

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

June 17, 2002

Regular Meeting

The regular meeting of Council was called to order by President Klemack at 8:00 p.m. in the Council Chamber, City Hall, 4035 Broadway.

After a moment of silent prayer and the Pledge of Allegiance, roll was called and the following members were present:

*Vaughn Radi   Bob Hatley   Maria Klemack   Budd Eversman   Bill Saxton*

1. President Klemack moved to excuse the Mayor; seconded by Mr. Saxton.

Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes

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

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes

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

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

1. Ordinance C-13-02 (Accept the Annexation of 115.399 acres located North of Zuber and West of Seeds Roads) was given its second reading and Mr. Saxton moved it be tabled; seconded by Mr. Radi.

Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes

2. Ordinance C-52-02 (Approve the Rezoning of 112.87 acres located at the northeast corner of Big Run and Holt Roads from SF-1 to SD-1) was given its second reading and public hearing.

Ms. Angie Inks, Big Run Rd., asked how a school could get built without the proper zoning. Mr. Stage, explained that the schools were built in the Township and the City has nothing to do with that. It was only after the City approached the Township, did they agree to annex. In

order to comply with the City's Code, it needed to be brought into compliance with what it is being used for. So, the City requested that SWCS come back in and do some housekeeping to make it a school zoning. Mrs. Inks stated that the area residents have many problems with flooding since the schools have been built. They should have been protected under the Township zoning and weren't. Now it is going to be zoned educational in the City and asked if the City could do anything about their lost protection. Mr. Stage said he didn't believe so. The buildings are already built and the City is accepting it for what it is – schools.

Mr. Radi asked if any of the residents were in legal action or complaint with the Township. Ms. Inks said not with the Township. Mr. Hatley asked if they every voiced their concerns to the Township. Ms. Inks said yes. She explained her understanding of the Township zoning, which she believes required a conditional use permit. That permit was never issued. She said now that the City is taking this over, would the City have anything to do with this or not. Mr. Clark, Dir. of Law, explained what the City's Code says with regard to annexation and zoning the property at the most comparable from the Township. He said the schools, and any problems, are already there and the City can't change that. It is not the city's problem. All the School District is doing tonight is clarifying the zoning classification under the City's zoning. Mr. Stage indicated that any problems on private property would remain issues with the property owners.

Mr. William Lotz, Township Trustee, commented that under the Township Zoning Code there is nothing that prevented the School District from building the school buildings under the zoning it had. There was never a Conditional Use issue involved. They never required a Conditional Use. He said there was a mistake made by the County Engineer's, who represents the Township in these issues, to allow water to dump on their property. Mr. Hatley asked what liability the City is under by changing the zoning. Mr. Clark said he doesn't believe there is any.

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

Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes

3. Ordinance C-53-02 (Approve the Rezoning of 1.6 acres located south of Gantz Road and east of Marlane Drive from IND-1 to PSO) was given its second reading and at the request of the property owner, Mr. Saxton moved it be postponed until 8/5/02; seconded by Mr. Eversman.

Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes

4. Ordinance C-59-02 (Authorize the Approval of a Pre-Annexation Agreement with Certain Owners of 115.399 acres located North of Zuber Road and West of Seeds Road) was given its second reading and public hearing.

Mr. Steve Bowshier, attorney for annexation petitioner, requested approval and stated that it is mutually beneficial to the property owners and the City. It is a condition to the annexation under C-13-02. He asked that the 30-day grace period be waived and passed as an emergency, due to the annexation being at its deadline. Mr. Hatley asked what the benefits were. Mr. Bowshier stated that the annexation would allow for future expansion of the City, as well as control over how the land gets developed. The pre-annexation agreement was requested by the property owners as a condition to continue with the annexation. He said it appears to be a mutual benefit, but is a decision for Council to make. Mr. Hatley asked if there were any plans for the property. Mr. Bowshier said there are some plans to approach Council for rezoning at a future date, but no particular development plans at this time.

There being no additional questions or comments, Mr. Saxton moved that the Rules of Council be suspended and the waiting period waived; seconded by Mr. Eversman.

Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes

Mr. Saxton moved it be approved as an emergency measure; seconded by Mr. Eversman.

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes

4. Mr. Saxton moved to remove Ordinance C-13-02 from the Table and place it on the agenda; seconded by Mr. Eversman.

Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes

Ordinance C-13-02 (Accept the Annexation of 115.399 acres located North of Zuber and West of Seeds Roads) was given its second reading and public hearing.

Mr. Eversman commented that since a comment was made about possible rezoning in the future, he wanted to make it clear that if the annexation is approved, it will be given an SF-1, single-family residential, zoning classification now. Mr. Bowshier said they understood.

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

Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes

5. Ordinance C-60-02 (Approve a Special Use Permit for an Outdoor Concert for the Southwest Ministerial Association at Fryer Park on July 14, 2002) was given its second reading and public hearing.

Pastor Ed Linville, was present to answer any questions.

There being no questions or comments, Mr. Saxton moved it be approved; seconded by President Klemack.

Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes

6. Ordinance C-61-02 (Approve a Special Use Permit for B & J Exotic Pet Feeding Supplies located at 4370 Broadway) was given its second reading and public hearing.

Mr. David Froggatt, representing owner, was present to answer any questions. Mr. Saxton reviewed the stipulation set by Planning Commission, which Mr. Froggatt agreed to. Mr. Eversman stated that there are procedures to be followed in the event of any escaped animals. He asked if they were aware of those procedures. Mr. Froggatt said he believes his son (owner) is aware of those procedures.

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

Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes

7. Ordinance C-62-02 (Approve a Special Use Permit for Custom Dreamz, car audio & accessories, located at 4356 Broadway) was given its second reading and public hearing.

Mr. Phil Lawson was present to answer any questions. Mr. Saxton reviewed the stipulation set by Planning Commission, which Mr. Lawson agreed to. Mr. Hatley asked if they had a decibel meter. Mr. Lawson said no. Mr. Hatley wondered how they would know if they were at a decibel level of 80. He said he was sure that the police had them. Mr. Eversman offered that Radio Shack carries units and they work pretty well.

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

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes

8. Ordinance C-65-02 (Accept the Plat of Creekside, Section 3) was given its first reading. Second reading and public hearing will be held on July 01, 2002.

9. Ordinance C-66-02 (Approve the Rezoning of 9.53 acres located on the southeast corner of Gantz Road and Marlane Drive from IND-1 to PUD-R) was given its first reading. Second reading and public hearing will be held on August 05, 2002.

Mr. Eversman commented that Council would like to see a Development Plan for this site, prior to the zoning being approved. Mr. Steve Fulkert, representing petitioner, was present at the meeting and thanked Mr. Eversman for the information.

10. Resolution CR-41-02 (Approve the Development Plan for Parkway Village, located north of White Road and west of Buckeye Parkway) was given its reading and public hearing.

Mr. Don Plank, attorney for petitioner, was present. Mr. Saxton read the three stipulations set by Planning Commission, which Mr. Plank stated that they are aware of those stipulations and agreed to them. He said the Theme Concept is still being developed and they will comply when it is complete.

Mr. Radi stated that it is understood that there is still some work to be done as far as the shopping center piece that is concerned and the TIF that is involved. He said he wants to make sure that we don't have 220 apartments built and no shopping center. Mr. Plank stated that there is language in the Text that requires Buckeye Parkway to be open, from Stringtown to White Roads, before any occupancy permits are issued for the apartments. To back that up, Buckeye Parkway doesn't start until the TIF is in place and the TIF won't be in place until everyone signs the agreement. He said the progression works and he believes the City is protected. He also said that M/I Schottenstein likes that protection too, because they don't want to buy a piece of ground with no access. Mr. Hatley asked if that meant that construction would not start until all those pieces were in place. Mr. Plank said construction would not begin until Buckeye Parkway is, at least, under construction. It doesn't make any economic sense to do that. Mr. Plank noted that Council has seen this three separate times. It was part of the overall preliminary development plan and they submitted a Text, along with a Master Landscape Plan. This plan now shows all the detail and the connection between retail. He said it is all anchored by Buckeye Parkway and the TIF. He then turned the presentation over to Gary Schottenstein, who reviewed the features of the apartments and the plan. He said the their company builds and holds the units. They won't be sold once they are constructed. He said rent will range from \$600 - \$800.00/mo. He believes it will be the nicest selection in Grove City. Mr. Radi commented that he liked the multitude of facades and green space throughout. He asked if the storm water system in place for the entire Centre is adequate. Mr. Nelson Kohman, City's Consulting Engineer, stated that the water flow goes to the east and there are retention basins for the apartments and the shopping center. They have worked with the Eberhard family to the south and he believes that it will be adequate.

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

Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes

11. Resolution CR-42-02 (Approve the Preliminary Development Plan for The Village at Gantz Park at 2160 Home Rd.) was given its reading and public hearing.

Mr. Forrest Gibson, representing petitioner, was present. Mr. Saxton stated that there are 17 stipulations set by Planning Commission and Mr. Gibson said they are aware of them and agree to them. Mr. Gibson commented that this project was before Council many months ago as a condo/apartment development. After a reassessment of the market in the area, Village Communities has decided to move ahead with a 100% condominium project. He provided an overview of the preliminary plan and stated that they anticipate moving ahead quickly with the rezoning and development plans. Mr. Eversman asked if they plan to maintain the farmhouse and garage. Mr. Gibson stated that they plan to split that off into its own lot and sold as a single-family home. Mr. Eversman asked what the price range of the condos would be. Mr. Kevin Clay stated they would sell for approximately \$130,000 – 160,000.00. He said they are similar in style as the Quail Creek plan. Mr. Eversman asked if they all had two-car garages. Mr. Clay said yes. Mr. Eversman said the minimum square foot is to be 1,200. He asked what the largest unit would be. Mr. Clay said about 1,400 sq. ft. Mr. Eversman asked if they were all two bedroom. Mr. Clay said they have two and three bedrooms. The third bedroom is a loft. Mr. Radi asked if the entrance points were wide enough and for fire trucks. Mr. Gibson said the plans haven't been reviewed by the Fire Department yet, but they have designed the entrance and roads for a "pumper truck". They have plans to meet with the Fire Dept. prior to Development Plan submission. Mr. Saxton stated that the City is in need of condo units with basements. He asked if these units would have basements. Mr. Gibson said no.

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

Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes

12. Resolution CR-43-02 (Approve the Development Plan for Sesquicentennial Park, located on Park Street, west of Park Street Intermediate School) was given its reading and public hearing.

Mr. Stage explained that this would be in the curve in Park Street. It is a passive park and will be anchored mainly by a stone with a plaque, where the time capsule will be buried. There will be a stamped concrete pathway.

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

Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes

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

the requirements. Mr. Hatley asked what the total cost would be to be compliant. Ms. Keefer said they have not put a number on that yet, because there are still some questions that need answered. Mr. Hatley asked if we are talking tens of thousands or hundreds of thousands to make sure we have a Program and to do all the things we need to do to be compliant with this. He said he is trying to grasp the scope of this Program. Ms. Keefer stated that it would be in the tens of thousands annually and could approach one hundred thousand annually without implementation of the construction. Mr. Saxton asked whom the education program was for. Ms. Keefer said our citizens. When they see a curb inlet or catch basin, they are supposed to know where it goes. Mr. Hatley asked if this was a program run by the Federal Government. Ms. Keefer said it originally came from the Federal Government and the State of Ohio Environmental Protection Agency will be the regulating agency.

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

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes

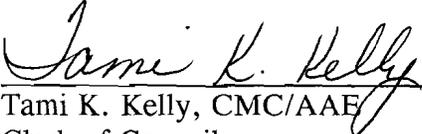
3. Ordinance C-69-02 (Appropriate \$31, 535.00 from the General Fund for the Current Expense of Cost Sharing the Relocation of the Southerly Drive into the Hayes Intermediate School) was given its first reading. Second reading and public hearing will be held on July 01, 2002.
4. Ordinance C-70-02 (Appropriate \$200,000.00 from the General Fund for the Current Expenses associated with the Reconstruction of Hoover Road) was given its first reading. Second reading and public hearing will be held on July 01, 2002.

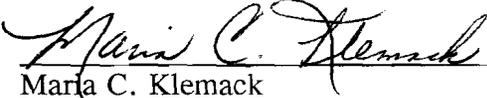
**The Chair asked that any new business to be brought before the attention of Council be done so at this time.**

**There being no new business, the Chair recognized members of Administration and Council for closing comments.**

1. Mr. Stage reported on current events.
2. After additional comments from Council and other Administrative staff members, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:15 p.m.

  
Tami K. Kelly, CMC/AAE  
Clerk of Council

  
Maria C. Klemack  
President