

1. Ordinance C-50-95 (Approve an IND-1 Zoning Classification for 1.955 acres located on the southwest corner of Sonora & McDowell upon its annexation) was given its second reading and public hearing.

Mr. Joe Hull, attorney for petitioner, explained that the property owner wishes to move his home improvement business to this location and under the provisions of the Code, the IND zoning classification is the only place this type of business falls. He said that given the size of the lot and the setback requirements of the IND zoning, this zoning class is not a particular threat. The owners intend to raise the existing house and place a new office and warehouse on the site. Since most of the work is performed off-site, there won't be many deliveries to this location. He feels this is a transition area - with Duke directly to the east and Advantage Electric and Pizutti directly to the north - and this corner is a prime development. He also feels this type of business would be an excellent buffer for the rest of the area. This business is commercial in nature and due to the size of the lot, most appropriate.

Mayor Stage voiced concern over the radical change that will take place at this intersection. He feels the petitioner is aware of that, but, it will be an entirely redesigned intersection. Mr. Hull noted that on the very preliminary plan, submitted to Planning Commission, a very large setback has been provided for on Sonora and McDowell. Mr. Milovich commented that with the additional roadway setback, there is an IND requirement for a 100' setback from a residential district. This can be reduced to 50' with appropriate landscaping. However, if you cut away the fifty foot right-of-way and the fifty foot buffer, you dramatically decrease the width of that lot. He voiced concern over the amount of building and parking space that could be placed on the lot. Mr. Hull agreed that there may be trouble getting everything on and the plans will need to be reworked. However, with this being a transition area, the parcel directly to the west may not remain residential in years to come and this development may spur the change in the area. He mentioned that it may also be necessary to request a Variance for this property as well. Mr. Milovich asked if they had spoken with Jackson Township regarding the traffic on Sonora? Mr. Hull said they have not. Mr. Milovich noted that the speed limit is 25 mph. Mr. Hull stated that this type of development is not a high traffic use. Most deliveries and employees go directly to the job site. Mr. Milovich noted that there was a comment made at the Planning Commission meeting regarding "Spot Zoning". Mr. Hull said he heard that statement made, but, doesn't quite understand it since the properties to the east and north are both zoned IND-1 and feels like this is expansion of zoning rather than spot zoning. Mr. Hurley asked if they are currently in Grove City? Mr. Rose, owner, said they have been in Grove City for eight (8) years on Godwin Court. Mr. Milovich asked how many employees they have? Mr. Rose said approximately 6 to 8. They use subcontractors. Mr. Schreck asked if they have a commercial fleet of their own? Mr. Rose said he has two trucks - a 3/4 ton and a one ton.

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

Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes

2. Ordinance C-41-95 (Accept the annexation of 1.955 acres located on the southwest corner of Sonora & McDowell) was given its second reading and public hearing.

Mr. Joe Hull, attorney for petitioner, was present for any questions.

Mr. Hurley moved to amend Section 2 to replace the zoning classification from SF-1 to IND-1 - Light Industrial; seconded by Mr. Warner.

Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes

Mr. Hurley noted that this is the second half of the process. The first was to establish the zoning and this accepts the property into Grove City.

There being no additional questions, Mr. Hurley moved it be approved, as amended; seconded by Mr. Milovich.

Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes

3. Ordinance C-52-95 (Accept the Plat of Home Road and Lewis Centre Way Dedication) was given its second reading and public hearing.

Mr. Brian Marsh, Security Capital, was present to answer any questions. Mr. Hurley reviewed the two stipulations set forth by Planning Commission and Mr. Marsh said they were prepared to make the necessary modifications.

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

Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes

4. Ordinance C-53-95 (Approve the Special Use Permit for a Restaurant/Lounge located at 3131 Broadway) was given its second reading and public hearing.

Mr. Milovich asked if a liquor permit has been issued for this location yet? Clerk Kelly stated that Council receives notification when an application has been filed so that a hearing can be requested, if desired. No notification is provided on permit issuance.

Mr. Hurley announced that there was a question of tabling this Ordinance until that liquor permit is received. We received notification of the application and Council did not request a hearing. With Special Use Permits that he has dealt with in the past, having a Liquor Permit was never used to determine whether to consider the Special Use Permit or not and doesn't feel it should be now. Mayor Stage stated that he brought up the issue of tabling. He said if it is a boarder line issue, the

applicant can waive a piece of paper and say that Grove City Council has already given them approval, thus using it as additional leverage to get the Liquor Permit. If a permit has not been issued, he doesn't understand the sense of urgency is in giving a Special Use. He doesn't see why tabling the ordinance is inappropriate, especially since we don't know if the liquor permit is issued. Mr. Hurley again stated that there were no objections upon notification of the application and asked what has changed, since that time, to warrant reconsideration of that position. Mayor Stage said he did not know what took place at the last meeting and is surprised that there is no representation here because this is not a simple matter. He said we try to be stingy on these things and again expressed the matter of urgency. Mr. Milovich said he feels Council did not request a hearing because they base it on the authority and investigation process of the State to give out these permits.

Mr. Milovich moved to table this ordinance; seconded by Mr. Schreck.

Mr. Milovich	Yes
Mr. Hurley	No
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	No

5. Resolution CR-78-95 (Accept the Final Development for Ashland, Inc. DSO Facility located north of Southwest Boulevard and west of Broadway) was given its reading and public hearing.

Mr. Tim Sullivan, Project Engineer for Ashland, presented the Development Plan and mentioned that this was a five million dollar project and would bring in 17 jobs. Mr. Warner voiced a safety concern for our northerly neighbor's, Urbancrest, with regard to emergency equipment gaining access if the railroad tracks are blocked. He asked what assurances could be given that this won't inhibit or jeopardize their safety. Mr. Sullivan said they didn't have representation from CSX here tonight, but, with the configuration they have, emergency vehicles could get around rather easily. The position of CSX was that it was very unlikely that these crossings would be blocked and, if so, they have a State time requirement to follow on how long they can block a crossing.

Mayor Harriston, Village of Urbancrest, commented that the representative of CSX indicated that no more than 10 cars would be brought up from Washington Court House at one time and there would be no problem. Mayor Harriston said he hopes the CSX Representative lives up to that, otherwise it is a large concern. Mr. Warner asked if he had any other concerns? Mayor Harriston said no. They have been to the Innis Road Facility and it seems to be a very quite, smooth running operation. There was an agreement concerning the buffer between this complex and Urbancrest and they have agreed to not put their fence immediately along the Urbancrest border, but, to put a buffer there and put the fence behind it.

Mr. Milovich announced that he has received a copy of the Material Safety Data Sheets on the material that will be stored at this facility and wanted to confirm that no new products will be stored at this facility. Mr. Sullivan said that was correct. Mr. Milovich stated that some of the materials, in a raw form, may be hazardous, but, this is all coming to the facility as a finished product. The only other concern is that it does generate some dust and appropriate ventilation would be needed. He said the facility has been reviewed for this type of handling and venting appropriately engineered. Mr. Sullivan confirmed that statement. Mr. Milovich then asked about the silo's with regard to off-gassing. He said it was his understanding that the manufacturer will have a venting

system to alleviate any off-gassing that may occur. Mr. Sullivan said that because the material comes in a solid form, rather than a liquid, venting is not a big deal. However, the top manway on the silo's is gravity closed and there is a built-in leak device on the side. Mr. Milovich stated that it was his understanding that there have never been any OSHA inspections at Innis Road, but, Ashland has instituted their own safety program which goes by employee. The results of the data provided indicates that the testing results, Ashland has instituted themselves, are below the OSHA Standard. A representative from Ashland indicated that was correct, however, they have an outside firm conduct the tests and submit a report. Mr. Milovich then mentioned the well vegetated entrance of the site, off Southwest Blvd., has many mature trees. He requested that every opportunity be utilized to save as many of these mature trees as possible. The architect/engineer representative stated that they would look at the elevations and try to retain some of the trees. However, there is a retention pond necessary for the site and the ability to conserve the trees will depend on the amount of retention (size of the pond) required. Mr. Milovich stated that this is a similar requirement that we would have in a residential neighborhood and the Ashland representative said they would take a second look at it. Finally, Mr. Milovich cited some comments from Chief Ashcraft, Jackson Township Fire Department, from the July 19, 1995 issue of the Grove City Record. He read a portion stating that as far as the Chief is concerned, the proposed construction of the Ashland Chemical Warehouse does not pose a threat to the communities safety. He quoted the Chief's comments in the paper - "I feel comfortable for a number of reasons. #1, we are dealing with only one known commodity. There isn't a bunch of stuff in there; #2, there isn't any kind of process that is going to be going on there. There's not going to be heating or cooling of anything; #3, the sprinkler system they want to use are above and beyond the Code". Mr. Hurley followed-up by stating the Planning Commission received a letter from the Jackson Township Fire Department voicing their approval of the plan.

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

Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes

6. Resolution CR-79-95 (Accept the Final Development Plan for Perkins Family Restaurant Addition, located at 4065 Marlane Dr.) was given its reading and public hearing.

Mr. Wes Noble, Construction Coordinator, stated that they have tried to meet all construction concerns and offered to answer any questions. Mr. Hurley reviewed the stipulation set forth by Planning Commission. Mr. Noble said they dropped off and reviewed a landscape plan with the Service Director last week, complying with the stipulation - no comments. Mr. Milovich asked if the curb cut on Ohio Avenue is still there. Mr. Noble said that was correct.

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

Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes

7. Resolution CR-80-95 (Approve the Historical Preservation Area Sign request for Grove City Appliance, 4050 Broadway) was given its reading and public hearing.

Mr. Hurley reviewed the stipulation set forth by Planning Commission consisting of: 1. The style of lettering to be approved by the Chief Building and Zoning Official; and 2. the Phone Number to be removed. There being no additional questions or comments, Mr. Hurley moved it be approved; seconded by Mr. Milovich.

Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes

8. Resolution CR-81-95 (Approve the Historical Preservation Area Sign Request for The Village Merchant, 4052 Broadway) was given its reading and public hearing and Mr. Hurley moved it be approved; seconded by Mr. Warner.

Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes

9. Resolution CR-82-95 (Annexation services that can be provided to a 26.217 acre tract located at 3721 Thistlewood Dr.) was given its reading and public hearing and Mr. Hurley moved it be approved; seconded by Mr. Warner.

Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes

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

1. Resolution CR-83-95 (Waive the provisions of Section 1135.09(14) Subparagraph E, of the Zoning Code for two days, September 16 & 17, 1995 to permit the Grove City Area Chamber of Commerce to hold "Arts In The Alley") was given its reading and public hearing.

Mr. Schreck explained that this will allow the 14th annual Arts-In-The-Alley to be held in the streets of the Town Center and erect tents therein. There being no additional questions or comments, Mr. Schreck moved it be approved; seconded by Mr. Warner.

Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes

Mr. Milovich Yes

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

1. Resolution CR-84-95 (Authorize the Mayor to enter into a Agreement with the Ohio Public Works Commission) was given its reading and public hearing.

Mr. Warner explained that this will allow us to solicit funds from the Ohio Public Works Commission for projects that we have identified in our Capital Improvement Plan.

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

Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes

The Chair recognized Mr. Milovich, Chairman of Finance, for discussion and voting of items under said committee.

1. Ordinance C-49-95 (Appropriate \$50,000 from the General Fund for the current expense of Legal Fees) was given its second reading and public hearing.

Mr. Milovich explained that annual appropriations are made for legal fees and depending on the volume and type of lawsuits which occur during the year, said funds occasionally do not adequately cover the appropriated fund. The City encountered a major lawsuit with Beulah Park Limited Partnership which is still ongoing and over \$50,000.00 have been expended.

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

Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes

2. Ordinance C-55-95 (Appropriate \$34,967.00 from the Sewer Fund for the Current Expense of reimbursing the City of Columbus for Tap Fees Collected) was given its first reading. Second reading and public hearing will be held on September 5, 1995.
3. Ordinance C-56-95 (Establish the COP FAST Grant Fund and appropriate \$75,000.00 from the current expense of the Grant) was given its first reading. Second reading and public hearing will be held on September 5, 1995.

Chief McKean explained that Congress enacted this Grant Program in an effort to help communities put police officers on the street to fight crime. Grove City made application to take advantage of these funds in anticipation of expanding the personnel levels to meet our rising population.

4. Resolution CR-85-95 (Declare the City has no Inactive Deposits for Public Monies) was given its reading and public hearing.

Mr. Milovich explained that this Council, in exercising its responsibilities as prescribed by Chapter 135.05 of the Ohio Revised Code, estimates that there are no public monies subject to its control to be awarded and be on deposit as inactive deposits for the period September 30, 1995 - September 30, 1998. Mr. Behlen, Director of Finance, further explained that under State Law, our fiduciary responsibilities are dictated and every three years, we bid our depositories. We make available, an R.F.P. (Request For Proposal) to Banks in Grove City and before we can enter into any contracts for these depositories, we must declare that we have no inactive funds.

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

Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes

5. Resolution CR-86-95 (Authorize the Mayor to accept Grant Funds from the Federal Government for the COP FAST Program) was given its reading and public hearing.

Mr. Milovich explained that the COP FAST Program is a three year contract and it is necessary for the Mayor to enter into an agreement with the U.S. Department of Justice, Office of Community Oriented Policing Services in order to accept grant funds.

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

Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes

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

1. Mr. Bill Dwyer, Knapp Drive - voiced concern over the sanitary sewer that backed up two weeks ago and caused his home to get surface water in it, along with several of his neighbor's. He indicated that he and his son removed the cover from the manhole and it was filled to the rim with white, milky water. They called the Police Dept. and were told they had a list of about 15 names and they would try to get them some help. At 7:00 a.m. they still had not received any help and the water had started to go down itself. He didn't want to point any fingers, but, Kingston Avenue is being worked on and he doesn't want any engineer telling him that 4 1/2" of water was enough to fill his back yard. They have had much more in 30 years and this has never happened before. He also noted that a City Official came down and walked his yard, a few years ago, and said they need a drop to drain 4 or 5 yards that are below ground level and that was the last he has heard of that. He spoke with Mr. Blackburn and was assured that it wasn't Kingston Avenue. He spoke with Mr. Boso and he said he would speak with the engineer tonight. He feels that there is

something wrong that caused the water to remain for so long and asked why it took on surface water. The manhole in his back yard is higher than the rest of the yard.

President Grossman expressed appreciation to Mr. Dwyer for coming in. She also had water in her basement that weekend. She asked Mr. Boso if he had followed-up since his conversation with Mr. Dwyer? Mr. Boso said he has spoken with Mr. Blackburn and Mr. Nelson Kohman, City's Consulting Engineer, will send Mr. Dwyer a written statement. Mr. Dwyer said he feels there should be a number to call. The Police Department went 12 hours. He thought Mr. Blackburn got the word at 8:15 a.m. on Sunday. Mayor Stage questioned this. He said normally, that is not the case. Mr. Blackburn noted that there was a malfunction with the phone system and not the police dispatcher's fault. President Grossman asked that she be copied on the letter to Mr. Dwyer and after he has had an opportunity to review it, she would welcome the opportunity to discuss it further. Mr. Boso commented that, in terms of rainfall for not only Grove City, but, Central Ohio, there was definitely a lot of water and he cannot provide a letter that says this will never happen again. He also had water in his basement which normally doesn't happen. He has lived here for 40 years and doesn't remember anything like it. Mr. Dwyer said the thing that bothered him the most was when they took the manhole cover off and it was filled with milky water. Mr. Boso asked if he had backflow valves? Mr. Dwyer said he didn't know. Mayor Stage said the sad part about it is the places where we use to get flooding - Maplegrove, Patzer, Franklin, etc - have gotten things under control and here, 30 years without a problem, Mr. Dwyer gets flooding. It is a problem that we keep fighting. President Grossman said we would follow-up.

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

1. Mayor Stage presented the Mayor's Court portion of the Mayor's Report for the month of July and requested it be accepted. Mr. Warner moved to accept this portion of the Mayor's Report; seconded by Mr. Milovich.

Mr. Hurley	Yes
Ms. Grossman	Yes
Mr. Schreck	Yes
Mr. Warner	Yes
Mr. Milovich	Yes

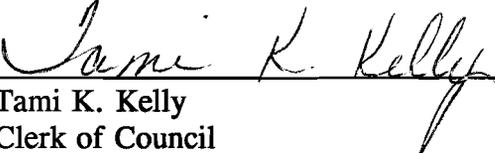
Mayor Stage then thanked Council and the community for their sympathy on the loss of his brother. He announced the New Home Show which will start August 26, 1995. The St. John's Lutheran Church just had a tour of our "Sister City" Lubtheen, Germany and he sent over some stationary, pen & pencil sets for the City Officials.

2. Mr. Warner commented on the wonderful articles in this past Sundays Dispatch. There were three very good articles making Grove City a shining community.
3. Mr. Milovich asked Mr. Lathrop when we could expect the second planting of our arboretum at Gantz Park. Mr. Lathrop said sometime in October. Mr. Milovich asked if we were expecting 32 trees. Mr. Lathrop said yes.
4. President Grossman voiced pleasure to be associated with the Mud Volleyball Tournament over the weekend. It raised approximately \$5,000.00 for Life Care Alliance. She conveyed condolences to Mayor Stage on the loss of his brother Jake. Jake was a regular member of Council meetings and he will be missed. She also announced the New Home Show which will run from August 26 to

September 4, 1995. She recognized Matt Bressle, who was present for his Eagle Scout and finally, announced that the next regular meeting of Council will be on Tuesday, September 5, 1995 in observance of Labor Day on the 4th.

5. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:15 p.m.



Tami K. Kelly
Clerk of Council



Cheryl L. Grossman
President