discussion and voting of legislative agenda items under said committee.

1. Ordinance C-125-03 (Approve a Special Use Permit for Petsmart located in the Parkway Centre South Shopping Center) was given its second reading and public hearing and Mr. Lester moved it be approved; seconded by Ms. Klemack.

Mr. Lester	Yes
Mr. Saxton	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes

2. Ordinance C-01-04 (Approve a Special Use Permit for Oak Hill Banks located at 5901 Hoover Road) was given its first reading. Second reading and public hearing will be held on January 20, 2004.

3. Ordinance C-02-04 (Approve a Special Use Permit for Adventure Cycles of Ohio located at 4350 South Broadway) was given its first reading. Second reading and public hearing will be held on January 20, 2004.

4. Ordinance C-03-04 (Approve a Special Use Permit for Drug Mart located North of Stringtown and West of Parkmead) was given its first reading. Second reading and public hearing will be held on January 20, 2004.
5. Ordinance C-04-04 (Approve the Rezoning of 16.051 acres located West of Farm Bank Way and North of Southwest Blvd. from C-2 to PUD-I) was given its first reading. Second reading and public hearing will be held on February 17, 2004.
6. Resolution CR-87-03 (Approve the Development Plan for Steak 'n Shake Restaurant located in the Parkway Centre South Shopping Center) was given its reading and public hearing.

Mr. Joe Scott, Construction Manager for Steak 'n Shake, was present. He agreed to all nine stipulations recommended by Planning Commission.

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by President Saxton.

Mr. Saxton	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Lester	Yes

7. Resolution CR-01-04 (Approve the Development Plan for Oak Hill Banks located at 5901 Hoover Road) was given its reading and public hearing.

Mr. Jeff Berneburg, was present to represent Oak Hill Bank. Mr. Lester reviewed the stipulations set by Planning Commission and Mr. Berneburg agreed to all of them.

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by President Saxton.

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Lester	Yes
Mr. Saxton	Yes

8. Resolution CR-02-04 (Approve the Preliminary Development Plan for Holton Park located North of Orders Road and West of Southern Grove Subdivision) was given its reading and public hearing.

Ms. Linda Menerey, Homewood Corp., was present. Mr. Lester reviewed the stipulations set by Planning Commission and Ms. Menerey agreed to all of them.

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by President Saxton.

Ms. Klemack	Yes
Mr. Lester	Yes
Mr. Saxton	Yes
Mr. Hatley	Yes

9. Resolution CR-03-04 (Approve the Development Plan for Drug Mart Plaza located North of Stringtown and West of Parkmead Dr.) was given its reading and public hearing.

Mr. Dave Perry, attorney representing the petitioner, was present. Mr. Lester reviewed the stipulations set by Planning Commission and Mr. Perry agreed to all of them. Mr. Lester expressed concern over the access points along Parkmead Dr. and the site line for the northerly-most one. He explained that even though they may meet Code, they do not – in his opinion - meet the development standards for our City. He then moved to amend Section 1 to include the following stipulations:

1. Submit a revised drawing to reflect:
 - a. Landscape trees carried around the south and west lines of the future outlot;
 - b. Remove all references to the 15' and 30' setbacks for the future outlot;
 - c. Add the site distance line for the north driveway;
2. All buildings and parking shall not encroach on the site distance line.

Seconded by Mr. Radi.

Mr. Perry commented that he thought the reference to the 15' and 30' setbacks was to actually merge them, because the intersection site distance line doesn't correspond to the curvature of the street. So, to the extent that they are different, they are showing a more restrictive line. They would continue to show the 15' & 30' lines to the extent that they are outside the site distance line. They will not encroach beyond the site distance line.

Mr. Saxton asked if the revised plan could be approved by our Development Director.

Mr. Lester moved to amend the amendment to add the following wording:

1. (b) . . . , exclusive of the site distance line.

as approved by the Development Director.

Seconded by Mr. Saxton.

Mr. Saxton	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Lester	Yes

Ms. Kelly called the vote for the first amendment.

Mr. Lester	Yes
Mr. Saxton	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by Ms. Klemack.

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Lester	No
Mr. Saxton	Yes

10. Resolution CR-04-04 (Approve the Development Plan for Grant Run Estates, Section 4, located South of Borror Road) was given its reading and public hearing.

Mr. Jeff Strung was present. Mr. Lester reviewed the stipulations set by Planning Commission and Mr. Strung agreed to all of them.

There being no additional questions or comments, Mr. Lester moved it be approved; seconded by Ms. Klemack.

Ms. Klemack	Yes
Mr. Lester	Yes
Mr. Saxton	Yes
Mr. Hatley	Yes

The Chair recognized Ms. Klemack, Chairman of Safety, for discussion and voting of legislative agenda items under said Committee.

1. Ordinance C-05-04 (Amend Titles 3 and 5 of the Codified Ordinances of the City of Grove City by Incorporating Changes reflected in the Ohio Revised Code and to declare an emergency) was given its first reading.

Mr. Clark, Dir. of Law, explained that the State Legislature has made some significant changes to the Traffic and General Offences that go into effect 1/1/04. Since there are so many changes, the Codifier suggested that we adopt this Ordinance. We are requesting an emergency so we can adjust to the 1/1/04 effective date.

There being no additional questions or comments, Ms. Klemack moved that the Rules of Council be suspended and the Waiting Period waived; seconded by President Saxton.

Mr. Lester	Yes
Mr. Saxton	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes

Ms. Klemack moved it be approved as an emergency; seconded by Mr. Lester.

Mr. Saxton	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Lester	Yes

In the absence of Mr. Radi, Chairman of Service, The Chair took the floor for discussion and voting of legislative agenda items under said Committee.

1. Resolution CR-05-04 (Support the Defense Supply Center Columbus (DSCC), Its Mission and Value to the Region) was given its reading and public hearing.

Mayor Grossman commented that the local government leaders are working very dedicatedly to insure that the DSCC facility in Whitehall remains open. Currently, all the bases are being studied for potential closure. This facility, as well as one in Virginia, is in contention that one will be closed. This supports the Central Ohio facility and its 6,000 jobs.

There being no additional questions or comments, Mr. Saxton moved it be approved; seconded by Mr. Lester.

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Lester	Yes
Mr. Saxton	Yes

The Chair recognized Mr. Hatley, Chairman of Finance, for discussion and voting of legislative agenda items under said Committee.

1. Ordinance C-123-03 (Authorizing the Establishment of an Enterprise Zone Encompassing the Boundaries of the City of Grove City, Ohio and Approving the Form of Guidelines for such Enterprise Zone) was given its second reading and public hearing and Mr. Hatley moved that the Guidelines attached as an Exhibit be replaced with those dated 12/30/03; seconded by Mr. Saxton.

Ms. Klemack	Yes
Mr. Lester	Yes
Mr. Saxton	Yes
Mr. Hatley	Yes

Mr. Hatley stated that he is excited that we are able to bring this to the City. It is going to make us more competitive with other areas in the County. He asked Mr. Mathew Shad for a little bit of background. Mr. Shad, Fr. Co. Community & Economic Development, explained that the City does not have the statutory authority to do this on its own. They have to do it through the enactment of the County Commissioners. The City Administration approached them last fall about this and simultaneously, the Village of Urbancrest did too. Because of the nature of the proximity and due to the inability of Urbancrest to do this (because of their size), they looked to do this as one unit that will encompass both Grove City and Urbancrest. He said they are considering this a Non-distressed Enterprise Zone, the distinction primarily being that it is more difficult to bring relocated businesses into this community from others in Ohio. The Guidelines attached to this Ordinance pretty much establish the Rules for this operation. He commented that some of these rules are different from other communities, but that is our right and responsibility. He said they are rather conservative and are cautiously trying to bring this tool to the war chest, without giving away the farm. The discussions with South Western City Schools have been very positive and supportive of this process with both communities. The Village of Urbancrest is also very supportive and should be passing similar legislation tomorrow. He briefly explained the process and said the County Commissioners would probably act on it at the end of the month. He explained that Enterprise Zones are tax abatements that can be attached to personal and/or real property. The City already has Community Reinvestment Areas and will probably continue to use it for most real property investments. The advantage to using the E.Z. is primarily for distribution and manufacturing facilities with significant inventories on site. It can be used to reduce inventory taxes on those facilities. What the City is trying to capture is the income tax revenues from these businesses. He said the current proposal provides that the City and the Schools will work, pretty much, within the confinements of what is statutorily offered. He explained that the Schools would have veto power in an agreement, if an abatement is offered at 75% or greater. Also, if a new business were to develop a payroll with a value of \$1,000,000.00 or greater annually, the School District has a right to ask to have a portion of that shared with

them. If there are no formal agreements are made, that is typically split 50/50. As far as monitoring, there is a Tax Incentive Review Council made up of the Schools, Commissioner's appointees (brought forward by the local jurisdictions), Mayor's appointees from both City and Village, and the County Auditor. They will annually review any and all tax abatements to look for compliance as to the terms of the Agreement. Mr. Hatley asked, even though we are doing this with Urbancrest, we are autonomous as far as business is concerned. Neither party needs the others approval. We are partnering because Urbancrest doesn't have 1,000 residents necessary to do this on its own. Mr. Shad said that was correct. We will autonomously do our own agreements, we will just be following the same Guidelines. So, if anyone tries to play one community against the other, the County will only offer the same incentive. Mr. Hatley asked what other communities offer an Enterprise Zone. Mr. Shad mentioned many, including Columbus, Franklin/Prairie Township, Jefferson Township, New Albany, Obetz, Groveport, Hilliard, Upper Arlington, Whitehall, and Grandview Heights. Mr. Hatley thanked Mr. Shad for his assistance in drafting these Guidelines. Mr. Saxton asked how competitive will this make us. Mr. Shad said that one of the concerns with this legislation was that we had developed a lot of our industrial base solely with the CRA. Most of our competitor communities have brought in these Enterprise Zones in the last three to five years. Since a number of our properties will become fully taxable in the next five years, the thought was that this would be a tool to keep businesses here. Mr. Hatley asked for a point of clarification, that this is for new businesses in Ohio. So, if a business in Hilliard moves to Grove City with the same operation, they cannot get any abatement in the Enterprise Zone concept. Mr. Shad said yes, it has to be new to Ohio. For example, if it was a business with one million in machinery and five million in inventory in Hilliard, they would have to produce something above those numbers in Grove City and the abatement would only be on the difference. Mr. Hatley also pointed out that there are claw-back provisions to make sure that the companies are living up to their promises. Mr. Shad said yes, and said the County vigorously enforces those. He gave an example of how they rescinded an abatement on a business and collected one million in taxes due. Mr. Boso, Dev. Dir., pointed out that this is unlike the CRA. It is not a blanket abatement. Each one must be negotiated and approved by the Council.

There being no additional questions or comments, Mr. Hatley moved it be approved; seconded by President Saxton.

Mr. Lester	Yes
Mr. Saxton	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes

2. Ordinance C-06-04 (Appropriate \$200.00 from the General Fund for the Current Expense of Police Equipment) was given its first reading. Second reading and public hearing will be held on January 20, 2004.
3. Resolution CR-06-04 (Authorize the City Administrator to Advertise for Bids and Award Contracts for Fiscal Year 2004) was given its reading and public hearing and Mr. Hatley moved it be approved; seconded by Mr. Lester.

Mr. Saxton	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Lester	Yes

4. Resolution CR-07-04 (Authorize the City Administrator to Advertise for Bids and Sell Items No Longer Needed by the City) was given its reading and public hearing and Mr. Hatley moved it be approved; seconded by Ms. Klemack.

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Lester	Yes
Mr. Saxton	Yes

The Chair asked that any new business to be brought before the attention of Council be done so at this time.

There being no new business, the Chair recognized members of Administration and Council for closing comments.

1. Mayor Grossman submitted the Mayor's Monthly Report and President Saxton moved to accept same; seconded by Ms. Klemack.

Ms. Klemack	Yes
Mr. Lester	Yes
Mr. Saxton	Yes
Mr. Hatley	Yes

2. The Mayor and Council Members welcomed Mr. Lester to Council. President Saxton announced that the next regular meeting of Council will be on Tuesday, January 20th, in observance of Martin Luther King Day.
3. After additional comments from Council and other Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:44 p.m.

Tami K. Kelly, MMC
Clerk of Council

William E. Saxton
President