

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

March 16, 1998

Regular Meeting

The regular meeting of Council was called to order by President Milovich 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:

*Vaughn Radi Steve Bennett Mike Milovich Budd Eversman Chris Fulton*

1. Mr. Bennett moved to dispense with the reading of the minutes for the previous meeting and approve as written; seconded by Mr. Radi.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes

President Milovich read the Agenda and all items were accepted by unanimous consent.

**The Chair recognized Mr. Bennett, Chairman for the Lands Committee, for discussion and voting of items under said committee.**

1. Ordinance C-10-98 (Accept the Plat for Broadway Commercial Center) was given its second reading and public hearing and Mr. Bennett moved it be approved; seconded by President Milovich.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

2. Ordinance C-18-98 (Approve a Zoning Classification of C-2 for 8.8 acres located on the southwest corner of S.R. 665 and Hoover Rd., upon its Annexation to Grove City) was given its first reading. Second reading and public hearing will be held on April 20, 1998.
3. Ordinance C-19-98 (Approve a Zoning Classification of PUD-I with an underlying C-2 classification, for 22.6 acres located S. of S.R. 665 and W. of Hoover Rd., upon its Annexation) was given its first reading. Second reading and public hearing will be held on April 20, 1998.

Mr. Kenneth Snyder, owner, was present and requested that this be changed to a PUD-I zoning with no underlying C-2 classification. Mr. Bennett said they would consider this at the second reading. President Milovich commented that on February 19, 1998, Council drafted "Text" that may or may not be appropriate for this zoning request and asked if Mr. Snyder had received a copy. Mr. Snyder said he saw a portion of it. President Milovich asked if he was interested in entertaining the thought of utilizing the "Text" as part of the zoning classification, with or without adjustments. Mr. Snyder said he would look at it.

4. Ordinance C-20-98 (Approve the Rezoning of 4.3 acres, located north of S.R. 665 and west of Hoover Rd, from R-1 to PUD-C) was given its first reading. Second reading and public hearing will be held on April 20, 1998.

Mr. Brad Johnson, applicant, was present to answer any questions. Mr. Bennett reviewed the stipulations recommended by Planning Commission and Mr. Johnson agreed to all five (5). President Milovich asked if he was aware that construction must begin within 18 months after the approval of the rezoning. Mr. Johnson said he was not aware of this. President Milovich informed him that there is a submittal procedure that he can obtain a copy of from the Clerk of Council.

5. Ordinance C-21-98 (Approve the Rezoning of 22.25 acres, located north of S.R. 665 and west of Hoover Rd., from R-1 to PUD-R) was given its first reading. Second reading and public hearing will be held on April 20, 1998.

Mr. Brad Johnson, applicant, was present to answer any questions. Mr. Bennett reviewed the stipulations recommended by Planning Commission and Mr. Johnson agreed to all three. Mr. Eversman asked what the reason was for requesting apartments. Mr. Johnson said it is primarily due to the zoning around the parcel and they feel the apartments serve as a good transitional use.

6. Resolution CR-20-98 (Approve the Preliminary Development Plan for The Groves at 665, located north of S.R. 665 & west of Hoover Rd.)

Mr. Brad Johnson, applicant, was present to answer any questions. Mr. Bennett reviewed the stipulations recommended by Planning Commission and Mr. Johnson agreed to all three. Mr. Fulton asked how many units were proposed. Mr. Johnson indicated there are 178 on 22.25 acres. It will, most likely, be built in two phases. The first phase will have about 80 units. Mr. Fulton asked what the mix of 2 - 3 bedroom units were. Mr. Johnson said they will all be two bedrooms. The majority, 70%, will be two-story townhomes and the remaining 30% will be flats. President Milovich asked if a landscape plan was submitted with the Preliminary plan. Mr. Johnson said no. They are working on one now for the Development Plan and hope to submit it next week.

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

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

7. Ordinance C-22-98 (Approve the Special Use Permit for a Drive-Up Window for Donatos Pizza, Inc. located on the northwest corner of Barholm Dr. and Broadway) was given its first reading. Second reading and public hearing will be held on April 06, 1998.

Mr. Ted McClellan, attorney for Donatos, and Mr. Jim Beckman, Director of Real Estate for Donatos, were present. Mr. McClellan said the window excludes menu boards and is simply to pick up orders previously placed. He noted that Planning Commission voiced concern over the 25 feet, between the parking in the front and the building, as being too narrow for maneuverability. He said Donatos is willing to move the building back 10 feet, making the space 35 feet, to allow for cars to get to the window and allow for better maneuverability for those vehicles parked to get out. Mr.

Bennett asked if this was addressing the stipulation of not allowing parking on the east side of the property and if they wished to keep those spaces. Mr. McClellan said yes. Mr. Bennett commented that an agreement was made with another restaurant to not allow parking on the east property line and it is his understanding that this needs to be consistent on the east side of Broadway. Mr. McClellan said that Wendy's, which will be next door - to their south, does have limited parking in the front, with two or three spaces facing Broadway. President Milovich suggested that the Resolution for the Development Plan be postponed until the next meeting, which would allow for the Special Use Permit and the Development Plan to be voted on at the same time and for Donatos to address any changes to CR-21-98. Mr. McClellan said they were hoping to obtain a Building Permit as soon as possible. Mr. Eversman asked if the development would proceed without the drive-thru window. Mr. Beckman said it would not. Mr. Eversman said it may be in their best interest to wait until April 6. He then asked if this type of building, with the window, has been built. Mr. Beckman said yes, on Polaris Parkway. Mr. Eversman asked how they handle those orders that aren't ready. Mr. Beckman said they ask the customer to park in the lot and an attendant takes the order out. Mr. Bennett asked if other buildings had the same configuration with the window lane passing through the parking isle. Mr. Beckman said yes. The peak of the building is the entrance and parking is out to the front. Mr. Radi voiced concern over this configuration from a safety standpoint. Mr. Beckman said that 50% of their business is delivery. The window will only do around 20% and many people choose to dine-in. They have not had any problems with the window. Mr. Fulton asked, even though the window will only be 20% of their business, the project will not continue with the window. Mr. Beckman said yes, because this is their prototype building and want it, with the window, to be the identifier for Donatos Pizza. Mr. Bennett asked if the parking spaces in front were needed to meet Code. Mr. Beckman said no. Mr. McClellan said they want them for convenience for their customers, close to the entrance. The lane for the window is like any other lane in a grocery parking lot. He feels the 35 feet will give plenty of room for parked cars to back out safely.

8. Resolution CR-21-98 (Approve the Final Development Plan for Donatos Pizza, Inc. located on the northwest corner of Barholm Dr. and Broadway) was given its reading.

Mr. Bennett read the stipulations set forth by Planning Commission, acknowledging the discussion of stipulation #3 - parking on east property line. Mr. McClellan commented on stipulation #2, regarding the extension of Farmbank Way. He said this road is not needed for Donatos and requested that it be amended in some way - perhaps to say "under construction" rather than "constructed". Mr. Radi asked if the building size was the same as Polaris & Noe-Bixby. Mr. Beckman said this one is a little larger. Mr. Eversman asked what that did for seating. Mr. Beckman said seating will be the same. There is additional space (50') for a mop sink, storage, etc. Mr. Radi noted that there are two lanes on the north side of the building - one for the window and one to access parking in the rear - and feels this is a little tight. He asked how this compares to other locations. Mr. McClellan said windows have been added to many existing stores. They don't contemplate this to be an issue. Mr. Radi asked if the bypass lane could be widened. Mr. Beckman said they didn't consider this. They intended it to allow for movement around the building. President Milovich suggested moving the building to the south, taking out the drive isle on the south, and widen the bypass lane. This would create a one-way direction, not allowing a left turn at the first entrance. Mr. McClellan said that Donatos has had great success with directing traffic on their lots with signage, however, they would explore this option.

There being no additional questions or comments, Mr. Bennett moved it be postponed to April 6, 1998; seconded by Mr. Eversman.

Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

9. Resolution CR-22-98 (Approve the Final Development Plan for Hennigan's Grove, located North of Hibbs Rd.) was given its reading and public hearing.

Mr. John Gross, representing owner, was present to answer any questions. Mr. Eversman asked if they intend to sell Lot #97 for a home. Mr. Gross said yes. Mr. Eversman asked if the driveway would come off the road. Mr. Gross said yes. The 150' easement is actually part of Lot #97. President Milovich complimented the developer on their configuration of roads, in relation to the ability to service them with snow plowing (i.e. no cul-de-sacs). Mr. Fulton asked if all the lots were above the floodplain. Mr. Gross said yes. Mr. Bennett asked what the size and style of homes would be. Mr. Gross said he did not have that information.

There being no additional questions or comments, Mr. Bennett move it be approved; seconded by Mr. Fulton.

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

10. Resolution CR-23-98 (Authorize the City Administrator to Sell Real Estate no longer needed for City Purposes) was given its reading and public hearing.

Mr. Bennett explained that the City owns a lot in West Grove North that is contiguous to a portion of Concord Lakes that can utilize this ground as part of that development. The City will retain an easement in order to use the existing walkway bridge.

There being no additional questions or comments, Mr. Bennett move it be approved; seconded by President Milovich.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes

**The Chair recognized Mr. Fulton, Chairman of the Service Committee, for discussion and voting of legislative agenda items under said committee.**

1. Ordinance C-12-98 (Amend Chapter 709 of the Codified Ordinances of Grove City, Ohio, titled Community Antenna Television Systems) was given its second reading and public hearing.

Mr. Fulton commented that this Chapter is being brought up to date.

There being no additional questions or comments, Mr. Fulton moved that the Rules of Council be suspended and the waiting period waived; seconded by President Milovich.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

Mr. Fulton moved it be approved as an emergency measure; seconded by President Milovich.

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

2. Ordinance C-13-98 (Issue a Permit and Franchise Agreement for Ameritech New Media, Inc., pursuant to Chapter 709) was given its second reading and public hearing.

Mr. Fulton commented that Ameritech is desirous of bringing a second cable company to Grove City. During the first reading, a request to approve this as an emergency was submitted. Council felt it necessary to allow for a second reading and public notice so comments could be submitted by the residents. He asked Ms. Kelly, City Clerk, if any comments had been received. Ms. Kelly said no.

There being no additional questions or comments, Mr. Fulton moved that the Rules of Council be suspended and the waiting period waived; seconded by President Milovich.

Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

Mr. Fulton moved it be approved as an emergency measure; seconded by Radi.

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

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

1. Ordinance C-14-98 (Amend Section 1301.02 of the Codified Ordinances of the City of Grove City, Ohio, titled Model Codes Adopted) was given its second reading and public hearing.

Mr. Bill Lotz, Sr., Chief Building Inspector, explained that this will bring our Code in line with the current Edition's used for Buildings. He requested that an amendment be made under "(a)" to remove "Council of American Building Officials" and replace it with **Ohio Building Officials Association**.

Mr. Radi moved to amend "(a)" to remove "Council of American Building Officials" and replace it with **Ohio Building Officials Association**; seconded by Mr. Bennett.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes

There being no additional questions or comments, Mr. Radi moved it be approved, as amended; seconded by President Milovich.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

2. Resolution CR-24-98 (Authorize the Mayor to enter into a Contract with the Fraternal Order of Police, Capital City Lodge #9) was given its reading and public hearing.

Officer Townsend, member of the Bargaining Unit, said they worked hard and well with the Administration. He feels they have a good contract. Mayor Grossman offered her congratulations to the Negotiating Team and also feels they reach a good, three year, contract.

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

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

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

1. Ordinance C-16-98 (Appropriate \$80,000 from the Street Fund for the Current Expense of Street Light Installation) was given its second reading and public hearing.

Mr. Eversman explained that this will allow for the addition of street lights to Haughn Road, during its reconstruction.

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

Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

2. Ordinance C-17-98 (Appropriate \$130,000 from the Water Fund for the Current Expense of Water Line Construction) was given its second reading and public hearing.

Mr. Eversman explained that this will allow for the construction of a water line in Haughn Road, during its reconstruction.

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

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

3. Ordinance C-23-98 (Appropriate \$650.00 from the Community Environment Fund for the Current Expense of Tree Purchase) was given its first reading. Second reading and public hearing will be held on April 06, 1998.
4. Ordinance C-24-98 (Appropriate \$1,299,864.00 from the Hoover/Ranch Project Fund for the Current Expense of Road Reconstruction) was given its first reading. Second reading and public hearing will be held on April 06, 1998.
5. Ordinance C-25-98 (Appropriate \$1,033,923.00 from the South Broadway Project fund for the Current Expense of Road Reconstruction) was given its first reading. Second reading and public hearing will be held on April 06, 1998.

**President Milovich asked that any new business to be brought before the attention of Council be done so at this time.**

1. Ms. Anne Yates, fifty year resident, voiced concern over the proposed soccer stadium. She said as the City has grown, Council has been faced with increasingly complex problems, but, none more important than the proposed soccer stadium. This is a major decision which will affect the city financially and in the quality of life for the community. It should be given very careful consideration. She shared the Hunt Group's proposal to Dublin, which was defeated by the voters at a special election - overriding their Council's 5-2 approval, and said she realized that the Grove City proposal will be different. However, she feels the information is still relevant and wants to alert our City Officials to look carefully at the financial arrangements and commitments our City would have to assume and the continuing costs over 25 years. To her knowledge, Dublin was faced with: 1. \$5.6 mills for land purchase and sewer costs; the land to be leased back to the Hunt Group for \$10.00 a year for 25 years; 2. A \$10 mill bond issue for road improvements to be paid out by the property taxes on the stadium; 3. \$90,000/yr. for 25 years for a total of \$2,250,000 for free police costs to the Hunt Group to handle 20 soccer games a year plus additional police costs for at least 10 other required city events; 4. \$62,500 up to \$125,000.00 each year for 25 years to

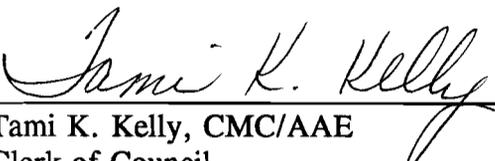
be paid to the Hunt Group for required rental of the facility at least 10 times a year whether used or not. The total cost to Dublin, over 25 years, was estimated at \$12 mills, not including the bond. In return, Dublin would have received: 1. a one time payment of \$212,000.00 income tax from construction; 2. the Hunt Group would pay the City \$38,000.00 in income tax each year, plus the \$10.00/yr lease payment. The property taxes would all go to repay the \$10 mill bond by the Hunt Group and until that was paid off, the City would realize no income tax for schools or otherwise. When dividing the city's total \$12 mill costs over 25 years, it would be close to \$500,000.00 each year. She said it makes one wonder what's in store for Grove City. How will we be subsidizing the Hunt Group and at what cost to quality of life in our community. She then commented on the stadium itself. It was designed to be a 22,500 to 25,000 seat structure, one story high, capable of holding 30,000 maximum. However, in Dublin, the Hunt Group retained the option to increase the size to 60,000 capacity and raise it to six (6) stories. That equates to 20 - 25,000 cars coming into the City for 20 soccer games each year and for, at least, 10 other events - such as rock concerts. She said she talked with people in Dublin about the public outcry there, after the Council voted to approve the stadium. She said they all voiced particular concern that the public had not been informed of the ramifications of the agreement until it was too late, and that the Council made a major commitment of funds on an emergency basis without taking the time to fully explore and understand the total financial picture. She said this is not a matter that our Council Members should be railroaded into, just because the Hunt Group is in a hurry to find a place for their team. Twenty-five years is a long time to live with a mistake. She offered ways that Council could make an informed decision: 1. review published material by experts who have researched the financial and business impact of sports stadiums on communities; 2. bring in a known expert in the field to speak to a combined Council/Citizens meeting to answer questions; 3. give serious consideration to the traffic problems and consider whether there really is an acceptable solution to handling 12 - 25,000 cars coming into the City; 4. realize that this stadium rivals Polaris in capacity so we would have all their problems, but, on a much larger scale; 5. look at the loss in quality of life and of property values for the neighboring residents and the difficulties created for the whole community; 6. thoroughly analyze the Hunt Group's proposal to be aware of the true costs to the city over time and consider, carefully, the validity of their estimates of projected increase in income to businesses and the City; 7. have a town meeting, before any commitments are made. Review all the facts regarding the stadium - size, capacity, costs for community use, future projected traffic load and full disclosure of what the City's total costs and income would be over 25 years. Then and only then can Council get appropriate feedback from the community. She said the citizens deserve to be fully informed. This matter would permanently affect the whole community and is too important to be decided behind closed doors.

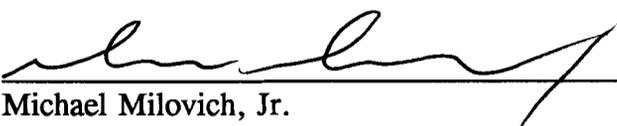
**President Milovich recognized members of Administration and Council for closing comments.**

1. Mayor Grossman welcomed Americast and gave a brief construction update: South Broadway will get underway in April; the contract for Hoover Rd. will be let sometime in June; and Haughn Rd. is underway. She also recognized artist, Dave Maple and Earl Nicholson who are painting a mural at the Senior Center.
2. Mr. Boso expressed total agreement to Mrs. Yates' statement. He said, as with all projects, this Council will take her comments into consideration. At this point, we do not know if we will receive a proposal from the Hunt Group, but, if so, it will be examined like we do other financial considerations and will be done in open session, and Council must approve it. He said if her comments are correct and he was a Dublin resident, he would have voted no on it also.

3. Each Council Member expressed their commitment to Mrs. Yates to review any proposal received carefully. Mr. Radi commended her on her research and asked that she stay involved. In addition, they all congratulated the FOP & Administration on a new, three year, contract. President Milovich thanked Messrs Blackburn, Kulp, McKean & Kohman for the new truck signage in Southpark.
4. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:10 p.m.

  
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Tami K. Kelly, CMC/AAE  
Clerk of Council

  
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Michael Milovich, Jr.  
President