

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

June 21, 2010

Regular Meeting

The regular meeting of Council was called to order by President Berry at 7:00 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:

*Greg Grinch   Maria Klemack-McGraw   Ted Berry   Steve Bennett   Melissa Albright*

1. Ms. Klemack- moved to dispense with the reading of the minutes from the previous meeting and approve as written; seconded by Mr. Grinch.

Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

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

**The Chair recognized Mr. Bennett, Chairman of Finance, for discussion and voting under said Committee.**

1. Ordinance C-36-10 (Appropriate \$47,030.00 from the Street Maintenance Fund for the Current Expense of the Traffic Signal Upgrade project) was given its second reading and public hearing and Mr. Bennett moved it be approved; seconded by Ms. Albright.

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes

2. Ordinance C-37-10 (Appropriate \$48,430.00 from the General Fund for the Current Expense of Engineering the Green Frame/Town Center Improvements) was given its second reading and public hearing.

Mr. Berry stated that as part of this proposal, there is a section to evaluate the area behind City Hall. He believes Lincoln Street Studios should be used for this portion, since they did the Town Center Plan. At the time the original 2008 Town Center plan was completed, there were development plans in place for the lumberyard site. Because of this, the Town Center plan remains silent on the best use for this parcel and the contiguous areas. He said we have already reached consensus by adopting the Town Center Plan. Utilizing Lincoln Street Studios would expedite the process to harmonize this parcel with the overall plan and would provide a cohesive set of ideas in the context of the surrounding area. Also, Resolution CR-36-10 requests that a plan for a park be completed for this parcel. He requested that Lincoln Street Studios' analysis include a design for a park, as well as commentary regarding how a new plan for this parcel fits into the area. He said there could be a cost savings to the City and requested that the contract be sent back to EMH&T to remove Section 3 from their proposal and

submit new cost estimates without it. He also requested that Lincoln Street be asked to submit a proposal for those services.

Mr. Berry moved that C-37-10 be postponed to 7-19-10, so that EMH&T can submit new cost estimates without Section 3; seconded by Mr. Bennett.

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	No
Ms. Klemack-McGraw	Yes

3. Ordinance C-38-10 (Appropriate \$50,000.00 from the General Fund for the Current Expense of the Town Center Commercial Revitalization Grant Program) was given its second reading and public hearing.

Mr. Bennett said we have had great response to this Program and the original appropriation has been exhausted. He commented that it is nice to see improvements being made.

Mr. Berry asked Mr. Chuck Boso, Director of Development, about the area outside the core district. Mr. Boso said there is an area 400' outside the core area that can receive funding with additional approval from Council. Mr. Berry asked if any more consideration has been given to expanding the area further. Mr. Boso said not presently, as we need to evaluate how much to appropriate for this each year.

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

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

4. Resolution CR-37-10 (Approve the Budget Estimates for the Fiscal Year of 2011) was given its reading and public hearing.

Mr. Mike Turner, Dir. of Finance, explained that this is required by the Charter and the Ohio Revised Code. These are revenue estimates for 2011. We will be issued a Certificate giving us the amounts we can legally appropriate for next year. He said we are not appropriating any money with this Resolution. Mr. Bennett said it appears that it appears about \$1 million less than this year. Mr. Turner said that is primarily because of debt. If you take the \$3 million out, it is almost flat.

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

Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

**The Chair recognized Mr. Grinch, Chairman of Service, for discussion and voting under said Committee.**

1. Resolution CR-34-10 (Waive the provisions of Section 529.07(b)3 of the Codified Ordinances for the Annual Homecoming Celebration on July 23, 2010 on the streets of Town Center) was given its reading and public hearing.

Mr. Dick Rutherford, resident, said he doesn't question the GCKA or Sertoma for their service and value to the community. He is questioning the waiver of ordinances for alcohol. He feels we are giving the wrong message to our youth - telling them that you must have alcohol in your system to have fun. He believes the ends do not justify the means and asked this be reconsidered.

Mr. Bennett gave a brief history of these events. He said those serving alcohol are trained. He said this is an Adult event. He said we took the alcohol away from the Downtown Celebration and it all but disappeared for those few years. He said not everyone is drinking. It is not a drunk and disorderly event. The Chief concurred that they have minimal issues and they are usually away from the event. Mr. Bennett said this is a celebration for our High School Alumni and is the largest Alumni Softball Tournament in the Country. It has a history of being done and handled in a good, wholesome manner.

Mayor Stage said we struggle with this every year. He said this event became a safety issue, as every bar on Broadway was packed. He said from that, we began to license a charitable organization control the environment. He said he is not a proponent of alcohol or serving it on the streets. It is not a beer bash. It is a community event that younger people attend, however, they are exposed to alcohol in many ways - far more that what they will be exposed to on Broadway. He said he is a proponent of having an Alumni gathering in our downtown. Having this type of controlled environment is much more manageable than other settings they have had to deal with.

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

Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

2. Resolution CR-35-10 (Waive the provisions of Section 903.05(a & c) of the Codified Ordinances for the Annual Alumni Softball Tournament on July 24 & 25, 2010 at Fryer Park) was given its reading and public hearing.

Mayor Stage commented that this was an even uglier situation. Many brought in their own beer and the Police couldn't enforce the Code. This is a much more controlled environment.

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

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes

**The Chair recognized Ms. Klemack-McGraw, Chairman of Lands, for discussion and voting under said Committee.**

1. Ordinance C-39-10 (Change the Name of Lake Louise Court to Lake Louise Drive located in Concord Lakes, Section 2) was given its second reading and public hearing.

Mr. Mike Boso, Chief Bldg. & Zoning Official, explained that this was platted as Lake Louise Court, but when the addresses were issued, they were issued as Lake Louise Drive. The sign shows “Court” and it is rather confusing to safety personnel and others. He said rather than have the resident’s change their information it was felt that it would be easier to change the street sign. To do so, we need to change the Plat.

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

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes

2. Ordinance C-40-10 (Approve a Special Use Permit for a Drive-Thru Facility for China Bell Restaurant located at 1947 Stringtown Road) was given its second reading and public hearing.

Mr. Gary Shyu, owner, was present to answer any questions.

There being no additional questions or comments, Ms. Klemack-McGraw moved it be approved; seconded by Ms. Albright.

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

3. Resolution CR-36-10 (Requesting the Development of the former “Lumberyard Project” into a downtown park) was given its reading and public hearing.

Mr. Berry moved to suspend the Rules of Council to allow for all speakers to address this issue; seconded by Ms. Albright.

Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

Ms. Elizabeth Branson, resident, voiced support for the Park and a dog area. She said she we need to draw people back downtown. She feels we made mistakes with putting everything on the east side of town. She said anytime you have children or dogs, you are going to have people interested in coming downtown. She feels it would be an asset and draw people back downtown. She feels this should have been discussed a long time ago.

Mr. Bennett explained his intent with this proposal. He read a statement and had copies available for the public. He said new subdivisions are required to put in green space, but we have done nothing for the core of our city. He said we have owned this property for 10 years; spent thousands of dollars; and it is still stagnate. He referenced other cities who have added downtown parks, including Columbus. He believes that the College center on Broadway and a park on Park Street would be great bookends for the desperately needed revitalization of our Town Center.

Mayor Stage said we do have a park as part of Park Street School. He also noted that we have an approved development plan and that is one of the reasons nothing has been done. He said the violations on the site will be addressed.

Mr. Grinch commented that this is a serious decision and one that should be considered. He said, right now, he isn't sure that establishing a passive park would serve as that "wow factor" or the stimulus we are working for. He wondered if the Park Board has made a recommendation on this idea. He said he isn't certain that Mr. Bennett's vision is enough to commit that amount of real estate to a decision this evening.

Mr. Mike Wine commented that timing is everything. He said he is a proponent of green space. That being said, it is not about green space or a dog park but about the way this proposal came about. He feels the Chamber and other stakeholders were not involved in the discussion. He said from Mr. Bennett's letter, it seems like the thing to do. It is a wonderfully conceived plan. However, he speaks in opposition until all stakeholders are heard from.

Mr. Bob Lewis, voiced opposition to this proposal. He said he has been active in the community for 35 years. He said this proposal seems to come as a surprise and doesn't believe the community has had an opportunity to review this. He believes many would be in favor of a downtown park, but it is the way it has been submitted. He questioned the reason for not taking this to Parks and Recreation for comments. He asked Council if they were aware that the Park Board is doing a Plan for the park system. Mr. Berry said he spent three years on the Park Board and never once did he address an issue prior to Council addressing it. Mr. Lewis said he feels that Council has been sand bagging the college idea. He pointed to an article about Delaware. He said if this passes, then downtown will go to the dogs.

Ms. Toni VanHorn said her business would love to have a Park across the street from it, but that doesn't stimulate economic growth. She believes that the retail businesses in downtown would suffer if this resolution passes. She doesn't see how this would serve the interest of the citizens of Grove City. She said it would not yield any return on investment, no jobs created, no taxes collected, no economic development, and no increased traffic for businesses. If you bring a dog, you won't go into the businesses because they are not allowed. She read a statement and quoted statements from Chris Boring's study. She believes that mixed use development is what is needed to bring economic growth to the Town Center.

Ms. Karen Dover voiced her personal views. She voiced approval for a portion of this site for a dog park be researched. She said she went to the dog event that Parks & Rec. held earlier this month and there were over 300 dogs in a 3 hour period. She believes it would attract a lot of people to the downtown area. She said she just sat through a presentation for private development for the college center and new business buildings. It is an excellent plan. She said Council has also seen that and shared lots of positive comments for that plan. She said not just any Park will do. Frank Elmer's plan speaks of park areas that are needed throughout the downtown. It needs to have an attraction. She said she did her homework on Dog Parks and they are very popular and bring people to them. She pointed out that dogs are allowed at Graeter's now. They actually have doggie ice cream. She would be willing to incorporate dogs into her business. Sue said she supports looking into this and creating a park in downtown.

Mr. Warren Gard commended everyone on their efforts on this project. He said the City's job is to provide for the health, safety and welfare of the residents. The park fills that bill. Constructing a building for private/public enterprise with tax dollars and a tax subsidy does not. He said Frank Elmer won an International award for City Planning in 2009. He said he fully embraces the plan he has for Grove City and believes Council and the Administration has too. He said he looks at this as more than a park. He sees this as an open venue for multiple uses and a diversity of events. It's more than just a Dog Park. It could truly be a shining star in Grove City.

Mr. Marvin Holt said some time ago, Planning Commission endorsed the Lumberyard project designed by Stonehenge Company. A few months ago, they accepted the Learning Center Conceptual Plan for the lumberyard site. Now there is a plan for a park with a dog walk. He said he fails to see how this would encourage economic growth and expansion of the downtown business area. He said Planning Commission would sanction, as Administration has proposed, input from the residents and business areas for a site that would include some limited park and possibly a dog walk. He asked it be postponed until such input is received from the residents and business owners.

Ms. Debbie Hill said she just bought a home in the area a year ago. She loves the small town look and feel of the Downtown area. She can't stand the area east of I-71 and would hate to see more buildings like those in this Town Center area. She said she has a dog and travels 45 minutes to go to a dog park – meaning she leaves Grove City to get to one. She is excited about this prospect and on the way to the meeting tonight, she saw many people walking their dogs in the area. She said it brings people together and believes it would be a wonderful addition.

Ms. Kim Conrad, Parks & Rec. Dir., said she would never go on record opposing a Park. She believes they are vital to a community. She is also a dog owner and a strong proponent of a dog park in Grove City. However, she is opposed to one on this site. She doesn't believe the site is big enough and doesn't think you can have the amenities you could have in another location for a dog park. She believes you need a minimum of two acres for a viable dog park. Mr. Berry mentioned that the dog park at Goodale Park and the new dog park in Knoxville are both less than an acre, but he hears her saying that we need to look at some options and see what possible plans are out there. Ms. Conrad concurred. She said she would like to have the opportunity to take this idea back to the Park Board and discuss this. She said they are reviewing the Master Plan and a dog park has been brought up. She would like to review it more fully, in connection to the overall park system.

Mr. Les Bostic thanked Mr. Bennett for igniting the fuse on this subject. He said he likes his ideas but feels we need to find another location. He doesn't feel this is the best use for the land. He feels we lost, perhaps one of the best areas, when we lost the Grovebrook Golf Club property. He asked that they take another look at the location. This is not the best we can do with respect to space and accommodation and growth, and land use.

Mr. Bennett commented that this is an opportunity we can grab on to. He recommended taking a look at the property value that surrounds any well thought out park - such as Central Park. He said he is one voice, but he is responding to those who have stopped him and called asking him to bring this forward.

Mr. Berry thanked every one for coming and voicing their opinion. He said this is how ideas and discussions are brought out. He said with so many viewpoints, it is another reason for the experts to show how this area can be utilized, and create a utilization for it – at least until something else is found. He said this is an idol, ugly piece of property that has nothing to offer the residents.

Mr. Berry moved to amend Section 1 to read: *“The City Administrator is hereby requested to suggest plans, using Lincoln Street Studio, as to how a park in the “Lumberyard Development” with special*

*amenities and distinctive design elements, including but not limited to a water feature/ice skating rink and dog area or suggestions, be forwarded to Council for consideration.”*; seconded by Ms. Klemack-McGraw.

Mr. Grinch	No
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

Ms. Albright echoed Mr. Berry’s statement. She said she thinks we are trying to do a slingshot move to do something quickly because we have sat on it so long. She has concern about a dog park in that space. She does believe that this property needs to be used to drive unique business to the Town Center. She would rather see us put the property on the market and see what developers propose for the property. She said she is concerned that the decision tonight is potentially temporary and believes there should be a 100% commitment to the design before moving forward.

Mayor Stage said he was City Administrator when this land was acquired. It was accumulated to garner economic development of a quality nature into the downtown. He said we have had five different developers bid on this before and had plans approved. He agreed with Ms. Albright, that if we are going to make such a dramatic move to turn this into a park, we owe it to the public to put it out to bid. He said with Council approval, we will have a dog park. It isn’t a question of having one; it is a question of the best location with runs and proper amenities. He said there are people desirous of developing the lumberyard site. He said the report from EMH&T showed open space. He said the history shows that open space has always been part of the plan. He feels having it all park space is a little short sighted.

Mr. Berry reiterated the change to Section 1. He explained that this would continue the conversation after Council has some plans and to engage the public again. It also seeks the thoughts and ideas from the architect of our Town Center efforts, Mr. Elmer. He said a dog park may not be suggested, but we should get that input from Lincoln Street. This is a way to bring the ideas to the public and discuss them.

Mr. Grinch said that sounds good but doesn’t feel it should be limited to Lincoln Street Studios. He would like to open it up to anyone has an idea for that ground who would be interested. Mr. Bennett said he welcomes anyone’s ideas to be brought forward. He doesn’t believe this locks us into anything.

Ms. Albright asked if dates for public discussion through EMH&T have been decided yet. Mr. Keller, EMH&T, said they are close to deciding on those dates. Mr. Bennett asked Mr. Keller if he recalls being asked to do a drawing of just a park for this property. Mr. Keller said yes. Mr. Bennett asked if any of the scenarios shown to Council at the last meeting were of just a park. Mr. Keller said they were all mixed uses. Mr. Bennett said he feels the drawings to be shown during these public forums are already predetermined to exclude a full park use. That is why we have this resolution.

Thee being no additional questions or comments, Mr. Berry moved it be postponed to 7/19; seconded by Ms. Klemack-McGraw.

Mr. Grinch voiced his opposition to postponing this item as written. He has objections to the way it is written and feels this should be voted on now, and perhaps a new resolution be offered that doesn’t limit the City and is more open to options.

Mr. Berry asked Ms. Kelly, Clerk of Council, if there was anything prohibiting Council to amending the Resolution at the next meeting, after it is postponed. Ms. Kelly said no.

The vote was called for the motion to postpone.

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	No
Mr. Grinch	No

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

1. Mr. Mark Schweikert, resident of the Mews at Pinnacle, voiced concerns for all the residents present (about 18) on this development. He said it has been three (3) yeas since it began. There have been a number of problems with this project and with Stonehenge Company complying with conditions and deadlines. He said the last deadline for them was June 15. It is now June 21 and those conditions are not met. He said calls to the Administration have been met with comments like: “we don’t know what we are going to do now”. He said they are concerned that there is not a willingness to enforce the conditions that Council put in place or not an understanding of what Administration should do.

Mr. Phil Hartman, representing Law Director, said they are putting all the documents together in order to file complaints in Mayor’s Court. Ms. Albright asked what that would do and if it the strongest action we can take. Mr. Hartman said there are a couple of ways to combat this, but they think this is the best approach. He said each day is a new violation and will compound until the items are completed. He said the goal is to bring this into compliance and not just bring penalties.

Mr. Mike Boso, Chief Building & Zoning Official, said they have been working on this for some time. He said he sent an email to Mr. Schweikert indicating that they were aware that there are items not completed and that he was working with the Law Director to begin filing charges against the Developer. He said they had to wait until the day after the deadline before they could perform a final inspection and determine what was still outstanding. He has met with the Law Director and they are now preparing all the documentation needed to file complaints.

Mr. Berry asked if we could stop the developer from building or developing anything else until this is corrected. Mr. Hartman said yes, there are ways to do that and Steve Smith is looking at other ways to prevent anything else from going forward until this is corrected. Ms. Albright asked Mr. Boso to list the three major items still outstanding, which he did. She asked that we go after this as strongly as possible. She feels there was never any intention on the part of the developer to address these issues before the deadline.

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

1. Mayor Stage submitted the Bldg. Division portion of the Mayor’s Report.

Mr. Berry moved to waive the Rules of Council in order to accept a portion of the Mayor’s Report; seconded by Ms. Klemack-McGraw.

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes

Mr. Berry moved to accept the Partial Mayor's Report; seconded by Ms. Klemack-McGraw.

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

He then reported that the Boy Scout Breakfast is tomorrow. He acknowledged some scouts present at the meeting.

2. Mr. Berry asked Ms. Conrad to send Council an update on the Legacy Trail, Henceroth Park and the Bike Path that would connect to Westgrove subdivision. He then announced that the July 5 Council Meeting is cancelled in observance of Independence Day. The next meeting will be 7-19-10.
3. After additional comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:55 p.m.

  
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Tami K. Kelly, MMC  
Clerk of Council

  
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Ted A. Berry  
President