

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

May 01, 1995

Regular Meeting

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

Mike Milovich Todd Hurley Cheryl Grossman
John Schreck Jeff Warner

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

Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes

2. President Grossman congratulated Mr. Milovich for his efforts with the Water Tower Design Contest and recognized him for a presentation.

Mr. Milovich said he would like to say that this is an original idea, but, he has seen it done in other communities. However, having the opportunity to do it in our community and have the school take part was very exciting. He recognized Mr. Ray Kline, Director for the Art Concern, and Ms. Jan Dewey, Grove City High School Art Instructor, and thanked them for their efforts and assistance. He then announced the winners of the S.R. 665 & I-71 Water Tower Design Contest as being: 1st Place - Joe Bullock, 2nd Place - Amy Anderson, 3rd Place - Sarah Wiezorek, 4th Place - Nicole Thompson, 5th Place - Jennifer Waldron. He thanked all who entered for taking the time to be a part of this project. He said Council tries to foster young people to get involved in the community and any one of the fourteen who entered could be sitting in a Council seat, in years to come. Ms. Dewey and Mr. Kline thanked Mr. Milovich for the opportunity to be involved. Mr. Kline said he feels that the community wins in every aspect and has a nice, unique design.

3. President Grossman reviewed the rules for speaking on an issue, which are found on the back of the Agenda. She said that they welcome comments and will be adhering to the five (5) minute time limit as close as possible.

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-23-95 (Accept Plat of Hoover Crossing, Section 6, located west of Hoover Road and north of Orders Road) was given its first reading. Second reading and public hearing will be held on May 15, 1995.
2. Ordinance C-24-95 (Accept Plat of Elginfield, Section 2, located north of Grove City Road and east of Holt Road) was given its first reading. Second reading and public hearing will be held on May 15, 1995.

3. Resolution CR-36-95 (Approve Final Development Plan for Hoover Crossing, Section 6) was given its reading and public hearing and Mr. Hurley moved it be approved; seconded by President Grossman.

Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes

4. Resolution CR-37-95 (Approve Final Development Plan for Bulk Warehouse VII, located in SouthPark) was given its reading and public hearing.

Mr. Hurley stated that this and the next item go hand-in-hand and the developer would be allowed to make his presentation before accepting any other comments. He also directed those wishing to speak to make their comments and or questions to Council.

Mr. Tom Stanton, Pizutti Development, said they were here requesting approval of the Development Plan for Bulk Warehouses VII and VIII. They received Planning Commission approval within the last couple of weeks. Upon first review, the Planning Commission requested some changes and they made those changes. The most significant was the increase in the height of the mound along Gantz Road. He said they realize that this has become an emotional issue over the weeks and they are not here to debate that. They have tried to be good neighbors and answer a number of their concerns. He turned the floor over to Mr. Jeff Glaven, Architect, to point out some of the key elements of this project.

Mr. Glaven reviewed the plans for both Bulk VII & VIII. He identified eight (8) primary points to show what they are doing to enhance the "Park" and be respectful to the neighbors in Farmbrook. First, they extended the easement to 120' above the 50' required by City Code. Second, this area is relatively flat and wanted to provide some screening. So, on the west side of Gantz Rd., with only the 50' easement to work with, they placed a mound of 5' to 6' with trees. On the east side, having a 120' easement, they have been able to reach a height of 15' with trees and Blue Spruce. As a result of the landscape plan for the east side, if the development plan is approved, they will be placing approximately 80, seven foot Blue Spruce trees on the west side to continue to enhance the area and provide additional screening. Third, the elevation slopes down in order to lower the elevation of the buildings. By doing this, the truck dock area will be 9 1/2' below the finished grade of Gantz Road. Fourth, the building height will not exceed 33' even though the Code allows 35 feet. Fifth, the orientation of the buildings has been placed east and west, so that only the ends of the buildings face the residential neighborhood rather than seeing the full length of a building. Sixth, access has been limited. There are no curb cuts on Gantz Road to access these buildings. Access will be off of Southpark Place, which they feel will eliminate the majority of traffic traveling on the northern portion of Gantz Road, next to the residential district. Seventh, is the working relationship with the residents, Council and Administration. They feel they have tried to be good neighbors and bring to the table a project that addresses all the concerns. Finally, the eighth point is Design Sensitivity. Even though the buildings will be screened, they will have the same corner design as Bulk II, V and VI - keeping consistent throughout the "Park", yet, adding some new character to these new buildings. This type of buildings is the same in nature as those that already exist in SouthPark. They are low in truck traffic and mostly low in vehicle traffic.

Mr. Milovich asked what the design intent was for the exterior? Mr. Glaven said that the market demand has moved them into the 300,000 - 400,000 sq. ft. buildings. They have found that the buildings are not multi-tenant, with three, four or five tenants. They are experiencing two tenants in their buildings. So, their primary focus was for the ends. Mr. Milovich said it looked like there was an underlying office design. Mr. Glaven said they have tried to introduce the office/warehouse flavor component. As a result, some of the tenants have found that they can do their corporate business out of the facilities as well. Mr. Milovich said that compared to the buildings in the front of the project, it looks like they are trying to introduce more brick/stone tones to these. Mr. Glaven stated that the issue of trying to introduce more color was discussed with the last development plan and felt like this was another turn they wanted to make and add some flavor to the finishes.

Mr. Warner said some of the residents of Farmbrook were concerned that we were looking at 48 dock doors on each building and asked why there were so many doors available when the projections for trucks/traffic is so low. Mr. Glaven said it is more cost effective to put in the doors at the time of construction rather than come back and cut them out later. In some cases, there could be a number of dock doors, but, only six used at one end for incoming and six used at the other end for outgoing product.

President Grossman asked Mr. Glaven to elaborate on the line of vision, landscaping, mounding as you go down Gantz Rd. Mr. Glaven explained that as they looked at this flat ground they asked what will happen on Gantz and how will we screen? They felt that cutting off the trucks early and direct them to Southpark Place would allow the remaining, northerly portion of Gantz to better serve the Farmbrook residents. Next, they wanted to create an environment that would provide a nice drive along the area and not feel like you were passing a warehouse building. A rolling terrain, with the mounding and trees was a way to accomplish this. Mr. Stanton went on to explain that the tops of the buildings will be approximately three (3) feet below the tops of the residential homes.

Mr. Warner asked if we do all this mounding, will it change the drainage on Gantz Road. Mr. Nelson Kohman, City's Consulting Engineer, explained that Gantz Road is designed to handle the drainage along the edge of the road. In addition, with the mounding on the west side, inlets were placed in the rear of the yards that drain out past the mound.

Mr. Milovich asked about the plan for roof-mounted equipment. Mr. Stanton stated that the building roofs are designed with a collateral load, which is three pounds per square foot, and any type of roof-top unit or large mechanical units would not be accommodated structurally. There are some things that could be done to reinforce the roof, however, it would be very expensive and would border on being cost prohibitive. The heating and ventilation is accomplished through the side walls and will not be on the roof. Mr. Milovich said it appears that the area is around 780 - 781 elevation and asked if the buildings could be lowered an additional two feet? Mr. Glaven said they took a serious look at that, however, it has been pushed to the limit and is as low as it can go without making it cost prohibitive. It has already placed an additional cost on the developer at this level and he feels a nice harmony is being created.

Mr. Schreck stated that the highest tractor trailer is approximately 13' 6" and with the elevation proposed, it doesn't appear that the top of the trailer would be seen. Mr. Stanton said that was correct. Mr. Schreck asked about the top of the building? Mr. Stanton said that you would be looking through the trees/screening and be able to see components of the building, consisting of the top eight to ten feet. However, they will still be three feet lower than the peaks of the residential homes. Mr. Schreck asked if they had any interested tenants. Mr. Stanton that, at this time, they have not begun marketing these buildings and have no interested tenants.

Mr. Milovich asked what the SouthPark philosophy was with regard to outside storage. Mr. Stanton said this is only allowed with Pizutti approval and appropriate screening and the height of the storage cannot exceed the height of the screening. He said they have only one existing tenant that does this and they are working to get them more inside storage. Mr. Milovich asked Mr. Lotz, Chief Building & Zoning Official, what the Code required? Mr. Lotz said the Code requires all outside storage to be on a hard surface and have adequate screening. If a company does this after the plan is submitted and uses parking spaces for storage, they must come back to Planning Commission, if the off-street parking requirements are no longer met.

Mr. Rus Harris, Parkbrook Drive, stated that this is not an aesthetic or landscaping problem. It is a problem of trucks. He feels that Grove City has enough Bulk Warehouse trucking and hopes that the master plan is not to have bulk trucking on every corner. It is terribly frustrating for the people when dealing with government. He tells people to think about it in reverse - if the warehouses were in place, how successful would it be to develop a subdivision and sell the homes? He says that everybody you talk to believes that Farmbrook was built as a buffer for Parkridge and that may be true, but, the Farmbrook residents have their own rights. He asked what the difference is between this and Roadway. Roadway offered a park as a buffer between the residents and they ended up on S.R. 665, where he believes trucking should be. He heard people ask what was going to happen to the safety of their children; what will happen to their largest investment; some said they were scared. He feels the choice is clear - you choose the residents or some absentee landlord. Planning Commission read some letters regarding Timberland, which he feels were antidotes, and feels that they ignored the traffic study the residents provided. He understands that there have been three (3) traffic studies done now and they all show an "E" condition which means that the traffic exceeds the road capacity and long delays will occur. He asked how the city can ignore the facts and requested that Council reject this plan and approve something with less truck traffic. He then submitted a petition with approximately 200 signatures in opposition of this project.

Mr. Terry Dountz, Civic Drive, said he feels that the problem will begin after Pizutti leaves. Forty-one truck bays means 41 trucks in and out every day. WalMart loads every truck bay three or four times a day. We have the potential for heavy truck traffic, low level pollution. We will be responsible for repairing the streets. Mr. Pizutti owes us more - offices, educational facilities, research facilities, anything but more trucks. He feels that Council owes it to the voters & residents to take care of them.

Mr. Marvin Holt, Chairman of G.C. Planning Commission, said on April 18, 1995 the Planning Commission met to review the final development plans on these two (2) bulk warehouses. They had the opportunity to hear from Pizutti, Jackson Township Fire Department, Grove City Building Department, the City's Consulting Engineer, and some, if not more, of the residents of Farmbrook. Traffic studies were done by Pizutti and Farmbrook, and they reviewed both. It was the unanimous decision of the Planning Commission to approve the Final Development Plans. These plans exceed both the development and building codes of Grove City - such as setback lines, building height, landscape, park protection, etc. As members of Council, he urged them to approve the plans.

Mr. Jim Lanman, Grovepark Dr., said he has seen the plans prior to this meeting and thinks they look real good. He knew that the property was light industrial when he moved to Farmbrook and know that the whole area was going to be developed by Pizutti. He feels that the setback, landscaping, not having any more curb cuts on Gantz Road really shows that they tried to accommodate the residents needs and feels it should be approved.

Ms. Dawn Miller, Parkbrook Dr., showed a rendition she put together which reflected the existing industrial and residential buildings in the Gantz Rd./Southwest Blvd. area. She explained that while traveling south on Gantz Road this week, she stopped behind a truck that was turning right onto Southwest Blvd. There was a car sitting at the stop sign on Southwest, and the truck could not make the turn. It went over the curb and onto the bike path. If her son had been on that bike path, he could have been hit. She is concerned for the safety of the children and feels that Gantz Road is not wide enough and/or set up to handle the trucks.

Mr. Jim Foor, a professional truck driver, said he was asked to come in and speak about the trucking, which seems to be a major concern. He is concerned about everybody's safety. He showed the CPL Manual that every truck driver must know, front and back, in order to get the required commercial driver's license. He said if this was 10 years ago, he would also have the same concerns about the drivers, but, now drivers have regulations, requirements and stiff penalties. He read some of the penalties: for two serious moving violations in three years - 60 days out-of-service; for three serious moving violations in three years - 120 days out-of-service; for any alcohol test over .04, at any time, a one year suspension of license. He wanted everyone to understand that the drivers are professionals. Also, drivers are now certified in brakes, engines, and repair of trucks. They are responsible, before they roll, to make sure that the truck is safe and tickets received are the driver's responsibility - not the company. He said he only wanted to inform residents of the trucking industry and said no one wants to be a bad neighbor.

Ms. Pam Farkas, Parkridge resident, said she has lived in Grove City almost all her life and has watched it grow, which is o.k. But, if someone is hit or killed, you cannot bring back that life. She said Stringtown Road was widened to give Grove City more expansion and we have more traffic, on that road, than we know what to do with. She drives through Farmbrook every day and sees the kids, the trucks, the buildings going up and sees a disaster waiting to happen. She feels that this should be put away from the residential district. She said you have to draw a line as to what is most important to the City of Grove City and she feels that it is the people.

Mr. Conkel, Parkbrook Dr., voiced his concern about chemicals. We are on a chemical route and there is big money in transporting chemicals. He feels we are being set up by getting the buildings in and then changing the Code to allow for the housing of chemicals. He said he can withstand the noise of the trucks, lights shining, but, the chemicals being created today are very hazardous. He has invested everything in his home and he doesn't want warehouses, that close to his home, that can be a hazard to his family.

Mayor Stage understood Mr. Conkel's concern about chemicals. Having been involved in 1988 - '89, it was a concern then. One of the things he has learned by going through the light industrial code, is that chemicals, allied products, etc. are not allowed. In addition, in 1988 Council exempted a number of uses from this classification. After going through it again, he feels there are still more uses that should be deleted, such as: storage of coal and minerals, slaughter houses, heavy equipment; and he will recommend these to Council. He said it is healthy to go back and see what could go in and abiding by the Code leaves you with little that you can do, because of all the lawsuits filed against communities for illegal takes by changing the zoning. He said we almost had one filed in 1988 when the revision was made to exempt heavy trucking and other IND-1 property owners felt this was an illegal take. He then commended the people involved. When this was first tackled in 1988, there were approximately 400 people involved and in his 10 years of experience, he cannot recall anything that received as much input as the development of this area. It is extremely important to get the input. As far as the radius at Gantz and Southwest, some things are easier to fix and this will be looked at. He then explained that a 3 1/2 hour video was taken on

Stringtown and Gantz Road, starting at 7:00 a.m. and ending 11:30 a.m. It was interesting to watch as trucks turned on and off of Gantz Road. These included straight and step vans. There were 24 coming in and 29 going out. There was one JB Hunt truck that passed the yellow line and, if caught, would have been given a ticket. But, on the other side, we would have sat there all day giving tickets to cars, who did the same thing.

Mr. Warner commented that one of the things that really needs to be considered is that Council is really not reviewing the type of business that goes in. The role of zoning was already established in 1988. Their role is to approve the structure as it meets that zoning requirement and in doing so, they are looking at compliance to the Code. It is the same as if a resident bought property, expecting to build a 2,500 sq. ft. two-story home and then someone changing those rules and saying you could only build a 1,600 sq. ft. ranch home. Council is only reviewing the structure and components as they relate to the zoning.

Mr. Schreck expressed appreciation for all the letters, phone calls and involvement. It's difficult to make a decision, but, it is helpful when you have the public input. He believes the citizens of Grove City are the very reason why each one of them sit on Council - they want to help the community. Whatever decision is reached, he feels that it will be in the best interest of Grove City, as a whole.

President Grossman said few of the items brought before Council, has she spent so much time on, had so many conversations with the residents, developer and administrative staff, in trying to reach the best of all worlds for all concerned. She is concerned about safety also. On April 6, 1995, she and Mike Milovich met with Farmbrook residents to learn their concerns/questions and they have tried to address these. There is a new left turn signal on Gantz Road, going out on to Stringtown Rd. to accommodate that traffic. On the traffic that will be generated off of Southpark Place, there is an ordinance on the agenda tonight to appropriate \$80,000.00 for a traffic control device, at the intersection, once it becomes warranted. As far as property values, Clerk Kelly checked with the State Auditor's office on this situation in Westgrove. There are three houses there that had been reappraised for a \$6,100. 00 to \$13,100.00 increase over the past two years. She said she doesn't want their homes to devalue and that is why she has worked so hard with Pizutti to achieve a higher mound, more landscaping, lowering the building, and a nicer building exterior. Again, the decision reached is one that has had many hours spent on it and Council has to look at the overall community and what is best for it.

Mr. Milovich stated that he has read the Council minutes from 1987 - 1988 and there are a number of people that lived in this quadrant that objected to the truck terminal proposed for the site, at that time. With that, a series of legislation was brought before Council to create IND-III, to move, what the residents thought was a hazard to their homes, and not zone the property in that regard. The 1987-88 Council was faced with a little different situation. They were faced with property that was zoned residential and trying to make the decision of whether to leave it residential or become light industrial. The basis for light industrial, through the minutes and letters he has read, was to increase the tax base of Grove City and they felt that Administration and Council could handle the problems of growth. So, where we are sitting tonight, is not whether it should be rezoned or whether a bulk warehouse should be placed on the facility, but, rather is the quality of the project within the Code and guidelines of our community work, yet staying within the rights of the owner. He then asked Mr. Clark, Director of Law, to give his professional opinion as to how Council's vote should be determined. *Mr. Clark* answered by stating that, unfortunately, the zoning for this ground was established in the 80's and the decision was made as to the use of the property. Council's job tonight is to take the proposed project and apply them to our Building; certainly not

as to the use of the buildings. There is not a whole lot of choice, if it meets our code. The zoning has been in place for six (6) years and we have met this before. Council turned down a development plan, years ago, that met all Code requirements for reasons that they felt were in the best interest of the City. An appeal was filed and the court determined that zoning was in place and the building met the City's requirements and therefore - Council was ordered to accept it. He urged Council to approve the plans submitted.

Mayor Stage reminded the public about his position on safety. Hoover Road was the #1 priority in 1986 because of the open ditches that went from the back of Kroger up to Home Road was strictly a safety issue. You could not ride a bike or walk along Hoover Road was a major safety issue. We got it fixed, but, you don't do those by just pulling money out of the sky and that is the reason why we mixed the industrial development and what was going on in SouthPark and down Southwest Blvd. The tax base and the ability to generate revenue was traded off, to some degree, for what can we do for the public. Additionally, repairs have been made on north Broadway, sidewalks placed along Stringtown - from Hoover to I-71, the straightening of the Hoover Rd. & S.R. 665 intersection. It doesn't come automatically. We have worked very diligently and will continue to do so

Mr. Hurley reiterated that Council's responsibility is to judge the plan for meeting the development standards. He thanked Administration for their help in this matter. He has called many times for additional information and traffic studies were prepared. He thanked Clerk Kelly for preparing a history for the area. He also thanked the residents who called and expressed their concerns.

Ms. Robin King, Parkridge resident, said she moved here from Chillicothe four years ago because it was such a nice community. Since she moved, she has seen more growth than she could have imagined. She said it is scary to her because she has two small children. She realizes the zoning is already in place, but, feels as representatives of the citizens, Council should take it upon themselves to see that this does not happen in the future. Mr. Hurley commented that this is not unique to Grove City and this is something that we, as a City, will be addressing for many years to come and it is something that we don't take lightly or do at a whim's notice. All aspects of his decision have been considered.

Mr. Ted Nixon, Marshrun Ct., said he has the unique advantage of living in Parkridge and Farmbrook and worked very closely with Mayor Stage and the Administration to get something for the home owners and Pizutti Development. We are very frightened about what is going on. To some degree, Mr. Clark has gotten Council off the hook, because all you can do is approve or not approve what Pizutti is going to do. That is what is frustrating to the home owners. Yes, you appreciate our input, but, it doesn't mean anything. He just wishes Pizutti would be more cognizant of their needs, since we are also a Pizutti development, and worked more closely with the residents. He also asked that the remaining ground abutting Farmbrook will be developed in the best interest of everybody, especially the home owners. *Mayor Stage* appreciated Mr. Nixon's observations, but, the mere fact that this Council has been so active in this development, he feels, has caused 80 more trees to be planted on the west mound, the building has been moved back further, a 15' mound is being placed on the east side rather than five feet. So, even though it gets down to the point of voting, he feels that Council has had some leverage and doing a lot of things that have been very difficult to do if they would have just voted on this thing as what was only required. They have been able to get it more aesthetically pleasing and safer.

Mr. Warner shared that there is a comprehensive plan for future development and changes to the annexation section of the Code should help individuals have input with what is going on around

them. You can't shut off development completely, as it provides a tax base for future development, future growth and future schools.

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

Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes

5. Resolution CR-38-95 (Approve Final Development Plan for Bulk Warehouse VIII. located in SouthPark) was given its reading and public hearing and Mr. Hurley moved it be approved; seconded by Mr. Warner.

Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes

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

1. Resolution CR-39-95 (Waive provisions of Section 903.01(b) for Annual Alumni Softball Tournament on July 28, 29, 30, 1995 at Evans Park) was given its reading and public hearing.

Mr. Warner explained that this will allow beer to be served in the Park by the Sertoma Club for these specific days.

Mr. Milovich thanked the Safety Department for their efforts in working with Sertoma and some of the changes they made last year to enhance the safety during this week and hopes that this will continue. Mr. Fulton said he looks to have discussions with Sertoma and we have had much improvement from what it use to be.

Mr. Warner moved to amend this Resolution to include a new section which stipulates that a cut-off time be established between the Director of Safety and Sertoma; seconded by Mr. Schreck.

Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes

As far as the resolution itself, Mr. Warner explained that he has a personal issue with this. Although he has the greatest respect for the Sertoma Club, it is hard for him, philosophically, to support the promotion of beer in our public parks, as well as other areas for special events when it is illegal 361 days out of the year. He feels we are sending a message that it is acceptable when there are special circumstances.

Mr. Schreck commented that he rode with the police department during this time last year and he saw know adverse reaction from the celebration.

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

Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	No

2. Resolution CR-40-95 (Waive provisions of Section 528.07(b)3 for the Annual Homecoming Celebration on July 28, 1995 in the Town Center) was given its reading and public hearing.

Mr. Hull, representing Sertoma, indicated that in the resolution, an ending time of 11:30 p.m. has been set for this event. This is about the fourth year for this and perhaps the third year the City has been involved. Since then, control over the area has been established.

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

Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	No
Mr. Milovich	Yes

3. Resolution CR-43-95 (Participate in the Adopt-A-Street Program) was given its reading and public hearing.

As originator, Mr. Warner commented that this Council has shown support in participating in this program and have selected the I-71/Stringtown Road interchange to police and keep free of litter.

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

Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes

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

1. Resolution CR-41-95 (Commend Ms. Patsy R. Westbrook for her services and wish her well) was given its reading and public hearing and Mr. Schreck moved it be approved; seconded by President Grossman.

Mr. Schreck read this resolution in full to commend Patsy, who is retiring after 22 years and three Police Chief's, as the Administrative Secretary to the Chief of Police. Best wishes were sent for a well deserved retirement.

Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes

2. Mr. Schreck moved to add Ordinance C-29-95; seconded by Mr. Milovich.

Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes

3. Ordinance C-29-95 (Amend Chapter 903 of the Codified Ordinances relating to alcoholic beverages on park property) was given its first reading. Second reading & public hearing will be May 15, 1995

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

1. Ordinance C-21-95 (Appropriate \$8,896.05 from the Drug Enforcement Fund for the Current Expenses) was given its second reading and public hearing.

Mr. Milovich explained that the City has received these funds from the Court for forfeiture of property confiscated in a drug investigation and this money will be deposited in the Drug Enforcement Fund for its lawful use.

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

Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes

2. Ordinance C-22-95 (Appropriate \$7,500 from the Community Development Fund for the Current Expense of promoting the BIA New Home Show) was given its second reading and public hearing.

Mr. Milovich explained that the BIA "New Home Show" will be in Grove City from August 26 through September 4, 1995 and that the Community Development Fund is generated solely by hotel/motel bed tax receipts and exists to promote our City to other communities and visitors as a wonderful place to visit and live.

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

Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes

3. Ordinance C-25-95 (Appropriate \$2,150 from the Street Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on May 15, 1995.
4. Ordinance C-26-95 (Appropriate \$19,433 from the Sewer Fund for the Current Expense of reimbursing the City of Columbus for Tap Fees Collected) was given its first reading. Second reading and public hearing will be held on May 15, 1995.
5. Ordinance C-27-95 (Appropriate \$80,000 from the Street Fund for the Current Expense of a Traffic Control Device at the intersection of Gantz Road and Southpark Place) was given its first reading. Second reading and public hearing will be held on May 15, 1995.
6. Ordinance C-28-95 (Appropriate \$8,000 from the General Fund for the Current Expense of Record Retention) was given its first reading. Second reading and public hearing will be held on May 15, 1995.
7. Resolution CR-35-95 (Authorize the Mayor to enter into an Agreement with AFSCME, Local 116) was given its reading and public hearing.

Mr. Milovich explained that the contract expired on April 20 and the Union ratified the contract on April 12, 1995, approving the three year agreement. Mayor Stage recognized Mr. Rich Muir, the Union representative for the employees. Mr. Muir stated that the contracts went very well and feels they received a fair offer. Also present was Mr. Ed Turner, local representative of AFSCME, said he enjoyed the process and professionalism shown. He feels a fair agreement was reached. Mayor Stage said we have an outstanding group and appreciate the efforts.

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

Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes

8. Resolution CR-42-95 (Authorizing the use of a portion of Bonds in the maximum amount of \$500,000 for the relocation and improvements of Seeds Road) was given its reading and public hearing.

Mr. Schreck stated that this intersection is quite hazardous and looks forward to seeing this improvement being made. Mr. Warner also noted that it was a cost-share project.

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

Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes

President Grossman 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 Grossman recognized members of Administration and Council for closing comments.

1. Mayor Stage submitted his Monthly Reports and requested it be accepted.

Mr. Hurley moved to accept the Mayor's Report; seconded by Mr. Warner.

Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes

In closing, Mayor Stage commended Council on their efforts with Bulk Warehouses VII & VIII. It was pretty clear that there were certain things you couldn't do, but, feels they got a lot accomplished.

2. Mr. Babbert, Director of Parks & Recreation, reminded everyone that Friday, May 5, 1995 is Student Government Day; Special Olympics will be on May 19; Herb Sale is on May 20; the next brochure is due out May 22; and finalization on the Summer Series Music at Gantz Park is complete and posters will be going up.
3. Ms. Kowar, Recycling Coordinator, thanked Council for adopting the I-71 interchange and said she will be happy to supply them with gloves, trash bags, etc.
4. Chief McKean thanked Council on behalf of Patsy Westbrook. He said she represents the end of an era, with having been the Administrative Assistant for the last three police chief's. He also announced that the money from C-21-95 will be used to purchase synthesized investigative equipment to further drug investigations.
5. Mr. Blackburn, Director of Service, thanked Council for approving the AFSCME Resolution and thanked Mr. Muir and Mr. Turner for their presence at the meeting.
6. Mr. Milovich shared his excitement about having the students here tonight, that participated in the Water Tower Design. They did an excellent job in presenting themselves, not only as artists, but, presenting themselves before the people and having their design printed in the local paper. He appreciated their involvement. Secondly, the Veteran's Memorial Fund is having a Golf Outing on June 21, 1995 to continue to raise money for the memorial in front of City Hall and the Memorial Park. To date, they have \$30,325.00.
7. Mr. Schreck personally thanked Mr. Milovich for taking the time and effort to put the Water Tower project together. He said there were some good drawings and any number of them could have won. He recognized the time it takes away from family and congratulated Mr. Milovich on a job well done.
8. President Grossman commended the Administration and Council for the time they devoted on SouthPark. There were countless hours spent, on behalf of the City, trying to make the appropriate decisions. She said that she hopes that as annexation takes place, we have the same input from the citizens when Council is in a position to have some control on what zoning takes place in that area.

**CITY OF GROVE CITY, OHIO
COUNCIL MINUTES**

April 17, 1995

Regular Meeting

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

*Mike Milovich Todd Hurley Cheryl Grossman
John Schreck Jeff Warner*

1. President Grossman recognized Mayor Stage for a presentation.

Mayor Stage read a proclamation in recognition of the Grove City Little Hounds Cheerleaders who competed, for the first time, in the Cheerleaders of America National Championship, Jacksonville FL, and placed seventh out of 14. He also lead them in a cheer. President Grossman also presented the Squad and Coaches with a Resolution commending their excellent season in dance and cheer competitions.

2. President Grossman recognized Sherol Saxton, President of the Grove City Visitors & Convention Bureau, for a presentation. Ms. Saxton presented members of the Veterans groups with a check for \$5,000.00 from the Visitors and Convention Bureau for the Memorial. She then presented them with a personal check in memory of her Father who was a navel pilot and her stepfather who served in World War II. In addition, the members of the Community Club also presented a check to the Veterans for the Memorial in the amount of \$1,000.00

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

Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes

4. President Grossman moved to add Resolution CR-34-95 to the agenda; seconded by Mr. Milovich.

Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes

5. President Grossman recognized Mayor Stage who recognized Mr. Don Plank. Mr. Plank sat in for Director of Law, Tom Clark, who is on vacation this week. Mayor Stage then administered the Oath of Office to Mr. Steve Gibson and Mr. Bob Lathrop, members of the Tree Commission. He then noted a Proclamation dedicating April 24 - 29, 1995 as Arbor Week. Mr. Lathrop recognized Kyle, who helped him with the street tree inventory over the summer for an Eagle Scout badge.

6. President Grossman moved that Resolution CR-34-95 (Commend the Little Hounds Cheerleaders) be approved; seconded by Mr. Milovich.

Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	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-7-95 (Rezone 4200 - 4206 Broadway from D-1 to PUD-R) was given its second reading and public hearing.

Mrs. Alice Thompson, owner, was present for questions. There being none, Mr. Hurley moved it be approved; seconded by Mr. Warner.

Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes

2. Ordinance C-17-95 (Accept the annexation of 0.289 acres located on Hibbs Road) was given its second reading and public hearing and Mr. Hurley moved it be approved; seconded by Mr. Warner.

Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes

3. Ordinance C-19-95 (Accept Plat of Southpark Place Extension, east of Gantz Rd.) was given its second reading and public hearing.

Mr. Steve Wolf, representing Pizzuti, was present to answer any questions. There being none, Mr. Hurley moved it be approved; seconded by Mr. Warner.

Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes

4. Ordinance C-20-95 (Accept Plat of Martha's Wood, east of Hoover & south of White Roads) was given its second reading and public hearing

Mr. Terry Andrews, C.V. Perry Co., was present to answer any questions. There being none, Mr. Hurley moved it be approved; seconded by Mr. Warner.

Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes

5. Resolution CR-32-95 (Appeal the decision of the Board of Zoning Appeals granting a Variance for a Highway Sign for the Waffle House located on Broadway) was given its reading and public hearing.

Prior to any testimony being given, Mr. Plank swore in all speakers.

Mr. Ted Kapp, representing Waffle House, explained that, back in September when they first started looking at the ground, he approached Mr. Lotz about a high rise sign. At that time, Mr. Lotz said it would be fine, but, the Sign Code was going through revisions that would prohibit high rise signs and provided him with the forms to make application before those revisions became effective. However, Mr. Kapp said he could not apply prior to the revisions without deceiving the City about who owned the property. He said he had a signed contract from Marathon, but, due to environmental concerns, his company would not sign until they had proof that the site was clean. That proof was not received until after the Sign revisions were effective. He contacted Mr. Lotz and asked him how they could handle this now and Mr. Lotz referred him to the Board of Zoning Appeals. Mr. Kapp said he thought he had answered all the concerns at the BZA Meeting and would have answered Council's concerns, had they been there. He said they were only asking to be competitive with what is there now. He said 90% of their business is from the freeway that this sign is very important to them.

President Grossman asked if they use the Menu Boards on the Highway? Mr. Kapp said yes. President Grossman stated that the reason Council was not at the BZA Meeting was because of a School Board Meeting they had been invited to. Mr. Kapp said the highway signs can be misleading. For instance, the highway sign for this area advertises the Burger King which is down the road. He said if people don't see the high rise sign, they tend to keep going. He said they didn't feel that their sign would affect the aesthetics there now and only want to be competitive with existing companies. Mr. Warner said he brought up a good point regarding competitiveness, however, any other new company would have the same argument and how many variances do they allow for a decision that was pondered at great length. Mr. Kapp appreciated Mr. Warner's stand and he could have made application prior to the revisions taking effect, but, he felt it was better to be honest with the City. Mr. Warner asked if Waffle House had any other restaurants without high rise signs? Mr. Kapp said yes, but, the surrounding businesses also have the same signage.

Mr. Hurley then asked Mr. Lotz, Chief Building & Zoning Official, for any comments. Mr. Lotz said Mr. Kapp explained it pretty well. Mr. Kapp has a letter from his department informing him of the Sign Code revisions and what direction he needed to take to secure a high rise sign. He did not apply before the Revisions went into effect and that application was denied and forwarded to the Board of Zoning Appeals. Mr. Hurley referred to Section 1133.02 of the Codified Ordinances and read the six (6) stipulations that must be met before a variance can be granted. It is his opinion that this variance doesn't meet these requirements. Mr. Hurley also noted that Mr. Kapp was aware when the new Sign Code would go into effect and the fact that he was aware has no bearing since the application came in after the effective date. Mr. Kapp asked which of the requirements they did not meet? Mr. Hurley said he felt that granting a variance to a high rise sign three (3) months after passage of the revisions was a violation of the Spirit of the Code. Mr. Kapp said they didn't come

in to upset the apple cart, but, he couldn't have applied before the revisions took effect and be honest with everyone. He approached the City ahead of time and tried to be honest with the City. Mr. Hurley understands and appreciates that, but, another business in the area approached the City on a high rise sign and they chose not to do the high rise sign.

Mr. Warner asked if there were any projections of the potential hardship? Mr. Kapp said no, but it gives other businesses in the area an advantage. Mr. Warner asked if they will continue to pursue this site? Mr. Kapp said he didn't know. The Company will decide whether to go ahead with the project or not.

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

Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes

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

1. Ordinance C-21-95 (Appropriate \$8,896.05 from the Drug Enforcement Fund for the Current Expenses) was given its first reading. Second reading and public hearing will be held on May 1, 1995.
2. Ordinance C-22-95 (Appropriate \$7,500 from the Community Development Fund for the Current Expense of promoting the BIA New Home Show) was given its first reading. Second reading and public hearing will be held on May 1, 1995.
3. Resolution CR-33-95 (Accept a D.A.R.E. Vehicle) was given its reading and public hearing.

Mr. Milovich stated that Columbus Auto Resale, Inc., through its agent, Steve Funk, has donated a 1991 Firebird for the D.A.R.E. Program. Officer Terri Russlander, D.A.R.E. Officer, commented that the best thing for the D.A.R.E. Program is the community support they receive and to see it, you can look outside and see the Firebird. She said the kids love it as well as people in other communities who have asked for it to be at their events. Next, she will be at a Kite Fly in Hilliard.

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

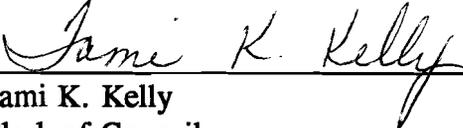
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes

President Grossman 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 Grossman recognized members of Administration and Council for closing comments.

1. Mayor Stage thanked Mr. Stan Smith, Chamber representative, for his gracious introduction at the last Chamber Meeting where he was the keynote speaker. He announced the Tree Walk which will be held on Sunday, April 23 at 1:00 p.m. at the High School.
2. Mr. Behlen, Director of Finance, reminded Council of the Capital Improvements for next year and said if they had any questions, please let him know.
3. Mr. Lathrop, Tree Commission, announced events for Arbor Week. The 3.1 mile Tree Walk will cover 71 types of trees; April 26th is the Arbor Contest Planting and the two students who win will have a tree planted on their school grounds in their name; April 27th in Upper Arlington will be the day the Tree City USA Award is accepted; April 28th is the Tree Planting at the Senior Center along with a Tree Give-A-Way, in conjunction with Grove City Lumber.
4. Mr. Shannon Hamons, Director of Development, commented on Timberland - a new company coming to SouthPark. He noted that it is a very socially responsible company and will add approximately 100 new jobs.
5. Mr. Jim Blackburn, Director of Service, announced the Public Open House on the reconstruction of Hoover Road for Wednesday, April 19, 1995. The construction on Ashgrove was to begin today, however, it has been delayed a week. Finally, the sidewalks on Brookgrove have been started.
6. Mr. Chris Fulton, Director of Safety, publicly recognized Officer Russlander for the D.A.R.E. Program. He said the Program is only as good as the officer behind it and she does an excellent job.
7. President Grossman recognized Kyle and his mother Holly who was present for the Council Meeting for a Scout project. She then thanked Mr. Milovich, Mr. Warner & Mayor Stage for taking part in the Glad Bag-A-Thon project.
8. 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
 Clerk of Council



 Cheryl L. Grossman
 President