

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

September 06, 2011

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:

Maria Klemack-McGraw Ted Berry Steve Bennett Melissa Albright

1. Mr. Berry moved to excuse Mr. Grinch; seconded by Mr. Bennett.

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

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

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

3. 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-43-11 (Appropriate \$25,084.41 from the Rockford Tax Increment Equivalent Fund for the Current Expense of making payments in accordance with the Infrastructure Agreement entered into with Rockford Homes) was given its first reading. Second reading and public hearing will be held on 9/19/11.
2. Ordinance C-44-11 (Approve a Loan for John J. Dubos, DDS, under the Town Center Loan Program) was given its first reading. Second reading and public hearing will be held on 9/19/11.
3. Resolution CR-30-11 (Authorizing the City Administrator to Seek Financial Assistance from the State Capital Improvement Program/Local Transportation Improvement Program for Funding of the Holton Road/Hoover Road Intersection Improvement Project) was given its reading.

Mr. Honsey, City Administrator, showed a map of the road improvements around I-71. He explained that the next logical road is Holton Rd. We are continuing our long term project and applying for projects that we will get good points for in order to receive grant monies. This resolution allows us to apply for funding for the first phase of Holton Road.

Mr. Bennett asked Mr. Keller if there were any issues with the staging of vehicles. Mr. Keller said no. One of the things that will be incorporated into the design is sincronizing this signal with the Orders Road signal. That will provide one system from Stringtown Road, all the way down to S.R. 665, to provide traffic flow. He said they have also looked at the line of sight and it meets ODOT

Standards. Mayor Stage asked Mr. Keller to consider expanding the bike trail further south, into Meadow Grove. Mr. Bennett said he would also like to see that carried down Orders Road, so it would take people into the park.

Ms. Albright asked what the timeline is to know if this is an approved project. Mr. Honsey went through the process and said it will take until July or August to receive a final decision.

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

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

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

1. Ordinance C-41-11 (Amend Various Sections of Chapter 1135 of the Codified Ordinances of Grove City, Ohio titled Zoning Districts and Regulations) was given its second reading and public hearing.

Mr. Bennett explained that there is an issue with buildings in the Central Business District being able to migrate between a business use and single-family residential - which is what they were built for. These amendments would allow for that to happen when the structure was originally designed to be a single-family residence. An inspection would need to take place before a reversion to single-family could take place.

Mr. John Brown, resident, voiced support for this change. He said he ran into this when he went to regain the home equity loan on his home. He said the bank would not allow it due to the zoning.

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

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

2. Ordinance C-45-11 (Amend Section 1309.04 of the Codified Ordinances of Grove City, Ohio titled Temporary Certificate) was given its first reading. Second reading and public hearing will be held on 9/19/11.

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

1. Ordinance C-38-11 (Rezone 4094 Broadway from C-2 to R-2) was given its second reading and public hearing and Ms. Klemack-McGraw moved it be approved; seconded by Mr. Bennett.

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

2. Ordinance C-42-11 (Approve the Plat of Pinnacle Club Section 6, Part 2) was given its second reading and public hearing.

Mr. Jason Francis, representing M/I Homes, was present to answer any questions. Mr. Bennett asked if any of the areas were in the flood zone. Mr. Francis said no.

Mr. Honsey said it appeared that the current stock of lots were moving well. Mr. Francis said yes. They are selling about three homes per month. It is their #1 subdivision in Central Ohio.

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

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

3. Resolution CR-31-11 (Appeal the decision of the Board of Zoning Appeals granting Variances for La Quinta Inn located at 3962 Jackpot Road) was given its reading and public hearing.

Mr. Amed Patel, manager of hotel, was present to answer questions.

Mr. Bennett said he filed the appeal because there seemed to be some ambiguity over what was approved. He said the variance approval addresses the south side of the building parapet and signage placement, but not the west side of the building. He said he met with Mr. Patel. He clarified with Mr. Patel that the plan is to increase the south parapet by five feet (5') and move the sign up, on this new wall. On the west side, the plan is to change the rounded parapet to a square parapet and place the sign directly below the squared parapet. This will not change the height on the west side.

Mr. Berry moved to amend Section 1 to read: "This Council hereby affirms with modification the decision of the Board of Zoning Appeals and the variances granted for an architectural feature that would exceed the allowable building height by five feet on the south side and a sign on the south side that would exceed the roof line in proportion to the approved five foot increase in building height; the sign on the west side shall be located below the new square parapet, in its current location, for La Quinta Inn located at 3962 Jackpot Road."; seconded by Mr. Bennett.

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

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

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

4. Resolution CR-32-11 (Appeal the decision of the Board of Zoning Appeals granting Variances for City Barbeque, Inc. located at 2261 Stringtown Road) was given its reading and public hearing.

Mr. Don Feibel, representing City Barbeque, said they are excited about placing a location on Stringtown Road. He said he knows neon is a bad word, but neon is their signature brand. In each location, the neon is unobstructed-except for their Upper Arlington location. He said they would be willing to place plexiglass over their signs in Grove City. He provided a revised drawing, showing the covering on their signs.

Mr. Bennett said he spoke with Mr. Feibel and said he appreciated the agreement to cover the neon. He said the variance stays with the property and if the exposed neon is permitted, it will be allowed to remain in perpetuity. He said the height was also an issue, but since it is for a multi-tenant shopping center where the building sets back from the road, he is willing to concede on the height.

Ms. Albright said she wants to make sure we remain a business-friendly town. She asked if City Barbeque has purchased anything and if City BBQ is o.k. with the change. Mr. Feibel said they haven't purchased anything. He said their first preference is to have the exposed neon, but he has spoken with City BBQ and they are willing to place the opaque/translucent covering over the neon.

Mayor Stage said he made contact four years ago with City BBQ, to get them to come to Grove City to the downtown area. He said that didn't work, but after continuing to work with them, they have found a location on Stringtown and is willing to spend over \$500,000.00 in improvements. They indicated that they may need more signage and he directed them to the BZA. He apologized to Mr. Feibel for having to be here tonight, under this kind of condition.

Mr. Bennett applauded the Mayor's efforts to bring City Barbeque to Grove City, but asked Mayor Stage if he did not see the drawings and wasn't aware of the exposed neon that is clearly against City Code. Mayor Stage said he never saw the drawings, he only directed them to the appropriate Department to follow proper procedure.

Mr. Bennett moved to amend Section 1 to read: "This Council hereby affirms with modification the decision of the Board of Zoning Appeals and the variance granted for allowing exposed neon tubing on wall and monument signage for City Barbeque, Inc. located at 2261 Stringtown Road, to permit wall and monument signage with translucent, tinted acrylic faces over the neon letters – as depicted in the revised drawing dated 8/26/11. In addition, this variance shall be null and void upon the vacation of City Barbeque, Inc. from this property."; seconded by Mr. Berry.

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

Ms. Albright confirmed that while City BBQ is willing to make this change, they would rather keep the exposed neon for better exposure. Mr. Feibel said yes.

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

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| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Albright | No |
| Ms. Klemack-McGraw | Yes |

5. Resolution CR-33-11 (Set Forth, as required by Section 709.31 of the Ohio Revised Code the Municipal Services that can be furnished to 4.82+ acres located at 2444 London-Groveport Rd. in Jackson Township upon its Annexation to the City of Grove City) was given its reading and public hearing.

Mr. Emery Miller, representing petitioner, was present to answer any questions. He said there is already an easement for a water line. Mr. Berry asked what the zoning classification would be on this property. It was determined that it will most likely be zoned SF-1, as each property is zoned at the most comparable zoning to the Township. Mr. Berry asked if they wanted to develop the piece. Mr. Miller said no, it really isn't feasible.

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

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

6. Resolution CR-34-11 (Authorize the City Administrator to enter into an Agreement with The Grove City Area Community Improvement Corporation for the purchase of 3415 Grant Ave.) was given its reading and public hearing.

Mr. Smith, Dir. of Law, explained that when this project was discussed initially, there were many facets that have now gone away. The CIC had voted to move forward with purchasing the property and this piece of legislation is no longer needed. He requested it be withdrawn.

Ms. Klemack-McGraw moved it be withdrawn; seconded by Ms. Albright.

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

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

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

1. The Mayor submitted the Mayor's Monthly report for the Building Division and Mr. Berry moved it be approved; seconded by Ms. Klemack-McGraw.

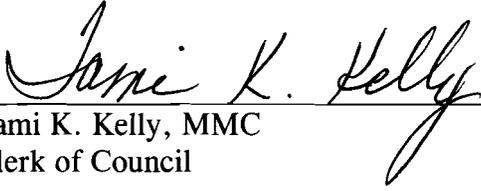
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| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Albright | Yes |

He then commented that it was a great week, with the transfer of a property in the Town Center from the CIC to Dr. Dubos; and the letter the City signed for Pizzuti to be the developer of choice for the Town Center. He feels the Town Center is in a rebirth. He reminded everyone about the Flags of Honor Event on Sept. 10 & 11 at Henceroth Park. The GCHS band will honor first responders at their game on Friday. He also reminded everyone about the 32nd Arts-in-the Alley event coming up next weekend. He also announced that he has a draft Code change to the BZA appeal process that is intended to be submitted for the next meeting.

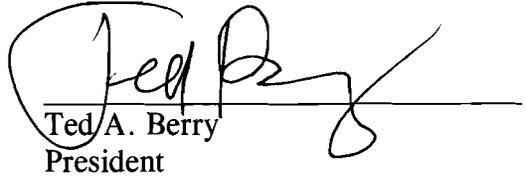
2. Mr. Spring, Service Dir., announced that Joe Heiby has been hired to take Mr. Weber's place. Mr. Heiby was welcomed back to the City and congratulated him on the new position.

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

Council adjourned at 8:20 p.m.



Jami K. Kelly, MMC
Clerk of Council



Ted A. Berry
President