

**GROVE CITY, OHIO COUNCIL
MINUTES**

September 07, 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. Buckley moved to dispense with the reading of the minutes and approve as written; seconded by Mr. Ferguson.

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

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

1. Mr. Cotton moved that Ordinance C-79-93 be added to the agenda; seconded by Mr. Buckley.

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

Ordinance C-79-93 (Approve Special Use Permit for Grease-N-Go) was given its first reading. Second reading and public hearing will be held on September 20, 1993.

2. Ordinance C-69-93 (Accept annexation of 0.642 acres located north of White Road and east of Kelnor Drive) was given its second reading and public hearing and Mr. Cotton moved it be approved; seconded by Mr. Buckley.

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

3. Resolution CR-33-93 (Approve development plan for Arrowleaf Run) was given its reading and public hearing.

Speaking to this resolution was Mr. Michael Brandt, attorney representing Belper Company. Mr. Brandt stated that they had returned to Planning Commission as requested by Council and received one positive vote. Since that meeting, they have met with the Group Home and a letter was sent to Council informing them of the agreement reached which consisted of putting up a four foot (4')

picket fence and eight foot (8') pine trees, ten foot (10') on center, on the Group Home's property as a barrier. They have also reduced the size of the sign and removed the lights. Mr. Brandt announced that Mr. Ferguson has requested park/green space for the area and he stated that there was a strip running east and west that is available for a wildflower reserve and they would be willing to work with Council or a civic organization to implement this. He said a 40 unit per acre compromise has been reached on this development and he felt it was a good compromise. The development plan meets all the requirements of the City Code and requested Council's approval.

Mr. Dale Ouzts, 2038 Michelle Dr. - spoke in opposition of the development. He is the General Manager of WOSU Radio and a new resident to Grove City. He said he moved from Westerville to get away from the congestion and chose Grove City for its peace and quite. He asked that Council go along with Planning Commission and not allow this project.

Mr. Stanley Ray, 2048 Michelle Dr. - stated that he was a Social Studies teacher with the Southwest City School System and he takes great pride in teach students the subtleties of local, national and world governments; the magna carte - a list of rights and privileges citizens enjoy and should enjoy in any form of government. He taught his students the concept of constituency, that is evidenced in our representative democracy - where a citizen is represented in government by officials which he/she voted. The representative nature of our government ensures that citizens have a voice in policy making and an avenue for dealing with representatives which would side with the contrary to the public will. He requested that Council support the wishes of the neighborhood citizens and not the special interest.

Mr. Kris Bickel, 2073 Shirlene Dr. - requested that the least obtrusive development be placed on this property. He stated that the developer agreed to have a meeting with the residents and never did. Mr. Ferguson asked Mr. Brandt if that was true? Mr. Brandt stated that he has spoken with the residents at every Planning Commission and Council Meeting. Mr. Ferguson asked Mr. Bickel what requests he had of this developer. Mr. Bickel said they were concerned about the fencing. Mr. Brandt informed them that the privacy fence was a Code requirement and the developer will be planting pine trees between the fence and residents for an additional barrier. Also, due to comments made by the residents, the sign has been reduced in size and the lighting removed.

Ms. Debbie Stamper, 2070 Shirlene Drive - commented that her biggest concern was her property value. She doesn't want to see it depreciate as most pieces of property do that are close to apartment complexes. In addition, she voiced her concern for the traffic congestion that this will put on the area. She requested that this development be condominiums, a higher quality apartment complex or senior citizen housing.

Mr. Mel Garrison, 2120 Shirlene Drive - commented on property values and traffic problems as well. He indicated that many people were led to believe that additional homes would be built in that area by their builders. Mr. Brandt commented that it was a shame that homeowners were lied to but, for as long as his client has owned the property, it has been zoned for multi-family use. He also stated that this is not a low-rent, subsidized housing project. These units will rent for approximately \$500.00 per month.

Mayor Stage commented that he previously requested that the developer reconsider their apartment plans and place condominiums in this area. However, he has never heard from Mr. Bell. He again, pleaded with Mr. Bell and Mr. C. V. Perry to go back and review condominiums for the area. He said apartments are not the right use for the area.

President Buzby asked those members of Planning Commission who were present the reason behind their vote and whether or not the plan was to Code? Mr. Marvin Holt, Chairman for the Grove City Planning Commission stated that the development plan does meet Code and the concerns about fencing, trees, signs and lighting have been met. The one positive vote was due to having proper zoning and because all Code requirements have been met, however, it was the majority of the Planning Commission that the area does not lend itself to apartments, they would rather see condominiums. If you drive over to that area you will see existing apartment complexes on the other side of the ravine and he said he did not want to see any more of that in Grove City Adding to Mr. Holt's statement was Ms. Cheryl Grossman - she indicated that part of the responsibility of the Planning Commission was to assure what is best for the health, safety, and welfare of the citizens of Grove City. This development only has one ingress and egress and after spending Friday night with the Fire Department, she feels that the access for fire protection is a legitimate concern.

Mr. Cotton asked the Fire Chief if there were any problems with access or turning radius? Chief Ashcraft stated that some minor concessions were made by the developer to accommodate turning the fire trucks and the plan meets Code.

There being no additional questions or comments, Mr. Cotton moved that Resolution CR-33-93 be amended to include the letter from Belper Company regarding the agreement with the Group Home; seconded by Mr. Buckley.

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

Mr. Buckley moved that an amendment be made to the height of the fence between the Group Home and the Apartments be a six foot privacy fence rather than a four foot picket fence.

Mr. Brandt commented that they were only complying with the wishes of the Group Home. They did not want a privacy fence, they wanted something that would be a barrier yet still be able to see through. **This motion died due to the lack of a second.**

Mr. Cotton moved this resolution be approved as amended; seconded by Mr. Buzby.

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

4. Resolution CR-57-93 (Approve development plan for Horton Emergency Vehicles) was given its 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

5. Resolution CR-58-93 (Approve development plan for Hampton Inn South) was given its reading and public hearing.

Speaking to this resolution was Mr. Tom Stipple, representing the Hampton Inn franchise. He requested a favorable decision of Council. Mr. Cotton asked if there were any objections to the stipulations set forth by Planning Commission? Mr. Stipple indicated that there were not and the new drawings have included these items. Mr. Cotton moved it be approved; seconded by Mr. Buckley.

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

6. Resolution CR-59-93 (approve development plan for Grease-N-Go) was given its reading and public hearing.

Speaking to this resolution was Mr. William Goldman. He said they were pleased to bring forth a service center, well landscaped and occupying less than 40% of the total site. It will generate less than half of the traffic of a bank (75 cars per nine hour day). He offered to answer any questions and requested a favorable decision from Council. Mr. Cotton asked how many parking spaces were there. Mr. Goldman counted 28 and stated that most of these would be utilized by employees. Mr. Ferguson asked if the colors would be gray and blue as shown on the color rendering. Mr. Goldman said yes.

Mr. Lotz requested that a provision be added to the resolution requiring additional landscaping on the southeast corner of the site per a concern of the Mayor. Mr. Goldman stated that they had no objection to this.

Mr. Cotton moved to amend Resolution CR-59-93 to include the contingency that: additional landscaping be placed on the southeast corner of McDowell and Stringtown Roads as prescribed by the City Administration; seconded by Mr. Buckley.

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

There being no additional questions or comments, Mr. Cotton moved to approve resolution CR-59-93 as amended; seconded by Mr. Mountain.

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

7. Resolution CR-60-93 (Approve development plan for Jackson Township Fire Substation at 4343 Grove City Road) was given its reading and public hearing and Mr. Cotton moved it be approved; seconded by Mr. Mountain.

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

8. Resolution CR-61-93 (Approve development plan for the addition to the E. L. Evans Senior Center) was given its 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

9. Resolution CR-62-93 (Approve Awning in Historical Preservation Area for State Farm Insurance located at 3907 Broadway) was given its reading and public hearing and Mr. Cotton moved it be approved; seconded by Mr. Mountain.

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

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

1. Ordinance C-70-93 (Amend Section 1301.02(a) titled Model Codes Adopted) was given its second reading and public hearing.

Mr. Lotz explained that this is to allow the City to use "the most current edition" of the BOCA Code rather than the 1989 Edition.

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

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

2. Ordinance C-73-93 (Amend Section 521.18 titled "Junk Autos; Building Materials; Firewood") was given its first reading. Second reading and public hearing will be held on September 20, 1993.

3. Resolution CR-56-93 (Authorize the Mayor to enter into an agreement with the Village of Groveport) was given its reading and public hearing.

Mr. Lotz stated that this was a good neighbor effort. The Village of Groveport is in need of inspection services until they can get their department up and running. They have asked Grove City to supply this inspection and Mr. Lotz said that he didn't feel that it would infringe on the current work load.

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

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

4. Resolution Cr-63-93 (Waive provisions of Section 1135.09(14)(e) for Arts-in-the-Alley) was given its reading and public hearing and Mr. Ferguson moved it be approved; seconded by Mr. Buckley.

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

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

1. Ordinance C-74-93 (Appropriate available monies in the Five Dollar License Fund for Current Expenses) was given its first reading and since it appropriates for current expenses, Mr. Buckley moved it be approved; seconded by Mr. Ferguson.

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

2. Ordinance C-75-93 (Appropriate \$5,00 from Community Development Fund for Current Expenses) was given its first reading and since it appropriates for Current Expenses, Mr. Buckley moved it be approved; seconded by Mr. Ferguson.

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

3. Ordinance C-76-93 (Appropriate \$15,000 from Bond Retirement Fund for Current Expenses) was given its first reading and since it appropriates for current expenses, Mr. Buckley moved it be approved; seconded by Mr. Mountain.

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

4. Ordinance C-77-93 (Establish Senior Center Stage Fund) was given its first reading. Second reading and public hearing will be held on September 20, 1993.
5. Ordinance C-78-93 (Appropriate \$21,500 from the General Fund for the current expense of acquiring right-of-way on Jackpot Road) was given its first reading and since it appropriates for current expenses, Mr. Buckley moved it be approved; seconded by Mr. Cotton.

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

Mr. Boso commented that this right-of-way would be used to extend Jackpot Road south of Stringtown and eventually connect to White Road. It is the intent of the Administration to prevent another intersection like Marlane Drive.

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

1. Mr. Mark List, Jackson Township Trustee, made a plea to Council to include the new D.U.I Laws into the Codified Ordinances of Grove City, Ohio as his son was hit by a drunk driver a few years ago and he feels the new laws will be a great deterrent.

Mayor Stage stated that as of 9/1/93, the officers were using these new laws by filing under the State Statute. There are still some holes to be filled in - such as who is responsible for the cars that are confiscated - but, we are enforcing it. Sergeant Deskins commented that five OMVI's were given out over the weekend. In cooperation with the State, they added officers to the streets (by way of a state grant) to help catch the drunk drivers. He said he was proud to be one of the first agencies to file under the new State Law.

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

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

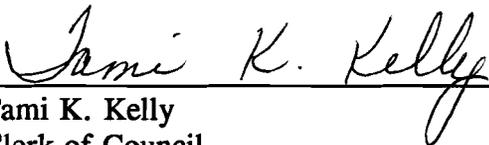
President Buzby moved to accept the Mayor's Report; seconded by Mr. Buckley.

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

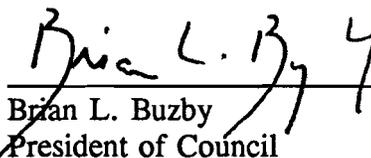
Mayor Stage commented that in response to the Township's request for the City to co-sponsor the "Put A Smoke Detector In Every Home" program, that private businesses were being contacted for pledges and more information would be coming soon.

2. Mr. Fulton announced that three new officers were sworn in last Monday and started the Academy today.
3. After additional comments from Administration, the Chamber and Council, Mr. Cotton made a motion to adjourn; seconded by Mr. Mountain. Motion carried.

Council adjourned at 8:55 p.m.



Tami K. Kelly
Clerk of Council



Brian L. Buzby
President of Council