

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

July 06, 1998

Regular Meeting

The regular meeting of Council was called to order by President Milovich 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 Michael Milovich "Budd" Eversman Chris Fulton

1. Mr. Eversman moved to excuse Mr. Bennett; seconded by Mr. Radi.

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| Mr. Radi | Yes |
| Mr. Milovich | Yes |
| Mr. Eversman | Yes |
| Mr. Fulton | Yes |

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

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| Mr. Milovich | Yes |
| Mr. Eversman | Yes |
| Mr. Fulton | Yes |
| Mr. Radi | Yes |

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

In the absence of Mr. Bennett, Mr. Fulton chaired the Lands Committee, for discussion and voting of items under said committee.

1. Ordinance C-46-98 (Approve the Rezoning of the Northeast and Northwest corners of relocated Hoover Road and State Route 665 from R-1 to PUD-C and SD-1) was given its second reading and Mr. Fulton moved it be postponed to August 03, 1998, as requested by the petitioner's attorney; seconded by President Milovich.

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| Mr. Eversman | Yes |
| Mr. Fulton | Yes |
| Mr. Radi | Yes |
| Mr. Milovich | Yes |

2. Resolution CR-57-98 (Approve the Final Development Plan for the Stringtown Animal Hospital, Inc. located at 1320 Stringtown Road) was given its reading and public hearing.

Ms. Maria Richart, owner, was present to answer any questions. Mr. Fulton reviewed the stipulations set forth by Planning Commission and Ms. Richart agreed to all of them. Additionally, she showed a color rendering of the existing house with the proposed addition.

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

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| Mr. Fulton | Yes |
| Mr. Radi | Yes |
| Mr. Milovich | Yes |
| Mr. Eversman | Yes |

3. Resolution CR-58-98 (Approve the Final Development Plan for Hoover Road Office Building) was given its reading and public hearing.

Ms. Karen Evans, representing the Robinson Group, explained that this will be an office building for which they have prospects, but, no tenants yet. She said it would be 4,000 sq. ft., which could be used in total or split in half with two tenants - 2,000 sq. ft. each.

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

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| Mr. Radi | Yes |
| Mr. Milovich | Yes |
| Mr. Eversman | Yes |
| Mr. Fulton | Yes |

4. Resolution CR-59-98 (Approve the Final Development Plan for Holiday Inn Express, located on Jackpot Road) was given its reading and public hearing.

Mr. Patel was present to answer any questions and showed a color picture of a similar building. Mr. Fulton reviewed the stipulations set by Planning Commission and Mr. Patel agreed to all, noting that they have a hearing before the Board of Zoning Appeals on July 27, 1998, for the height.

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

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| Mr. Milovich | Yes |
| Mr. Eversman | Yes |
| Mr. Fulton | Yes |
| Mr. Radi | Yes |

5. Resolution CR-60-98 (Approve the Final Development Plan for Paglioni's Bridal, located at 4238 Broadway in the Historical Preservation Area) was given its reading and public hearing.

Ms. Angela Paglioni was present to answer any questions. Mr. Fulton read the stipulations set by Planning Commission and Ms. Paglioni agreed to all of them.

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

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| Mr. Eversman | Yes |
| Mr. Fulton | Yes |
| Mr. Radi | Yes |
| Mr. Milovich | Yes |

6. Resolution CR-61-98 (Authorize the City Administrator to take any and all necessary actions to convey certain Real Property to the Grove City Community Improvement Corporation) was given its reading and public hearing.

Mr. David Dye, President of the CIC, explained that these are the first two projects identified by the CIC and they are requesting that the attached described properties be transferred to the Community Improvement Corporation. One is an extra piece of right-of-way on Stringtown & McDowell, the other is some acreage on Marlane Dr. Once transferred, appropriate consideration for development can be made. The resolution provides safeguards for the City, such as a reversion clause if the development is not approved in a timely fashion and pursuant to the Agreement between the CIC and the City. Any excess income generated, through the sale, will be given to the City.

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

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| Mr. Fulton | Yes |
| Mr. Radi | Yes |
| Mr. Milovich | 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.

1. Resolution CR-62-98 (Authorize the Chief of Police and the Mayor to apply for Funding from the DARE Grants Program) was given its reading and public hearing.

Mayor Grossman commented that in the 1997 - 98 school year, the City was successful in receiving \$19,089.00 from the Attorney General for this program. The total price was \$67,624.07. They are hopeful to obtain additional grant monies for the program for the upcoming school year.

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

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| Mr. Radi | Yes |
| Mr. Milovich | Yes |
| Mr. Eversman | Yes |
| Mr. Fulton | Yes |

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

1. Ordinance C-53-98 (Appropriate \$42,701.00 from the General Recreation Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on July 20, 1998.
2. Ordinance C-54-98 (Appropriate \$5,070.70 from the DARE Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on July 20, 1998.

3. Resolution CR-63-98 (Approve the Budget Estimates for the Fiscal Year of 1999) was given its reading and public hearing.

Mr. Behlen, Dir. of Finance, explained that this is required under State law as a Preliminary Budget for the next year. Actually, it is a Tax Budget, which the County uses to determine what property taxes need to be levied and work out any issues between different jurisdictions to keep under their statutory requirements of 10 mills. In our process, we look at our operating budget and spend time on our capital improvement budget - with respect to timing of projects, any other resources, other than city monies, that may become available; etc. It is a five year program that takes in buildings, streets, vehicles, etc. Some of these figures will be revised, once we get closer to 1999.

President Milovich commented that this past year, 76% of our income was through income tax. Mr. Behlen said he wasn't certain of the percentage, but, that sounded about right. President Milovich asked if that percentage will go up next year. Mr. Behlen said he didn't know - it depends on grants and other things. He said it would maintain its position. President Milovich asked if this is a typical percentage, compared to other communities. Mr. Behlen said it may be a little high, however, it is in concert with other growing communities and proportionate to our region. President Milovich commented that there were a few items that he requested the Administration take into consideration, as we move toward the end of the year. They are: a 10 year Master Plan for the Parks & Rec. Dept., including programs and facilities; update and put together a new Bike Path Plan.

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

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| Mr. Milovich | Yes |
| Mr. Eversman | Yes |
| Mr. Fulton | Yes |
| Mr. Radi | Yes |

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

1. Mr. John Hensley, Cleveland Ave., initially thanked Mr. Lathrop and Mr. Boso for getting some trees and other problems corrected on Cleveland Ave. Secondly, he said he has been trying to figure out how the drainage system works and when the City is going to get this section of town fixed. He said he has heard for three years that this will be done and wants a firm date. He said the map he received from the Service Dept. has not been updated for 70 years. It doesn't show the present storm system or where they flow. He said they have been flooded twice in two (2) years. He referenced the Mayor's quote regarding the water lines at Kroger. He said if the City has known for 10 years that there was a problem, then blame can be placed, not only on Mr. Solove, but, also on the Administration - past and present.

Mr. Boso, City Administrator, explained that Mr. Solove has a private sewer. It is not within the City's sewer system and only if it were to clog and the property owner refused to fix it after notification from the City, would we have any authority to take action. In this instance, if the City had tried to take action, they would have been trespassing.

Mr. Hensley also noted that the drain by Beulah Park, Lincoln St. gate, there is clutter being pulled in and water is not getting through. He feels this area needs attention and wants a date when they can expect some action.

President Milovich asked Mr. Boso if he had any helpful suggestions for Mr. Hensley. Mr. Boso commented that the rain we experienced last week could not have been taken care of by any system. He said there may be some isolated situations that they will take a look at. He explained that the railroad track acts like a dam for that side of town and, thus, it's not as easy as putting in a new pipe on Grant Ave. Street elevations, existing storm elevations, etc. must be reviewed and what affects will occur on other streets. These are very complex issues that cannot be solved by placing more pipe in the ground. He said he doesn't know if there is a solution, but, it will be looked into and recommendations made, if there are any. Mr. Radi asked what effect development to the west has on this area. Mr. Boso explained that Franklin County has design requirements for certain frequency storm. No one develops a storm for 5 - 7" rain. That is why this County was declared a Disaster Area. We had a very unique rain fall that, they say, happens every 50 years. Mr. Eversman asked Mr. Boso if he know how long it would take to look into this. Mr. Boso said approximately three months. Large areas and all the affects must be reviewed. President Milovich commented that this issue is bigger than can be handled tonight. He asked Mr. Boso to communicate with Mr. Hensley on the findings that the City has found in the next few months. Mr. Boso said certainly.

2. Mr. Richard Talbott, President of Scioto Meadows, explained that in 1996 a piece of ground in the Scioto Meadows Subdivision was rezoned from R-2 to PUD-R. He didn't think a development plan for this area needed to be submitted and didn't realize there was a deadline under the PUD zoning. He explained that it was never their intention to develop this ground - they wished to secure the zoning necessary to market it for condo's for someone else to develop, and that person would submit a development plan. He requested that Council extend the PUD deadline to March 31, 1999.

President Milovich reviewed Section 1135.14 of the Codified Ordinances, pertaining to a PUD rezoning and asked Mr. Clark, Dir. of Law, to explain. Mr. Clark said a PUD rezoning contemplates a development plan going hand-in-hand with the rezoning. When it doesn't, a development plan must be approved within six (6) months of the rezoning approval or the rezoning becomes null and void. President Milovich said Mr. Talbott is requesting that Council extend a six (6) month time period that elapsed approximately 15 months ago. He asked Mr. Clark if Council could even consider such a request. Mr. Clark stated that the current zoning is R-2 and the ground did revert back some time ago, but, he felt Council had the ability to consider the request.

Mr. Eversman asked Mr. Talbott when he was aware of the reversion. Mr. Talbott said about late 1997. Mr. Eversman asked why he waited so long. Mr. Talbott said he did submit a plan and at that time, was told not to worry about the zoning - however, the plan was withdrawn due to not meeting his specifications. Mr. Eversman asked Mrs. Kelly if any correspondence was sent to Scioto Meadows regarding this. Ms. Kelly stated that she did not recall sending any correspondence for her office, but, several verbal communications with representatives of Scioto Meadows (Mr. Pat King) did relay the fact that this parcel had reverted back to R-2 zoning. Mr. Eversman asked when that took place. Ms. Kelly stated around Mid 1997.

President Milovich said the first approach to this matter would be for Council to add a piece of legislation to this evening's agenda addressing Mr. Talbott's request to extend the time period. The second, would be for Mr. Talbott to apply for rezoning, again, on this ground and take it through the process. Mr. Talbott agreed. President Milovich asked if he had an opportunity to discuss the timing of submitting a rezoning request with the Administration. Mr. Talbott said yes, but, he still doesn't have a development plan. Mr. Radi asked if this ground is now completely surrounded by R-2 zoning and single family homes. Mr. Talbott said the west side is farm; the north side has four or five township homes on five acre lots; the east and south side is Scioto Meadows subdivision with a strip of lots along Scioto Meadows Blvd. that now abuts this ground. Mr. Radi asked if the abutting lots of Scioto Meadows were fully developed. Mr. Talbott said all the roads were in. About half the homes are partially built and half the homes are occupied. President Milovich asked Mr. Clark if this type of waiver has ever occurred in the past. Mr. Clark said he could not recall any specific instance where we had. Mr. Radi voiced concern for the existing R-2 homeowners, who he feels should have input now. Mr. Talbott said, in his mind, he felt this had been zoned for condominiums and was a special circumstance. He said the sales office still shows it as condominiums and Dominion Homes offered a \$2,500.00 discount for those lots abutting this ground.

President Milovich stated that a sample resolution has been drafted and read it, asking Mr. Talbott if it addressed his request. Mr. Talbott said yes. Mr. Fulton asked Mr. Talbott if he read the Code when this process began. Mr. Talbott said no. Mr. Fulton asked if there was a reason. Mr. Talbott said when they sat down with the Administration to do this, he was told there was a maximum of eight (8) units per acre and a bunch of things needed. What he thought he was doing was zoning the ground with no plan in mind, and once there was a developer for it - they would submit a plan. He was aware that it was different. Mr. Fulton confirmed that Mr. Talbott and people in his office were aware that the zoning had reverted back for some time. Mr. Eversman noted that the majority of Council has changed since this issue was originally brought before the Council. It is now a new issue for this Council, rather than an extension of an old issue.

President Milovich reviewed the process and moved that Resolution CR-64-98 be added to the agenda; seconded by Mr. Eversman.

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| Mr. Eversman | Yes |
| Mr. Fulton | No |
| Mr. Radi | No |
| Mr. Milovich | No |

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

1. Mayor Grossman submitted the Mayor's Monthly Report and requested it be approved.

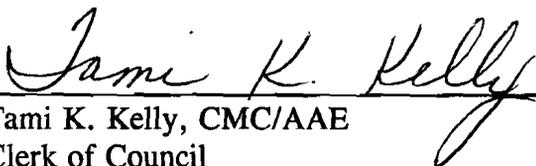
Mr. Fulton moved to accept the Mayor's Report; seconded by Mr. Eversman.

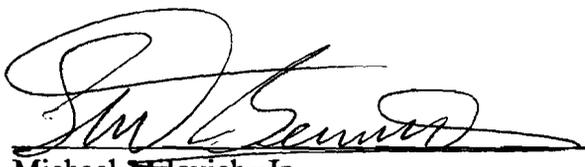
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| Mr. Fulton | Yes |
| Mr. Radi | Yes |
| Mr. Milovich | Yes |
| Mr. Eversman | Yes |

Mayor Grossman reported that the Fourth of July celebration was a great success. She noted that there are slips regarding Federal Assistance to those with Flood damage available at City buildings. She announced that Ruth Jividen's home on Haughn Road has been accepted to the Historical Registry. Graters Ice Cream has broken ground on Broadway and hopes to be open by November, this year. She also acknowledged the passing of Ms. Jeannette Meyers - a very special lady of the community who served on Council at one time.

2. Captain Deskins reported on the 800 Radio System, at the request of President Milovich. He said they are very pleased with the system. It enables them, using the flood as an example, to take in all the calls for 911, police and fire. The old system had "dead spots" in parts of the City where officers could not hear their radios. This system can be heard far beyond the City Limits. Also, not all calls have to go through the dispatcher. It allows for Department calls; handles all traffic at the same time; can talk with police, parks & rec., service, and fire departments with different "talk groups". The efficiency of this system is wonderful. From a safety issue, it is the greatest and the most modern offered today. President Milovich thanked Capt. Deskins for the update. He said it is nice to know that some of the things they approve payment for have been implemented and are working very well.
3. The Council Members commented on the Fireworks; Music in the Air at Gantz Park; Grater's Ice Cream groundbreaking; and the handling of the flood. President Milovich asked that the planning on the Nature Trail be added to the items for review in the Tax Budget.
4. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:10 p.m.


Tami K. Kelly, CMC/AAE
Clerk of Council


Michael Milovich, Jr.
President