

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

April 16, 2001

Regular Meeting

The regular meeting of Council was called to order by President Bennett, 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 Steve Bennett Budd Eversman Maria Klemack

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

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

2. President Bennett recognized Mayor Grossman for two presentations. The Mayor presented Mr. Dave Purdy with a Proclamation for all his efforts with Parkinson's disease Awareness, while being afflicted himself. She also presented a Proclamation to Mrs. Della Purdy and Jack Patterson for their support to those with Parkinson's disease and Proclaimed the month of April Parkinson's Awareness Month.

Mr. Purdy challenged everyone. He said if they knew someone with Parkinson's disease and that person has fallen out of the picture, find them and bring them back. That is what Awareness and support is all about.

3. President Bennett read the agenda items and they were approved by unanimous consent.

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

1. Ordinance C-5-01 (Approve a PUD-R Zoning Classification for a 15.831 acre parcel located North of Hibbs Road Upon Its Annexation) was given its second reading and public hearing.

Mr. Robert Howarth, attorney for petitioner, was present. Mr. Radi read the stipulations set forth by Planning Commission, and Mr. Howarth agreed to all of them. *Mr. Fulton* asked where Flannigan's Drive was and where it will be extended. Mr. Howarth pointed to the Drive on the drawing and explained that it was part of a Section that has already been platted. He showed how it would continue south to provide access to this, subject parcel. *Mr. Eversman* stated that he was not a fan of 70' wide lots and asked why the development could not be done on wider lots. Mr. Howarth deferred to Mr. John Parisi who explained that 100' wide lots would add 50% to the price of the lot. Mr. Eversman said he was referring to 80' wide lots. Mr. Parisi said they want to be compatible with the rest of Hennigan's Grove and look exactly the same. It is going to be the same builder. Mr. Eversman said his concern is, where does it stop? If there is an opportunity to purchase the property to the west, does that

piece get 70' wide lots because that is what it is next to. Mr. Parisi said the answer would be it stops right here. There is no more available land. Mr. Fulton asked what the average price is for the home sold to this point and what they anticipate for the new section. Mr. Parisi said the average price is \$195,000.00. In the new section, they have agreed to the same type of homes or any new model would be larger (1900 sq. ft.). This has been agreed to in the Limitation Text (part of Development Plan) and should increase home prices. Mr. Radi asked Ms. Kelly if any additional correspondence has been received on this project. Ms. Kelly, Clerk of Council, stated that no correspondence has been received. Mr. Radi referenced a letter, forwarded from Jackson Township from Debbie Jones – dated January that expresses her desire to make sure that the portion of this property is not zoned, rezoned or used for multi-family now or in the future. He said he believes Planning Commission and Council share that sentiment and are looking at this request at face value. Mr. Howarth said they have no intent to do anything to the additional five acres. As far as he knows, it will stay with Mr. Ashton. Mr. Stage, Interim City Administrator, commented that their concern was to protect the residents in the Hennigan's Grove, first phases. He said he doesn't disagree with Mr. Eversman on the lot sizes, but with the range of home prices being \$150,000 - \$250,000, and putting the actual plans of those homes with the additional square footage, gives the additional security. Ms. Kelly also commented that a contiguous property owner, just to the north and west of this phase, stopped in the office today to express concern over a buffer between his property and the Hennigan's Grove project. He has a large pond on his property that currently causes attraction for those residents. He has been talking with Dominion Homes, but has not been able to come to an agreement with them. Mr. Howarth stated that he knew where this was and it actually abuts a different Section of Hennigan's Grove, which is north of this project and has already been approved. It really isn't an issue for this evening. However, they do have an issue with Mr. Parks' property and Mr. Parks is here this evening. They have been asked to resolve a buffer for his property. Mr. Howarth said that on March 29, 2001, Mr. Parisi wrote to Mr. Parks and offered to plant an additional 20 Norway Spruce trees along the property line, 15 feet apart. This proposal was just discussed this evening and Mr. Parks is undecided if he wants the Norway Spruce trees or a fence. So, this evening, Mr. Parisi and Mr. Parks have agreed that either the 20 Norway Spruce trees will be planted or \$3,000.00 (the same amount as it would cost for the trees) would be put toward a fence – depending upon what Mr. Parks decides he wants. Mr. Eversman commented to Mr. Parisi that if this is approved tonight, that he said this is where we draw the line.

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

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	No
Ms. Klemack	Yes
Mr. Fulton	Yes

2. Ordinance C-20-01 (Accept the Plat of Hennigan's Grove Phase 2, Section 2) was given its second reading and public hearing.

Mr. Ed Bischoff, Bischoff & Associates, was present and stated that he believes that the issues pending the approval of this plat have been resolved. He offered to answer any additional questions Council may have. Mr. Radi read the stipulations set by Planning Commission, which Mr. Bischoff stated that these have been agreed to.

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

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

3. Ordinance C-26-01 (Accept the Annexation of 15.831 acres, located north of Hibbs Road) was given its second reading and public hearing.

Mr. Robert Howarth, attorney for petitioner was present and indicated that this is the same ground discussed in Ord. C-5-01. The Fr. Co. Commissioners did approve the annexation.

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

Mr. Eversman	No
Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

4. Resolution CR-26-01 (Approve the final Development Plan for Hennigan's Grove South, located north of Hibbs Road) was given its reading and public hearing.

Mr. Robert Howarth was present. Mr. Radi reviewed the stipulations set by Planning Commission, which Mr. Howarth agreed to. He stated that on Friday, April 13, 2001, he filed an amendment to the Limitation Text that addresses both of these issues. *Mr. Fulton* asked for further clarification on the definition of identical building façade. Mr. Howarth said it is his understanding that they won't have identical brick houses or clapboard houses, etc. next to each other. Mayor Grossman added that this also applies to the design of the house. Mr. Howarth agreed. Mr. Fulton asked if we were looking at color, too. Mr. Howarth said he wasn't sure color was part of it. They are looking at outline and building material. Mr. Fulton asked how many different styles would be offered. Mr. Howarth said approximately 15 and is part of the Limitation Text.

Mr. John Parks, contiguous property owner, commented that he as spoken with Mr. John Parisi. An agreement has been reached that some type of barrier will be installed. Mr. Parks said he wanted a fence, but didn't have time to price one out verses the price of the trees. So, tonight they agreed to a limit of \$3,000.00 and he will contact Mr. Parisi with his decision of whether he wants a fence or the type of trees. The only question left is the timing of when this barrier will be installed. Currently, Mr. Parisi said it would be installed after the development stage and before the houses start getting built. Mr. Radi stated that the City has no ability to enforce this Agreement and is something that would have to be coordinated between the two of them. Mr. Eck, acting Dir. of Law, confirmed this.

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

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

5. Resolution CR-27-01 (Approve the Preliminary Development Plan for Weltman, Weinberg & Reis, located in the Gateway to the City development on Marlane Drive) was given its reading and public hearing.

Mr. Andy Jameson, representative for developer, was present. Mr. Radi reviewed the stipulations set by Planning Commission, which Mr. Jameson agreed to. Mr. Radi asked if any communication with Mr. Lathrop, Urban Forester, had taken place on the landscaping yet. Mr. Jameson said no. President Bennett requested that the Landscape Plan be submitted to Council along with the Urban Forester. President Bennett specifically pointed out the circular parking area in the front. Mr. Jameson said the loop road and parking in the front is an existing area. He explained that he is filling in for Mr. McKnight this evening and is only aware of landscaping out toward the road where the sign would go. *Mr. Eversman* stated that the plan calls for a lot split and asked Ms. Kelly if that took separate legislation. Ms. Kelly explained that lot splits are approved by Planning Commission only and this was approved at their last meeting. Mr. Jameson commented that they have been competing with the other suburbs for a tenant of this caliber. Weltman, Weinberg & Reis is the centerpiece of their Park and are looking forward to having them out front and encouraging development. They are looking forward to upgrading this existing building and believe it will be a springboard for the rest of the Park. *Mr. Fulton* asked what kind of work this company did. Mr. Jameson said this is a Regional Law Firm. They will do mostly collections. A lot of office work, with some attorneys there. Mr. Fulton asked what the timeframe was. Mr. Jameson said immediate.

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

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

6. Resolution CR-28-01 (Approve the final Development Plan for Weltman, Weinberg & Reis, located in the Gateway to the City development on Marlane Drive) was given its reading and public hearing.

Mr. Radi commented that the stipulations are the same as in the Preliminary Plan and there being no additional questions or comments, Mr. Radi moved it be approved; seconded by President Bennett.

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

7. Resolution CR-29-01 (Approve the final Development Plan for The Landings at Quail Creek, located east of Hoover Road and South of Quail Creek Blvd.) was given its reading and public hearing.

Mr. Joel Rhoades, Epcon Group, was present. Mr. Radi reviewed the stipulations set by Planning Commission and Mr. Rhoades agreed to them. *President Bennett* asked about the commitment on the style and construction of the buildings. Mr. Rhoades said that out of 33 buildings, a minimum of 17 would be the cathedral style and specified locations around the property for these. It is stipulated in the Limitation Text. President Bennett commented that there was also a commitment for three different exterior facades. Mr. Rhoades said yes. The cathedral buildings would be of the colors and materials submitted. The classic buildings would have the body and trim colors randomly flipped. *Mr. Fulton* asked who would maintain the fountains. Mr. Rhoades said they would be owned and maintained by the Condominium Association. Mr. Fulton asked about the existing tree line and how it would be marked to insure that nothing was inadvertently knocked down. Mr. Lathrop commented that the Code requires all trees 6" in diameter or greater to be marked and snow fencing to be put up, prior to construction. Mr. Fulton asked who coordinated all this. Mr. Lathrop said the Developer is required to call him before starting construction. Mr. Rhoades confirmed that they would work with the Urban Forester.

Ms. Jane Stark, contiguous property owner, expressed concern for the drainage of this property. She said she spoke to Mr. Rhoades about this today and was told that engineers are still reviewing this issue. She said she understands that some talk with the City, as far as adjustments to the flow of the water coming in, have taken place. They are very concerned about where the drainage is going to be, as a result of this new development, as they have lost land due to prior conditions. She also shared concerns about establishing a definite buffer between their property and this development. There is an issue with the boundary of the creek. Liability and privacy are their concerns. She understands that Mr. Rhoades has added additional tree plantings in this area. They have asked for both mound and fencing. They don't want a solid mound because that would cause water problems. They are very concerned about people coming into the creek area, which would be a liability for them. She said they feel the creek is being used as a selling point for lots on that side. Mr. Radi asked if the creek is entirely on their property or if their property line ends in the center. Ms. Stark said their property line extends beyond the creek and it is entirely on their ground. Mr. Radi asked Mr. Kohman, City's Consulting Engineer, about the drainage. Mr. Kohman stated that they are in the preliminary stages of the drainage plan and it does need more work. Mr. Radi noted that this plan is here for final approval and if additional time is needed, he wants to accommodate that. Mr. Eversman asked if Mr. Kohman could address this in the next two weeks. Mr. Kohman said yes. He then suggested that Ms. Stark work with Mr. Rhoades in the next two

weeks on the buffer issue. Mr. Radi stated that he still had a question on the tree line and assumes they are on Epcon's property. Mr. Rhoades said most of the existing trees are along the creek and are on Ms. Stark's and her neighbor's property. The property line is approximately ten feet from the creek. He hasn't done a tree survey yet. Some of the trees are on their property. Some are not. President Bennett expressed understanding for the concerns of Ms. Stark. He asked Epcon to entertain mounding with the topsoil from their excavation to help deter foot traffic in that area. He said he hated to see the Starks feel forced to put up a fence if it could be maintained in its natural beauty. Mr. Rhoades said he agrees that it is a natural amenity for all of them. This is the reason for their plan and believes that the landscape buffer is the best solution. He does have some concern to committing to mounding with the questions surrounding drainage. He said this is residential next to residential and they felt mounding was needed on the west, next to the commercial ground. President Bennett stated that we have addressed this same issue in other projects and feels some special attention needs to be made. Mr. Eversman pointed out that, unlike other projects, Epcon does not own to the centerline of the creek and we need to be more sensitive in this situation. Mr. Rhoades said he would discuss this again with the Starks. Mr. Fulton asked if the utilities would come in from the back. Mr. Rhoades said some would come from Quail Creek Blvd. and some from old Hoover Road. There would be no utility lines in the "creek" area, other than some storm water outlets. Mr. Stage recommended that this item be tabled, as Mr. Eversman suggested. Mr. Eversman said he felt it was important to work quickly, so as not to burden the developer, if it is a project that moves forward.

There being no additional questions or comments, Mr. Radi moved it be postponed to 5/7/01; seconded by Mr. Fulton.

Mr. Bennett	Yes
Mr. Eversman	Yes
Ms. Klemack	Yes
Mr. Fulton	Yes
Mr. Radi	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-27-01 (Authorize Attorney Joseph W. Hull to Petition the Franklin County Board of Commissioners to Annex 24.371± acres from Jackson Township known as 3025 and 3005 Demorest Road to the City of Grove City, Ohio) was given its first reading. Second reading and public hearing will be held on May 07, 2001.

The 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 Division of Building Regulation) was given its second reading and public hearing.

Mr. Radi commented that due to the progress of another piece of legislation, that should be coming before Council in May and the participation of the Administration, Chamber of Commerce and Planning Commission, which essentially replaces this legislation, he moved it be withdrawn; seconded by Ms. Klemack.

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

2. Ordinance C-28-01 (Amend Various Sections of Chapter 1136 titled Landscaping) was given its first reading. Second reading and public hearing will be held on May 07, 2001.

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

1. 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 we have discussed this a couple of times. After discussing this in Caucus, he believes Mr. Stage is comfortable in allowing this to go forward.

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

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

2. Ordinance C-29-01 (Amend Sections 161.09 and 161.10 of the Codified Ordinances titled Employment Provisions for City Employees) was given its first reading. Second reading and public hearing will be held on May 07, 2001.
3. Ordinance C-30-01 (Appropriate \$520,000.00 from the General Fund for the Current Expense of Property Acquisition) was given its first reading. Second reading and public hearing will be held on May 07, 2001.

The 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, President Bennett recognized members of Administration and Council for closing comments.

1. The Mayor reported on construction projects and upcoming events. She stated that the search for a City Administrator continues and has a meeting scheduled for 4/24/01. She extended best wishes to President Bennett on his quick recovery and to Ms. Klemack for the positive progress her husband is making. He was able to return home this weekend.
2. Mr. Stage announced that he received a letter from ODOT that suggests that they are going to improve the Hoover Road Bridge over I-71. It looks like it will be 2005 until we do it, but it opens the door for Hoover Road being complete from S.R. 665 to Home Road. He also

received a letter from BP on the Omega site. There is a right of first refusal, but they could find no one to refuse. The price is down to \$30,000.00 and Nelson is working on realigning Marlane. He also commented about the newspaper article where Jackson Township voiced opposition to a County decision on the Landfill. He said hopefully, between the City and the Township, they can contest this decision and get some screening built into it.

3. Mr. Behlen announced that while this is the last day to file most taxes, the City Charter provides for Grove City tax returns to be filed by April 30.
4. Mr. McCarty, SWCS Board Member, announced that they have passed their legislation on agreeing to fund the Holt/Big Run Road Improvement Project; State school funding is continuing and they are keeping up on this; the Board is looking at the possibility of the Paul C. Hayes building being converted to a fifth/sixth building.
5. Council congratulated Mr. Purdy. Ms. Klemack thanked everyone for their prayers and wishes for her husband. Mr. Radi had a question on the Gantz/Southwest Blvd. Intersection and asked if there was a traffic light slated. Mr. Blackburn said yes. Bids will go out either this month or next for it. Mr. Radi also thanked Mr. Bennett for being considerate enough to have his episode between council meetings and not missing a beat. President Bennett also expressed thanks for prayers and good wishes for his heart surgery last week.
6. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:16 p.m.



Tami K. Kelly, CMC/A&E
Clerk of Council



Steven M. Bennett
President