

**GROVE CITY, OHIO COUNCIL
MINUTES**

August 02, 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 Charles Cotton

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

2. President Buzby recognized Mr. Joseph Dephenbaugh for a presentation. Joe traveled to Russia this summer as an American Student Ambassador through the People to People Program. He explained that the basis of this program was to communicate world peace. He said it was a very interesting trip and invited everyone to stop at his display set up in the atrium. In addition, he wished to thank the citizens and the City for supporting him. He then presented Mayor Stage with a hand-made vase which the Mayor graciously accepted and stated that it would be displayed for all to see.

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

1. Ordinance C-61-93 (make amendments to Section 1135.10(g) of the Codified Ordinances) was given its second reading and public hearing and Mr. Cotton moved it be approved; seconded by Mr. Buckley.

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

2. Ordinance C-65-93 (Authorize the approval of a pre-annexation agreement for Scioto Holding Company) was given its second reading and public hearing.

Speaking to this ordinance was Mr. Richard Talbot, owner. He indicated that the 300+ acres located north of State Route 665 and around Hibbs Road has been divided into four (4) tracts for zoning purposes. Tracts A, B & C shall be R-2 with restrictions stipulated in the Agreement and Tract D shall be zoned SD-3 & subject to uses stipulated in the Agreement.

Mr. Ferguson asked if Council must approve any other use for Tract D that is not listed in the Agreement? Mr. Talbot said yes and that was also stated in the Agreement. Mr. Cotton asked if he new the recouping figure for this property coming off the CAUB value? Mr. Talbot stated that for the entire property, it would be approximately \$35 - 40,000.00.

Mayor Stage also commented by stating that strategically, we have been trying to get over to the Scioto River as the City of Columbus is trying to annex property in the area. In addition, this will give us a southern closure. He said that the Administration has worked hard to develop standards that are equal to the surrounding area and feel that this is the best decision for the City. Mr. Ferguson asked if the bike path would be incorporated into this new development? Mayor Stage stated that at this time, it is not.

There being no additional questions or comments, Mr. Cotton moved to approve C-59-93; seconded by Mr. Buzby.

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

3. Ordinance C-66-93 (Approve a special use permit for the Arts-in-the-Alley entertainment stage) was given its first reading. Second reading and public hearing will be held on August 16, 1993.

4. Ordinance C-67-93 (Approve plat for Indian Hills, Section 8) was given its first reading. Second reading and public hearing will be held on August 16, 1993.

5. Ordinance C-68-93 (Approve plat for Briarwood Hills, Section 8) was given its first reading. Second reading and public hearing will be held on August 16, 1993.

6. Resolution CR-53-93 (Approve development plan for Tanglebrook, Reserve "B") was given its reading and at the request of the applicant, Mr. Cotton moved it be tabled; seconded by Mr. Buckley.

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

7. Resolution CR-54-93 (Authorize the Administrative Assistant to acquire right-of-way for the improvement of Columbus Street) was given its reading and public hearing and Mr. Cotton moved it be approved; seconded by Mr. Buckley.

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

8. Mr. Cotton moved that Ordinance C-58-93 be removed from the table and added to the agenda; seconded by Mr. Buckley.

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

9. Ordinance C-58-93 (Make amendments to Section 1135.10(g) - Residential requirements) was given its second reading and public hearing.

Mr. Cotton commented that after the first reading an amendment was made to this ordinance which is: 1135.10(g)(2) A maximum of eight units per structure. *Any structure over four units shall be required to have a two (2) hour fire resistant fire wall separating a maximum of four units. Said fire wall shall be per requirements of Ohio Basic Building Code;* and moved that this amendment be approved; seconded by Mr. Buckley.

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

There being no additional questions or comments, Mr. Cotton moved to approve C-58-93 as amended; seconded by Mr. Buckley.

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

10. Mr. Cotton moved to remove Resolution CR-33-93 from the table and add it to the agenda; seconded by Mr. Mountain.

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

11. Resolution CR-33-93 (Approve development for Arrowleaf Run located east of Shirlene Drive) was given its reading and public hearing.

Speaking to this resolution was Mr. Michael Brandt, attorney representing Belper Corporation. Mr. Brandt explained that all the stipulations brought by Planning Commission have been met with the exception of density and an amended plan was submitted to Council at the last meeting dropping the number of units from 46 to 40. In addition, an agreement has been entered into with the Administration whereby the Developer agrees to make no changes, what-so-ever in the plans. The Developer has also agreed to not apply for a building permit until they: 1) *provide an easement for storm sewer drainage,* 2) *Rocks that go on the floodway banks meet ODOT standards and the installation of those are approved by the City's Consulting Engineer and* 3) *provide City with a section drawing of the retention wall.* What is before Council now has been reviewed by the City's Consulting Engineer and the Building Department and he feels that it is a very good development plan with nice units renting for over \$500.00 per month. This area has been zoned for apartments for a very long time and he asked for approval this evening.

Mr. Cotton asked the Chief Building Official or Consulting Engineer for comment. Mr. Lotz stated that he is not happy with the 40 units, but, has resolved himself to the fact that he can live with it. He feels that 36 units is more acceptable to the territory, but, can live with 40. In his opinion, 46 units was completely out of the question.

Mayor Stage also commented. He corrected Mr. Brandt by stating that this property is not zoned for apartments, but for Multi-Family. With that, he appealed to Mr. Bell, as has been done in the past, to have these units owned - like a condominium - as private ownership in a residential area is more advantageous to everybody.

Mr. Kris Bickel, 2073 Shirlene Drive - voiced his opposition to the development plan. He said he surveyed the neighborhood (Michelle, Jody, McDowell & Shirlene Drive (66 people)) and only one person gave no comment. The rest of the neighbors said they did not want the apartments. In reviewing the plans, some things he found objectionable were the 1) privacy fence. He said this would be good and bad and may detract from the rest of the layout; 2) a 6' x 8' lighted sign does not conform to a residential neighborhood and feels a smaller, unlit sign would be more acceptable; 3) the traffic that this development will generate is too much for only one entrance and exit way; especially when you consider that it must come through a single-family subdivision; and 4) it appears that many of the existing trees will be removed. He asks to save as many of the existing trees as possible and the trees shown in the landscaping plan be "mature" trees.

Ms. Debbie Stamper, 2070 Shirlene Drive - Doesn't care if the rent is over \$500.00, she feels that this development will not produce luxury apartments. They are not privately owned and in five years time they may be run down and detract from the subdivision. Her primary concern is the traffic. All other apartment complexes have their own entrance and this one must come through their front yards and affects their neighborhood. She feels that there are too many units and not the right type of apartments. She would rather have something that is privately owned.

Ms. Barbara Whiney-Rosler, Resident Manager for Group Home located on McDowell Rd. - Their main concern is the natural buffer of trees that exists today will be completely removed and no privacy fence or other buffer will be put in place. This means that their back yard (grounds) will have a free-for-all access for the apartment complex which the group home residents utilize. She also voiced concern for the increase of traffic and would also like to see privately owned units.

President Buzby asked Mr. Lotz to elaborate on some of these concerns. Mr. Lotz said there was a lighted sign on the property and as far as the tree line is concerned where the group home is located, there will be no trees left. They must remove virtually all of the trees in that area to put in the buildings and parking areas. The trees to the north and east and southeast should remain pretty much in tact. Mr. Brandt made a comment that his client is willing to work with the residents on some of their concerns, however, some of the items were stipulated by Planning Commission and they are duty-bound to comply.

There being no additional comments, Mr. Buckley moved that this be postponed until the second meeting in September and have this new plan reviewed by Planning Commission; seconded by Mr. Cotton.

Discussion came from President Buzby asking when Planning Commission met next. Mr. Boso answered by informing him it would be the third Tuesday of the month. Clerk Kelly stated that

would be the 17th of August. With that, President Buzby moved to amend the initial motion to the first meeting in September; seconded by Mr. Buckley.

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

A vote was then taken on the first, now amended, motion to postpone resolution CR-33-93 until September 6, 1993.

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

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

1. Ordinance C-60-93 (Amend Section 953.13 titled Exemption from Sewer Charges) was given its second reading and public hearing.

Mr. Ferguson commented as originator of this ordinance. He stated that the background information was provided in the Council packets and he feels that this will help the seniors in Grove City by providing them with an additional reduction in their water bill. He said the administration has the money to pay for the approximately 600 homes eligible for this exemption. Currently, only 43 homes have received the exemption from the City of Columbus which this legislation was derived. However, the need is there and the City should be willing to help.

Mayor Stage made a point of clarification - the funds Mr. Ferguson spoke of are not the Administration's money, it belongs to the citizens of Grove City.

Mr. Buckley commented that he felt that it was a contradiction to be handing out exemptions when we just removed exemptions from trash in June. He said that the Service Department would be happy to help seniors find leaks in their plumbing, if needed, and fixing leaks would save them more money than this exemption would. He explained that every citizen in Grove City pays this to maintain the water and sewer lines.

There being no additional questions or comments, Mr. Mountain moved that this ordinance be approved; seconded by Mr. Ferguson.

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

2. Resolution CR-52-93 (Enter into a "Sister City" relationship with the Mayor, Council and people of Lüththen, Province of Mecklenberg, Germany) was given its reading and public hearing.

Mayor Stage commented on this resolution. He showed on a map where Lübtheen is and said that this town was chosen because of its similarities to Grove City some years ago. In addition, St. John's Lutheran Church has established a relationship with the local church in Lübtheen. The population is currently 5,000 and the exchanges made will be cultural, educational and agricultural.

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

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

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

1. Mr. Michael Milovich commended the Service Department on the excellent clean-up job they did after the Homecoming Celebration. He said he was back downtown Saturday morning for the Farmer's Market and you couldn't tell there had been a party the night before.
2. Ms. Theresa Mills wanted to caution Council on the property owned by Scioto Holding Company. She asked that an environmental audit be checked before allowing residences to go in. She also announced that she is in the process of filing a federal complaint against the Trash Burning Power Plant and Model Landfill which has contaminated the groundwater in this area.

President Buzby recognized members of Administration and Council for closing comments.

1. Mayor Stage submitted the Monthly Report and requested that it be approved.

President Buzby moved to accept the Mayor's Report; seconded by Mr. Buckley.

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

Mayor Stage apologized for not attending the last Council meeting. He was meeting with a Company who may be a potential employer. He said the competition for acquiring this company is not local but, the entire state of North Carolina and is hopeful that we can provide them the best opportunity. Also this week, Lewis Centre Way was dedicated in honor of Dr. Lewis. Homecoming weekend went very well. Mud Volleyball will take place this weekend and hopes everyone interested will participate. Last item, the City has had two occasions where people have done deeds where their lives were at risk and he will be working to establish guidelines and a Citizens Valor Award to recognize these kinds of efforts.

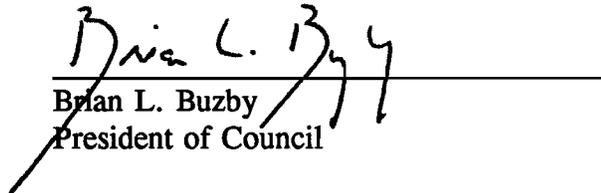
2. Mr. Fulton announced that the Year End Report was out for the Safety Department and Council should be receiving a copy very soon.

3. Mr. Behlen announced that the Budget for next year is being compiled and if there are any projects you are interested in, please let him know. Mr. Buckley asked if anything was happening with the lot across the street. Mr. Boso stated that he had a meeting with the Attorney tomorrow to discuss this property and establish assurances from B.P. for a potential buyer.
4. Mr. Babbert announced that this week the final drawing for the Senior Center will be received and go out to bid. In addition to the Homecoming Softball Tournament, Grove City hosted two regional baseball tournaments, the winners of which qualify for the World Series for 13 and 14 year olds.
5. Mr. Lotz announced that the new average home start in Grove City costs \$145,000.00 To date, the total increased valuation for new home starts, remodeling, new commercial is \$42 million and will exceed the projection of \$60 million. He also introduced Mr. George Finley as a new inspector for the Building Department.
6. After additional comments from Administration, the Chamber and Council, Mr. Buzby made a motion to adjourn; seconded by Mr. Mountain. Motion carried.

Council adjourned at 8:50 p.m.



Tami K. Kelly
Clerk of Council



Brian L. Buzby
President of Council