

GROVE CITY, OHIO COUNCIL  
MINUTES

July 19, 1993

Regular Meeting

The regular meeting of Council was called to order by President Brian Buzby 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:

*Brian Buzby*                      *William Ferguson*                      *William Buckley*                      *John Mountain*

1. President Buzby moved to excuse Mr. Cotton from this evening's meeting; seconded by Mr. Buckley.

Mr. Buckley	Yes
Mr. Buzby	Yes
Mr. Mountain	Yes
Mr. Ferguson	Yes

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

Mr. Buzby	Yes
Mr. Mountain	Yes
Mr. Ferguson	Yes
Mr. Buckley	Yes

**In Mr. Cotton's absence, President Buzby chaired the Lands & Zoning Committee for discussion and voting of legislative agenda items under said committee.**

1. President Buzby moved to add Ordinance C-65-93 to the agenda; seconded by Mr. Buckley.

Mr. Mountain	Yes
Mr. Ferguson	Yes
Mr. Buckley	Yes
Mr. Buzby	Yes

Ordinance C-65-93 (Authorize pre-annexation agreement for Scioto Holding Company) was given its first reading. Second reading and public hearing will be held on August 2, 1993.

2. Resolution CR-33-93 (Approve final development plan for Arrowleaf Run Apartments.) was given its reading and President Buzby moved that it be tabled due to the developer submitting revised plans prior to the meeting; seconded by Mr. Buckley.

Mr. Ferguson	Yes
Mr. Buckley	Yes
Mr. Buzby	Yes
Mr. Mountain	Yes

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

1. Ordinance C-64-93 (Authorize the amendment of the contract for refuse collection and declare an emergency) was given its second reading and Mr. Mountain moved that the Rules of Council be suspended and the waiting period waived; seconded by Mr. Buckley.

Mr. Buckley	Yes
Mr. Buzby	Yes

Mr. Mountain	Yes
Mr. Ferguson	No

Mr. Mountain recognized those who had signed up to speak in this issue:

*Ms. Karen Gunderman, 2664 Suzanne* - voiced her support for Larry's Trucking. Larry's has always provided excellent service and she said she didn't understand the problem or what the hassle was all about. The fact that he is a local businessman only makes it more important to him to do a good job.

*Mr. Gene Thomas, 2683 Eugene Ave.* - reiterated Ms. Gunderman's support. He said he remembers what the trash pick-up was like before Larry's Trucking and doesn't want anything like that again. He is satisfied with the rates being charged and doesn't know what the hassle is.

*Mr. James Lewis, 2923 Dennis Lane* - as lived in Grove City for 23 years and remembers King Trucking. He said you couldn't find your trash cans, trash didn't get picked up half the time, and feels Larry's is doing an excellent job. The fees he charges are fine; the trucks don't run for nothing and if SWACO raises its rates, so must Larry.

*Mr. Russell Woyan, 4269 Beechgrove Dr.* - works for Larry's Trucking and stated that they do their very best for the community. They are out there in any kind of weather to see that the job gets done.

*Mr. Dave Bright, 2916 Buxton Lane* - stated that Larry's Trucking provides an outstanding service. He keeps his trucks and facilities spotless. He believes and loves this town and is ashamed of the way Council is treating him. President Buzby responded by stating that he didn't understand his comment about the way Council was treating Larry's Trucking. Council has renewed Larry's contract without public bid since 1979. Council understands and agrees with much of what has already been said. The ordinance today is an ordinance to increase rates. Mr. Beavers is being & has been treated exactly the way he asked to be treated for the last twelve years. Mr. Bright responded by stating that he is sure that not all of the Council members are treating him unfairly, however some members are. Larry Beavers is a local businessman who employees local people and doesn't think that a large, out-of-town company can provide the service that we receive from Larry's Trucking. He doesn't feel that the concern for the City will be the same. He has seen Larry stop and pick up trash along the street when he sees it and hopes Council will give consideration to these comments.

*Mr. Gary Leasure, 3094 Louise Ave.* - spoke in support of Larry's Trucking. As a resident for 15 years and a local businessman, he feels Larry's provides outstanding service. In addition, he has served as Mayor, ex-officio and Council Member in Zanesville and realizes what this Council is going through. Zanesville paid \$5.75 per month, per household with the City provided the trash removal and doing a terrible job. He said he feels Larry's rates are well in line and does an excellent job.

*Mr. Ron Huber, 2554 McDanile Ct.* - spoke on behalf of Mr. King prior to Mr. Beavers having the trash hauling service since he was City Administrator during that time. He explained the problems they had with King Trucking, such as equipment not working, no holiday pick-up, no pick-up in cold weather, etc. The services we have today are 100% better than we had with King. Mr. Beavers goes out of his way to keep the City clean. He said he saw Larry on the I-270 ramp with the sweeper cleaning it on his way back to the shop. If King had the contract, you would never see something like that. He said he realizes that some members of council wish to take exception to the actual cost. He asked if the City of Grove City had ever gone out and conducted an audit of his books? He answered no. He asked if Larry was making 25% profit? He answered that he was sure that wasn't true. Mr. Huber asked that Grove City be fair and equitable to what they give the refuse contractor. The service has been excellent and has only improved as time has gone on. He indicated that he would hate to see, with the difference in dollars that Larry is asking for, forcing someone to go somewhere that you feel is better than a man in his profession feels. He asked Council to support the original increase request.

*Mr. Craig Fulks, 2362 Stargrass Ave.* - said he was a lifelong resident of Grove City and can remember as a youngster, following Larry's truck around on his bike and thinking that was the greatest truck in the world. As an adult, he sees the service that Larry really provides the City and realizes just how important it is. He told of how he forgot to put his trash out on his regular trash day once and upon calling Larry's Trucking, they came around the next day and picked up his refuse. He said he felt that this is the kind of service that is unobtainable with a larger company and also feels that it is Larry's love for the community that provides such a great service. He reiterated his support for Larry's Trucking.

*Mr. B. J. Roach, 3797 Broadway* - announced that he was a local businessman and wasn't going to say anything until he had the opportunity to take a trailer load of trash to the landfill today. He said he owns quite a few apartments in Grove City and, just so you know he does not have a vested interest, he pays for the trash collection and their rent will not be going up due to an increase in rates. He feels that thus far, Council has been fair to Larry. He said he sent a man to the dump with a trailer load of trash and said he didn't think it would cost more than \$50.00, but, gave him \$100.00 just in case. When the man came back, he advised Mr. Roach that the total for this one load was \$132.50 and Mr. Roach had the bill on hand for anyone to view.

*Ms. Cheryl Patzer, 2444 State Route 665* - She also feels that Larry's Trucking provides excellent service, however, she feels it is important to know what he does with the refuse. She indicated that she had letters from the Service Director informing him to immediately stop using a landfill owned by the City on Marlane Drive; a letter from the Department of Health stating that he was improperly storing his street refuse; and she has called every place Mr. Beavers said he uses to haul white goods and they all deny doing business with him. This concerns her when he asks for increases in his contract.

*Mr. Larry Beavers, 2744 Clark Drove* - wanted to thank the people for coming to support him and addressed Council on the issue of going to the MRF in Canal Winchester. If this is done, he feels the City can through our recycling efforts out the window because they will take it all and separate out the recyclables. However, they will only get a 3% recycling rate from doing it that way. He said that there is only one way to recycle and that is the way Grove City is doing it now. He said he doesn't understand the hassle in receiving the increase he is asking for.

*Mr. Michael Brandt, attorney for Larry's Trucking* - also thanked everyone for coming and showing their support. It's a good feeling to know that a local businessman has the support he does for the job he provides; and that job goes beyond the contract he has with the City to pick up trash. Larry has asked to be able to continue to take the trash picked-up in Grove City to the Trash Burning Power Plant as his contract allows and continue to recycle the clean way. He is asking for a \$5.00 per quarter increase which is \$0.40 per week. This is not an excessive increase, especially for the service that is received. It could be a lot better if we were all cognizant of what goes on in the community/what we put out in our trash. In the last month, Mr. Brandt said he has been more aware of people who, week after week, line the fronts of their house with trash bags and then you have the responsible people who are recycling. He addressed Council and stated that \$5.00 per quarter is not excessive and we know that we are going to be facing another increase in January, 1994. Why go to another facility that is going to, basically, cut our recycling? The purpose of the MRF is to recycle. When you sit down and think of dollars and cents, is it worth it to have the same service we have enjoyed for \$0.40 per week more? He again stated that it was not a lot of money and felt that there was only one person in the room that would object to paying the additional cost. He suggested and recommended that Council support the \$5.00 per quarter increase.

*Ms. Christie Murry, 3180 Park Street* - spoke in support. She said that the town was growing by leaps and bounds and we must pay for the extended service and there is absolutely no excuse for not renewing the contract and paying the extra money.

*Mr. Gary Sigrest, Jr., Chairman for Trash Committee* - He wanted to clarify that this committee was not formed to find fault with Larry's Trucking. There was never a comment made that he didn't pick up our

trash or do an excellent job. There are two items that have been stated tonight that he took a small offense to. The first is that if Larry doesn't receive the increase he is asking for we will go back to something like King Trucking and nobody wants that. Nobody is looking to put Larry out of business. What we are looking for is to get a fare rate for the community of Grove City. There have been a lot of questions raised about how much we, as Grove City, pay versus other cities and you cannot always compare apples to oranges when you are looking at trash service. But, we are paying a higher rate. The only other communities that pay more than we do are Upper Arlington and those cities who do trash removal themselves. He said that some have suggested that our City take over the trash removal and he felt that it was a bad idea. Larry takes the trash away and does a great job. The question comes down to cost. The other scare tactic is that if Larry uses a lower priced facility we can throw away our recycling. That is not true. One of the things Mr. Buckley stressed throughout the Trash Committee is that we have conditioned some people to recycle and that will still happen. However, the reality is that a large number still do not recycle. Larry can still come around and collect clean recyclables and take them to Grossman Industries. If Larry used the MRF facility, anything that was thrown away will be removed and recycled. He admits the facility in Franklin County is not as efficient as the one in Cleveland, however, it must come into compliance of 25% per the agreement with the Solid Waste Authority. By taking refuse to the MRF, because we are going to be faced with another increase in January, 1994, is a good short term solution to a long term problem. The figures used to come up with the rate were supplied by Larry. "We don't want to put him out of business, we only want to make sure that the interest of the community is being served."

*Mr. Ted Waldaman, 2659 Clark Drive* - through the years, Larry has always picked up the trash. You can almost set your clock by him. Everyone needs a little raise once in a while and recommended that the \$5.00 increase be granted.

*Mr. Ferguson* commented that some time ago, he held a community meeting and invited Mid-America, Rumpke, City Administration and Larry Beavers. The Administration and Larry did not show up. He has researched other communities trash contracts and took the position of "no bid; no increase". He said he stood by his decision. He indicated that he spoke with Dr. Bowers and the school system put their trash removal out for bid this year and got a lower rate than last year. He stated that he feels that any time a persons income may be taken away by the legislation of Grove City, that the people should be fairly represented by going through a bid procedure. He said that he wasn't against Larry, but, he was against the no bid procedure.

*Mr. Paul Miller* - retired from Rockwell International and in a position where he had to bid contracts. They went by the old saying "If it ain't broke, don't fix it" and yes, it is possible to get a lower price, but, that doesn't mean you will get better service. Sometimes, when you have something good, it is better to keep what you have. He has been in situations where he had to take the lowest price and found that they weren't always the best. He indicated that we have something good here and should strive to keep it. He supports the increase in trash pick up.

*Ms. Cheryl Patzer* asked what the purpose was of writing laws if we weren't going to follow them? President Buzby answered by stating that they are being followed. He indicated that we were not revisiting the issue of renewing the contract. The ordinance tonight deals with amending the current contract due to a rate increase requested by Mr. Beavers. By giving Mr. Beavers what he wants, the City has the opportunity to add more flexibility to the contract.

With that President Buzby offered an amendment to add "effective July 1, 1993" to Section 1; seconded by Mr. Buckley.

Mr. Buzby	Yes
Mr. Mountain	Yes
Mr. Ferguson	No
Mr. Buckley	Yes

President Buzby explained that the Trash Committee recommended an increase of \$3.15 per quarter. The proposal before Council this evening is higher than that at \$3.75. He said, in fairness to Mr. Ferguson, that these contracts, under the normal course of law, require that they be publicly bid and say what you want about public bidding, but, it does provide a very thorough market analysis of what this thing costs. Since we have extended the contract without a public bid, we haven't had the check and balance. Because of that, he feels more cautious than normal in granting price increases. He said that with the Trash Committee coming up with \$3.15 and the administration coming back with \$3.75, he doesn't feel that a case has been made tonight for an increase of \$5.00. But, in light of the discussion made by Mr. Beavers, President Buzby moved to amend Section 2 of this ordinance to add the following sentence: **If an increase in excess of \$3.75 is accepted and proposed by the Service Director of the City of Grove City, such an additional amount can be authorized by further approval by resolution of City Council.** Seconded by Mr. Mountain.

Mr. Mountain	Yes
Mr. Ferguson	No
Mr. Buckley	Yes
Mr. Buzby	Yes

President Buzby explained that this will allow an increase now of \$3.75 and gives Mr. Beavers the opportunity to try his case for the additional monies.

Mr. Huber asked how an increase can be done by resolution when Home Rule dictates that it be done by ordinance?

Mr. Buckley moved that the word resolution be changed to Ordinance; seconded by Mr. Buzby.

Mr. Ferguson	No
Mr. Buckley	Yes
Mr. Buzby	Yes
Mr. Mountain	Yes

Mr. Tom Clark also made a point of order - that being that since the motion of waiving the Rules of Council was not won with a four/fifths vote, this ordinance could not be passed as an emergency. President Buzby thanked Mr. Clark and indicated that with the effective date of July 1, 1993, it wasn't necessary to pass it by emergency.

There being no additional questions or comments, Mr. Mountain moved that Ordinance C-64-93 be approved as amended; seconded by Mr. Buzby.

Mr. Buckley	Yes
Mr. Buzby	Yes
Mr. Mountain	Yes
Mr. Ferguson	No

The Chair recognized Mr. Ferguson, Chairman of Safety, for discussion and voting of the legislative items under said committee.

1. Mr. Ferguson moved that Ordinance C-60-93 be removed from the table and added to the agenda; seconded by Mr. Buzby.

Mr. Buzby	Yes
Mr. Mountain	Yes
Mr. Ferguson	Yes
Mr. Buckley	No

Mr. Ferguson moved that this ordinance be postponed until August 2, 1993; seconded by Mr. Mountain.

Mr. Mountain	Yes
Mr. Ferguson	Yes
Mr. Buckley	Yes
Mr. Buzby	Yes

- 2. Ordinance C-63-93 (Amend Section 509.11 - Wrongful Influence of Minor) was given its second reading and public hearing and Mr. Ferguson moved it be approved; seconded by Mr. Buckley.

Mr. Ferguson	Yes
Mr. Buckley	Yes
Mr. Buzby	Yes
Mr. Mountain	Yes

- 3. President Buzby moved that Ordinance C-58-93 be removed from the table and placed on the agenda; seconded by Mr. Buckley.

Mr. Buckley	Yes
Mr. Buzby	Yes
Mr. Mountain	Yes
Mr. Ferguson	Yes

President Buzby moved that this ordinance be tabled; seconded by Mr. Buckley.

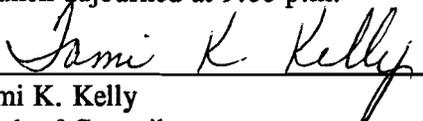
Mr. Buzby	Yes
Mr. Mountain	Yes
Mr. Ferguson	Yes
Mr. Buckley	Yes

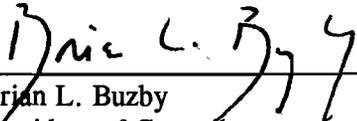
President Buzby asked that any New Business to be brought before Council, be done so at this time.

There being no new business, President Buzby recognized members of Administration and Council for closing comments.

- 1. Mr. Boso announced that the Mayor was meeting with a potential developer this evening and could not be here. This was the only time they could meet and there is a possibility of 500 jobs for Grove City.
- 2. After comments from Administration, the Chamber and Council, Mr. Buckley made a motion to adjourn; seconded by Mr. Ferguson. Motion carried.

Council adjourned at 9:00 p.m.

  
 \_\_\_\_\_  
 Tami K. Kelly  
 Clerk of Council

  
 \_\_\_\_\_  
 Brian L. Buzby  
 President of Council