

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

March 19, 2001

Regular Meeting

The regular meeting of Council was called to order by Ms. Kelly, Clerk of Council, 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:

Chris Fulton Vaughn Radi Budd Eversman Maria Klemack

1. Ms. Kelly opened the floor for nominations for a Temporary Chairman.

Mr. Eversman nominated Mr. Fulton. There being no further nominations, the floor was closed.

Mr. Radi moved to designate Mr. Fulton as Temporary Chair; seconded by Ms. Klemack.

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes

2. Mr. Eversman 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. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes

3. Mr. Eversman moved to excuse President Bennett; seconded by Ms. Klemack.

Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

4. Mr. Fulton recognized Mayor Grossman who presented Ms. Katie Stevenson, Shannon Wiggins and Samantha Wiggins, from Cadet Girl Scout Troup #222, with a Proclamation for their Silver Award Project.

5. Mr. Fulton read the agenda items and they were approved by unanimous consent.

The Temporary Chair recognized Mr. Radi, chairman of the Lands & Zoning Committee, for discussion and voting of legislative agenda items under said committee.

1. Ordinance C-6-01 (Rezone 25.435 acres located South of Quail Creek Blvd. and East of Hoover Road from R-1b to PUD-R) was given its second reading and public hearing.

Mr. Terry Morrison, White Oak Communities, was present to answer any questions. He explained some of the history with the property, which originally included a plan for ground to be zoned PUD-C along Old Hoover Road. This site was originally submitted with a request for 20 acres to be PUD-R and 5 acres to be PUD-C. Subsequently, they submitted this request, for all 25 acres to be zoned PUD-R. It is intended to be developed with 4-plex condominiums by Epcon Group, which has been so successful in Grove City. Mr. Radi explained that a development plan is not on the agenda tonight, but the use is important. He asked for an explanation of the proposed condo's, in relation to others in the area. Mr. Morrison stated that Epcon units have evolved, since the first project here. This project will have two styles of buildings, four units (like the Ravines @ Quail Creek), with the smallest being a villa and the largest being a chateau in the Classic Series. In their Cathedral series, they have an Abby and Canterbury. It allows for a two and three bedroom in each building. While the overall style stays the same in this new project, they have changed stone and colors and enhanced them in such a way that they are an improved project from what they have had in the past.

Ms. Jane Stark, contiguous property owner, explained that several years ago they chose to annex with this property. They could see that, down the road, there may be a development that they would need to speak on and wanted to be a part of the city. She said they have spoken to Mr. Rhoades, of Epcon, and have seen the plans. As a result of their conversation, they have some concerns to share this evening. The first is a definite boundary that would be set between their property and the condo's. There is a creek that runs through their back yard and they are concerned with privacy and liability. Just in the last week, they have had people in the creek and coming to fish. She would like some mounding and trees and, perhaps, some fencing to define this boundary. While she understands that most of the residents will be older, they will have grandchildren and the creek is an obvious attraction. Secondly, there is a major concern with drainage. With the realignment of Hoover Road, a drainage culvert was put in on the opposite side of the creek. During the flooding in 1998, they lost 8 to 10 feet of property directly across from that culvert. When they asked Mr. Rhoades about this, he said that was still being reviewed by the Engineers. However, they still have a very large concern about where the drainage source would be for this area. Finally, the plan shows Building #14 setting directly out on S.R. 665. They are concerned about loss of road frontage to their property and anything that might, eventually go in. Mr. Radi asked Mr. Kohman (City's Consulting Engineer) if he has had an opportunity to review the development plan and the drainage. Mr. Kohman said he has not seen the plan yet and the drainage issues have not been discussed. He said all drainage and storm water retention would need to meet the City's requirements. Mr. Radi asked if that would take into account the neighboring properties and the effect on them. Mr. Kohman said yes. Mr. Stage commented that the Development Plans has just been submitted and it was reviewed at the administrative level last Friday. The same concerns raised by Mrs. Stark were raised in that Staff review. However, he does feel this rezoning request should be approved this evening. They still have the development process to go through, and feel they are close to working out the details. Mr. Radi stated that the request is just a change in zoning and doesn't mean that a development plan would be approved.

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

Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Eversman	Yes

- Ordinance C-13-01 (Authorize the Administrative Assistant to Take Any Necessary Actions to Convey Certain Real Property to the Grove City Community Improvement Corporation) was given its second reading and public hearing.

Mr. Stage, City Admin., showed a hand drawing of the subject property for this and the next ordinance. He explained that part of the original plan took city property and married it with lots along Gateway Circle. The two ordinances allows the G.C. Community Improvement Corporation to enter into Agreements with the developer to embed, within the Deeds, certain "PUD Text" and allows us to collect \$30,000.00 for the transfer of the property over a five year period. It also conveys to the City, property that is part of a natural ravine. He recommended approval of both ordinances.

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

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes

- Ordinance C-14-01 (Accept the Transfer of 3.740 acres of Property, located on Marlane Drive) was given its second reading and public hearing.

Mr. Radi explained that this is the companion piece to Ord. C-13-01 and allow the City to accept 3.74 acres.

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

Mr. Radi	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes

- Ordinance C-20-01 (Accept the Plat of Hennigan's Grove Phase 2, Section 2) was given its first reading. Second reading and public hearing will be held on April 2, 2001.
- Ordinance C-21-01 (Approve the Rezoning of 7.9± acres located on Lewis Centre Way, from IND-2 to IND-1) was given its first reading. Second reading and public hearing will be held on May 7, 2001.
- Resolution CR-19-01 (Accept the final Development Plan for Quail Creek, Section 5) was given it reading and public hearing.

Mr. Terry Morrison, petitioner, was present to answer any questions. Mr. Radi reviewed the stipulations set by Planning Commission, which Mr. Morrison agreed to and stated that new text

showing the changes has been submitted to Mrs. Kelly, Clerk of Council. Mr. Radi asked Mr. Kohman about the stream relocation. Mr. Kohman said the proposal is submitted to Federal Emergency Management Agency for approval. Mr. Radi asked how it is monitored. Mr. Kohman stated that Mike Boso, Chief Building & Zoning Official, is the City's Flood Official and would monitor that. Mr. Morrison commented that they have already employed Hartman Engineering and they have determined that this is designated a Flood Zone A. Through Mr. Hartman's calculations, he will determine the exact elevation of the 100-year flood and with the fill required, will be able to determine the change in that. From his preliminary calculations, the flood zone will be reduced from what is shown on the maps now. Mr. Radi asked if flood insurance would be required, by being in this zone. It was determined that no flood insurance would be required. Mr. Radi noted that with the completion of the Boulevard, this was left over as rather isolated piece. He asked Mr. Stage if there were any other possibilities for development in conjunction with property to the south. Mr. Stage said there were about eight different proposals of "can we do something differently". They did have an engineer look into how it could be married with the southern property. He said the answer is yes it could be, but it isn't very practical. The terrain becomes rough as you go south and it would be difficult. Mr. Fulton questioned the stream relocation with regard to the erosion or potential liability in the long term. He asked who takes responsibility for the stream in its relocated state and anything that might occur as a result. Mr. Morrison said that it is his understanding that what they look at is from the bridge at Borrer Road, all the way back to the furthest affects of the change. From that point to the edge of Lot 158, there is no change. The only changes are: the severe horseshoe bend that comes toward Quail Creek Blvd. will be corrected and alleviate the current erosion taking place; also, taking the stream bed, building it to a design and rip-rapping the sides, they can control the erosion and hopefully improving everything along the way. Mr. Stage stated that he just received a copy of the revised Text and said he recalls a note that the lots should be 92 feet wide, that isn't here. Mr. Morrison stated that due to some obstacles (fire hydrants, street lights, etc.), the lots are different widths. He said there is only one at 88 feet wide. All others are 92 feet and wider. Mr. Stage said that would be all right, since it is shown on the plan that way.

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

Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

7. Resolution CR-20-01 (Accept the final Development Plan for Capital Park South, Building 11) was given its reading and public hearing.

Mr. Mark Daniels, architect, was present to answer any questions. Mr. Radi reviewed the two stipulations set by Planning Commission and Mr. Daniels agreed to them. Mr. Radi stated that an appeal to the variances granted by the Board of Zoning Appeals has been filed with the Clerk of Council and a Resolution regarding this will be on the next agenda of Council. Mr. Eversman commented that, for everyone's benefit, they might want to postpone this Resolution until Council hears the appeal on the variances, if this isn't objectionable. Mr. Daniels said that would be fine. There being no objections, additional questions or comments, Mr. Eversman moved it be postponed to 4/2/01; seconded by Mr. Radi.

Ms. Klemack	Yes
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Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Eversman	Yes

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

1. Ordinance C-7-01 (Amend Various Sections of Chapter 1101 of the Codified Ordinances titled Development Standards) was given its second reading and public hearing.

Mr. Radi explained that members of the Administration and Council have been meeting with members of the Chamber and have come up with another piece of legislation that will, likely replace this. However, until something is solidified, he requested that this Ordinance be postponed to 4/16/01; seconded by Mr. Eversman.

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes

2. Ordinance C-17-01 (Amend Chapter 1301 of the Codified Ordinances titled General Provisions and Code Penalty) was given its second reading and public hearing.

Mr. Boso, Chief Building and Zoning Official, commented that he is reviewing all of Part 13 and updating the different Chapters. Some of the changes for this Chapter include the addition of a Purpose, Scope and some new definitions.

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

Mr. Radi	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes

3. Ordinance C-22-01 (Amend Chapter 1303 of the Codified Ordinances titled Division of Building Regulation) was given its first reading. Second reading and public hearing will be held on April 02, 2001.

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

1. Ordinance C-18-01 (Authorize the City Administrator to enter into a Joint Cooperation Agreement between the City, South-Western City Schools, Jackson Township and Franklin County for the Sharing of Costs Associated with the Reconstruction of Big Run South and Holt Roads) was given its second reading and public hearing.

Mr. Stage, City Admin., explained that he did meet with representatives of the School Board and the Superintendent. The question that is on the first page of the Agreement, under Franklin County, #7, regarding operating and maintaining the completed improvements until annexed to Columbus or Grove City was discussed and it was determined that they were fine with the Agreement.

However, it has not been voted on by the School Board yet. He believes that everything has been worked out in order to abide by the Agreement and to keep us legal in the disbursement of funds. Mr. Eversman commented that Mr. Stage said Grove City's obligation would run about \$1.2 million, with another agreement to recover about \$400,000.00 from Jackson Township. He said if anything drastically changes from those numbers, that Mr. Stage would inform Council before entering into that Agreement. Mr. Stage said yes. The School Board made no comment when he showed the formula at the last meeting and is in line with the funds they originally planned. The Township, after the letter they wrote on December 4, 2000, should be in agreement with funding the portion he has identified. He hopes that the Township will agree to the dollar level suggested. Mr. Radi commented that this is a safety issue for Grove City. With the schools at this intersection, we will have Grove City children transported and walking there. With keeping the utmost safety in mind, it is important that these improvements be made. Mr. Fulton concurred with Mr. Radi and stated that with the significant vehicle and pedestrian traffic, this is necessary. They both thanked Mr. Stage for his efforts.

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

Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

2. Ordinance C-19-01 (Authorize the City Administrator to enter into an Agreement with Jackson Township for the Cost Sharing of the Reconstruction of Big Run South and Holt Roads) was given its second reading and public hearing.

Mr. Eversman commented that this is the companion piece to Ord. C-18-01. As requested by Mr. Stage, since this hasn't been totally work out, Mr. Eversman moved to postpone this ordinance until 4/2/01; seconded by Mr. Fulton.

Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Eversman	Yes

Mr. Stage commented that the postponement request of Council is to encourage the Township Trustees to enter into a fair and equitable agreement. Mr. Eversman concurred.

3. Ordinance C-23-01 (Appropriate \$13,000 from the General Fund for the Current Expense of Ventilation System Maintenance) was given its first reading. Second reading and public hearing will be held on April 2, 2001.
4. Ordinance C-24-01 (Appropriate \$10,000 from the General Fund for the Current Expense of Senior Center Remodeling) was given its first reading. Second reading and public hearing will be held on April 02, 2001.

5. Ordinance C-25-01 (Appropriate \$500,000 from the General Fund for the Current Expense of Cost Sharing the Reconstruction of Big Run South and Holt Roads) was given its first reading. Second reading and public hearing will be held on April 02, 2001.
6. Resolution CR-21-01 (Authorize the Redirection of Funds appropriated for Broadway Reconstruction to the Reconstruction of Big Run South and Holt Roads) was given its reading and public hearing.

Mr. Eversman explained that this is money we are moving from one project to the Big Run/Holt project for the reconstruction.

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

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes

The Temporary 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, Mr. Eversman recognized members of Administration and Council for closing comments.

1. Mr. Stage commented that the Mayor left after her Proclamation due to some dental work she had done earlier in the day.
2. Mr. Behlen commented that the audit with the State Auditor's is proceeding.
3. Mr. Frank Eck, attorney filling in for Mr. Clark, commented on the Shoney's building. He explained that Shoney's was involved in some litigation as to who is responsible for the upkeep of the property. Shoney's has won that case and the property owner is now maintaining the ground. The Building Department just sent them a letter demanding that the property be brought up to Code and that is being done. Mike commented that they made some dramatic changes today.
4. Council congratulated the Girl Scouts and Mr. Radi thanked the School Board for allowing him to be named the liaison for Council. He said the two Boards would continue to meet, as they have done in the past.
5. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 8:47 p.m.

Tami K. Kelly

Tami K. Kelly, CMC/AAE
Clerk of Council

Christopher L. Fulton

Christopher L. Fulton
Temporary Chairman