

**GROVE CITY, OHIO COUNCIL  
MINUTES**

July 20, 1992

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, the roll was called and the following members were present:

<i>Brian Buzby</i>	<i>William Ferguson</i>	<i>William Buckley</i>
<i>John Mountain</i>	<i>Charles Cotton</i>	

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

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

**The Chair recognized Mr. Cotton, chairman of Lands & Zoning, for discussion and voting of legislative agenda items under said committee.**

1. Ordinance C-32-92 (Direct City Attorney to present petition to Fr. Co. Board of Comm. to conform boundaries of the City of Grove City & Jack. Twp.) was given its second reading and public hearing.

Speaking to this ordinance was Mayor Stage. He explained that within the laws of Ohio you can make a City out of a Township and in doing so, you inherit all the rights of the township within the city. In our case, this means the fire and emergency services, which Jackson Township firefighters have done an outstanding job, and this legislation has been discussed for many years. He said that this issues of building fire houses and withdrawing from the Township are separate. In order to keep them separate, Mayor Stage requested that Council postpone the second reading for an additional 30 days so that the Township can better make their position known and the details for the positioning of the fire houses to be worked out.

There being no additional questions or comments, Mr. Cotton moved to postpone Ordinance C-32-92 until August 17, 1992; seconded by Mr. Mountain.

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

2. Ordinance C-58-92 (Accept plat of Meadow Grove, Sec. 9) was given its second reading and public hearing.

Mr. Cotton explained that this legislation is to accept the legal description and not the property itself.

Also speaking was Mr. Babbert. He gave a presentation about the site, noting that in 1984, Council approved an ordinance to rezone sections of this subdivision, one of which was Reserve "D" and it became zoned SD-3. This Reserve is in a flood plain and the developer set this aside for recreational use since he couldn't develop it. This property has been an issue ever since he became Director in 1988. He said every year he would get a couple of calls asking when the City was going to put in a park and he told them, as is still the case, that the City does not own the property and could not put in a park. As he walked the area he said the question arose "Should this become a park?" and if so, "What kind of park?". Mr. Babbert said he defines

parks in two forms: Active - having active recreational use (i.e. Murfin, Windsor), and Passive - having green, wide open space (i.e. Gantz). Council has asked him what this could be used for and he said he had run out of ideas. What Mr. Babbert proposes is to bring in a land planner to aid in this decision. Mr. Babbert did say that it is not a good spot for an Active park. He referred topographical map to show the creek and terrain of the property. He also revealed how close it was to Borrer Road and informed Council that one of the things the Parks and Rec. Department was doing is putting together a Master Bike Path Plan for the City. One of the things they find is nice to utilize are easements along creeks and this is one thing that he will be recommending to the land planner for possible use of the subject property. He indicated it would be a connector down to Borrer Road and eventually into Indian Trails. He said he has received a number of phone calls on this issue both pro and con and he hopes to bring peace back to the neighborhood.

Mr. Buzby thanked Mr. Babbert and reiterated Mr. Cotton's comment that the vote to accept this plat tonight would not change anything. It will still be zoned SD-3 and be owned by the developer tomorrow. He said it has been indicated that the developer does want to deed the property to the City and Council will vote to accept the property at that time. He said Mr. Babbert has been asked to do a study on if and how the property could be utilized. In terms of timing to be kept informed, Council meets on the first and third Monday of every month and suggested that you call Mr. Babbert or Tami Kelly to check on the issue and see if it is on the agenda.

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

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

3. Ordinance C-63-92 (Accept annexation of 52.054 acres located on Grove City Road) was given its first reading and Mr. Cotton moved to amend this ordinance to be zoned R1b rather than R2; seconded by Mr. Mountain.

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

Second reading and public hearing will be held on August 3, 1992.

Mayor Stage noted that administration negotiated with the owners to raise the zoning to R1b in order to obtain a higher zoning for the area.

4. Ordinance C-64-92 (Accept annexation of 30.208 acres located between Hoover and McDowell Roads) was given its first reading. Second reading and public hearing will be held on August 3, 1992.
5. Ordinance C-65-92 (accept annexation of 24.6 acres located north of Home Road and East of McComb Road) was given its first reading. Second reading and public hearing will be held on August 3, 1992.
6. Ordinance C-67-92 (accept plat of Woodfield Oaks subdivision) was given its first reading and Mr. Cotton moved that the Rules of Council be suspended and the waiting period waived; seconded by Mr. Buckley.

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

Mr. Cotton moved that this ordinance be approved as an emergency; seconded by Mr. Buckley.

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

7. Ordinance C-68-92 (approve special use permit for an outdoor concert located on Broadway) was given its first reading and Mr. Cotton moved that the Rules of Council be suspended and the waiting period waived; seconded by Mr. Buckley.

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

Mr. Cotton moved that this ordinance be approved as an emergency; seconded by Mr. Buckley.

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

8. Resolution CR-37-92 (approve Final Dev. Plan for Gym, P.M.M. Corp., located on Parkmead Dr.) was given its reading and public hearing.

Speaking to this resolution was Mr. John Cocker, architect and representative for owners. Mr. Buckley asked to see the building elevation. Mr. Cocker explained the location and showed a sketch of the building complete with elevations. He indicated that the building would be gray with red canopy. He also showed the floor plan which included reception area, gym/work area, office and nursery. Mr. Cocker stated that the owners have a gym in Mill Run that has expanded twice and currently has 9,500 sq/ft. The Grove City site has room for expansion and they feel it will be equally as successful. Mr. Buckley expressed concern about the sign shown on the drawing. Mr. Lotz indicated that no approval for any sign per code has been approved by Planning Commission. Mr. Cocker stated that this was the first time the sign had been shown and they would make sure it met all requirements.

Mr. Cotton moved to approve Ordinance C-37-92; seconded by Mr. Buckley.

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

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

1. Resolution CR-36-92 (Authorize City's Engineer to prepare prelim. plans, specs. and cost estimates for construction of sidewalks on Kingston, Knapp & Hoover) was given its reading and public hearing.

Speaking to this resolution was Mr. Blackburn. He said that these sidewalks would provide an extension to existing sidewalks as well as a passage for students to get to the High School. Mr. Mountain noted that this was the first step in the process to allow for the construction of these sidewalks.

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

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

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

1. Ordinance C-66-92 (Appro. \$9,000 from General Fund for the Current Expense of heating and cooling modifications to City Hall) was given its first reading and since it appropriates for current expenses, Mr. Buckley moved it be approved; seconded by Mr. Mountain.

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

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

1. Mr. Mike Powers, 5668 Springhill Rd., spoke in support of a park located on Reserve "D" and represented other area residents in support. He presented council members with a packet of information which included a copy of a petition circulated in the neighborhood supporting the park, a copy of his prepared statement, a copy of Ordinance C-50-84 which rezoned the area to SD-3, an other related material. He suggested that a passive park be constructed and feels there are many advantages to a neighborhood park. He said residents were told that a park was going in and realtors used this as a marketing tool. He stated that the Meadow Grove Homeowners Association does not represent the entire subdivision and a rebuttal list is included in the packet of the Association's disadvantages to a park. As far as erosion and maintenance, he said Mr. Babbert assured him that it would be maintained, as all local parks are, per Code. As far as vandalism and other criminal offenses, Mr. Powers said he had total confidence in the Grove City Police Department to keep the park clean and safe.
2. Mr. Dave Masters, 2257 Stargrass Ave., spoke in opposition to a park being developed. He indicated his main concern was with safety and felt that since this area is fairly secluded, the police would have a difficult time unless they walked through the proposed park.
3. Ms. Cheryl Williams, 5661 Springhill Rd., spoke in opposition to a park. She is concerned to the close proximity to her back yard. She stated that they were told that the property would be donated to the City for park land but nothing would be done behind their house due to the proximity to their yard to the creek which is 35 feet. She said she felt that having a bike trail along the creek would jeopardize her family and putting in a park would also be destructive to the natural beauty and wildlife currently existing.
4. Mr. Dave Chambers, 2249 Stargrass Ave., gave a copy of his prepared statement to each council member.
5. Mr. Tony Griffith, 2241 Stargrass Ave., also shared concerns about the distance between his house and the bike trail. He asked council to take the abutting homeowners into consideration when making an decision.
6. Mr. Lee Schreiner, 2352 Clover Blossom Ct., voiced concerns about the creek. He said that water has always been a problem in the area and he has been in discussion about this before. This proposed park area is in a flood plain and deterioration of the creek bed is a concern to be addressed. He suggested a group of concerned citizens be put together to discuss this area and recommendations be given to council.

7. Mr. Duane Felumbe, 5598 Springhill Rd., addressed the concern of parking. He indicated that he lived directly across from the access way to this property and he has no problem with it.
8. Mayor Stage said that during his door-to-door campaign, this land was brought to his attention by a Meadow Grove Resident and the main concern was maintenance of the parcel. He said he was the one who started the push for Mr. Babbert to settle this issue. He said he simply could not see having land setting desolate and a professional will be brought in to assist in recommending what to do with this parcel. He also made mention of a silo which he said would be coming down.
9. Mr. Tim Hall , 3726 Juniper, asked if the report was finished regarding the concert/firework show at Beulah Park on June 27, 1992. He reminded Council that he was at the last meeting and Chief McKean stated that it would be finished by this meeting.

Safety Director, Chris Fulton, responded to Mr. Hall. He said he had just returned from vacation and Chief McKean was currently on vacation. The report is finished but neither of them has had a chance to review it as yet. He apologized for this and said that the bottom line was that everyone involved was deceived. Mr. Fulton did say that Abe Amira had forfeited his bond and as soon as Chief McKean returns from vacation and has reviewed the report, it would be made available.

Mr. Hall asked if any action was taken against Beulah Park? Mr. Fulton said not to his knowledge. Beulah was also given false information regarding the party. Mr. Hall asked why no action was taken against Beulah? Mr. Fulton stated that it was not a closed issue but that Beulah was also taken by surprise and didn't think they were attempting to deceive the City, however, he couldn't make a definitive statement due to not reviewing all the details.

Mr. Hall said that when Capital Music was operating last year, that they would not have any music or activity past a certain hour. He hoped that the proposed Amphitheater would also have those same restrictions. Mr. Fulton said they would. Mr. Boso said that as far as charges were concerned, there is one very important issue to be noted and that was that this was not only for music but for fireworks. Mr. Amira had a permit for fireworks, signed by Jackson Township Fire Dept. and the City of Grove City's Police Chief, to commence at 12:00 midnight. We couldn't go into court and say fireworks are alright at that hour but music isn't. He said there was some human error involved and felt that something like this would not happen again. Mr. Fulton stated that Chief McKean had just finished interviewing 100 candidates and thought he was signing for the City's Fourth of July Celebration, not for Abe Amira. Mr. Buckley stated that we have a good police chief and if anyone is upset over this it is him; the Chief will not let this happen again. Mr. Buzby added that if additional controls are necessary, they will be put in the Code.

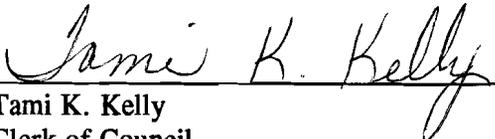
10. Ms. Jan Cannon, Westgrove resident, commented on the proposed amphitheater. She asked that the citizens be allowed to have input regarding the proposed amphitheater before it would go up to work out any concerns and details. Mr. Shannon Hamons stated that the plans for this were received on Thursday and he began calling Friday to surrounding residents to inform them of the Planning Commission meeting on Tuesday, 7/21/92. In addition, Mr. George Adams who lives on Grove City Road, came in to City Hall and we went over the plans with him. All input is requested and wanted. Mayor Stage indicated that the way the Capital Music program was run was not acceptable and will not be acceptable with this proposal. Open communication must be maintained.
11. Mr. Tony Lupariello, 3396 Parlin Pl. S., brought to the attention of Council a problem at Regency Arms Apartments. He said that he had six inches (6") of raw sewage in his basement this weekend and after talking with the superintendent of the building, he was told that this has been a problem for approximately 30 years, especially after a downpour. Mr. Lupariello said this was a health hazard, not to mention the loss of personal property incurred. He wanted to know who was responsible for the problem and if it could be fixed? Mr. Blackburn said that the Service Department would take a serious look into this situation. Mr. Kohman stated that they would get with the Regency Arms maintenance and review the problems.

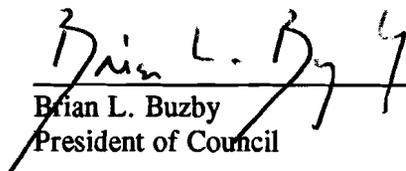
12. Mr. Jim Johnson, Meadow Grove resident, asked who is responsible for cutting the grass/weeds on the proposed park property? He said he has been doing it when they get too high, but, there are sections he cannot do and there are concrete chunks and other debris in this area. Mr. Buckley informed Mr. Johnson that it is the developers responsibility and asked Mr. Joe Endres to elaborate. Mr. Endres stated that the developer usually cuts two to three times a year and he will make sure that the developer gets down to remove the construction debris and cut the tall grass/weeds.
13. Mr. Gary Sigrest (and Jan Cannon) commented on Semitrucks/tractor trailer rigs parking on Southwest Blvd. and on other roads and drives in the area. Mayor Stage said that when they see them to contact the police department at once. Mr. Sigrest stated that there is one on Southwest Blvd. on a regular basis. Mayor Stage said he was aware of that one and the driver has been cited several times. Mr. Buzby said if we need to amend the ordinance we will. If it is no longer inconvenient anymore, it needs changed. Mr. Fulton said the problem would be checked into and action taken on drivers parking in unlawful areas.

**President Buzby recognized the Mayor, members of administration and council for closing comments.**

1. Mayor Stage recognized Chief of Fire, Dannie Ashcraft and Trustee, Don Miller at the meeting. He stated that unfortunately, there were two cases of enforcement - 1 at Beulah Park; and 2 - a carnival that tried to set up in front of Harts. On a better note, the Homecoming party will be Friday, July 24, 1992 in Town Center.
2. Mr. Behlen noted that the 1991 Financial Report was distributed to Council this evening and copies were available between 8:00 a.m. and 4:30 p.m. in his office for anyone who was interested.
4. After additional comments from Administration, the Chamber and Council, Mr. Buckley made a motion to adjourn; seconded by Mr. Mountain. Motion carried.

Council adjourned at 9:45 p.m.

  
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Tami K. Kelly  
Clerk of Council

  
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Brian L. Buzby  
President of Council