

**CITY OF GROVE CITY, OHIO
COUNCIL MINUTES**

September 18, 1995

Regular Meeting

The regular meeting of Council was called to order by President Grossman 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:

Mike Milovich Todd Hurley Cheryl Grossman Jeff Warner

1. Mr. Milovich moved to excuse Mr. Schreck; Motion Died due to the lack of a Second.
2. Mr. Hurley moved to excuse Mayor Stage due to a death in the family (Father-In-Law); seconded by President Grossman.

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

3. President Grossman recognized Officer Teri Russlander for a presentation. Officer Russlander presented Council with a framed set of the D.A.R.E. Trading Cards. The D.A.R.E. participants who won the Slogan Contest had their picture taken with a member of the Ohio State University Womens Softball Team. She then reported on the D.A.R.E. Cruise-In that took place on Sat., Sept. 9, 1995. She said this year was more successful than previous years. They had approximately 40 more cars and raised approximately \$2,000.00 for the 4 - 5 grade kids in the Grove City schools. She noted that this goes directly to the kids and does not pay for salaries. She thanked the businesses for their donations; the volunteers; Mr. Hurley, Pres. Grossman, and Chief McKean for sitting on the Dunk Tank; as well as everyone else for their support.
4. President Grossman recognized representatives from COTA for a presentation. There is a Levy on the November 7, 1995 ballot requesting a .25% increase. Mr. Ray Miller spotlighted the proposed expansion of COTA to offer additional service to the suburbs. The Plan calls for: the establishment of 13 mini-hubs in suburban areas; the addition of new route; and supplementing the frequency to existing routes. They would like to add small neighborhood busses that do not have steps, which helps the elderly and physically impaired. They are also looking at a trolley car bus. He noted some of the benefits: increases access to jobs; relieves congestion; is an alternative to cars; improves mobility to seniors.

Mr. Warner asked if any ridership surveys have been conducted? Mr. Miller said Grove City did some, but, he doesn't remember the numbers. Mr. Hamons, Director of Development, stated that it was part of the Telephone Survey and the City shared that information with COTA. Mr. Milovich asked when service improvements for our area would occur? Mr. Miller said improvements to existing route would take place very quickly. A transit center in Grove City would occur in approximately year two or three. He emphasized that their top priority is to get people to jobs. Mr. Warner asked where citizens could call if they had questions? Mr. Miller said they could call COTA directly at 275-5823. Mr. Hurley asked how dependent these improvements were on the passage of the Levy? Mr. Miller said very much. They are using all they have now and 1/3 of the requested .25% increase would be used to maintain services. This is due, in part, to the federal cut-backs.

5. Mr. Warner moved to dispense with the reading of the minutes and approve as written; seconded by Mr. Milovich.

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

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

1. Ordinance C-61-95 (Annex 1.247 acres on the NE corner of Stringtown & Jackpot Roads) was given its first reading. Second reading and public hearing will be held on October 2, 1995.
2. Ordinance C-62-95 (Annex 107.7 acres south of Stringtown Rd & east of I-71 (Greenlawn Realty)) was given its first reading. Second reading and public hearing will be held on October 2, 1995.
3. Ordinance C-63-95 (Annex 26.7413 acres N of White Rd. & east of I-71 (Richard Willing)) was given its first reading. Second reading and public hearing will be held on October 2, 1995.

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

1. Ordinance C-58-95 (Appropriate \$6,500.00 from the Street Fund for the current expense of Mosquito Control) was given its second reading and public hearing.

Mr. Milovich explained that the Summer of 1995 has been historically damp (and hot) and as a result, it has been necessary to expand the scope and frequency of the mosquito intervention program beyond the budgeted resources for 1995.

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

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

2. Ordinance C-59-95 (Appropriate \$12,383.76 from the Gardens at Gantz Fund for the current expense of Purchasing Plants and Supplies) was given its second reading and public hearing.

Mr. Milovich explained that the City has received monies for fund raising by volunteers of the Gardens at Gantz and appropriation of this money is necessary to allow for the purchase of plant material and supplies for the Garden and other fund raisers.

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

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

3. Resolution CR-89-95 (Authorize the Administrative Assistant to accept a Cash Payment for McDowell Road Improvements) was given its reading and public hearing.

Mr. Milovich explained that funds were appropriated in the 1995 fiscal budget for improving McDowell Road and Council authorized the cost sharing of it. Bids for the project have come in high due to the lateness in the construction season, the City has requested a cash payment from Shore Properties, Inc. for their portion of the improvements.

President Grossman requested that she be allowed to abstain from voting since once of the developers is a close friend. Mr. Warner moved to allow President Grossman to abstain from voting; seconded by Mr. Hurley.

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

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

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

4. Resolution CR-90-95 (Designate the Banking Institutions for the City's Interim Funds) was given its reading and public hearing.

Mr. Milovich explained that applications were received by the Director of Finance for the deposit of the City's Interim monies pursuant to the provisions of Ordinance C-62-86 entitled Investment Depository Policy and Chapter 135 of the Ohio Revised Code entitled "Uniform Depository Act". The application represents the maximum amount of interim monies which can be on deposit with that institution at one point in time and the proper securities have been made and securities pledged pursuant to the provisions of the Investment Depository Policy of the City. This, essentially, establishes a platform for these banks to do business with the City for the amount requested.

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

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

5. Resolution CR-91-95 (Declare Eligibility of Banking Institutions to receive Active Funds of the City and to Designate Banking Institutions for the City's Active Funds) was given its reading and public hearing.

Mr. Milovich explained that applications were received by the Director of Finance for the Deposit of the City's Active Funds pursuant to Chapter 135 of the Ohio Revised Code and the proper sureties have been received to wit: United States Government Securities. Star Bank has been

awarded General Corporate Account, Payroll Clearing Account, Bond & Coupon Clearing Account, Court Clearing Account, Court Bond Account and Recreation Refund Clearing Account for the period of September 30, 1995 noon to September 30, 1998 noon. He then welcomed Ms. Mary Door, V.P. of Municipal Financing and Mike Hinton, Branch Manager of the Grove City Star Bank office.

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

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

6. Resolution CR-92-95 (Decrease the Rates as determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certify them to the County Auditor) was given its reading and public hearing.

Mr. Milovich explained that the Budget Commission of Franklin County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation. He stated that millage will be able to be reduced by 1/10 of a mill in 1996, which reduces the inside millage from 5.0 to 4.9. Since 1986, the millage has been able to be reduced by 1.0 mill and he expressed pride in being involved with a community that can do this for the residents. Although it's not a significant amount, every little bit helps.

Mr. Warner commented that he considers this a testament and everyone should realize that our Administration works hard at bringing in new development so we are less dependent upon the tax on the residential side and we are good stewards of our money. Mr. Milovich noted that the percentage of income tax is picking up the difference as well as the increased building value.

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. Warner	Yes

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

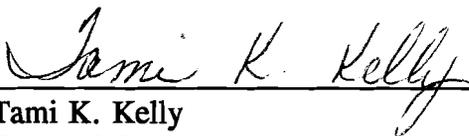
1. Ms. Debra Alabaugh, 4083 Sassafras Ct., questioned the constitutionality of political signs being restricted to two (2) signs per tax parcel. She noted that the Saxton apartment complex is one tax parcel and approximately 50 families live there. She feels this is restricting the Freedom of Speech guaranteed by the Constitution. Also, with four (4) races on the ballot, residents must choose two (2) candidates. She said if aesthetics is the reason for censoring people in Grove City, it is not a good enough reason and cited the Ledoo Case decided by the U.S. Supreme Court., which struck down a very restrictive sign code. Based on this decision, she asked how this body can justify keeping said law on the books and enforcing it? President Grossman referred to Tom Clark, Director of Law.

Mr. Clark stated that all cases have different facts to them and in the case Ms. Alabaugh referred to, the City had passed an ordinance that banned all residential signs with few exceptions. The court did find this to violate the First Amendment. However, there is also case law that states that a City entity has certain rights, under its police powers, to regulate business use and/or signage, provided they are reasonable in their regulations. In this case, he feels that the City, due to the fact that it regulates the size, number and time of display, certainly is reasonable. He feels that until a court of law tells us they are not reasonable, they are certainly not arbitrary or unequal in their application. He disputed her interpretation of the law and how it applies to Grove City's ordinances. Mrs. Alabaugh stated that the current sign code is not being followed in the Historical Preservation Area and she had photo's of those in violation. She said she personally was not against these signs, but, feels the Code needs to be revised and looked at. She said she could almost guarantee that there would be a challenge to the Grove City law, not only by herself, but, by others if they do not look into it further. Mr. Warner noted that there was a public hearing when the Sign Code was revised, last November and there was very little discussion on that.

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

1. Mr. Stan Smith, representative from the G.C. Chamber, announced a "Meet the Candidates Night", sponsored by the Chamber. It will be held on October 25, 1995 at 7:30 p.m. at the Grove City High School. He stated that all candidates have been sent invitations and four (4) have responded so far. He encouraged everyone to attend.
2. All Council Members voiced their appreciation to the Chamber, Parks & Rec. Dept, Service Department and everyone involved with Arts-In-The-Alley. It was a wonderful weekend and great event for the community. Mr. Milovich thanked Mr. Behlen for his efforts in choosing the financial institution; Mr. Hurley expressed happiness in participating on the Dunk Tank for DARE and stated that he is happy we are going in the right direction with the reduction in millage; President Grossman also expressed sympathy to Ike and Sheila Stage on the death of Sheila's father.
3. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 8:58 p.m.



Tami K. Kelly
Clerk of Council



Cheryl L. Grossman
President