

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

September 03, 2002

Regular Meeting

The regular meeting of Council was called to order by President Klemack 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 Bob Hatley Maria Klemack Budd Eversman Bill Saxton

1. President Klemack recognized the Mayor who, with the assistance of the Council Members, presented a Joint Proclamation to members of the local American Legion and VFW in honor of "A Day of Remembrance" for those who lost their lives in the Terrorist Attack on September 11, 2001.
2. Mr. Saxton moved to dispense with the reading of the previous meeting minutes and approve as written; seconded by Mr. Radi.

Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes

3. President Klemack read the agenda items and they were approved by unanimous consent.

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

1. Ordinance C-81-02 (Accept the Plat of Meadow Grove South, Section 6, located north of Borror Road and east of Meadow Grove Drive) was given its second reading and public hearing.

Mr. Don Wick, representing developer, explained that this and the next ordinance were the next two sections of Meadow Grove South that are ready to be developed in the subdivision.

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

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes

9. Resolution CR-64-02 (Approve the Development Plan for BPOE Elks 37 located at 2140 Sonora Dr.) was given its reading and public hearing.

Mr. Bill Lotz, representing the Elks, explained that there was only one stipulation from Planning Commission regarding landscaping. He has met with the City's Urban Forester and agreed to those recommendations for the front of the building and the area around the flagpole. Mr. Lotz showed a color rendering of the building and had material samples.

Mr. Eversman confirmed that the exterior of the building is primarily split-face block with stucco accents. Mr. Lotz said yes. Mr. Eversman asked about the colors. Mr. Lotz stated that the lighter color displayed would be the split-face block and the stucco would be the darker color.

Mr. Hatley stated that at the time of rezoning, there were some issues raised by a neighboring business and asked if those concerns have been resolved. Mr. Lotz said yes. In fact, he took the color rendering to both neighboring properties (Kelly's to west; Atkins to north) and received their blessing. He said they found out the neighbors had been told the building was going to be a metal skin structure and that was what they were concerned with. Mr. Hatley asked about the parking concerns. Mr. Lotz stated that parking issues have also been resolved. The driveway to the north is a shared drive. All the construction traffic will be off Sonora Dr.

There being no additional questions or comments, Mr. Saxton moved it be approved; seconded by President Klemack.

Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes

10. Resolution CR-65-02 (Approve the Development Plan for MAACO Auto Painting located south of Home Rd and west of Broadway) was given its reading and public hearing.

Ms. Beth Miller, attorney for petitioner, explained that they have agreed to do everything that Planning Commission had requested. She went through each stipulation and explained their intentions for complying with each request. Some of those being: adding on to the dumpster area for chemical drums to be stored with screening; adding a four foot (4') mound with a white picket fence along Home Road; the landscaping will be changed to meet the suggestions of the Urban Forester (2 Crabapple trees and 5 Blue Spruce); agreed to change the lighting to a more decorative style - no wal-pac; behind the building the chain-link fence will be changed out to a PVC vinyl fencing in either a sand or beige color; the exterior façade will be changed to brick on the bottom half (same as Fritch's) and a beige stucco on the top; the brick will wrap around on the east and west sides, six feet. The east elevation will have brick the entire length, since there was no clean break; the blue band at the top has been decreased in width, with the top half blue and the bottom half beige; the exhaust stack will be painted blue or black to conceal it, since it projects above the roof. She commented that since the Special Use Permit will not be voted on until the 16th, they have no objection in postponing the vote for this item until that date. However, she did request comments from the Council.

Mr. Radi asked how far above the roof the exhaust stack projects. Ms. Miller said just a few feet. Mr. Radi asked if there were any other rooftop mechanicals that would be visible. Ms.

Miller said no, that is the only item that would protrude above the roof. Mr. Radi shared his concerns about abandoned or inoperable vehicles being stored at other MAACO sites. He asked what recourse the City had in preventing this. He also asked for a commitment that this would not happen here. Ms. Miller stated that the City definitely has a commitment that it would not happen at the Grove City facility. She said most of the work would be dent, scratch, bent bumper, paint repair. There will not be any engine work, etc. done at this facility. She said that there were 23 parking spaces in the back and they are limiting themselves to have no more than 10 vehicles parked there at any one time. Mr. Radi called on Mr. Clark, Dir. of Law, to explain the City's recourse. Mr. Clark indicated that the Special Use Permit does have a stipulation for the number of cars allow to be parked outside on the site. There are other Code provisions that cover "junk" or inoperable cars that would prohibit this. Mr. Radi asked how long it would take to shut down the business if Council would rescind the Special Use Permit. Mr. Clark stated that would go to court and referred to Frank Eck, who handles injunctions for the City. Mr. Eck stated that a temporary injunction would take place within 7 - 14 days and a permanent injunction within 30 days. Mr. Radi stated that this plan is considerably better than the one submitted two years ago. He congratulated them on this effort. Mr. Eversman stated the same. He said he was going to suggest the brick on the east elevation be extended and is happy to see that. He said he has no problem with the development plan or the esthetics. However, that does not mean he is in favor of the Special Use Permit. He does not feel this is the best use of the property or in the best interest of Grove City. Mr. Saxton stated that he, too, met with the Urban Forester and wants there to be an understanding that the mound is to be four foot and the fencing would be at the bottom of the mound, with two crabapple trees at each end and 5 - 7 evergreens in the middle. Ms. Miller said yes. Mr. Saxton stated that he heard that the mound may wrap around the east side a little also. Ms. Miller said they did consider that but no final determination has been made.

There being no additional questions or comments, Mr. Saxton moved it be postponed to 9/16/02; seconded by Mr. Eversman.

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes

- Resolution CR-66-02 (Set Forth the Municipal Services that can be provided to 0.497 acres located at 4075 Hunting Creek Drive upon its Annexation) was given its reading and public hearing.

Mr. Hull, attorney for petitioner, explained that this is an existing single-family home desiring city water and sewer services.

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

Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes

12. Resolution CR-67-02 (Set Forth the Municipal Services that can be provided to 142.7 acres located North of S.R. 665 and East of S.R. 104 upon its Annexation) was given its reading and at the written request of the agent, Mr. Saxton moved it be postponed to 9/16/02; seconded by President Klemack.

Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes

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

1. Ordinance C-87-02 (Authorize the City Administrator to enter into an Agreement with Time Warner Communications for City Internet Access) was given its first reading. Second reading and public hearing will be held on September 16, 2002.

Mr. Hurley, Information Systems Specialist, explained that the original three-year agreement was executed in 1998. Once it expired, the City went month to month. We now have a new five-year agreement that allows us to upgrade our service and receive some cost savings over the length of the agreement.

The Chair recognized Mr. Hatley, Chairman of the Finance Committee, for discussion and voting of legislative agenda items under said committee.

1. Ordinance C-80-02 (Authorizing the Provision of Certain Incentives for the Purpose of Inducing Stringtown Partners North, LLC and Stringtown Partners South, LLC to Undertake The Buckeye Centre Commercial Development within the City, which Incentives Include Declaring Improvements to Certain Parcels of Real Property to be a Public Purpose, Describing The Public Infrastructure Improvements to be Made to Benefit those Parcels, requiring the Owners Thereof to make Service Payments in Lieu of Taxes; Establishing A Municipal Public Improvement Tax Increment Equivalent Fund for the Deposit of Such Service Payments; Approving and Authorizing the Execution of a Tax Increment Financing Agreement, An Infrastructure Agreement and a Compensation Agreement; Accepting Property Owners' Petitions Requesting that Certain of the Parcels be Specially Assessed for the Cost of the Public Infrastructure Improvements and Determining to Proceed with the Construction of the Public Infrastructure Improvements, and Declaring an Emergency) was given its second reading and public hearing.

Mr. Hatley moved to amend the third Whereas statement to read, in part: "the Partnership, Lucas State Street Stringtown Limited, . . ."; seconded by Mr. Radi.

Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes

Mr. Hatley moved that Exhibits "A" and "B" be replaced with the map dated August 13, 2002 and the legal description that references Casto Improvements; seconded by Mr. Eversman.

Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes

Mr. Stage commented that this has been over a year in process. The School District was involved and this is the first time we have approached them on this type of financing of capital improvements. They have agreed. On August 13, 2002, he produced a letter to the attorney's for the lead property owner outlining certain items necessary before a recommendation for Council to proceed would be given. As of this evening, the four items have been addressed. He indicated that all but one (1) of the rights-of-way needing to be deeded to the City have been done. The one exception is for a piece on the east side of Stringtown and the owner is in Alaska. We are awaiting his return. The second item was a letter that validated the improvements to be financed as private improvements, but would be paid for out of this financing vehicle before Council this evening. Those improvements feel like public improvements and he had the engineer validate that the figures are in line, as if they had been put through a bid process. There are four (4) homes on Stringtown Road that need to be demolished and the basements filled in, before the contractor can begin the road improvements. We have a letter from the owner stating that arrangements have been made for the demolition and our engineers will check it to make sure the backfill is adequate. The last item is a Petition of Special Assessment. This helps to protect the City's inside millage and is a third layer of default. If things don't go right, we have the ability to collect assessments on the property. He said they are prepared to recommend to Council that they proceed in enacting this ordinance. Mr. Hatley asked Mr. Stype, City's Legal Counsel, for any comments. Mr. Stype stated that everything is prepared for passage of the ordinance. Everything is in order and both Special Assessment Petitions are now on file.

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

Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes

Mr. Hatley moved this ordinance be approved as an emergency; seconded by Mr. Radi.

Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes

- Ordinance C-88-02 (Appropriate \$9,069.00 from the DARE Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on September 16, 2002.

3. Ordinance C-89-02 (Appropriate \$34,000.00 from the Street Fund for the Current Expense of Ditch Maintenance) was given its first reading. Second reading and public hearing will be held on September 16, 2002.
4. Mr. Hatley moved to reconsider the Appropriation Amount found in Ordinance C-75-02; seconded by

Mr. Behlen explained that in our grant application, we projected the cost to be a certain amount. We were awarded a 40% grant based on that amount. When the bids came back, the amount was less than the projection and the County reconfigured their amount to be 40% of the Bid price. We will have the opportunity to submit Change Orders to the County for reimbursement, up to the original grant amount, if the project gets larger. They are taking a more incremental approach than they have done before. We were notified of this new approach several days after Council had taken action on this ordinance.

There being no further questions or comments, Mr. Hatley moved to amend the appropriation amount to \$170,850.44; seconded by Mr. Eversman.

Mr. Saxton	Yes
Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes

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

There being no new business, the Chair recognized members of Administration and Council for closing comments.

1. Mayor Grossman submitted the Mayor's Monthly Report and Mr. Eversman moved it be accepted; seconded by Mr. Radi.

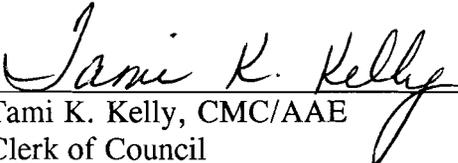
Mr. Radi	Yes
Mr. Hatley	Yes
Ms. Klemack	Yes
Mr. Eversman	Yes
Mr. Saxton	Yes

In closing, the Mayor remarked that this is an historic day for the city, with the passage of C-80-02. She commended Ike for taking the lead on the TIF. She expressed condolences to the family of David Erich and the Duncan Family on the loss of their daughter. She acknowledged the closing of McClure's Barber Shop, after 20 years in the Town Center. She also congratulated the Elks on their new facility.

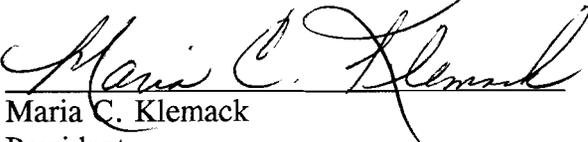
2. Council voiced appreciation to the Administrative Staff on their efforts in getting the TIF put together. Mr. Radi commented that all the churches are having special ceremonies Wednesday, for the first anniversary of Sept. 11, as well as the Governor on the State House Lawn.

3. After additional comments from Council and other Administrative staff members, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 8:55 p.m.



Tami K. Kelly, CMC/AAE
Clerk of Council



Maria C. Klemack
President