

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

July 05, 2005

Regular Meeting

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

Robert Hatley Bill Saxton Maria Klemack Vaughn Radi

1. Ms. Klemack moved to excuse Mr. Lester; seconded by Mr. Hatley.

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

2. Mr. Radi moved to dispense with the reading of the previous meeting minutes and approve as written; seconded by Ms. Klemack.

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

3. President Saxton recognized the Mayor who read a Proclamation to the Parks and Recreation Department recognizing July as Parks & Rec. Month. Ms. Conrad, Dir. of Parks & Rec., and many staff members were present. She provided Council with tie-dyed t-shirts, which they all put on and wore for the rest of the meeting. Council congratulated the Parks & Rec. Dept. on their service to the community.

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

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

1. Ordinance C-66-05 (Appropriate \$19,000.00 from the General Fund for the Current Expense of Replacing Street Trees damaged during the Winter Storm) was given its second reading and public hearing and Mr. Hatley moved it be approved; seconded by President Saxton.

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

3. Ordinance C-67-05 (Appropriate \$30,000.00 from the Sewer Fund for the Design of the Grant Run General Sanitary Trunk Sewer Extension) was given its second reading and public hearing and Mr. Hatley moved it be approved; seconded by Ms. Klemack.

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

4. Ordinance C-68-05 (Accept and Appropriate \$1,000.00 from the General Recreation Fund for the Current Expense of the Promotion of Tennis) was given its second reading and public hearing and Mr. Hatley moved it be approved; seconded by Ms. Klemack.

President Saxton noted that this was not City money. It came from the National Parks and Recreation Association.

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

5. Ordinance C-69-05 (Appropriate \$36,762.00 from the General Recreation Fund for the Current Expense of Administrative Fees) was given its second reading and public hearing and Mr. Hatley moved it be approved; seconded by President Saxton.

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

6. Ordinance C-70-05 (Amend Section 191.08(a) of the Codified Ordinances titled Declarations) was given its second reading and public hearing.

Mr. Behlen, Dir. of Finance, explained that this amendment to the Income Tax would set a minimum for estimated payment in terms of taxes. Rather than filing quarterly, it would allow those who owe \$100.00 or less to file at the end of the year. This would also avoid Administrative costs from RITA by eliminating those extra quarterly filings. Mr. Hatley asked if it would also eliminate any penalties. Mr. Behlen said as they go back, yes, if those penalties were incurred because of this issue.

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

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

7. Resolution CR-47-05 (Approve the Budget Estimates for the Fiscal Year of 2006) was given its reading and public hearing.

Mr. Hatley stated that this is better known as the Tax Budget. It does not mandate any expenditures or revenue sources or spending or tax increasing. It is a planning tool that will be used for planning next years budget and those beyond.

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

Radi.

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

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

1. Ordinance C-58-05 (Amend Various Sections of Chapter 1145 titled Signs) was given its second reading and public hearing.

Ms. Klemack noted that there were several questions last week and as a result there are four suggested changes shown in a new Exhibit “A”. Ms. Kelly, Clerk of Council, read each change as follows:

1145.02(bb) “Window sign” means a sign, graphic poster, symbol or other identifications, which is ~~visible from the window that conveys a message to the exterior only~~ *within six feet (6’) of the interior side of the window and conveys a message to the exterior.*

1145.14(d) Informational Signs are limited in size to ~~one (1) sign not to exceed 15 percent of gross window area for businesses with less than 80 square feet of gross window area and no more than two (2) signs not to exceed 10 percent of the gross window area for businesses with more than 80 square feet of gross window area~~ *fifteen (15) square feet and shall be limited to one (1) sign for businesses with less than 40 lineal feet of building frontage and no more than two (2) for businesses exceeding 40 lineal feet of building frontage, but at no time shall such a sign exceed 25% of the window area.* Such signs shall be placed in ground level windows only.

1145.14(e)(2) Such signs/banners may be displayed for not more than ~~30~~ *20* consecutive days ~~in any three (3) month period, and not more than 60 days in any calendar year for any new business within the first 120 days of operation. The signs shall be erected no more than five (5) days prior to the grand opening and shall be removed not more than one (1) day after the grand opening.~~

1145.16(f)(3) shall not be changed and all language shall remain as currently shown in the Code.

There being no additional questions or comments, President Saxton moved that Exhibit “A” be replaced with that reflecting the amendments to Sections 1144.01(bb), 1145.14(d) & (e)(2) and 1145.16(f)(3); seconded by Mr. Radi.

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

Ms. Klemack moved it be approved, as amended; seconded by Mr. Radi.

Mr. Saxton	Yes
Ms. Klemack	Yes
Mr. Radi	Yes

Mr. Hatley Yes

The Chair recognized, Mr. Radi, Chairing Lands in the absence of Mr. Lester, for discussion and voting of legislative agenda items under said committee.

- 1. Ordinance C-64-05 (Approve a Special Use Permit for a Gas Station for Meijer, Inc. located at 2811 London-Groveport Road) was given its second reading and public hearing.

Mr. Greg Monnig, Woolpert, Inc., was present to answer any questions. Mr. Radi reviewed the one stipulation regarding signage, which Mr. Monnig agreed to.

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

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

- 2. Ordinance C-65-05 (Approve a Special Use Permit for Outdoor Sales for Meijer, Inc. located at 2811 London-Groveport Road) was given its second reading and public hearing.

Mr. Greg Monnig, Woolpert Inc., was present. Mr. Radi reviewed the three stipulations set by Planning Commission, which Mr. Monnig agreed to. Mr. Radi commented that Mr. Lester had a concern over the stacking of items in the outdoor area and wanted to make sure they were addressed. Mr. Monnig stated that they would agree to limit the stacking of materials above the height of the fence.

President Saxton asked Mr. Dorman, Dev. Dept., to explain how the outdoor sales area is to be constructed now. Mr. Dorman explained that the area is to have a brick knee wall with a decorative aluminum fence, finished black that would have the appearance of wrought iron, on top. Mr. Hatley asked how high the fence would be. Mr. Monnig stated that it is about a four-foot knee wall with a four-foot fence on top.

Mr. Radi moved that Section 1 be amended to include the following stipulation: *1. No material shall be stacked above the fence height*; seconded by President Saxton.

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

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

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

- 3. Ordinance C-71-05 (Approve a Special Use Permit for a Drive-Thru for KeyBank located on the northwest corner of Hoover Road and Buckeye Grove Blvd.) was given its first reading. Second reading and public hearing will be held on July 18, 2005.

4. Ordinance C-72-05 (Approve a Special Use Permit for Automotive Related Services for Enterprise Rent-A-Car located at 3521 Broadway) was given its first reading. Second reading and public hearing will be held on July 18, 2005.
5. Resolution CR-44-05 (Approve the Development Plan for a Meijer Store located at 2811 London-Groveport Rd) was given its reading and public hearing.

Mr. Greg Monnig, Woolpert Inc., was present. Mr. Radi noted the 10 stipulations set by Planning Commission, which Mr. Monnig agreed to. He clarified, on stipulation #2, that by Code they are required to have 1,037 parking spaces and they have 1,021. He also noted that the drive-thru location has been eliminated from this plan. At some point, they may come back for a separate approval. As for road improvements, they are currently conducting a traffic study to answer those questions. He said they would agree to construct turn lanes and deceleration lanes rather than participate financially as stated in #4b & c. There was also some concern over stipulation #5 and he understands that there may be two amendments made to address this issue. Mr. Radi asked what would happen if the two property owners could not come to an agreement. Mr. Don Plank, attorney representing Strader's, explained that fortunately, that question doesn't have to be answered now. When the Strader's property abutting to the east wants to develop, they would have to come through the Development process and receive approval from the City. The City is the ultimate decider of where curb cuts go. They base it on safety reasons and it doesn't matter what they show on a plan. The City must be comfortable. That is why they agreed to the two stipulations being suggested for addition. Mr. Radi asked if the Urban Forester has reviewed the Landscape Plan and if he is comfortable with that. Mr. Dorman commented that new Landscape sheets have been submitted and reviewed by the Urban Forester. He had one comment with respect to the revised sheets and suggests that the trees along the north property line be changed from large class trees to medium class trees to keep the height below the overhead utilities. Mr. Monnig agreed to this. President Saxton noted that the Fire Dept. had some concerns with the traffic pattern. With the removal of the drive-thru, he asked if that satisfies the Fire Dept's concerns. Mayor Grossman said yes, based on their discussions last Friday. Mr. Hatley commented that Mr. Lester questioned the maneuverability of the gas tanker. Mr. Monnig stated that he provided a plan to Mike Keller, City's Consulting Engineer, to show clearance. Mr. Keller confirmed that this looks fine. Mr. Clark asked how the City would acquire the easements/right-of-way needed. Mr. Monnig and Mr. Keller stated that they are shown on the plans.

Mr. Radi moved that Section 1 be amended to reflect the following amendments: “. . ., *except for stipulation #5 and the developer shall be required to construct, rather than participate financially, as recommended in Stipulation 4b and c, and the following contingencies:*

1. *No access to the Mouth of Wilson, LLC parcel (#040-008045) to the east of Meijer's will be provided from the right-in/right-out access road, unless agreed to by the City of Grove City, Ohio.*
2. *The right-in/right-out access is a temporary ingress and egress drive that may be required by the City, at its option, to be removed when the parcel to the east of the drive (Tax Parcel Number 040-008045) is developed and an alternate curb-cut to S.R. 665 is established on the parcel, providing access to the Meijer development at no additional cost to the City.*

Seconded by President Saxton.

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

Mr. Radi moved to replace the drawings with those date stamped “received 7/1/05”; seconded by Ms. Klemack.

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

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

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

6. Resolution CR-48-05 (Approve the Development Plan for Grove City Healthcare & Professional Park located at 4074 Gantz Rd.) was given its reading and public hearing.

Mr. Kevin Balzs, representative, was present to answer any questions. Mr. Radi reviewed the two stipulations set by Planning Commission and Mr. Balzs agreed to them.

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

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

7. Resolution CR-49-05 (Approve a Certificate of Appropriateness for Exterior Modifications located at 3521 Broadway, as requested by Enterprise Rent-A-Car) was given its reading and public hearing.

There being no representation, Mr. Radi noted that this came from Planning Commission with a recommendation of disapproval. Mayor Grossman noted that there were three Planning Members present who feel strongly about the inappropriateness of painting over this brick building. Mr. Radi noted that the Special Use Permit won't have its public hearing until 7/18/05 and it isn't unusual to postpone other related legislation. Mayor Grossman commented that their Representative at Planning Commission asked if there was any recourse to that action with Council and she believes proceeding would proactively communicate to Enterprise the City's position.

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

Mr. Saxton	No
Ms. Klemack	No
Mr. Radi	No
Mr. Hatley	No

8. Resolution CR-50-05 (Approve a Certificate of Appropriateness for the Exterior Roof Modification to St. John's Lutheran Church located at 3220 Columbus Street) was given its reading and public hearing.

Mr. Mike Esposito, representing St. John's, was present. Mr. Radi reviewed the two stipulations set by Planning Commission, which Mr. Esposito agreed to.

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

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

9. Resolution CR-51-05 (Approve a Preliminary Development Plan for Riverwalk Subdivision located east and west of State Route 104) was given its reading and public hearing.

Mr. Jack Reynolds, Smith & Hale, was present representing petitioner. He explained that this is a 208-acre parcel, currently going through the annexation process. The plans are to divide this into two sections – one about 20 acres for condominiums and the other, which is 184 acres of single-family residential and green space. A large portion is in the floodplain and can be donated to the City for park/green space if desired. The remainder for the homes is shown on the drawings submitted. The condo project is not shown and will be submitted separately, at a later date. Mayor Grossman asked about pricing and Mr. Reynolds indicated that it would be mid \$300,000.00. Mr. Radi asked what the lot sizes would be. Mr. Reynolds said they are 80' wide, 10,000 sq. ft. in area and a density of 1.49 units to the acre. Mr. Hatley said the density is misleading, as a third of the area is unusable. Mr. Radi asked if there would be a homeowners association to maintain the floodplain area or does the City want to take ownership. Ms. Conrad, Dir. of Parks & Rec., indicated that they would like to take ownership for additional green space and the expansion of the bike path. Mr. Radi reviewed the stipulations set by Planning Commission and Mr. Reynolds agreed and discussed each. Mr. Hatley asked if any light could be shed on the condominium portion. Mr. Reynolds said Virginia Homes is not in the condo business and will see who, in the Central Ohio area, is interested in developing that portion. That portion will come through with a Preliminary and Development Plan, regardless to who develops it. Mr. Hatley said we have very similar developments being built and asked why someone would want to buy a home here rather than one of the others. Mr. Reynolds said Virginia Homes tries to do a little more with open space and this project has access to the river. Mr. Hatley commented that he would vote for the Preliminary Plan, but when the Development Plan for this comes up, if it is not unique and different he won't vote for it. He believes we already have an abundance of choices for our residents and need to get those filled up before we expand too much further. If it is different and something we haven't provided he is all for it. Mr. Radi wanted to confirm what Council is not committing to any density for the condos. Mr. Reynolds did say that there was a density stated in the Development Text. Mr. Clark, Dir. of Law, explained that this is only a Preliminary plan and it is not binding on Council. It is a conceptual presentation of what the Developer is anticipating to bring and it is not set in stone. Mr. Radi commented that Virginia Homes is a new builder to the Grove City area and believes they do offer something different for the community. President Saxton also questioned the density for the condos. Mr. Radi commented that any time a developer comes in and doesn't develop a piece of the project themselves, it raises concerns. He will want to know who the builder will be, what kind of product they will offer, better numbers on the density and the amenities. Mr. Reynolds said he would relay Council's concerns. Mr. Clark also noted that this property would be annexed into the City with a zoning classification most comparable to the Township zoning and would have to be rezoned to PUD.

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

Mr. Radi	Yes
Mr. Hatley	Yes

Mr. Saxton Yes
Ms. Klemack Yes

10. Resolution CR-52-05 (Approve the Development Plan for Jackpot Road Retail Center located at the northwest end of Jackpot Road) was given its reading and public hearing.

Mr. Jim Harkin, representative, was present. Mr. Radi reviewed the eight stipulations set by Planning Commission. Mr. Harking agreed to all the stipulations. President Saxton questioned signage. Signage is approved by the Building Dept., however Mr. Harkin confirmed that the developer has agreed that the signage would reflect what is at Parkway Centre.

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

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

11. Resolution CR-53-05 (Approve the Development Plan for KeyBank located at the northwest corner of Hoover Road and Buckeye Grove Blvd.) was given its reading and at the written request of the petitioner, Mr. Radi moved it be postponed to 7/18/05; seconded by President Saxton.

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

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. Mayor Grossman submitted the Mayor's Monthly Report and Mr. Radi moved to accept same; seconded by Ms. Klemack.

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

The Mayor offered condolences to the loss of a worker at the Pinnacle development. She then reported on upcoming events and commented on the success of Relay for Life and the Independence Day Celebration, which had the largest crowd ever.

2. After additional comments from Council and other Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 9:23 p.m.

Tami K. Kelly, MMC
Clerk of Council

William E. Saxton
President