

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

April 03, 2006

Regular Meeting

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

*Larry Corbin                      Maria Klemack                      Rich Lester                      "Ike" Stage                      Ted Berry*

1. President Lester recognized the Mayor who recognized John Fogerty, Wal Mart for his generous support of the community. Members of the Rotary Club were also present to acknowledge Mr. Fogerty's community support. She then administered the Oath of Office to Joe Heiby, Urban Forestry Specialist; Bill Metzler & Jack Moore, Tree Commission.
2. Mr. Corbin moved to dispense with the reading of the minutes from the previous meeting and approve as written; seconded by Mr. Stage.

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|-------------|-----|
| Mr. Corbin  | Yes |
| Ms. Klemack | Yes |
| Mr. Lester  | Yes |
| Mr. Stage   | Yes |
| Mr. Berry   | Yes |

3. The Chair read the agenda items and they were approved by unanimous consent.

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

1. Ordinance C-10-06 (Providing for the Construction of Certain Public Improvements within the City by creating a Tax Increment Financing Area encompassing certain parcels of real property, declaring improvements to such parcels to be a public purpose, exempting such improvements from taxation, requiring the owners of such parcels to make service payments in lieu of taxes, providing for the distribution of the applicable portion of such service payments to the South-Western City School District, establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the deposit of the remainder of such service payments, describing the public infrastructure improvements made, to be made or in the process of being made by the City that directly benefit, or that once made will directly benefit, those parcels and Approving and Authorizing the Execution of Township Compensation Agreements) was given its second reading and public hearing and Mr. Stage, at the request of the Administration, moved it be postponed to 5/15/06; seconded by Mr. Berry.

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| Ms. Klemack | Yes |
| Mr. Lester  | Yes |
| Mr. Stage   | Yes |
| Mr. Berry   | Yes |
| Mr. Corbin  | Yes |

2. Ordinance C-13-06 (Appropriate \$1,194.00 from the Drug Law Enforcement Fund for the Current Expense of Police Equipment) was given its second reading and public hearing and Mr. Stage moved it be approved; seconded by Ms. Klemack.

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| Mr. Lester  | Yes |
| Mr. Stage   | Yes |
| Mr. Berry   | Yes |
| Mr. Corbin  | Yes |
| Ms. Klemack | Yes |

- Ordinance C-14-06 (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. Stage moved it be approved; seconded by Mr. Corbin.

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| Mr. Stage   | Yes |
| Mr. Berry   | Yes |
| Mr. Corbin  | Yes |
| Ms. Klemack | Yes |
| Mr. Lester  | Yes |

- Ordinance C-18-06 (Appropriate \$2,000.00 from the Park Donation Fund for the Current Expense of Donation Fulfillment) was given its first reading. Second reading and public hearing will be held on April 17, 2006.

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

- Ordinance C-15-06 (Amend Section 335.03(i) of the Codified Ordinances titled Driving with Temporary Instruction Permit without Licensed Driver; Driving with Probationary License) was given its second reading and public hearing.

Mr. Clark, Dir. of Law, explained that the State made wholesale changes to the Traffic Code and this is a housekeeping measure to keep our Code in line with the Ohio Revised Code.

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

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| Mr. Berry   | Yes |
| Mr. Corbin  | Yes |
| Ms. Klemack | Yes |
| Mr. Lester  | Yes |
| Mr. Stage   | Yes |

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

- Resolution CR-21-06 (Supporting the Big Darby Accord Plan Principles) was given its reading and public hearing.

Mayor Grossman commented that this has been an ongoing partnership with surrounding municipalities and townships to protect the Big Darby Accord.

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

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| Mr. Corbin  | Yes |
| Ms. Klemack | Yes |
| Mr. Lester  | Yes |
| Mr. Stage   | Yes |
| Mr. Berry   | Yes |

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

1. Ordinance C-05-06 (Rezone 6.78 acres located at 4414 Broadway from C-2, D-1 and R-2 to A-1) was given its second reading and public hearing.

Mr. Corbin requested to be excused from voting, due to a conflict of interest. President Lester moved to excuse Mr. Corbin from the vote; seconded by Mr. Stage.

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| Ms. Klemack | Yes |
| Mr. Lester  | Yes |
| Mr. Stage   | Yes |
| Mr. Berry   | Yes |
| Mr. Corbin  | Yes |

Mr. Joe Hull, attorney for petitioner, stated that due to some additional concerns over the dry detention basin, which would be a deviation to the Code, he requested that this ordinance and Resolution CR-18-06 be postponed to 5/1/06. Mr. Stage moved to postpone C-05-06 to May 1, 2006; seconded by Ms. Klemack.

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|-------------|---------|
| Mr. Lester  | Yes     |
| Mr. Stage   | Yes     |
| Mr. Berry   | Yes     |
| Mr. Corbin  | Abstain |
| Ms. Klemack | Yes     |

President Lester asked those who signed up to speak if they would still like to speak tonight or when this issue is brought back.

Mr. Bill McCafferty, Ventura Blvd., asked if the City would waive their sewer tap fees for the residents along Ventura. He said they felt like they should get something out of the deal. Mr. Boso, Dir. of Development, stated that each resident would be responsible for the tap fees and the cost to run lines into the home. Mr. McCafferty said they are being inconvenienced by this and the 40 homeowners should benefit. Mayor Grossman asked Mr. Keller, EMH&T, to explain what the cost would be if each homeowner would have to pay to run the sewer line to their home. Mr. Hull, attorney for petitioner, stated that the line would cost \$100,000.00 to run the line as proposed. Mr. McCafferty said they were just looking for some consideration on the tapping fees.

Ms. Patti McIntire, Stephen St., asked if Council received the pictures she sent showing this property after the 3/12/06 rain. All Council Members and the Mayor acknowledged receipt. She then asked why the 2.56 acres of green space are not being required and only .9 acres are being required. Mr. Clark stated that the Code allows for Council to deviate from the required green space acreage and also allows for a cash payment in lieu of green space acreage. Ms. McIntire said it seems to her that this has already been decided and given. President Lester explained that it is one of the points being considered in the overall approval of the development plan. Ms. McIntire said she

tried to do a little bit of research on PUD zoning and believes that it requires a 30% minimum of the area calculated for the residential density to be open space. She feels this project is trying to fit a size 10 foot in a size 5 shoe. It is too small of a space for this development and will be in everyone's face. She quoted Socrates: "A great city should not be confounded by a populous one".

2. Ordinance C-16-06 (Approve the Special Use Permit for Outdoor Sales for Mill Street Market located at 3937 Broadway) was given its second reading and public hearing and Mr. Corbin moved it be approved; seconded by Ms. Klemack.

Ms. Karen Dover, owner, was present to answer any questions. President Lester extended his appreciation for the stipulation that this is a trial period. He said he hopes that this works well for everyone and comes back next year.

There being no additional questions or a comment, the vote was called:

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| Mr. Stage   | Yes |
| Mr. Berry   | Yes |
| Mr. Corbin  | Yes |
| Ms. Klemack | Yes |
| Mr. Lester  | Yes |

3. Ordinance C-19-06 (Approve a Special Use Permit for Drive-Thru Facilities for Huntington Bank located at 2227 Stringtown Road) was given its first reading. Second reading and public hearing will be held on 4/17/06.
4. Ordinance C-20-06 (Approve the Plat for Autumn Grove, Section 1 located north of Rensch Rd.) was given its first reading. Second reading and public hearing will be held on 4/17/06.
5. Ordinance C-21-06 (Approve a Special Use Permit for a Drive-Thru Window for Village @ the Grove located at 2600 London-Groveport Rd.) was given its first reading. Second reading and public hearing will be held on 4/17/06.

Again, Mr. Corbin turned the floor over to President Lester for the next item.

Mr. Corbin requested to be excused from voting due to a conflict and President Lester moved to excuse him; seconded by Mr. Stage.

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| Mr. Berry   | Yes |
| Mr. Corbin  | Yes |
| Ms. Klemack | Yes |
| Mr. Lester  | Yes |
| Mr. Stage   | Yes |

6. Resolution CR-18-06 (Approve the Development Plan for Cardinal Place located at 4414 Broadway) was given its reading and public hearing.

Mr. Joe Hull, attorney for petitioner, requested that this be postponed to May 1, 2006.

Mr. Stage asked the Administration if they are saying that they do not want 2.56 acres of land that is contiguous to Windsor Park. Ms. Conrad, Dir. of Parks & Rec., explained that the proposal for .9 acres with a cash stipend was accepted by the Administration, as allowed by Code. She said this is

done on many developments. She also commented that in this particular case, the property has poor access and is not ripe park ground. With the development, the .9 acres would serve as a nice buffer piece with a walking trail and perhaps a shelter house – a very passive use for the property. Mr. Stage stated that the answer was no and in lieu of land they would accept \$29,000.00. Ms. Conrad said that was correct. Mr. Stage commented that the City just paid \$235,000.00 for Twin Towers. He said the ordinance has a lot of history to it and its intent is clearly to have open space and park land to the community as a whole.

There being no additional questions or comments, President Lester moved it be postponed to 5/1/06; seconded by Ms. Klemack.

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|-------------|---------|
| Mr. Corbin  | Abstain |
| Ms. Klemack | Yes     |
| Mr. Lester  | Yes     |
| Mr. Stage   | Yes     |
| Mr. Berry   | Yes     |

7. Resolution CR-19-06 (Approve an Amendment to the Development Plan for The Pinnacle Club located South of White Road and at Buckeye Parkway) was given its reading and, as the request of the petitioner's agent, Mr. Corbin moved it be withdrawn; seconded by President Lester.

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| Ms. Klemack | Yes |
| Mr. Lester  | Yes |
| Mr. Stage   | Yes |
| Mr. Berry   | Yes |
| Mr. Corbin  | Yes |

8. Resolution CR-22-06 (Approve the Development Plan for Village @ the Grove located at 2600 London-Groveport Rd.) was given its reading and, at the request of the petitioner, Mr. Corbin moved it be postponed to 4/17/06; seconded by Mr. Stage.

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| Mr. Lester  | Yes |
| Mr. Stage   | Yes |
| Mr. Berry   | Yes |
| Mr. Corbin  | Yes |
| Ms. Klemack | Yes |

9. Resolution CR-23-06 (Services that can be provided to a 1.383 acre parcel located at 3788 & 3800 Mayfair Drive upon its Annexation to the City) was given its reading and public hearing.

Mr. Joe Hull, attorney for petitioner, explained that this is for two homes. Mayor Grossman asked why they want to annex. Mr. Hull explained that they have failing septic systems and have no other option.

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

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| Mr. Stage   | Yes |
| Mr. Berry   | Yes |
| Mr. Corbin  | Yes |
| Ms. Klemack | Yes |
| Mr. Lester  | Yes |

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

The Chair recognized members of Administration and Council for closing comments.

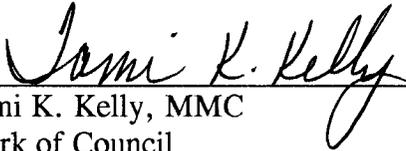
1. Mayor Grossman submitted the Mayor's Monthly Report and Mr. Corbin moved to accept same; seconded by Mr. Stage.

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| Mr. Berry   | Yes |
| Mr. Corbin  | Yes |
| Ms. Klemack | Yes |
| Mr. Lester  | Yes |
| Mr. Stage   | Yes |

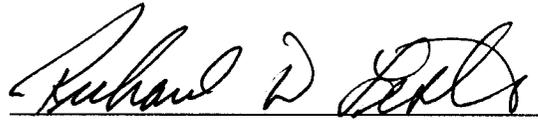
The Mayor announced that Discovery Park has won its 3<sup>rd</sup> Award for best use of colored concrete. She announced upcoming events and congratulated Joe Heiby and the Tree Commission Members.

2. Dr. Bostic, City Administrator, stated that he was pleased to present to Council, during Caucus, a written Plan for the Homecoming Celebration for their review. He said it integrates the weekly events planned during the Homecoming weekend.
3. President Lester recognized two Boy Scouts who were present and working on Merit Badges.
4. Mr. Berry thanked M/I Homes for their compromise on the sound wall.
5. After additional comments from Council and other Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:50 p.m.



Tami K. Kelly, MMC  
Clerk of Council



Richard D. Lester  
President