

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

August 16, 2010

Regular Meeting

The regular meeting of Council was called to order by President Berry at 7:00 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:

Greg Grinch Maria Klemack-McGraw Ted Berry Steve Bennett Melissa Albright

1. Ms. Klemack-McGraw moved to dispense with the reading of the minutes from the previous meeting and approve as written; seconded by Mr. Grinch.

Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

2. The Chair read the agenda items and they were approved by unanimous consent.

The Chair recognized Mr. Bennett, Chairman of Finance, for discussion and voting under said Committee.

1. Ordinance C-46-10 (Approve a Loan for TAC Foods, LLC under the Town Center Loan Program) was given its second reading and at the written request of the applicant, Mr. Bennett moved it be postponed to 9/7/10; seconded by Ms. Albright.

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes

2. Ordinance C-52-10 (Appropriate \$3,781,768.52 from the General Fund for the Current Expense of Phase 3 of the I-71/SR665 Interchange and Corridor Improvement) was given its first reading. Second reading and public hearing will be held on Sept. 7, 2010.
3. Resolution CR-44-10 (Authorizing the City Administrator to Seek Financial Assistance from the State Capital Improvement Program/Local Transportation Improvement Program for Funding of the Stringtown Road (Hoover to McDowell) Improvement Project) was given its reading and public hearing.

Mr. Honsey, City Admin., explained that this portion of Stringtown Road does not have curb and gutter. This will improve safety issues and sewers & drainage issues. He said this creates the authorization and set aside the funds to have the application to be prepared on a preliminary engineering basis. Additional legislation will come back to Council for final project funding and approval. Mayor Stage said this project started in 1991.

Mr. Berry asked if any streetscape improvements will be included. Mr. Honey said yes. They will also be looking at the conduit to see if any can be placed underground; as well as looking at lighting. He said they are also looking to connect some bike trail and that always scores well on these grant requests.

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

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes

The Chair recognized Ms. Albright, Chairman of Safety, for discussion and voting under said Committee.

1. Ordinance C-49-10 (Amend Various Sections of Part 11 of the Codified Ordinances titled Planning and Zoning) was given its second reading and public hearing.

Ms. Pam Brown, owner of Grandstand Pizza building, said it has always been discouraging in getting something done quickly downtown. She said she understands the reasons for the conditions, but feels it shouldn't take two or three months to get approved. She said it would be nice to have one person in the City to take plans to for small adjustments without going to Planning Commission and Council.

Mr. Chris Boso, owner of Broadway Design Group, voiced frustration for trying to get his awning fixed. He said the awning ripped a month ago and wants to fix it. Since he wants to change the color he has had to wait for over a month and feels there should be a shorter way to get these types of issues taken care of quicker.

Mayor Stage said he sponsored this after speaking to Chris Boso. He said he feels like this is a simple fix and not of major significance. However, after hearing some concerns, he is suggesting a change in 4(c), there would be words added: "such work is limited to existing structures and does not involve new construction and/or additions to existing structures".

Mr. Bennett said he understands that this is an expedience issue and said he made some suggestions thru e-mail today. He said if Planning Commission met the same weeks Council does, a week could be shaved off the time. If applications were accepted 14 days prior to the Planning Commission meeting, as required by Code, rather than 21 days as is being required now, that would shave another week off the process. He suggested allowing some requests go to the Building Division for a recommendation and then forwarded to Council, rather than going to Planning Commission. He said he believes the Historical Area is a special section of our town that needs to be guarded and Council should be involved in that process. *Ms. Albright* asked if there was a specific Section in the requested changes that Mr. Bennett had a problem with. Mr. Bennett said in 4b and 4c it talks about "significant changes". He questioned who decides what is significant. He said Council has adopted many programs strictly for the Town Center and believes Council should be in the mix of what happens in the HPA. He said it would help maintain continuity and the flavor of the Town Center, in keeping it in its historic view. He said these could speed up things by 60%. He said there is no approved color chart, and doesn't want to throw ambiguity in the Code.

Mr. Berry commented that it makes sense to him to have items go to the Building Division and then directly to Council for approval. He asked Steve Smith, Dir. of Law, if there is any prohibition in

the Code to allow this. Mr. Smith said no. It would be up to Council to make those changes. Mr. Berry said that just seems like a logical step, especially if we approve a Color Pallet.

Mr. Grinch commented that we should have enough faith in the City that our interests are protected. He doesn't feel someone should have to wait for Council to replace a torn awning.

Mayor Stage asked Mike Boso to explain what was changed in the Code for buildings or signs outside the Historical area. Mr. Boso explained that Section 1143 was amended for Commercial districts to allow the Building Division to approve signs, additions and reconstruction of buildings. The change to the HPA would be for maintenance items, such as new roof material, different colors, change to existing signage/awnings, etc. He said when they first looked at changing 1143, there was discussion in having those items go directly to Council for approval, but that didn't occur due to the delay it would cause businesses. He said they use this as a zoning tool as well as a development tool. He said when they meet with business owners wanting to relocate to the Town Center are told that it would take a couple of months to get certain things done and you can see this disheartening expression on their faces, as they are excited and want to get something done quickly. He said this change would be more restrictive than 1143, as it would not allow for additions or new buildings. Ms. Albright confirmed that this would put the HPA on the same playing field as the rest of Grove City, except for additions and renovations. Mr. Boso said yes.

Mr. Bennett asked why the HPA was excluded from Chapter 1143. Mr. Boso said there were a couple of existing commercial buildings that made bad exterior renovations and this chapter was adopted. Mayor Stage said there was a sense of urgency for the commercial and other buildings at that time.

Mr. Berry said he is all for streamlining, but is concerned that there is not an approved color pallet. He likes the idea of having the Building Division review this and go straight to Council. Ms. Albright asked if this follows the same procedure for the rest of the city. Mr. Boso said he believed it was going to follow the same process of 1143.

Mayor Stage feels this is an administrative change that is simple and too much has been made of this. A color pallet can be addressed at the next meeting.

Mr. Honsey explained that this change would allow the Chief Building Inspector would approve items, potentially in the same day. If there is question, then the Chief Bldg. Inspector would deny it and send it to Planning Commission and Council for review and approval. Mr. Berry asked if this would affect new signs. Mr. Smith said it is not meant to affect any new Signs or new buildings. This is only for existing signs or alterations to existing buildings. Mr. Berry asked when a color pallet would be submitted for approval. Mayor Stage said they would have it at the next meeting. Mr. Berry clarified that any additional square footage to an existing building is excluded from this new procedure. Mr. Smith said yes.

There being no additional questions or comments, Mr. Berry moved to amend Section 4C to include "provided such work is limited to existing structures and does not involve new construction and/or additions to new structures."; seconded by Ms. Klemack-McGraw.

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

Mr. Berry moved that Section 6 of the Ordinance be changed to read: "This ordinance is hereby declared to be an emergency measure for the health, safety and general welfare of the city in that immediate passage is necessary to promote economic development in the Town Center area."; seconded by Ms. Klemack-McGraw.

Ms. Albright Yes
Mr. Grinch Yes
Ms. Klemack-McGraw Yes
Mr. Berry Yes
Mr. Bennett Yes

Ms. Albright moved that the Rules of Council be suspended and the Waiting Period waived; seconded by Ms. Klemack-McGraw.

Mr. Grinch Yes
Ms. Klemack-McGraw Yes
Mr. Berry Yes
Mr. Bennett Yes
Ms. Albright Yes

Ms. Albright moved it be approved as an emergency measure; seconded by Ms. Klemack-McGraw.

Ms. Klemack-McGraw Yes
Mr. Berry Yes
Mr. Bennett Yes
Ms. Albright Yes
Mr. Grinch Yes

2. Ordinance C-50-10 (Amend Section 1137.08 of the Codified Ordinances titled Private Garages in Residential Districts; Permit and Fee for Portable Accessory Buildings) was given its second reading and public hearing.

Mr. Mike Boso, Chief Building and Zoning Official, explained that a few years ago we made changes to rear yard setbacks. When that was done, it didn't exempt sheds. In order to return shed setbacks to what it was for years, this Section needs amended.

Ms. Klemack-McGraw asked about the height in Section (h) and asked if an overall height should be included. Mr. Boso said they are attempting to allow for the pitch of the shed to match the existing house. So, instead of having an overall height, they have suggested regulating the wall height to maintain this.

There being no additional questions or comments, Ms. Albright moved it be approved; seconded by Mr. Grinch.

Mr. Berry Yes
Mr. Bennett Yes
Ms. Albright Yes
Mr. Grinch Yes
Ms. Klemack-McGraw Yes

3. Ordinance C-53-10 (Authorize the City Administrator to enter into a Contract with the State of Ohio Director of Transportation for the I-71/SR665 Interchange and Corridor Improvement and to declare

an emergency) was given its first reading.

Mr. Honsey, City Admin., explained that this is an Agreement with ODOT. Our contribution is \$0.00.

There being no additional questions or comments, Ms. Albright moved that the Rules of Council be suspended and the Waiting Period waived; seconded by Ms. Klemack-McGraw.

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

Ms. Albright moved it be approved as an emergency measure; seconded by Ms. Klemack-McGraw.

Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

4. Ordinance C-54-10 (Authorize the Charitable Solicitations Board to Issue a Permit to Leukemia & Lymphoma Society per Section 371.06(b)(2) of the Codified Ordinances) was given its first reading and at the written request of the petitioner, Ms. Albright moved it be withdrawn; seconded by Mr. Bennett.

Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

The Chair recognized Ms. Klemack-McGraw, Chairman of Lands, for discussion and voting under said Committee.

1. Ordinance C-51-10 (Authorize the City Administrator to take any and all necessary actions to Convey 191.574 acres of Real Property known as Talbott Park to the Board of Park Commissioners of the Columbus and Franklin County Metropolitan Park District) was given its second reading and public hearing.

Mr. John O'Meara, Metro Parks, was present to answer any questions.

Ms. Klemack-McGraw said the Memo of Understanding doesn't discuss the name and asked if it could remain named Talbott Park. Mr. O'Meara said that the current Memo says it will be named after a natural feature. It would be a variation of what was agreed to, but something they would consider.

Mr. Bennett said he just read that Metro Parks is introducing Bison into parks. He doesn't feel this area would be the best area for Bison and asked how the development would be determined. Mr. O'Meara said they will hold public meetings and an advisory council will be created to develop the park design that is an asset for the community.

There being no additional questions or comments, Ms. Klemack-McGraw moved it be approved; seconded by Mr. Grinch.

Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes

2. Resolution CR-41-10 (Approve the Sign Request for Retro Cave Comic’s and More located at 3915 Broadway in the Historical Preservation Area) was given its reading and public hearing.

Ms. Patricia & William Rex, petitioners were present. Ms. Klemack-McGraw reviewed the stipulations set by Planning Commission. Ms. Rex said they agreed to the temporary sign stipulation. However, the sign is a bit bigger than the ten square feet stipulation. Mr. Berry asked Mr. Chuck Boso if the sign conforms to Code. Mr. Boso said he didn’t now, as they have installed something different than what was submitted to Planning Commission and before Council now. A lengthy discussion took place over the size and allowable signage, along with the changes the petitioner has made to the sign since its submittal.

Mr. Bennett moved that Stipulation #1 of Planning Commission be removed and the window sign be approved as installed. Motion died due to the lack of a second.

Ms. Klemack-McGraw moved it be postponed to 9/7/10; seconded by Ms. Albright.

Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes

3. Resolution CR-45-10 (Approve the Preliminary Development Plan for JAK Properties located at 3722 Grove City Road) was given its reading and at the written request of the petitioner’s attorney, Ms. Klemack-McGraw moved it be postponed to 9/7/10; seconded by Ms. Albright.

Mr. Bennett	Yes
Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes

4. Resolution CR-46-10 (Approve the Development Plan for Love Chiropractic Care, Inc. located on Lot 9, Jen Arl Estates, Hoover Road) was given its reading and public hearing.

Dr. Chris Love, petitioner, was present to answer any questions. Ms. Klemack-McGraw reviewed the stipulations from Planning Commission. Dr. Love agreed.

Mayor Stage announced that he would not be signing this due to a conflict of interest.

There being no additional questions or comments, Ms. Klemack-McGraw moved it be approved; seconded by Ms. Albright.

Ms. Albright	Yes
Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes

5. Resolution CR-47-10 (Approve the Exterior Modifications of Broadway Design Group located at 3929 Broadway in the Historical Preservation Area) was given its reading and public hearing.

Mr. Chris Boso, owner, was present to answer any questions. Ms. Klemack-McGraw reviewed the stipulation set by Planning Commission. Mr. Boso agreed.

There being no additional questions or comments, Ms. Klemack-McGraw moved it be approved; seconded by Mr. Grinch.

Mr. Grinch	Yes
Ms. Klemack-McGraw	Yes
Mr. Berry	Yes
Mr. Bennett	Yes
Ms. Albright	Yes

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

1. Mr. Chris Eberhard voiced concern over quotes attributed to Mr. Bennett in the Grove City Record about the Police Division being lax in their duties at the Alumni Softball Tournament leading to the fight this year. Mr. Bennett said he didn't say Lax and means no disrespect to the officers. He said there are two different sections of Code on alcohol consumption. He said bringing beers into the State Approved designated area is not permitted. Alcohol outside the designated area is different. It is up to the Police Division to determine proper enforcement. Mr. Eberhard said the word lax must have been a miss quote. He said if this has been an issue for years, Council could change the code to allow for beer in the Park with fencing, more safeguards, etc. Mr. Bennett said that was part of his point.

The Chair recognized members of Administration and Council for closing comments.

1. Mayor Stage reported on events in the City. He noted that there are some new benches and planters in the Town Center. He announced the Ribbon Cutting for the University Partnership tomorrow at 5:30 at the SW Career Center. He then expressed sympathy to the Forrester family on the loss of Bill Forrester, J.T. Treasurer, who passed away today.
2. Mr. Honsey said we had quite a bit of vandalism to Windsor Park this weekend and we already have an arrest. He asked Chief Wise to explain. Chief Wise said they set up a weekend security sting and found four young people setting a trash can on fire. Three of them confessed to the vandalism on Wednesday evening. The fourth was the one who set the trash can on fire. He said they have all been charged with felonies. Mr. Honsey said he is very proud of how we keep up with the serious crimes as well.
3. Mr. Turner passed out the monthly financial report and reviewed the high points.
4. Mr. Smith reported back on the meeting that was held with Mr. Carr, Alumni Tournament Director. He said it was a very good discussion and meetings will continue closer to the next tournament. He said a letter from the Tournament Director was sent to the two teams involved, noting the sanctions

for them and individual players and will be distributed to Council. He said additional safeguards were discussed for next year including additional police, more security at the gate, etc.

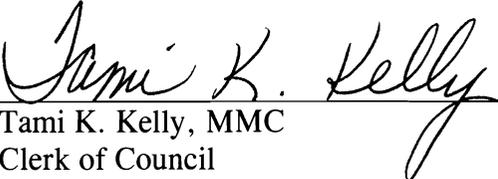
5. Ms. Kelly, Clerk of Council, reminded Council that they need to appoint someone to the SWACO Special Task Force by the next meeting if they don't have a name tonight. Mr. Berry said they would take care of that at their next meeting.
6. Chief Wise submitted the Police Division's Annual Report and reviewed the high points. He invited Council Members to speak with him on any issues they may have.
7. Ms. Kim Conrad reported on upcoming events though Parks and Rec.
8. President Berry announced that the next regular meeting of Council would be held on Tuesday, 9/7/10, in observance of Labor Day. He then noted that Council has received a copy of Mr. Elmer's proposal for the Town Center and Mr. Honsey has agreed to pay for this out of existing funds. However, it may be necessary to move some funds, toward the end of the year, to cover upcoming events. There being no objection, Council approved this by unanimous consent.

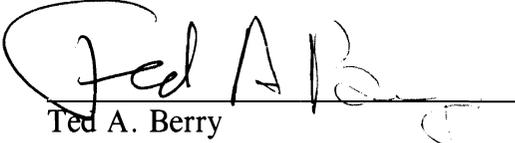
Mr. Honsey explained that this proposal does not have the normal, administrative due diligence in reviewing the work being proposed. He said what Council proposed in the Resolution was submitted to Mr. Elmer and that was all he used to create the proposal we now have.

Mayor Stage noted that the Resolution asked for a report at this meeting. Since the proposal is just being accepted, a report will come after its completion. President Berry confirmed that Council understood this, as well, and no concerns were raised.

9. After additional comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 9:01 p.m.


Tami K. Kelly, MMC
Clerk of Council


Ted A. Berry
President