

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

July 20, 1998

Regular Meeting

The regular meeting of Council was called to order by Ms. Kelly, Clerk of Council, 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 Steve Bennett "Budd" Eversman Chris Fulton*

1. Ms. Kelly opened the floor for nominations of a Temporary Chairman.

Mr. Eversman nominated Mr. Bennett.

There being no further nominations, the floor was closed.

Mr. Eversman moved to make Mr. Bennett Temporary Chairman for this evenings meeting; seconded by Mr. Fulton.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes

Ms. Kelly turned the floor over to Mr. Bennett.

2. Mr. Radi moved to excuse Mr. Milovich; seconded by Mr. Fulton.

Mr. Bennett	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

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

Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

Temporary Chairman Bennett read the agenda items and they were approved by unanimous consent.

4. Mr. Bennett recognized Mayor Grossman, who administered the Oath of Office to Mike Boso for the office of Chief Building Official. Mayor Grossman commented that Mike passed an extensive and grueling number of tests to become certified for this position. Mr. Lotz was also

present to extend congratulations to Mike and noted that the Building Department has a good staff. He appreciated their work during his tenure and they will do a good job for Mike.

5. Mr. Bennett recognized Karla Kowar for a presentation. With the assistance of Mayor Grossman, Karla distributed packets which included news releases and trowels to each participant. Mayor Grossman extended many thanks to this years Garden Tour participants, who were willing to share their yards and talents with the community. They were: Ed & Kay Hardman, 3276 Simmons Dr.; Stan & Pat Albert, 2721 Queensway; Rick & Pat Cropper, 2617 Vi Lilly W.; Elizabeth Crawford-Richmond & Mark Richmond, 2649 Vi Lilly W.; Jim & Rita Kiner, 4181 Knapp Dr.; Kristen Haskins & Mary Hickey, 2627 Dartmoor; Roger & Jane Seelig, 2698 Vi Lilly W.
6. Mr. Bennett recognized Mr. Michael Walker and Mr. Kevin Swaggart, representatives of Columbia Gas, who gave a presentation on the Company's "Choice Program". Brochures were passed out to Council and the audience. Mr. Walker explained that this Program allows consumers to shop around for their gas supplier, much like a long distance phone company. This plan was tested in Toledo, OH and allowed the residents to save millions of dollars. Columbia Gas is proud to be the first gas utility in the State to offer this option. They have served the customers of Ohio since the turn of the century and will continue to do so. He explained that Columbia Gas is regulated in its price for natural gas. This is 65% of a customers bill. Where they make their money is in the delivery of the gas. This is the remaining 35% of a customers bill. The gas will still be going through the Columbia Gas lines for delivery and that portion of a bill will remain the same. Columbia will still maintain and service the lines. Mr. Walker said contracts with new gas providers will be for one year.

Mr. Eversman confirmed that the 35% cost on the bill will remain the same and only the 65% portion has the potential for change with a new provider. Mr. Walker said yes. *Mr. Marvin Holt* asked if Columbia Gas was the first gas in the line in case of an emergency cut-off. Mr. Walker said if the selected gas supplier cannot supply gas, Columbia Gas will take over. Mr. Holt asked if Columbia, ABC Co., and XYZ Co., are all in the line and in case of a cut back in gas, everyone will be cut back at the same rate. Mr. Walker said yes, noting that if Columbia Gas supplies the gas, the rate will go back to their prices. *Mr. Fulton* asked if there was a window of opportunity to make the change or would it be ongoing. Mr. Swaggart said this would be an ongoing choice for customers.

**Mr. Bennett, Chairman of the Lands Committee, for discussion and voting of items under said committee.**

1. Resolution CR-64-98 (Approve the Preliminary Development Plan for Gateway Plaza Hotel located on Jackpot Road) was given its reading and public hearing.

Mr. Roland "Lum" Edwards, engineer, was present to answer any questions. There being none, Mr. Bennett moved it be approved; seconded by Mr. Radi.

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes

2. Resolution CR-65-98 (Approve the Sign Request for Paglioni's Bridal located at 4238 Broadway in the Historical Preservation Area) was given its reading and public hearing.

Ms. Amber Paglioni, owner, was present to answer any questions.

There being none, Mr. Bennett moved it be approved; seconded by Fulton.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes

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

1. Ordinance C-55-98 (Approve Current Replacement Pages to the Grove City Codified Ordinances and Declaring an Emergency) was given its first reading.

Mr. Fulton explained that this is a periodic update to the Codified Ordinances, providing replacement pages to the Code Books so they reflect the amendments made. It is important to get these pages distributed immediately so Administrative Departments and Judges have the most current laws to enforce. Thus, the reason for an emergency.

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

Mr. Bennett	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

Mr. Fulton moved it be approved as an emergency; seconded by Mr. Eversman.

Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

2. Resolution CR-66-98 (Authorize the Administrative Assistant to enter into an Agreement and Cooperate with the Director of Transportation for the Improvements to I-71) was given its reading and public hearing.

Mr. Boso, City Administrator, explained that this is for the resurfacing of I-71 from the Franklin County line to just south of I-70 by the Ohio Department of Transportation. This allows ODOT to perform work within our corporation limits, but, will have no cost to the City.

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

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes

3. Resolution CR-67-98 (Endorse the South-Western City School District Bond Issue for 4.92 Mills on November 3, 1998) was given its reading and public hearing and Mr. Fulton moved it be tabled; seconded by Mr. Radi.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes

**The Temporary 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 second reading and public hearing.

Mr. Eversman explained that this is for money collected for a Hawaii trip offered to seniors through the Parks & Rec. program.

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

Mr. Bennett	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

2. Ordinance C-54-98 (Appropriate \$5,070.70 from the DARE Fund for Current Expenses) was given its second reading and public hearing.

Mr. Eversman explained that this is money collected through donations and fund raisers for the Dare Program.

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

Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

3. Ordinance C-56-98 (Appropriate \$220,000.00 from the General Fund for the Current Expense of the Reconstruction of Hoover Road, from Holton Road to the Buckeye Ranch Project) was given its first reading. Second reading and public hearing will be held on August 03, 1998.

4. Ordinance C-57-98 (Appropriate \$2,687.46 from the General Fund for the Current Expense of Vehicle Repair) was given its first reading. Second reading and public hearing will be held on August 03, 1998.

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

1. Mr. Bob Lathrop, Urban Forester, explained that on July 15, 1998 a call was received by a resident informing the Service Dept. that trees were being removed at the Ravines at Quail Creek project. With his involvement in Planning Commission and Council reviews, he was aware that the City was under the assumption that no trees were going to be removed in this development. He proceeded to stop the contractor from removing any more and the City is working on this. He said the incident came about due to the final development plan not accurately reflecting the tree line on the north side of the property.

Mr. Bennett asked about the trees that have been removed to this point. Mr. Lathrop indicated that he didn't do an evaluation on them, but, they were an invaluable species. Mr. Radi asked if the developers were cooperative in stopping the cutting. Mr. Lathrop said yes. They met the next day to review the steps that lead to this situation and began to set up a strategy to get through it, from this point. Mr. Eversman asked if action is being taken to prevent this in the future. Mr. Lathrop said yes. He is in close contact with the construction coordinator and is educating him on what the Code requires. Mr. Radi asked Mike Boso, Chief Bldg. Official, what their involvement has been. Mike indicated that Bob Lathrop contacted him and he informed Bob that they had requests for building permits - which are being held until a solution has been reached.

Mr. Joel Rhodes, Epcon Group, apologized for the mishap. He said they are working with Mr. Lathrop to remedy the situation. They believe it would be advantageous to proceed with the construction of the buildings in the non-affected area, while continuing to work with Mr. Lathrop and City Council to amend or revise the development plan. Mr. Bennett commented that it is Council's understanding that this was an error and not a blatant disregard for the City's Code; and they are cooperating with the Urban Forester. Mr. Rhodes said yes.

2. Mr. Jeff Fillinger, Park Street resident, asked for an update on the lighting on their street.

Mr. Jim Blackburn, Dir. of Service, indicated that six lights were changed out to 100 watt bulbs. It is recommended that the remaining 16 lights be changed from 175 watt to 100 watt bulbs. The 100 watt bulbs are bright, but, they are much dimmer than the 175 watt. They feel this change is a good compromise and can complete the change-over by the end of July.

Ms. Christie Murray, Park St. resident, stated that, from the beginning, they have tried to address this issue in the proper manner and have been very patient. She said there isn't much difference between the bulbs at all. They still are very bright and feels a different plan of action needs to be taken. They still need a lower wattage bulb. Personally, she didn't want to hear the excuses about the split-sessions. She has a son that will attend Park St. Middle School and, of course, she is concerned for students safety. Also, she is rather insulted by it - as she is a teacher. She grew up on Park Street, attended the old High School, and watches children being picked up during evening hours - without accidents, then or now. She feels their neighborhood

has been ruined during the evening with this new lighting. While they still maintain that the new poles are attractive, the lights are not. The old lighting would have been better to leave. It covered more area with fewer poles. She asked that immediate attention be given to this issue. The lights they were told would be put in, have not been. In checking with AEP, even the amber lights would be too bright with the number of poles now installed.

Mr. Bennett asked Mr. Blackburn if a shield could be placed on the fixtures. Mr. Blackburn said he would check into it, but, didn't think there was anything. Mr. Eversman commented that he would hate to see the remaining bulbs changed out if they weren't going to be satisfactory to the residents. He suggested getting an overall consensus of the residents or creating some type of deflector for the problem locations. He feels we should continue to do something before we arbitrarily go in and change out the remaining lights. Mr. Blackburn said he would see what additional options are available.

3. Mr. Lee Brown, FSG Energy Services, commented that he wanted people to know that there was a Grove City based company that may be able to answer questions about the deregulated gas program. His company was part of the Toledo test market and they have about 100 years experience in the electric and natural gas utility business. He left a few cards for anyone interested and noted that FSG will not be contacting customers. If a customer wants information, they will be happy to supply it.
4. Ms. Debbie Fette, Jerome Ct. resident, addressed Council on the flooding of her court. She indicated that she has lived in her home for two and one-half years and it has flooded six times. She has \$22,000.00 damage to her home and FEMA says it is unsafe to live in. However, she has no other choice but to live there. She asked if the City was going to fix the storm sewer there. Other residents on the street say they have been fighting for 40 years to get something done. She asked that someone come and look at her home.

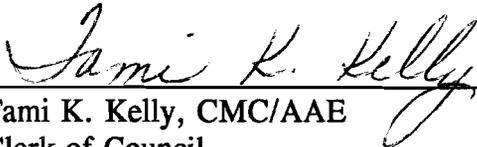
Mr. Bennett indicated that the City's Consulting Engineer - Nelson Kohman - was discussing some of these issues during Caucus this evening. He said there are certain things that can and cannot be done. Part of that area is in a flood plain. Ms. Fette indicated that she requested flood insurance and was told her home was not in the flood plain. Because this was a storm sewer back up, her insurance will only cover \$5,000.00 and she feels the City should be responsible for the rest. She said for six floods in 2 1/2 years to occur, there is something wrong. Mr. Eversman indicated that Mr. Kohman is checking into other problem areas and he will be asked, as part of his overall evaluation, to look into this area also. Ms. Fette asked if an independent agent would be looking at this. Mr. Bennett indicated that the Engineering Department will be looking at this very complex issue. Mr. Radi commented that this is a very difficult issue. Information that was available at the time of development for older subdivisions was different from the information we have now. In looking at correctional measures, the surrounding area must be looked at and considered. An answer cannot be given right now. Ms. Fette asked if the City would look at her case on an individual basis and pay for the damages, since they have known about the storm sewers for 35 - 40 years. Mr. Bennett said the City didn't cause the flood and doesn't feel they are responsible. He said he has a business downtown and suffered his own losses there and at home. The City is not turning its head and not paying attention. A study will be done. Mr. Fulton asked Mr. Kohman if the drains are cleared periodically. Mr. Kohman said storm sewers are looked at on a regular basis. This was a natural disaster. He will be prepared, in the next 30 days, to present some proposals back to

the Administration and Council. Options will be provided in those areas where there are options. It will then be up to the city to decide what is economically feasible to implement. Mr. Eversman indicated that Mr. Kohman mentioned that under today's building standards, some of these problem areas would not have been able to be built. Mr. Kohman said there would have been different ways to route the flood water. There are better controls today. Mr. Fulton commented that he would be willing to go look at Ms. Fette's house. However, he is not an engineer and doesn't have any answers. Ms. Fette said she doesn't want anyone to think she is exaggerating. Mr. Fulton said it was evident by her presentation that she isn't exaggerating. He would like to do whatever is possible, but, when dealing with older subdivisions, there are going to be problems due to not having today's technology.

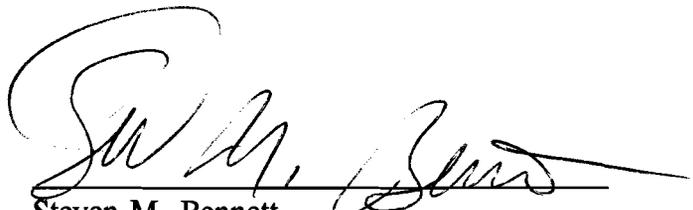
**Temporary Chairman Bennett recognized members of Administration and Council for closing comments.**

1. Mayor Grossman reminded the residents that Flood Flyers are available around town for those needing FEMA assistance. To date, the Service Department has received 19 reports. She encouraged anyone in need to fill one out. She noted that the Homecoming Celebration is coming up this weekend; she congratulated the Garden Tour participants; announced the fifth anniversary of the Red Cross - noting that Grove City was the first suburban location established; and she congratulated Mike Boso for becoming a Certified Building Inspector.
2. Mr. Shannon Hamons, Dir. of Development, announced that Nationwide Insurance Company will be moving their printing operation to SouthPark. This will bring 250 jobs to the City.
3. The Council Members congratulated Mike Boso and the Garden Tour Participants. Mr. Fulton stated that he feels the Park Street lights are still too bright and is hopeful that a resolution can be reached. Mr. Radi commented that the flood was a terrible situation for everyone. It was unpredictable and the City is targeting those areas that are experiencing continuing flooding problems. He asked the residents to be patient while this review occurs.
4. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:06 p.m.

  
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Tami K. Kelly, CMC/AAE  
Clerk of Council

  
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Steven M. Bennett  
Temporary Chairman