

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

March 30, 1998

Special Meeting

The special 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 Mike Milovich Budd Eversman Chris Fulton

1. Mr. Radi moved to excuse Mr. Bennett; seconded by Mr. Fulton.

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

2. President Milovich explained that this special meeting was called to address the legislative items scheduled for April 06, 1998, due to the fact that there will not be a quorum for that meeting. Mr. Radi then moved to cancel the April 6, 1998 meeting; seconded by Mr. Eversman.

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

3. President Milovich recognized Mayor Grossman for a presentation. Mayor Grossman presented Bob Behlen, Director of Finance, and his staff with the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. This is the eighth time the Finance Department has received this award and the Mayor expressed her congratulations.

4. Mr. Fulton moved to dispense with the reading of the minutes for the previous meeting and approve as written; seconded by Mr. Eversman.

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

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

In the absence of Mr. Bennett, Mr. Radi took the Chair for the Lands Committee, for discussion and voting of items under said committee.

1. Ordinance C-7-98 (Approve a C-2 Zoning Classification for a 19.62 acre parcel located West of State Route 104 and South of Thraikill Road upon Annexation) was given its second reading and public hearing.

Mr. Greg Ronier, General Manager for the Auto Auction, was present to answer any questions. Mr. Eversman suggested that this ordinance be postponed until April 20, 1998, so that it could be taken up at the same time as the Annexation request. Mr. Ronier consented.

There being no additional questions or comments, Mr. Radi moved to postpone it until 4/20/98; seconded by President Milovich.

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

2. 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 second reading and public hearing.

Mr. Ted McClellan, attorney for Donatos, and Mr. Jim Beckman, Director of Real Estate for Donatos, were present. Mr. McClellan stated that after the last meeting, a revised Development Plan was submitted. It widens the pick-up lane and by-pass lane by one foot each (two feet total); the parking in the front has been angled, causing one-way traffic - signs will be posted to reflect this; eliminates one parking space in front; pushes back the building 10', however, the architect expanded the grass area in front of the building which is not what they wanted. There should be 30' between the curb in front of the building and the parking spaces on east side. Mr. Radi said there was a question for safety with headlights shining into traffic and asked if they have found a way to address that. Mr. McClellan said that they have a landscape plan that they hope will address this. Mr. Radi commented that the Planning Commission recommended the approval of the Special Use Permit subject to no parking facing Broadway. Mayor Grossman, speaking as a Planning Commission member, shared their concerns for safety regarding headlights and deferred to Mr. Lathrop, Urban Forester, for the necessary opacity of a hedge to screen such lighting. Mr. Lathrop said, typically, a shrub, 5' on center - 3' high hedge, has a distance of 2 1/2 - 3' between the shrub that light could shine through. The Mayor also commented that there is a possibility of three different types of traffic passing in front of the store that prompted a safety concern. Those being: traffic to the window; vehicles parking or exiting spaces in front; and the traffic using the, one-way, by-pass lane. Mr. Fulton asked how this plan compares to other facilities with the window. Mr. Beckman said the Canal Winchester store is pretty much the same. Broadway would be Gender Rd. The only difference is the access is to the rear than on the side. Everything else is basically the same, including the width of the property and parking in front. Mr. Eversman reiterated that this ordinance was contingent upon no parking in the front and asked if Donatos wanted this to be approved without this stipulation, would the ordinance need changed. Ms. Kelly, Clerk of Council, confirmed that an amendment would need to be made. President Milovich commented that it may not be appropriate to do that until the safety concerns are addressed with the development plan. He then moved to table Ordinance C-22-98; seconded by Mr. Eversman.

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

3. 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. Eversman moved to amend Section 1 to add a stipulation that: evergreen hedges in front of parking area (east side of property) have 70% opacity at planting; seconded by Mr. Radi.

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

Mr. Eversman moved to amend Section 1 to add a second stipulation that the development plan, dated March 23, 1998, showing a 25' dimension between the front building curb and the parking spaces be 30 feet; seconded by President Milovich.

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

Mr. Eversman moved to amend Section 1 to add a third stipulation that the inbound traffic at the first curb cut be continuous one-way, counter clockwise around building with appropriate signage; seconded by Mr. Radi.

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

Mr. Radi moved to amend Section 1 to read, in part, ". . . contingent upon the stipulations set by Planning Commission, except for #3"; seconded by Mr. Eversman.

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

President Milovich commented that at the last meeting, the petitioner requested that stipulation #2 be changed to say "under construction" rather than "constructed". Mr. McClellan confirmed this. He said that when a developer constructs a road, they post a bond as an assurance and once the road is under construction, felt it would be appropriate to receive occupancy.

President Milovich moved to include an additional stipulation under Section 1 that: Stipulation #2 of the Planning Commission is excepted and No occupancy permit will be issued until after the posting of a performance bond for Farm Bank Way; seconded by Mr. Fulton.

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

President Milovich read the remaining stipulations set forth by Planning Commission, to which Mr. McClellan agreed. Mr. Lotz, Chief Building Official, commented that the entrance to this parcel will be off of Barholm Dr. and an assurance that this will be constructed is also needed.

Mr. Eversman moved to add an additional stipulation to Section 1 that: No final occupancy permit be issued until after the completion of Barholm Drive; seconded by Mr. Radi.

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

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

Mr. Fulton	Yes
Mr. Radi	No
Mr. Milovich	Yes
Mr. Eversman	Yes

* Mr. Radi moved to bring Ord. C-22-98 off the table; seconded by President Milovich.

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

Mr. Eversman moved to amend Section 1 and remove "as stipulated by Planning Commission"; seconded by President Milovich.

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

Mr. Radi moved Ord. C-22-98 be approved, as amended; seconded by Mr. Fulton.

Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	No
Mr. Milovich	Yes

4. Ordinance C-26-98 (Accept the annexation of 19.620 acres located West of State Route 104 and South of Thrailkill Road) was given its first reading. Second reading and public hearing will be held on April 20, 1998.
5. Ordinance C-27-98 (Approve the rezoning of 3327 Columbus Street from R-2, Single Family Residential, to PSO, Professional Offices) was given its first reading. Second reading and public hearing will be held on May 04, 1998.

Ms. Carol Hall, contiguous property owner, strongly opposed the rezoning request. She noted that at the Planning Commission meeting, they submitted a petition with signatures from surrounding residents objecting to this rezoning. According to the Webster Dictionary, the house next door is just a house - a structure/building used for storage or shelter. They have a home, where they live and reside. It is a relationship, with emotional attachment. She said they want to maintain the residential flavor of their neighborhood and the integrity of the Historical Preservation Area. She asked what the HPA is trying to preserve. She also asked how everyone got to the meeting. She walked. This is part of what she enjoys about living close to downtown. She said she receives, at least, three letters a year from realtors asking if they are interested in selling their home because they have families interested in older homes. She has had many inquiries about the house next door, which she has passed on to the Canter's. She said the decision Council makes will impact their lives for many years to come and requested that they carefully consider that decision. Mr. Radi asked if Ms. Hall felt that if this was rezoned, it would interfere with the residential enjoyment of the area. Ms. Hall said she was concerned that if this house was rezoned, the PSO/commercial zoning would go right down the block and there won't be any old homes to choose from. She said she just wants to preserve the residential flavor.

Ms. Chris Johnson, Park St., voiced opposition to the rezoning. This house is in the Historical District and the City has seen this as an important area that needs preserved. Secondly, the families that do live in the area appreciate the older homes; enjoy the neighborhood atmosphere; ability to walk everywhere. This is one of the aspects that brought her family to this area. She said that older homes are hard to come by and she too, receives calls from interested buyers. Lastly, commercial growth is an important part of Grove City, but, feels we need to be careful and not infringe upon the residents of this area and what is trying to be preserved there. She said we are in "hind sight". Council has the opportunity to look down Broadway and see things clearly now. She asked that Council control this growth so we have no regrets or "what ifs" about this area of our community in the future.

Mr. Mark McCloud, attorney representing Mr. & Mrs. Canter, showed a map of the area. He pointed out that the properties around the subject piece are zoned commercially, with the exception of Ms. Hall. With respect to reduction of property values, this is quite the contrary. Ms. Hall commented on how nice it was to walk to the coffee shop, etc. and it is also nice to be able to walk to your attorney or insurance agent, etc. In addition, they are not advocating any loss in the residential flavor. The building would remain the same. They realize that the residential zoning allows for some types of office use. However, it is for one person with one assistant. This is difficult to do in today's business. He doesn't see it as hurting property values or the neighborhood in any way. He sees it as a way to improve a property that takes a lot of money for upkeep. Mr. Radi asked why this is being requested now and if there is an anticipated user. Mr. McCloud said Mr. Canter inherited the property from his parents estate. He said Mr. Canter would like to preserve the family heritage and has a son who may want to move into the home at some point in the future. This improvement would improve the fair market value of this property, as well as those surrounding it. Mr. Eversman asked if they intended to lease it. Mr. McCloud said yes, for now. Mr. Fulton asked if they had spoken to anyone in the neighborhood who was in favor of the rezoning. Mr. McCloud said Mrs. Canter spoke with some of the various neighbors and did not meet with any opposition at that time.

Mr. Radi noted that Council did receive copies of the petitions, with 17 signatures, opposing the rezoning and that the Planning Commission recommended the denial of this rezoning.

6. Resolution CR-25-98 (Approve the Sign Request for Home Country Moods located at 3401 Grant Avenue, in the Historical Preservation Area) was given its reading and public hearing.

Ms. Diane Haimerl, owner, was present. Mr. Radi reviewed the stipulations set by Planning Commission and Ms. Haimerl agreed to all.

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

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

7. Resolution CR-26-98 (Authorize the Mayor to enter into a Contract for the Operation of the Concession Stand at Windsor Park) was given its reading and public hearing.

Mayor Grossman explained that the City has received bids for the operation of the Concession Stand at Windsor Park, however, due to different pay structures new bids will be taken, asking for a flat rate lease. This resolution will allow for the contract to be signed as soon as the new bids are received and awarded.

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

Mr. Radi	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. Resolution CR-27-98 (Intent to Appropriate a Fee Simple Interest in Certain Lands for the Improvement of Broadway) was given its reading and public hearing.

Mr. Clark, Dir. of Law, explained that this is the first step in a process that will allow the City to acquire rights-of-way necessary for the improvements to Broadway.

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

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	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-23-98 (Appropriate \$650.00 from the Community Environment Fund for the Current Expense of Tree Purchase) was given its second reading and public hearing.

Mr. Eversman explained that this is money paid, for trees offered in the first Tree Sale sponsored by the City to residents, for street trees at discounted price from retail. It was brought to his attention tonight that additional monies have been received for this and moved to amend the amount to \$3,055.35; seconded by Mr. Radi.

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

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

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

2. 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 second reading and public hearing.

Mr. Eversman explained that this is money received from an Issue II grant.

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

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

3. 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 second reading and public hearing.

Mr. Eversman stated that this is also grant money received for use on the specified project.

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

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

4. Ordinance C-28-98 (Amend Chapter 161 titled Employment Provisions for City Employees) was given its first reading. Second reading and public hearing will be held on April 20, 1998.

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

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

1. Mayor Grossman submitted the Mayor's Monthly Report and requested it be accepted.

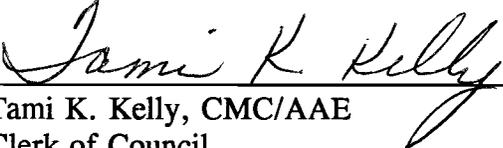
Mr. Eversman moved to accept the Mayor's Monthly Report; seconded by Mr. Fulton

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

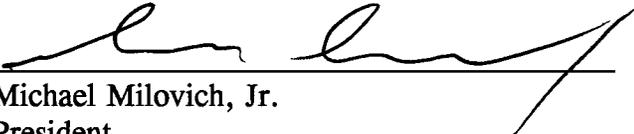
In closing the Mayor commented that the City as received 2.3 million dollars in Issue II grants for much needed improvements; there are 800 participants signed-up for the new baseball program; she will be proclaiming the month of April as Keep Grove City Clean month; on April 1, the Mural painted by Dave Maple and Earl Nicholson will be dedicated at the Senior Center; Bath & Body Works is hoping to open on April 4; and she again congratulated Mr. Behlen and his staff.

2. Mr. Behlen stated that the State Auditors office is currently conducting an audit of our operation and basically the general purpose statements, the capital and GAAP statements. They started this work last year and are now finalizing year end numbers. They started today and will be here for the next three weeks.
3. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:12 p.m.



Tami K. Kelly, CMC/AAE
Clerk of Council



Michael Milovich, Jr.
President