

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

July 15, 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 recognized the Mayor who read and presented a Proclamation to the Alonzo Family for their assistance in treating the logs for the Log Cabin at Century Park. Mr. Alonzo said that he was happy to be able to participate and preserve history. President Klemack then recognized Mr. Wade Steen, Franklin County Treasurer, who left a copy of his Annual Report and announced the implementation of one new program that allows residents to pay their annual taxes on a monthly basis. He provided brochures about the program. Mayor Grossman asked when the program was started and how many they have enrolled. Mr. Steen said they started the program in October and have about 5,000 people enrolled. He said it is extremely beneficial to the senior community and those on a fixed income. Mr. Eversman asked if it would be offered to commercial properties. Mr. Steen said they have started with residential because it is easier to manage. Commercial property taxes slide up and down, but he said they would take a look at it. He also noted that payment by credit cards would be ready to go by the next taxing period.

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

Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	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. Resolution CR-51-02 (Approve the Sign Request for Hamilton & Hawkins located at 3338 Columbus Street in the Historical Preservation Area) was given its reading and public hearing.

Mr. R. Kelly Hamilton, attorney, was present to represent the firm. Mr. Saxton noted the Code requirement for landscaping that was listed as a stipulation and stated that compliance would need to be met.

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

2. Resolution CR-52-02 (Approve the Preliminary Development Plan for the Weygant Tract located at 2552 Demorest Road) was given a reading and Mr. Saxton moved it be postponed until 8/5/02 as requested, in writing, by the petitioner's agent; seconded by Mr. Hatley.

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

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

1. Ordinance C-67-02 (Amend Section 509.09 of the Codified Ordinances of Grove City, Ohio titled Noise; Advertising) was given its second reading and public hearing.

Mr. Radi asked Chief McKean for an overview of this legislation. The Chief explained that at the direction of the Mayor, they looked at the various noise complaints had been received by residents and work with the Mayor to draft an ordinance that would address those complaints. Specifically, with regard to vehicles and loud car stereo's, open businesses that create a nuisance between the hours of 11:00 p.m. and 2:30 a.m. He said the reviewed ordinances from other cities and crafted one that dealt with the specific problems that our residents face. He said the most significant complaint from our residents was the manner in which a noise complaint had to be filed. He explained that current Code requires the resident to contact the Police Dept. and then sign a written statement/complaint, come to the police dept. and follow-up with a court appearance. At 2:30 a.m., this can be a major inconvenience, especially for those just trying to enjoy the peace and quite of the community. He said the major component of this ordinance allows the police officer to respond to those types of complaints and investigate the validity of the complaint. Then, they can pursue a complaint when voluntary compliance is not achieved. The second issue that this ordinance addresses is the ongoing problem with the small minority of vehicle owners who use their car stereo systems inappropriately. Under the current Code, it is felt that the police do not have enough articulated legislative authority to pursue a complaint on behalf of a complainant. Thirdly, they have received many complaints from open businesses, between the hours of 11:00 p.m. - 2:30 a.m., who in the summer months open their doors and allow the amplified sound to transcend into the peace and quiet of the neighborhood. There is also a concern about being able to hear emergency vehicles. He said in consideration of our public safety counterparts, he felt that was of primary consideration and addressed in this proposal. He said the result is a blend. This doesn't go as far as some communities ordinances, but feels it adequately addresses the situations that are relative to the health, safety and welfare of our residents and he strongly supports it. Mr. Radi commented that there were some concerns about the enforcement of

this ordinance as it pertains to the letter of the law rather than the spirit of the law, giving an example of the Grove City High School Band. Chief McKean commented that whenever you look at the formulation of public policy, implementation is a concern. He feels the existing Code is more ambiguous than that proposed. Whenever an allegation is made, there is a certain amount of discretion that is made by the police officer. (Example, speeding.) He said enforcement by the letter of the law is not necessarily the intent or desire of the community. They do enforce the spirit of the law. He said they also look at community standards to exercise that expression. He said he didn't believe that this proposal would impact the marching band or any other pre-existing community standard. Mr. Eversman shared a couple of concerns he had, as they pertain to the business community. He said he whole-heartedly supports changing the complaint process and vehicle noise. He said there are two areas that don't pertain to complaints or vehicles that he would like reviewed. He said he met with the Chief about these and was willing to sit down with Tom Clark (Law Dir.) and incorporate language that would address his concerns. However, time did not allow the Chief to do that before this evening's meeting. He said he would hate to create another situation like we had with the RV ordinances. He moved that this ordinance be postponed until 8/5/02. Motion died due to the lack of a second. Mr. Eversman commented that it was obvious that his colleges didn't share his concerns and reiterated that he felt it was a good ordinance that he would support regardless of his couple concerns.

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

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

2. Ordinance C-72-02 (Amend Section 155.05(b) of the Codified Ordinances of Grove City, Ohio titled Promotions) was given its first reading. Second reading and public hearing will be held on August 05, 2002.

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

1. Resolution CR-53-02 (A Resolution of Support for an "All Children's Playground" located in Fryer Park) was given its reading and public hearing.

Mayor Grossman explained that they have been working with Senator DeWine's office for a grant request for this playground. They understand that this is the first time he has ever included a park playground in his appropriations request. She is very hopeful that with the uniqueness of this playground, we can look to the Senator for support for a portion of the cost.

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

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

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

1. Ordinance C-73-02 (Reauthorize an Agreement between the City of Grove City and the Board of County Commissioners, Franklin County, Ohio for a Community Development Block Grant Program and provide Acquisition Services therewith and to declare an emergency) was given its first reading.

Mr. Stage, City Admin., explained that we received a letter from the County for this reauthorization. Although it doesn't expire until 2003, the deadline to renew is now. He said it is in our best interest to reauthorize this contract, as we have benefited very graciously on many projects.

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

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

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

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

2. Resolution CR-54-02 (Authorize the Establishment of an Audit Committee) was given its reading and public hearing.

Mr. Behlen, Dir. of Finance, explained that the State Auditor's office has a set a standard for an independent audit committee to review the audit for municipalities. Although the Charter provides that Council review the Audit, which will remain, the Auditor's office recommends this layer of review to extend our already best practices.

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

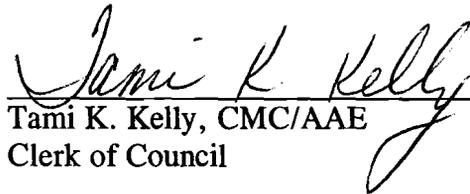
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes

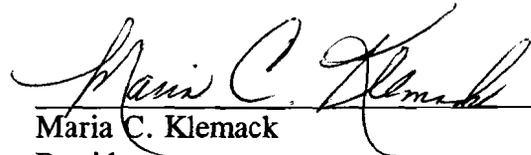
**The Chair asked that any new business to be brought before the attention of Council be done so at this time.**

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

1. Mayor Grossman reported on community events and noted that the From Our Hearts campaign brought in approximately \$900.00 and lots of food. Our first year for the Gus Macker Blacktop Basketball Tournament had 407 teams.
2. After additional comments from Council and other Administrative staff members, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 8:40 p.m.

  
\_\_\_\_\_  
Tami K. Kelly, CMC/AAE  
Clerk of Council

  
\_\_\_\_\_  
Maria C. Klemack  
President