

GROVE CITY, OHIO COUNCIL
MINUTES

September 28, 1992

Special Meeting

The special meeting of Council was called to order by President Brian Buzby at 7:00 p.m. in the Council Chamber, City Hall, 4035 Broadway.

Roll was called and the following members were present:

Brian Buzby William Ferguson William Buckley
John Mountain Charles Cotton

President Buzby began the meeting by reviewing the Procedures that would be followed for this evenings meeting. He stated that this was an effort to allow as many people as possible the opportunity to speak and get as much information as possible. He asked that the owners begin with a presentation and then the Mayor and/or his Advisory Committee give their report. Once these presentations have been given, those who have signed up to speak will be called in the order they signed and after everyone on the list has spoken the floor will be open to anyone else that would like to address Council if time permitted. He directed all statements and/or questions to be directed to Council and not the speakers. He also stated that he wanted everyone to feel free to speak candidly and openly, and asked that no applause or outbursts take place. He stressed the fact that this was a meeting to gather information only and there would be no vote taken by Council this evening.

President Buzby recognized the owners of the proposed amphitheater for their presentation.

Mr. Jules Belkin of Belkin Productions and Mr. Steve Sybesma of Sunshine Promotions, partners for the proposed amphitheater at Beulah Park, gave a presentation to Council.

Mr. Belkin started discussing the positioning of the building. It was originally suggested that it be pointed in a northeast direction. After meeting with various people in the community, they found that by relocating the thrust of the amphitheater to an almost due north position, it would impact the residents much less.

Mr. Sybesma spoke about the two businesses. He stated that each had been in business for over 20 years. They are very concerned about the community that they work in. It is important to have very good community relations and hope to address all the concerns that the people have.

Mr. Belkin discussed some of the things that were felt to be of importance to this particular amphitheater. He addressed the questions of what the revenues would be to the City from this facility. He listed 2% City income tax on performers; real estate taxes; personal property taxes; sales tax on sale of novelties, food & beverages as tax revenues for the City. When it comes to traffic & security, we will undertake the fee for all the local and highway police. For all the time that local police might use to prosecute arrests that might evolve from any given event will be paid for by us. Any police time that is used for planning for each event; and we plan to have a meeting prior to each event with police to make sure all proper ordinances are being enforced both in the streets and in the facility; any traffic or directional signals that are needed on an ongoing basis will be paid for by the facility. Ultimately, it is a no loose situation dollar wise. All of the income to the City at no expense.

Mr. Sybesma touched on the area of employment. He stated that during the summer months there may be as many as 600 full and part-time jobs available for residents, students, school teachers, etc. He then introduced Ms. Elaine Urban to talk about other benefits that this facility could bring .

Ms. Urban said she had originally worked with the State of Indiana, Department of Commerce and recalls the opening of the Deercreek facility and her apprehensions at that time. Now, she feels fortunate to be associated with such a fine facility that has provided such positive economic impact to the community, the State and particularly the quality of life to the residents. She shared some of the positive aspects of the Deercreek amphitheater such as the Boy Scouts of America Camporee; Senior Citizens coming in for shows like Red Skelton; Children's shows; graduations; and hundreds of events sponsored by community groups and non-profit organizations that earn money for their causes

and needs. Since 1989, Deercreek has seen a very healthy and steady increase in their corporate and community support. The company is a very cooperative, proactive neighbor and partner in the community and committed in seeing the music center benefit the community in any and every way possible. In closing, she said as you look at the big picture and focus on the economic impact and work together to address the concerns people have, it is very important to include in the picture and balance the concerns with the tremendous resources and source of community pride that the music center can provide.

Next to speak for the owners was Mr. William Cavanaugh, a sound engineer of Cavanaugh & Tocci, Inc. He originally did a study at this general location for the City of Grove City regarding Capital Music Center. His commitment to the City has been satisfied and had now taken on the objective to assist the architect and owners of the proposed permanent facility. He stated that you cannot keep outdoor facilities silent for neighbors, even at great distances. What you can, by proper acoustical principals and the design of the facility by orientation, location and management, is make it compatible. Outdoor concert facilities can be good neighbors. In his January 18, 1991 report to the City, he made several suggestions that would help diminish the sound escaping the Capital Music Center. A copy of this report has been given to the Mayor's Advisory Council and he noted that all recommendations in that report have been met with this new facility. He said he felt this facility can be a great asset to the community.

President Buzby said that they have heard that this facility will be louder since it is bigger and that it will not be as loud because it is permanent. He asked Mr. Cavanaugh what his opinion would be in terms of being louder or softer with this facility. Mr. Cavanaugh said he felt that throughout the residential neighborhood, it would be quieter. Partly because of the shielding structure, the reorientation of the structure and the use of all these techniques.

Mr. Ferguson asked Mr. Cavanaugh to give him a decibel level that is considered loud or soft. Mr. Cavanaugh said that trying to establish a single, specific number would be very misleading. He said the levels in the facility can be limited to levels that are reasonable. Mr. Ferguson asked - reasonable to who's standards. Mr. Cavanaugh said the performance standards. Mr. Ferguson asked who establishes these performance standards. Mr. Cavanaugh said that the performers agree to a level that they can live with.

Mr. Belkin stated that they have looked at traffic briefly and has spoken with Chief McKean on traffic patterns relative to the proposed music center. Now that Southwest Boulevard has been widened to four lanes, they discussed having three full lanes coming and one lane for traffic coming the opposite direction. They also talked about converting the center lane on Broadway to an incoming or outgoing lane so there is a continuous flow of traffic. He said that there were aware of the report from the Advisory Committee and that a telephone survey had been done and hoped that these reports would be referred to in making a decision.

Mr. Sybesma said he hoped most of the questions were answered this evening, however, they are always available for questions. He stated that read about a resident from Costa Mesa was coming to speak this evening and he felt that their amphitheater was completely different. Mr. Belkin interjected and said that this facility has no roof or sides and compares more to what was here for Capital Music Center. If there is a comparison to be made, they hope you compare apples to apples. What you are seeing here is apples to oranges. Mr. Belkin ended by saying he hopes this to be a premium facility in Central Ohio.

Mr. Mountain asked who would be responsible for collecting the tax from the performers. Mr. Belkin said that the owners will be collecting the tax the night of the performance.

Mr. Ferguson referred to the statement Mr. Belkin made about purchasing traffic lights and asked if he would be willing to put up a light at Central Avenue for Urbancrest. Mr. Belkin said he did not believe he said traffic lights, he said signs. He said that this was brought up by the Mayor's Advisory Committee and they had decided that the best way to handle that situation was with a police officer who would have full control. He said a traffic light is fine. He said he felt it would be much easier for cars. Mr. Ferguson continued and asked if he would put a traffic person at Urbancrest to get them in and out. Mr. Belkin said they may do so, however, the final traffic plan has not been laid out as of yet. Mr. Ferguson then said that spoken with

the Police Chief and there was a feeling that three additional full-time police officers would be needed. Coupled with additional equipment required for these officers and a potential to service the Grateful Dead, the revenues received by this facility would not pay for these services. Mr. Belkin stated that in his discussions there was never any mention of adding three additional police officers. In fact, the plan is to pay for police services at an hourly rate for time spent performing duties related to the concert facility.

President Buzby recognized the Mayor for his report.

Mayor Stage read a statement that said that the administration has approached this in the same way they approach any other major development in the City. With the experience they had with Capital Music, the position of the administration has not changed regarding amphitheatres. They will not support this initiative until and unless three issues are thoroughly satisfied, not for just 1994, 1995, 1996, but, virtually for perpetuity. These three items are: health, safety, welfare of our community - sound and noise abatement so that privacy is not invaded, which is a welfare issue; acts that do not condone violence or excite the audience in the way of violence, vulgarity, or condone drug abuse, this being a safety issue; finally, traffic flow and security coverage, again a safety issue. The traffic would include the parking issue, staking, ingress and egress of the site. The purpose of the citizens committee was to have a diversified group research, independent of Council and the Administration, the major issues associated with an amphitheater. The citizens were asked to serve based on experience and proximity to the facility. He said that for some reason the administration has been viewed as strongly in favor of this project. As stated earlier, this is a health, safety and welfare issue for our community, not for 1992 or 1993 but forever. Mayor Stage introduced Dr. Lou Altomare, chairman of the Advisory Committee for their report.

Dr. Altomare thanked all the members of the committee and commended them on their efforts. He said that they gathered information from friends, neighbors, Sunshine Promotions and authorities. He said after many meetings and compiling the findings, a letter was sent to Mayor Stage on behalf of the Advisory Committee which he read. In short, the letter stated that of the eleven members, although not unanimous, the group was in favor of the amphitheater being constructed in Grove City. However, there should be certain stipulations placed upon the operator. These stipulations should be agreed to in writing, while others may need to be addressed by city ordinance. The stipulations covered traffic, police/security, noise, performances, and general things like manager on site 12 months a year; venue to collect 2% income tax from performers before they leave concert; operators maintain ongoing dialogue with Mayor's Advisory Committee through regularly scheduled meetings; etc.

President Buzby thanked the committee and expressed his appreciation for their job. He said that the committee seems to be saying that they are in favor of this amphitheater, but, there are a lot of stipulations. He asked Dr. Altomare if he felt that those stipulations could be worked. Dr. Altomare said yes, with this group. However, he felt very strong in getting a written agreement and ordinances in place before hand. If the facility was ever sold, we would still have protection in place.

Mr. Ferguson asked Dr. Altomare to give him two reasons why its good for Grove City. Dr. Altomare said he thought it would be culturally beneficial as well as financially. In addition, the availability of the facility to the community for graduations, fund raisers, etc. would also be an advantage. Mr. Ferguson asked if it would be good for the community standards of Grove City. Dr. Altomare said he felt if properly managed, it would be good for Grove City.

At this time, Dr. Altomare introduced Mr. Sapperstein, Sapperstein & Associates, who conducted the telephone survey for the City. Mr. Sapperstein explained his background, that of the company and the methods used to conduct the survey. The results of the survey pertaining to the amphitheater was given and the bottom line was 48% favored and 28% opposed and 24% hadn't thought enough about it to make a decision. He noted that an error factor in a survey of this type is 4%. He made several comparisons - men vs. women, Jackson Township vs. Grove City, Grove City residents who have lived here more than 10 years vs. those having lived here less than 10 years, etc. He also stated that 87% of the respondents felt that the amphitheater would create jobs for the community; 73% believe that the amphitheater will promote an economic boost for local businesses; and 63% believe it will increase the prestige of Grove City. On the other hand, 39% believe that it will increase crime and vandalism; 44% felt it

would bring undesirable people to Grove City; 38% felt it would make too much noise; 48% felt it would create too much traffic; and 22% felt that the facility was too large for Grove City. Mr. Sapperstein said in his reading of the date roughly half of the community is in favor of the amphitheater, roughly a quarter don't have enough information to make a decision, and the remainder against.

President Buzby asked if a question was posed in the survey that asked if the amphitheater was closer to their home, would they still be in favor. Mr. Sapperstein said they did not.

Mr. Mountain asked if demographics would be made available to Council. Mr Sapperstein said that the City did have the entire report and additional copies would be coming.

President Buzby recognized each person signed up to speak to council.

1. Ms. Lolita Quinichette, Urbancrest - read a letter from the Urbancrest community in opposition to the proposed amphitheater. She said they felt it would threaten their tranquil living as well as their safety. She then presented a petition to Council, signed by the residents of Urbancrest in opposition of the amphitheater.
2. Mrs. Ellen Walter-Craig, Urbancrest - spoke on behalf of the "seasoned" residents of Urbancrest. The traffic that this venue would generate would leave the Village of Urbancrest with no ingress or egress to Broadway. The question she put before administration was, what happens to quiet enjoyment of property rights? This right goes beyond the first amendment. As decided in the New York State Supreme Court in 1984, my rights are mine. Again, she stressed that her rights are greater than the first amendment and asked why should Grove City take away her rights of private use and enjoyment.
3. Mr. Roger Stewart, Michael Lane - spoke out very strongly against the amphitheater. He said he filed complaints with the police department last year and will not hesitate to do so again.
4. Mr. Bill Bylar, Front Avenue - told of how last summer, toward the end of the season, he was entertaining with friends and a grey limousine stopped by his property and several men jumped out and proceeded to urinate on the street. He called the police, but, never heard anything. He also said he couldn't count the number of times the children were playing outside and were verbally abused from people walking to and from the concert facility, not to mention the trash he picked up after each concert. He said this is not the type of thing he wants in his neighborhood. He asked of those people who are for it, if it was in their backyard, would they still want it. He said he didn't think it was fair for the residents who would live near it to pay the penalty for everybody else.
5. Mike Robinson, Costa Mesa, California - Mr. Robinson introduced himself as the principal planner for the City of Costa Mesa. He said he wasn't here to speak in favor or against, he was here as a representative of a municipal government that has had to live with an outdoor concert facility for the past nine years. He said it was his sincere desire to share their experiences and hopefully we would learn from their experiences. In spite of what has been said, he believed that there are more similarities than differences between their amphitheater and the one proposed here. The differences are significant and raises important concerns that need to be considered. He cited the following similarities: size (C.M. - 18,500 seats G.C. - 20,000 seats), proximity to residents (C.M. - 800' G.C. - 200'). He said one of the major differences was access. Costa Mesa's amphitheater is located immediately adjacent to an off-ramp to a major freeway. They have a right turn only lane at that off-ramp to get to the facility. He said there was a four lane road to the south and a three lane artery to the west. There are three main entrances and when I review the plans and survey the residents, this facility is served by only one highway, one road, and one entrance. He said that based on their experience and that known to him about Capital Music Center, this brings up very serious ingress and egress concerns. Also in terms of topography, he feels that Costa Mesa's is better suited. Their stage and lowest level of seats is approximately 30 feet below existing grade; that proposed for Grove City is five feet below existing grade. The rear of their amphitheater is 45 feet above existing grade; the rear of this is less than

30 feet. He said that their facility was most certainly a permanent facility (11 million and existing since 1983). One of the reasons he is here is because they have lived with this for approximately nine years, he does not want Grove City to have to endure the level of discomfort and disruption to the community. He is here to urge Council to take a proactive, rather than reactive position. As the old saying goes, an ounce of prevention is worth a pound of cure. He hopes that we can avoid the spillover impacts of noise, traffic and the endlessness of crowd behavior. A few lessons that they have learned and he shared were - do not underestimate the impacts of a facility of this size. He said it is important to have a specific commitment between the promotor, the operator and the city. His second point was to anticipate and mitigate. Plan for the worst and pray for the best. Learn from our mistakes and develop clearly written, well defined, enforceable conditions of approval. Have a commitment up-front in writing before approval which includes a full traffic study which anticipates ingress & egress traffic volumes, primary and secondary access points, on-site traffic control, on-site stacking and parking arrangements and be sure it identifies any deficiencies and make plans to correct those deficiencies. Also, a noise study. Residents may be willing to tolerate a specific level of noise or a constant noise such as a freeway, but as in our case and in other cases, unwilling to accept that same level of noise or rhythmic noise that you get from outdoor concerts. Finally, be prepared of alternative and contingency plans in case any of the prevention measures do not address the problem.

President Buzby asked if he had been with the City when the amphitheater was built. Mr. Robinson said yes. He has been there for nineteen years. President Buzby asked what the procedure was in his City for this. Mr. Robinson said this was a very unique and different situation. The Orange County Fairgrounds is actually a State facility so they had to prepare an environmental impact study but there was no mechanism for us to participate in review/approval of projects for the amphitheater site. They instigated a lawsuit hoping to assert their authority over a higher state government. That ultimately settled out of court and the amphitheater did agree to abide by our zoning codes, but, when it came to our noise ordinance they said it was on State ground and run by a private operator and did not apply to them. President Buzby said it sounds like they really didn't have any input. Mr. Robinson said that they had input in the final settlement agreement, but that was through a lawsuit.

Mr. Mountain asked how long after the amphitheater was built was the lawsuit filed. Mr. Robinson said it was filed at the time the environmental impact report was prepared. However, a second lawsuit was filed by a citizens group that was initiated after the amphitheater was in operation. Mr. Mountain asked about the Fair Board's involvement. Mr. Robinson said that the Fair Board was fairly adversarial with the City of Fairborn at that time. The actually had to sue the Fair Board since it was their venue.

President Buzby asked where things stood today. Mr. Robinson said that some conditions have been improved and some have gone through extra ordinary measures. Due to the citizens lawsuit, some things have improved. However, given the information we know now and the situation that exists now, we would not recommend that the facility in that location be developed.

Mr. Mountain asked about the tax benefits. Mr. Robinson said that since it is state land, the normal taxing system does not apply. They do get a portion of the property tax, but, not the full tax benefits if it were fee owned and private.

6. Mr. Rusty Lusk, Costa Mesa, California - began by referring to a set of maps that were given to Council to show the proximity of residential areas in Grove City and Costa Mesa and the close similarity in both communities. He noted that his home is approximately 2/3rds of a mile away and in our community that would put in up near the Urbancrest area. He indicated that his purpose here was not to say that amphitheaters are good or bad. But, will give background of their facility. He said he believes a facility like this can coexist with a community provided that measures are in-place before operation begins. He noted that the buffer is 45 feet higher than the one proposed here. The humidity level is substantially lower in Costa Mesa and very high here and sound travels better in humid conditions. Also, the wind is much stronger in Ohio than California. Secondly, ingress and egress is much more limited in the proposed plan

for Grove City. He said the topography is basically the same and there is virtually nothing between the residential areas and the amphitheater. He explained that some of the typical problems they experience are: approximately 2 - 3 hours before a concert the intersections are virtually bottle-necked; parking is mitigated going by allowing entrance two hours before, however, nobody wants to leave before the concert is over so mitigation after the concert is impossible; they were told that the people would stay in the community and enjoy the restaurants, gas stations, etc. and this is not true. In most cases, the type of environment it takes to book the facility to full capacity, we escort those people out as soon as possible; sound testing begins in the afternoon and continues for approximately 2 - 3 hours. He noted that sound travels through the walls and windows and a study is being conducted on residents and children by professional psychologists and preliminary results show that stress levels are higher due to the concerts taking place. He also noted the trash, litter, etc. in the area and stated that cleaning of the streets start at 2:30 a.m. to get ready for the next show. He mentioned a devise that has been used to regulate decibel levels. When db's exceed the limit a light comes on and when it occurs a second time, the sound system is shut down. He made the same recommendations and Mr. Robinson.

President Buzby asked if he was a private citizen. Mr. Lusk said yes. President Buzby asked how things stand today. Mr. Lusk responded by saying that his wife was a plaintiff in a case that deemed the amphitheater a nuisance at their address and the sound system has been turned. As a result of their winning, others have now filed for nuisance damages.

Mayor Stage asked about his background. Mr. Lusk said he was on the Board of Directors with the Homeowners Group and has been since the first concert. He has been actively involved since day one. Mayor Stage said this is obviously a fairground and asked about other activities that take place on the grounds. Mr. Lusk said basically, the only other activity is the fair itself which lasts for twenty-one (21) days. He did mention motorcycle races from time to time, but, the majority have all been moved. Mayor Stage asked about vulgarity of some of the acts asked about his observation regarding those that come to Costa Mesa. Mr. Lusk said that they have had their share of these types of concerts and he tapes each concert from his back yard. He indicated that when it comes over the airwaves there is really nothing you can do about it. He noted Andrew Dice Clay as being impressively vulgar. Mayor Stage asked if he felt it had diminished. Mr. Lusk said it had not diminished at all.

President Buzby asked if a court in California has determined that residents within 1000 feet of the facility is a nuisance. Mr. Lusk said that through a class action suit, the judge determined that the amphitheater was a nuisance at his address which is one mile away. He said those outside a one mile radius, the noise tends to dissipate.

7. Mr. James Lewis, Beachgrove Dr.; Mrs. Joe Anne Lewis, Broadway - Mrs. Lewis' property backs up into Beulah Park and right by where the proposed amphitheater would go. Their main concern is safety. Currently, there is nothing separating the two properties except a small fence. Another problem raised is if the parking lot is to be paved, she is concerned that the petroleum would seep into her well and poison the water. If this is built, she wants measures taken to secure her property and protect her water.
8. Mr. Mike Henson, Southwest Blvd. - owns a business on Southwest Boulevard and was part of the Mayor's Advisory Committee. He said he was not in favor of this venue. During the first year of Capital Music Center his business dropped of 20%, during 1991 it decreased an additional 20%. This year since there have been no concerts his business has picked up about 28%. He said the businesses next to him have figures very similar and doesn't feel that their business should have to suffer to help this venue. He said if the City had to loose 20% of their revenue in the summer, they would like it either.

President Buzby asked if he attributed this loss of business to the traffic. Mr. Henson said yes. He said people stay away during the concert season and don't attempt to come to that side of town because of all the congestion.

At this point, President called for a ten minute recess.

Council reconvened and continued with the speaker's list.

9. Mr. Bill Cope, Balsam Ave. - said he was a new resident and before deciding to move he came to Council and Planning Commission meetings, looked at churches, etc., researched the Chamber of Commerce, and basically reviewed the community. He quoted Mayor Stage from a promo. from the Chamber saying "more important to Grove City residents than sheer numbers is the City's growth is proceeded carefully to the sensitivity to the traditional small town quality of life, we treasure our farm town roots". He said he thought that was great and he did/does sense that small town quality of life that the Mayor described. He learned of Capital Music Center and found that they went under, but, was not intimidated by Beulah Park. He said trying to drive down Southwest Boulevard during racing season is suicidal and just seeing the standard flow of traffic makes him wonder exactly what kind of traffic problems would ensue with this amphitheater. He said for a one time event, such as the July 4 Celebration, that is fine, however, the next night and subsequent evenings, he can here the crickets in his backyard and feel that "small town flavor". He said he didn't think that we would scare away progress if we are against an amphitheater. He said if you look at the businesses that have located in Grove City in the past five years, you will notice that they are blue collar. He suggested an office building. Mr. Cope closed by saying that a number of people have talked about noise and he feels that the noise issue is masking the real problems - safety, traffic, vulgarity and yes, noise is a primary concern. Mr. Cope reiterated the statement made by Mayor Stage and Mrs. Walter-Craig - every property owner has rights and he has the right to his peace and not to be infringed upon by developers in this area.
11. Ms. Traci Nawrocki, Balsam Ave. - stated that here opposition is not about stopping rock and roll. This is about protecting and preserving quality of life. She asked Council to consider that the developers have not truly addressed our concerns, but, merely glossed over pertinent issues we have raised. We cannot accept any "gentlemen's agreements" as proof positive that the developers will maintain our quality of life. When a management agreement is in effect or proposed ordinances, there isn't a guarantee that we can enforce them without spending more tax dollars. She referred to the positive aspects given by the developers and questioned their validity, for example - they said this would be a world class facility that residents would be proud of and give a positive image for Grove City; why then, did two other Central Ohio communities say NO. She asked that Council protect her family from the potential crime that we will be inviting into our home town with less than cultural acts that will perform there - Don't sell us out.
12. Ms. Mary Lou Gioveanelli, Broadway - read a statement from the Grove City Area Chamber of Commerce. This letter addressed the ordinance regarding the stipulation of conducting an outdoor concert within 1500 yards of residentially zoned property. In short, the letter urges the defeat of this ordinance.

President Buzby asked if the Chamber has taken a position on the development as a whole. She said not at this time. They were still gathering information.
13. Mr. Brian Sullivan, Demorest Rd. - spoke in favor of the proposed venue. He said that comparing facilities is very difficult. He works in the industry and these promoters work very differently than Neiderlander. They work with the community and feels that Council shouldn't pass judgement until they have had a chance to work with this group of promoters.
14. Mr. Gary Sigrest Jr., Thompson Ave. - stated that on August 3, 1992 he made a presentation to Council where a list of concerns were handed out. A copy of these concerns was given to the Mayor's Advisory Committee, however, certain members as well as Mr. Hamons felt the questions posed were negative and either chose not to answer them or decided none of the concerns listed would really happen in Grove City. A copy was also give to Mr. Ruma in the hopes that he would address these issues. Mr. Sigrest said he has yet to receive a written response to anybody. He said the concerns are not based on some chicken little hysteria. Each can be documented as either happening in Grove City during Capital Music's tenure or in other cities with similar amphitheaters. He said he has opposed from the beginning, but, has kept an open

mind. He has spent a great deal of time and effort researching the problems and possible solutions. Unfortunately, both the Mayor's Advisory Committee and Mr. Ruma seem to be studying this proposal with their blinders on. Since they fail to see real and potential problems, they aren't even looking for the solutions that can help solve the problems. He believes the majority of our fears and concerns can be worked through, however, he said he will probably never be 100% satisfied with an amphitheater in my neighborhood. but, he does believe there can be many compromises. Under the current plan, there are too many problems not yet worked out. He urged Council to study the plan longer and not decide until all questions are answered.

15. Mr. Dale Nawrocki, Balsam Ave. - began by saying he felt that too much weight was being given to salesmen testimony. They have also started making promises and statements that weren't made weeks ago. He said the more people get involved the more concessions they make as part of their process to get approval. He asked why we weren't dictating the standards and if they bring forth a proposal, they don't two or three tries but one attempt. He stated that we do not need businessmen who don't live in our community telling us what our quality of life should be. That is our responsibility and our right. We should set the standards that they follow, not us accepting what they say is acceptable. Another problem he has with the proposal is the "Emperor's New Clothes Committee". This was not an open-minded, unbiased committee to start with. In a radio interview, Mr. McComb admitted that negative people were kept off the committee. He said he could only assume that the selection process started out with almost all positive people selected. At the first meeting, which was to discuss very serious issues for our community, members decided to engage in animated and lively discussion only when someone suggested having a Name-the-Amphitheater contest and someone else said they made a few extra bucks off the concerts last year. The committee invited him to a meeting and asked him to speak. Once the meeting was over, one of the members approached Ms. Jan Cannon and asked her if there wasn't something she could do to control them. In regard to the telephone survey, if it is correct, are we willing to write off six to eight thousand members of this community for their business venture? Also, in reference to the Mayor's Advisory Committee - when they found out that they did not have total autonomy over this decision, they picked up their marbles and went home. Sometime later they got back together and Council allocated \$8,000 for a sound survey that this committee said was vital and necessary to make a valid and real decision and recommendation. Twenty-four hours after the money was allocated, the committee met and voted. There was certainly not enough time to receive a sound survey. The same committee challenged their own police chief. When he said we need three more officers, they put him against the word of out-of-towner's. He said he wasn't going to say that these weren't good salesmen and that they didn't have a good product. The M-1 tank is a good product, but, no one would want one parked in their garage.
16. Ms. Gail Henderson, Suann Ave. - was basically against the amphitheater. She said she was a professional musician and she wasn't against the music and not against performance areas for music, its just that she didn't want a venue where you have neighborhoods with children in the area and possible crime to worry about. Her husband is a police officer and she indicated that he was very concerned about the crime aspect. Also, as a professional musician she said you don't ask the performers how loud its going to be. These people have been standing in front of loud speakers for their entire careers and are partially deaf. You don't ask them what kind of sound levels to use.
17. Mrs. Pache, Demorest Rd. - voiced her concern about the traffic and noise. She indicated that she was against the proposed amphitheater. She said they had to put up with the urination by her property, the noise and trash. She feels that this side of town has had its share and suggested they move it to another section of town.
18. Ms. Jan Cannon, Juniper St. - stated she was a member of the Mayor's Advisory Committee. She said she felt that the question regarding the amphitheater on the telephone survey was slanted by not mentioning that there were residents that lived right next to the proposed venue. The question has always been - Why do we want this in our City? There are several topics of concern: noise, traffic, parking, police, security, alcohol consumption, the performers on the schedule, the actions of the concert-goer's, and how much money it will cost Grove City to have such a facility. Many of us have lived through Capital Music and know of these

problems. Noise cannot be contained; parking is proposed to cost \$5.00 and why pay when you can park in the residential areas close by; some businesses may have increased sales, but, others have lost money; the police chief has stated that additional officers would be necessary. Lets face it - this is going to be a 20,000 seat bar. People who have consumed alcohol will be coming out of the facility and driving on our streets and she doesn't want the moral liability of any alcohol related deaths. Also, the performers income tax was discussed at the committee meetings and they were told that it could not be collected. What is to be gained? What is to be lost? Will we make money or will we lose?

19. Ms. Frances Foreman, Demorest Rd. - simply opposed the amphitheater.

Mayor Stage interjected and brought up the issue of performers income tax. Mr. Behlen stated that the way it stands now, the City has to work with the performers themselves in order to receive the 2% tax. There are other ordinances that need to be reviewed and possibly adopted to correct this measure.

20. Mr. Michael Absten, Park St. - felt the main problem is safety. He said he doesn't have a problem with anyone making money or a profit. However, he does have a problem when making that money and knowing they will be hurting people in the process. He said that if this venture was not going to directly hurt people, he would buy stock in it. He said he had no problem with Beulah Park, but, this affected his family to the point of purchasing a hand gun to protect his family. Unfortunately, the way the law is, no matter what we try to do before hand, can't be done until later. Mr. Ruma is a good businessman and has tried to find problems and solve them. But, some things can't be stopped until they happen. Fortunately or unfortunately, law are the same. Sometimes you can't do anything to somebody until the hurt is already done and that includes physical harm to our children and family, property values, etc. He said some people say things happen and he agreed. Sometimes there is a fire, but, you don't put gas on it. This adds fuel to this community. With everyone he has talked to, here and in other cities, there are more negatives than positives. The important issue is the safety issue and you can't take care of it until someone is hurt. He doesn't want to see anyone hurt.

21. Mr. Jim Angus, Jade Ct. - spoke in favor of the amphitheater. He said that the aesthetic value you get from music is something you can't measure in terms of dollars. Feels Council has a task and the community has a task. He heard many people willingly accept Beulah Park. He said if he were here some 50 - 60 years ago he would have said no. He feels that there are three major problems in our world today those being alcohol addition, drug addiction and gambling. Yet, we support Beulah Park and football. He took a moment to personally thank Mr. Cotton for taking a 1/2 hour to listen to him one evening last week. The task that he sees is that there are some economic constraints that must be dealt with. We cannot foresee the potential aspects that this facility will hold 50 years from now. Feels society spends far too much time thinking about the negative and not the positive. He requested that Council think about the aesthetic value that will be gained by putting this in our community. Growth is not all bad, especially when our economy is so sluggish. He said he realizes that there may be some adverse conditions that the surrounding residents will have to live with, but, if Council sets the right standards, we can make the transition.

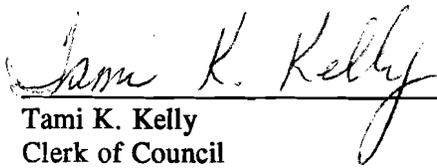
22. Mr. Brent Baily - felt that this was an exciting opportunity for Grove City. He had an opportunity to work at Capital Music Center and said that most of the concert goer's are decent, law abiding citizens.

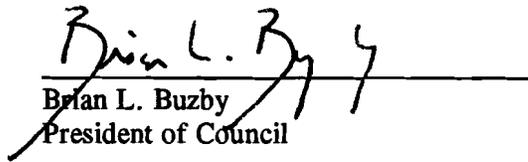
23. Mr. Charles Ruma wished to thank Council for taking the time and effort to hear this information. He felt that the Mayor's Committee did a good job and given sound recommendations. He hopes that he can meet these recommendations and feel that the residents of this community would like to see a successful facility. He said their task now is to take this information back and make a much improved situation.

President Buzby thanked everyone for their cooperation and input. This is the type of help Council needs to make these types of decisions.

At this time, President Buzby entertained a motion to adjourn. Motion carried.

Council adjourned at 10:30 p.m.


Tami K. Kelly
Clerk of Council


Brian L. Buzby
President of Council