

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

April 01, 1996

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:

*Todd Hurley                  Steve Bennett                  Mike Milovich                  Jeff Warner                  Bruce Faris*

1. President Milovich recognized Mayor Grossman for a presentation. Mayor Grossman presented Bob Behlen, Director of Finance, with a plaque, received by his department by the State of Ohio, which is a Certificate of Achievement in Excellence in Financial Reporting. This is the sixth year for the award.

2. Mr. Hurley moved to dispense with the reading of the minutes and approve as written; seconded by Mr. Warner.

Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Warner	Yes
Mr. Faris	Yes

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

1. Ordinance C-4-96 (Accept the annexation of 2.772 acres located North of Stringtown Road and West of State Route 104) was given its second reading and public hearing.

Ms. Barbara Knight, attorney for petitioner, requested that this ordinance be postponed until April 15, 1996, so that it can be heard at the same time as the Special Use Permit for the Ohio Auto Auction. There being no additional questions, Mr. Hurley moved Ordinance C-4-96 be postponed until April 15, 1996; seconded by Mr. Bennett.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes

2. Ordinance C-24-96 (Approve a Special Use Permit for a Pet Grooming & Supplies store at 4064 Hoover Road) was given its second reading and public hearing and Mr. Hurley moved it be approved; seconded by Mr. Warner.

Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes

3. Ordinance C-25-96 (Approve a Special Use Permit for Auto Sales located at 3775 Jackson Pike) was given its first reading. Second reading and public hearing will be held on May 06, 1996.

Mr. David Distlehorst, owner, was present to answer any questions. Mr. Hurley reviewed the stipulations set forth by Planning Commission and Mr. Distlehorst said he was aware of them.

4. Ordinance C-26-96 (Approve a Special Use Permit for The Ohio Auto Auction located at 1294 Stringtown Road) was given its first reading. Second reading and public hearing will be held on April 15, 1996.

Mr. David Munikhuisen, general manager for Auto Auction, was present to answer any questions.

5. Ordinance C-27-96 (Amend the Preannexation Agreement for Scioto Holding Company, as Adopted by Ordinance C-65-93) was given its first reading. Second reading and public hearing will be held on April 15, 1996.

6. Resolution CR-12-96 (Approve the Final Development Plan for Grove City Christian School at 4770 Hoover Road) was given its reading and public hearing.

Mr. Bill Hosterman, architect, was present to answer any questions. He presented a landscape plan which showed the existing, proposed and future landscape for the area. He said there would be a couple of trees added around the school area and some low shrubbery around the dumpster enclosure. Mr. Faris commented that this is exactly what he was looking for. He said he spoke to Mr. Lathrop, Urban Forester for the City, about the plan and expressed support for the project.

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

Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

7. Resolution CR-13-96 (Approve the Exterior Improvements to 3966 First Avenue in the Historical Preservation Area) was given its reading and public hearing

Mr. Hurley explained that the original Development Plan for this project was approved in 1995 with two (2) stipulations: *Exterior plans to be submitted to Planning Commission and Council for approval with restoration completed by July 15, 1996; and Curb Cut reduced in size to meet ADA standards.* This resolution is to address and comply with the first stipulation of the original plan. He explained that the exterior will be stuccoed in a color (lt. tan) approved by the Chief Building Inspector and the only stipulation on this new resolution is a completion date of May 30, 1996.

President Milovich asked Mr. Lotz, Chief Building Inspector, to explain the original stipulation regarding the curb cut. Mr. Lotz explained that this building was originally used for a garage and the curb cut is the complete length of the building. The owner was asked to replace this with a standard curb, but, leave an opening wide enough for a wheelchair and comply with ADA Standards.

There being no additional question or comments, Mr. Hurley moved it be approved; seconded by Mr. Faris.

Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes

8. Resolution CR-14-96 (Approve the Final Development Plan for the Ohio Auto Auction - Parking Lot located at 1294 Stringtown Road) was given its reading and public hearing.

Mr. David Munikhuisen, general manager for the Auto Auction, was present to answer any questions. Mr. Hurley reviewed the stipulations set forth by Planning Commission to which Mr. Munikhuisen agreed to all.

There being no additional questions, Mr. Hurley moved it be approved; seconded by President Milovich.

Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes

9. Resolution CR-15-96 (Approve the Revised Final Development Plan for Park Square Shopping Center located on the Northeast corner of Stringtown and McDowell Roads) was given its reading and public hearing.

Mr. Bill Bonner, vice president of Shore Properties, stated that all concerns of Planning Commission have been addressed and incorporated in the revised drawing. Mr. Hurley stated that resolution provided four (4) additional stipulations and Mr. Bonner stated that they agreed to all and should also be reflected in the plan submitted.

Mr. Warner voiced concern over the large expanse of wall on the east edge of the property, next to Harts. Mr. Bonner explained that the Harts building will cover over half of the proposed building and said his guess is that after 1997 a new enterprise will be going into the Harts area. Mr. Warner asked what the size of the trees were to be beside the dumpsters. Mr. Bonner said eight foot (8'). Mr. Warner said he had initially considered requesting an additional five foot strip of landscape along the building line, however, he is satisfied with it, but, encouraged Mr. Bonner to include any additional landscaping possible. Mr. Bonner said they want this to look as attractive as possible. He said its hard to commit to any more, but, he won't rule anything out either.

Mr. Faris commented that he shared Mr. Warner's initial concern, but also feels more comfortable. He stated that the dumpster fencing height is five feet (5') and most dumpsters are that height. What we are trying to do is get the screening higher than the dumpster. Mr. Bonner stated that what they are trying to do is make it so the dumpsters can be picked-up and put back from over the top and not have to open the doors. He said they hope to pull this off so it looks like fencing, interspersed with landscaping. Mr. Faris asked if he knew the difference in height between the fencing and the dumpster. Mr. Bonner said the dumpster is about three inches (3") shorter. Mr. Faris said he wants to ensure that you don't see trash piled up on the dumpster. Mr. Bonner said

they have set out to address the problem of dumpsters, notorious in retail centers, by contracting with a waste hauler for the entire center. This way, he doesn't just loose one customer, he looses the entire center. Mr. Faris said he would still like to see the screening raised to six feet (6'). Mr. Bonner said he felt that would defeat the purpose. He said, if it were raised that high, people would open the doors and never close them or just toss trash over. At five feet, you can reach over, lift up the lid and place the trash inside. This is the reason for the design. He said he would take to it six feet, but, would like to remove the doors. Mr. Faris said he would like to see both. Under the new landscape Code, the height of the partition is to be one foot above the dumpster to a maximum of six feet. Mr. Bonner agreed to build the dumpster fencing one foot above the height of the dumpster.

Mr. Faris moved to amend the resolution to include that: *the dumpster enclosure height be one foot higher than the dumpster*; seconded by Mr. Warner.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes

President Milovich asked if the air handling units were to be mounted on the roof. Mr. Bonner said they were and would be screened on the south and east side. President Milovich questioned the west side and Mr. Bonner stated that the facade extending above the roof line would cover it. Mr. Bennett asked if the color scheme would be the same as Sears and Mr. Bonner said yes. In their written text, it spells out that the drivet will be colored to match the Sears building.

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

Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes

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

1. Resolution CR-16-96 (Waive the provisions of Section 903.01(b) of the Codified Ordinances for the Annual Alumni Softball Tournament on July 23, 27, 28, 1996 at Evans Park) was given its reading and public hearing.

Mr. Rick Brunton, representing Sertoma, was present to answer any questions. Mr. Bennett stated that there was a stipulation in the resolution requiring a cut-off time to be coordinated with the Safety Director. Mr. Brunton stated that he has contacted Captain Deskins, requesting the same cut-off time as last year and is waiting for a return call.

Mr. Warner commented that he has no issues with Sertoma, but, does have a concern over the message that is sent by this City Government by saying yes, we will make an exception and allow

public drinking for special events. The City is very involved with the DARE Program and youth redirection and feels this is a contradiction. He feels it is important to be consistent in the message being sent. These comments are for the following resolution as well.

Mr. Faris stated that he also shares in Mr. Warner's concern. He, personally feels it sends the wrong kind of message, but, after a long conversation with Chief McKean he also understands why the Safety Department likes this kind of control. In addition, he has spoken with many people in his Ward and will try to echo what they like and not necessarily what they need.

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

Mr. Warner	No
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

2. Resolution CR-17-96 (Waive the provisions of Section 528.07(b)3 for the Annual Homecoming Celebration on July 26, 1996 on the Streets of the Town Center) was given its reading and public hearing.

Mr. Joe Hull, representing the Speech & Hearing Center, commented that this will be the fourth year for this event and like the Sertoma, they are trying to help control what goes on downtown. Originally, when the event started, many people were forced, because of the number of people attending, to carry alcohol outside establishments - which violated the liquor laws and caused problems. He feels this has been somewhat of an answer. He also expressed appreciation to Mr. Faris & Warner's personal concerns, but, just trying to provide some control. At last years event, they were the only establishment that didn't get cited by Liquor Control. They are also very careful about selling to those who are of age and sending the message that this is an activity limited to legal age adults. Besides all that, the proceeds collected go to a non-profit organization. They provide help to children in the community with learning and speech disorders. He feels that a lot of good comes out of this as well as the control for the City.

President Milovich commented that this is the third opportunity he has had to vote on this issue and initially, he had the same concerns of Mr. Warner and Mr. Faris. He has spent a lot of time with Chief McKean and Sergeant Lawless reviewing the reports that are filed in follow-up to these types of events. He said he understands that it is to our advantage to submit to the authority that has been given us, to those individuals to enforce these types of events. Mr. Hull expressed appreciation for that. He also mentioned that there was a follow-up meeting last year with Captain Deskins and the Liquor Department and received a very positive response.

Mr. Bennett commented that the resolution stipulated that the time would be from 5:00 - 11:30 p.m. and the areas designated are on the attached map, Exhibit "A". He asked if this was the same as last year. Mr. Hull said yes. They coordinate their efforts with Barry Babbert, Dir. of Parks & Rec. and the Police Department put up barricades to help define the areas where alcohol can be.

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

Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	No

**The Chair recognized Mr. Faris, Chairman of Safety, for discussion and voting of items under said committee.**

1. Ordinance C-21-96 (Amend Section 1133.05(b) titled Procedures of Appeals to Board) was given its second reading and public hearing.

Mr. Faris explained that this is a change in the filing fee, which is needed to cover the cost of notification associated with a variance request. There being no additional questions or comments, Mr. Faris moved it be approved; seconded by Mr. Hurley.

Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes

2. Ordinance C-22-96 (Amend Section 1305.011(a) titled Contractor's License) was given its second reading and public hearing.

Mr. Faris explained that this is an addition that will require Fire Alarm installers to become licensed in the City. It is being added as a result of a change in the BOCA Code. There being no additional questions or comments, Mr. Faris moved it be approved; seconded by Mr. Warner.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes

**The Chair recognized Mr. Warner, Chairman of Finance, for discussion and voting of items under said committee.**

1. Ordinance C-28-96 (Make Amendments to Chapter 161 of the Codified Ordinances) was given its first reading. Second reading and public hearing will be held on April 15, 1996.
2. Ordinance C-29-96 (Appropriate \$2,431.00 from Dare Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on April 15, 1996.
3. Ordinance C-30-96 (Appropriate \$20,403.00 from the Drug Enforcement Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on April 15, 1996.

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 gave the Mayor's Monthly Report and requested it be accepted. Mr. Warner moved to accept the Mayor's Report; seconded by Mr. Hurley.

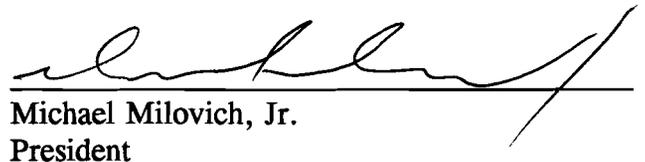
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes

Mayor Grossman announced that on Saturday, April 20, 1996 from 10:00 a.m. - 12:00 p.m., the City will be participating in a food drive for Operation Feed. There will be a COTA bus in the Harts parking lot and donations can be dropped off to fill the bus. She expressed congratulations to the Parks & Recreation department on the Egg Hunt last Saturday. She continues to meet with the Torch Committee. The Olympic Torch will be moving through Grove City on June 7 and they hope to firm up the time soon.

2. Council expressed their appreciation to the Parks & Recreation Department for the Egg Hunt. It is a wonderful community event and does much to make our City shine.
3. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 8:55 p.m.

  
Tami K. Kelly, CMC  
Clerk of Council

  
Michael Milovich, Jr.  
President