

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

March 01, 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 and the Pledge of Allegiance, roll was called and the following members were present:

*Rich Lester    Bob Hatley    Bill Saxton    Maria Klemack    Vaughn Radi*

1. Ms. Klemack moved to dispense with the reading of the previous meetings minutes and approve as written; seconded by Mr. Lester.

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

2. President Saxton recognized Mayor Grossman who administered the Oath of Office to two (2) new Police Officers – Rick Conkoskia and Chris Pfiffer. She then recognized Chief Deskins and they presented awards to Doug Olmstead for Officer of the Year; Jennifer Buss for Civilian Employee of the Year; Matt Ryan received the Blue Shield Award; and Doug Stonerock and Jeff Pearson received an Educational Award. The Mayor then recognized Nelson Kohman, EMH&T, who received an Outstanding Achievement Award for the Grove City Town Center. Finally she recognized Courtney Brown, Michelle Brush and Emily Esposito with a Proclamation for receiving the Junior Girl Scout Bronze Award, which is the highest award a Jr. Girl Scout can receive.
3. President Saxton read the agenda items and they were approved by unanimous consent.

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

- 1 Ordinance C-12-04 (Establish the Children’s Adventure Playground Fund and Appropriate \$423,537.00 for Project Expenses) was given its second reading and public hearing.

Mr. Hatley explained that this represents two grants that were received by the Department of Housing and Urban Development and the Ohio Department of Natural Resources.

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

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

2. Ordinance C-13-04 (Establish the Big Run/Demorest Project Fund and Appropriate \$1,794,800.00 for Project Expenses) was given its second reading and public hearing.

Mr. Behlen, Dir. of Finance, explained that this was also a grant from Issue 2 and a no interest loan.

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

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

3. Ordinance C-14-04 (Direct the Certification to the County Auditor of the Expense for Cutting Weeds on Private Property) was given its second reading and public hearing and Mr. Hatley moved it be approved; seconded by Ms. Klemack.

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

4. Ordinance C-15-04 (Make Amendments to Sections 161.09 & 161.10 titled Employment Provisions For City Employees) was given its second reading and public hearing and at the request of the City Administrator, Mr. Hatley moved that the salary range for the Chief Building and Zoning Official be amended to \$27.00 - \$45.00; seconded by Mr. Lester.

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

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

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

5. Ordinance C-16-04 (Authorize the City Administrator to Enter into an Agreement for the Administration of City Income Tax) was given its second reading and public hearing.

Mr. Hatley explained that this proposes Mandatory Income Tax filing for all Grove City residents beginning in January, 2005. It also allows RITA, (Regional Income Tax Agency) a State Agency, to be our Administrator. They will handle everything from the forms, to processing, to handling the issues. The City of Columbus currently administers our volunteer income tax returns and charged 1.8% of the collections. RITA will charge 2.48 – 2.94%, but the estimated revenues will

increase in the first two years, between 10 – 20%, based on their past experience. They have over 100 municipalities in the program and in the 30 years of their existence, only five municipalities have left. They will administer the program based on the Rules established by the City. This will also give the City a voice on tax issues that may or may not come before the City. It will end up costing the city a little more, but will receive more benefits and revenues will increase, bringing a good return on that investment. This is an annual contract and can be stopped in June of any year. There will be a cost to get out of the contract with Columbus and that change over provision is estimated to cost \$25,000.00.

Mr. Behlen pointed out that Columbus offers a similar program to what RITA is proposing, at a very similar rate. However, RITA offers a better service and use of technology. Mr. Hatley commented that he believes the biggest challenge will be educating the residents and making sure they are aware of the phasing period.

Mr. Radi asked what the average dollar amount the City receives from each filer, at present. Mr. Behlen said we have three different filers and the amount changes depending on the group. Mr. Radi stated that in Caucus, it was noted that 95% of people comply now. He asked how many people this will this would help cover. Mr. Behlen said he didn't have a number of people. He commented that what they see are people living in Grove City, but working in unincorporated areas where there is not tax and no withholding. There are also people who work in communities where the tax is only 1%. Since ours is 2%, they would receive a credit for the 1% and owe Grove City the other 1% of tax. Mr. Radi asked who is finding these people for us currently. Mr. Behlen said Mr. Bob Curtain. He said we also do an active advertising campaign in the newspapers and an active audit on construction sites. Mr. Radi asked if RITA would give us more resources to find these types of people. Mr. Tom Zammikiel, Director of RITA, explained that they have an extensive database. They have also petitioned for a change in Federal Law that would give them access to IRS information. They also buy the State tapes, which is limited, but does help. Mr. Hatley asked if Mr. Zammikiel would elaborate a little on their collection experience. Mr. Zammikiel said a city needs a full year under its belt before making any establishment. Also, in the first two years, you will see a spike of 10 – 20% and then it will level off. Once you get the people, it won't keep going up. Mr. Hatley commented that he asked Mr. Curtain what it would cost if we did this all ourselves and he indicated somewhere in the neighborhood of 7%.

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

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

- Ordinance C-21-04 (Authorizing the Issuance of not to exceed \$1,400,000.00 Subordinate Multifamily Housing Mortgage Revenue Refunding Bonds (The Regency Arms Apartments Project) Series 2004 by the City of Grove City, Ohio, the Proceeds of which shall be Loaned to Regency Arms Apartments Limited Partnership, an Ohio Limited Partnership, to Refund and Retire a portion of Certain Prior Obligations of the Issuer which were issued to Finance the Acquisition and Rehabilitation of a Multifamily Residential Rental Housing Facility; Providing for the Pledge of Revenues for the Payment of such Subordinate Bonds; Authorizing a Subordinate Financing Agreement and a Subordinate Trust Indenture Appropriate for the Protection and Disposition of such Revenues and to further secure such Subordinate Bonds; Authorizing a Bond Purchase

Agreement, a Tax Regulatory Agreement, and an Offering Document and Authorizing other Documents and Actions in connection with the Issuance of Such Subordinate Bonds and declaring an emergency) was given its first reading. Second reading and public hearing will be held on March 15, 2004.

Mr. Jason George, Bond Counsel for Regency Arms, was present and explained that the original financing for this project was under Fanny May. It had a provision that allowed for refinancing if the project came in under budget. He explained that the project did come in under budget and this Issuance is a refinancing. He said the City is just a conduit. While they issue the bonds, they are not the obligation or liability of the City and the City's taxing power would not be used to pay off the bonds. The sole obligation is with the borrower, Regency Arms Ltd. Partnership.

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

1. Ordinance C-17-04 (Amend Various Sections of Chapter 1329 of the Codified Ordinances titled Flood Damage Prevention) was given its second reading and public hearing.

Ms. Klemack moved that Exhibit "A" be replaced with the one dated 3/1/04; seconded by Mr. Radi.

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

Ms. Klemack explained that this is a result of a change made by FEMA and the new Maps and Regulations go into effect March 15, 2004.

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

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

2. Ordinance C-22-04 (Amend Section 1136.15 of the Codified Ordinances titled Prohibited Plantings) was given its first reading. Second reading and public hearing will be held on March 15, 2004.

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

1. Ordinance C-18-04 (Amend Ordinance C-40-01 to Include Land in the Community Reinvestment Area #4) was given its second reading and public hearing.

Mr. Chuck Boso, Dir. of Development, explained that CRA's are areas that the City tries to give tax incentives to bring business to the City, or in this case, rehabilitate property. This takes in the

Hadler Shopping Center and Southwest Blvd. area, in attempt to give those property owners an incentive to fix up their parcels.

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

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

2. Ordinance C-19-04 (Approve the Annexation of 29.1 acres located North and South of Grove City Road and West of Holt Road) was given its second reading and public hearing and Mr. Lester moved it be approved; seconded by Ms. Klemack.

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

3. Ordinance C-20-04 (Authorize the Approval of a Pre-annexation Agreement for 151.2+ acres located East of S.R. 104 and North & West of S.R. 665) was given its second reading and at the request of the petitioner's attorney, Mr. Lester moved it be postponed to March 15, 2004; seconded by Mr. Radi.

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

4. Ordinance C-23-04 (Approve the Rezoning of 2.636 acres located south of Stringtown Road and east of I-71 from C-2 to PUD-C) was given its first reading. Second reading and public hearing will be held on April 05, 2004.

5. Ordinance C-24-04 (Approve the Rezoning of 1.948 acres located North of Rensch Road and West of Broadway from IND-2 to R-2) was given its first reading. Second reading and public hearing will be held on April 05, 2004.

6. Resolution CR-16-04 (Set Forth the Municipal Services that can be furnished to a 33.1 acre tract located north of Rensch Rd. and west of Broadway upon its annexation to the City of Grove City) was given its reading and public hearing and Mr. Lester moved it be approved; seconded by Mr. Hatley.

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

7. Resolution CR-17-04 (Approve the Development Plan for 2800 Demorest Road) was given its reading and public hearing.

President Saxton requested that he be excused from voting due to a conflict of interest. Mr. Lester moved to excuse President Saxton from voting; seconded by Ms. Klemack.

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

Mr. David Morrison, representing petitioner, was present. Mr. Lester commented that he has been informed that they revised these drawings on February 6, 2004. Mr. Morrison said that was correct.

Mr. Lester moved to replace the Drawings with the set dated February 6, 2004; seconded by Mr. Hatley.

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

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

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

8. Resolution CR-18-04 (Approve Amendments to the Development Plan for Parkway Centre North, located north of Stringtown and east of I-71 to include Development Standards Text for the Out-Parcels) was given its reading and public hearing.

Mr. Chuck Boso, explained that this is the same amendment we did for Parkway Centre South and incorporates the same Development Standards for the Out-parcels as have been done on the South side.

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

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

9. Resolution CR-19-04 (Approve the Development Plan for Autumn Grove Subdivision located north of Rensch Road and west of Broadway) was given its reading and public hearing.

Mr. Don Plank, attorney for petitioner, was present and provided an overview of the project. He shared some of the commitments that M/I has agreed to, above the requirements of the R-2 zoning, including some larger lots, landscaping & irrigating the entire frontage along Rensch Road, fencing & pine trees along the railroad tracks, adding a left turn lane on Rensch Road into the site, and all homes will have natural materials on the front. With respect to the natural materials, they asked that the commitment of 40% brick/stone on the front be changed to 20-60%, except for those lots 80' wide and above shall have a minimum of 40% brick/stone material on the front. Mr. Plank also indicated that they are willing to bring an entrance out on to Rensch Road from Orangeberry Drive in order to comply with the 800' minimum length for a road. He also commented on their commitment to Mr. & Mrs. Finley with regard to providing them with sanitary sewer service. They agreed to test their water in advance of construction and agreed to grant an easement for their storm water can get into their detention system. They also agreed to a sump pump for the Finley's as well.

Mr. Hatley asked about the additional curb cut on Rensch Road. Mr. Plank explained the overall project, which includes an option on property to the west. Mr. Hatley asked how many lots would be proposed for the additional acreage. Mr. Plank said about 77. Mr. Hatley pointed out that there would be 300 homes on this little country road. Mr. Plank stated that they are completing a traffic study. Mr. Hatley asked how close the backs of the homes were to Rensch Road, on Orangeberry Dr. Mr. Plank stated that the lots are 150' deep. With the additional landscaped right-of-way, there would be approximately 300' from the road to the back of a house.

Mr. Radi commented that he is not happy with the proposed development, however, it is better than the original proposal. He thanked them, the Administration and Planning Commission for improving the original proposal.

Mr. Lester asked if there was a better reason for service to provide the secondary access on Rensch Road versus another alternative, such as a cul-de-sac. Mr. Blackburn, City Admin., stated that from a Service Dept. standpoint, they are not amenable to cul-de-sacs because of snow removal and maintenance. Mr. Lester asked if the next part of this development would have a curb cut off Rensch Road or is the idea to have that development come through this part. Mr. Plank indicated that it is intended for there to be only two entries off Rensch Road. The curb cut further west would be relocated into this plan. Mr. Lester asked the Dev. Dept. if they had any thoughts on this. Mr. Boso indicated that it is difficult assess at this immediate point. He pointed out that just because there is an option on the land, doesn't mean it will be purchased. He commented that whoever may develop the next lot to the west, he does believe that it makes sense to only have two entrances. He said the location of the two being discussed would be preferable over a cul-de-sac, in his opinion.

Mr. Blackburn asked if the second curb cut would also need a left turn lane. Mr. Plank said they don't believe so, according to the engineers. Mr. Blackburn asked if the County Engineer's office recommended a turn lane at that point. Mr. Plank said he thought the County Engineer only suggested it at the Demorest Rd. intersection. However, they still have the traffic study and their commitment to comply with that Study.

Mr. Lester moved to amend Section 1 of the Resolution to include the following additional stipulation: 1. *The developer will install an east bound left hand turn lane on Rensch Road at the main, Demorest Rd., entrance to the property*; seconded by President Saxton.

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

Mr. Lester moved to amend Section 1 of the Resolution to include the following additional stipulation: 2. *All homes shall have a brick/stone front façade of 20 – 60%, except for those lots 80’ wide or greater, which shall have a minimum of 40%*; seconded by President Saxton.

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

Mr. Lester moved to amend Section 1 of the Resolution to include the following additional stipulation: 3. *Development plan to be modified to provide an additional curb cut in the vicinity of Lots 10 – 13*; seconded by President Saxton.

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

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

Mr. Lester	Yes
Mr. Hatley	No
Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	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. The Mayor submitted the Mayor’s Monthly Report and Mr. Lester moved to accept same; seconded by Ms. Klemack.

Mr. Hatley	Yes
Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	Yes

Mr. Lester

Yes

The Mayor reported on upcoming events. She and Council congratulated the new police officers and the officers recognized tonight, as well as the Jr. Girl Scouts and Mr. Kohman.

2. Mr. Radi commented on Resolution CR-17-04. During his tenure on Council, he has voted against apartments on Broadway and any others in Ward 1. He said this Ward has too many multi-family housing units and doesn't need any more. He knows that the Westgrove subdivision residents do not want this project approved. He commented that many years ago, Council rezoned property in Westgrove from multi-family to create single-family housing along Southwest Blvd. He commented that he is surprised it made it out of Administrative Review and approved by Planning Commission.
3. After additional comments from Council and other Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 9:26 p.m.

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Tami K. Kelly, MMC  
Clerk of Council

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William E. Saxton  
President