

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

October 19, 1998

Regular Meeting

The regular meeting of Council was called to order by President Milovich 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 Steve Bennett Mike Milovich Arthur Eversman Chris Fulton

1. President Milovich recognized Mayor Grossman who, with the assistance of Mr. Jim Hale, Arts-In-The-Alley Parade Coordinator, announced and presented awards to the 1998 Parade Winners. They are:

People's Choice	Our Lady of Perpetual Help Church
Chamber Award	The Buckeye Ranch
Grand Marshall	Zacharies Restaurant
Mayor's Choice	Grove City Christian Church
Town Center	Girl Scouts

Mayor Grossman presented Mr. Jim Hale with a proclamation and a Grove City Sweatshirt for his many years as Chairman of the Parade. This is Mr. Hale's last year as Parade Coordinator and he was given a standing ovation for his outstanding efforts. Volunteering to put together the second largest parade in Central Ohio, since 1989, is to be commended.

2. Mr. Radi moved to dispense with the reading of the minutes for the previous meeting and approve as written; seconded by Mr. Eversman.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes

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

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

1. Ordinance C-66-98 (Approve the Rezoning of 32.892 acres located on Marlane Drive From IND-2 and SD-3 to PUD-I) was given its second reading and public hearing.

Mr. Paul McKnight, owner, was present to answer any questions.

Mayor Grossman commented that she looks forward to the development of this project. She feels this will be an outstanding addition to the City and goes in the direction of the City's desire to have office-type buildings.

Mr. Bennett asked if PUD Text would be submitted with the development plans. Mr. McKnight said yes.

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

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

2. Resolution CR-94-98 (Appeal the Decision of the Board of Zoning Appeals granting a Variance for a Home to be Built at 4285 Patzer Avenue) was given its reading and public hearing.

Mr. Brian Peters, property owner, was present.

Mr. Clark, Dir. of Law, advised Council to swear-in any speakers, since this is an Administrative Act by Council.

Mr. Bennett swore-in Mr. Peters and asked him if part of the agreement he had with the Board of Zoning Appeals was to push the house back ten (10) more feet to the west, from what is shown on the plan. Mr. Peters said yes. Mr. Bennett asked about the maintenance of the 25' extension of the road, which will be private property. He stated that it was his understanding the Mr. Peters has agreed to allow the City to go on to this extension. Mr. Peters said yes. He explained that there was a concern about snow removal and there will be about seven feet beyond his driveway for the City to be able to push/stockpile the snow. Mr. Bennett asked if he had agreed to continue the curb and gutter around the entire paved extension to City specifications. Mr. Peters said yes. Mr. Bennett asked if the sidewalk would be extended. Mr. Peters said yes. Mr. Bennett commented that they did look at trying to rotate the home on the lot and it doesn't appear to be a viable solution. However, he would still like Mr. Peters to review this again and take every consideration to make this look more like a cul-de-sac area. Mr. Radi asked how the front door will line up, in relation to the home to the north. Mr. Peters explained that it will be along the front edge line of the northern property.

Mr. Harold DeWeese, appellant, was sworn-in. He stated that this is not a vendetta, he is simply concerned about the location of the house. This is an old, established neighborhood. It has curb, gutter and sidewalks. The existing homes have a ten foot easement from the sidewalk and a thirty foot setback from there. If this new home is pushed back an additional ten feet, how far would it protrude into that 30' setback. Mr. Bennett explained that the setback for this particular property starts from the edge of the existing road. Mr. DeWeese disagreed. He feels it should begin like the rest of the street. Mr. Bennett asked Mike Boso (Chief Bldg. Official) to explain the determination of the setback. Mr. Boso stated that the setback is determined from the right-of-way. In Mr. Peters' case, it is a unique situation. Mr. Clark (Dir. of Law) used the drawing (from the BZA application) to show Mr. DeWeese, and anyone else interested, the difference. Mr. Clark stated that he was of the understanding that the house was designed and placed on the lot to try and give a more cul-de-sac look to the street.

Mr. Eversman asked if the sidewalk will be extended at all. Mr. Peters said it would be extended up to his driveway, which is approximately three (3) feet. Mr. DeWeese commented that if the sidewalk was extended all the way across the front of the property, it wouldn't look so bad. In addition, there is no allowance for parking of guests and the current property owners just to the north won't be able to back out of their driveway without backing on to this private property. Mr. Chuck Boso, City Administrator, asked how they get out of their driveway now and it was explained that they back into the grass.

Mr. Roger Evans, Patzer Ave., was sworn-in and explained that his home is catty-corner to this new lot. He said he has no animosity toward Mr. Peters or his family. When his family first moved into their home, there were many children on the street and they played in "Billman Park". He said he knew that someday, it would be sold. He said his only objection to Mr. Peters building a home there is the way the house would sit. He would like to see it aligned with the rest of the homes on the street. For merely retaining the aesthetic value of the street, he is concerned that extending the street by 25 feet may not be enough. He asked if this extension would be City property or private property. He feels the City should take back the property they gave to Mr. Billman, several years ago, and extend the street, curbing and sidewalks to the fence. He is not opposed to a home being built. He is opposed to granting a 70' variance on the position of the home. He asked that Mr. Peters reconsider the alignment of the home and asked that it stay in line with the position of the other homes on the street.

Mr. Radi commented that he and Mr. Eversman inquired into the cost of extending Patzer Avenue 100 feet and it was estimated that the cost would be \$32,544.00, which includes curbs, gutters and sidewalks.

Mr. Eversman commented that this is a tough situation. There is no right or wrong. He would like to see more thought given to the options that can be obtained to keep everyone happy. He said he would like to see Mr. Peters request a two week postponement so that other options could be explored. Mr. Peters stated that he has been working with the City from the beginning. He designed the home that is practical for his family and would flow with the street. He has contracted with a builder and it is really causing a hardship not to have a decision.

Mr. Radi voiced his concern over the private property situation at the south end of Patzer Ave. Property owners should have the ability to pull out of their driveways and travel north on Patzer Ave. without trespassing. Is there anything to prevent a fence from being put up? Mr. Clark stated that this problems exists now. A fence could not be put up because it would be in the setback.

Mr. Bennett read the Draft minutes from the Board of Zoning Appeals meeting on this issue. He commented that the fact is, this lot configuration is different. Patzer Avenue stops and the property to the south becomes a lot. The setback line is established from a different point than the rest of the street.

Mr. Fulton commented that although he understands that the BZA Minutes are just in DRAFT form, the stipulations therein are somewhat confusing and asked Mr. Clark if they should wait to vote until the minutes are approved, so that they would have a definite set of stipulations. Mr. Clark stated that Council may modify the decision of the BZA and suggested that Council entertain the thought of amending the Resolution to do so with its own stipulation for clarity.

President Milovich moved to amend Section 1 to read: *This Council hereby affirms the decision of the Board of Zoning Appeals and the variance granted for allowing a home to be built at 4285 Patzer Avenue with the following, additional, stipulation: 1. The setback, from the east property line, shall be 30 feet.*; seconded by Mr. Bennett.

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

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

Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

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

1. Resolution CR-95-98 (Authorize the Mayor to enter into an Agreement with The South-Western City School District for the Big Splash at Evans Park) was given its reading and public hearing.

Mayor Grossman commented that this is an Agreement that sets forth the stipulations and arrangements made with South-Western City Schools regarding the construction of The Big Splash at Evans Park.

There being no additional questions or concerns, Mr. Fulton moved it be approved; seconded by President Milovich.

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

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

1. Ordinance C-80-98 (Repeal Certain Chapters of Part 7 of the Codified Ordinances of Grove City, Ohio, titled Business Regulations) was given its first reading. Second reading and public hearing will be held on November 2, 1998.

Mr. Eversman commented that upon reviewing these Sections he feels that they have outlived their usefulness and after reviewing them with Council, the Administration and Chief McKean, he recommended their removal. Mr. Chuck Boso concurred and commented that it is long overdue.

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

1. Ordinance C-75-98 (Appropriate \$2,260.00 from the Community Environment Fund for the Current Expense associated with the 1998 Fall Tree Sale) was given its second reading and public hearing.

Mr. Eversman explained that this is money collected for street trees that will be purchased and planted in the Spring.

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

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes

2. Ordinance C-76-98 (Appropriate \$3,000.00 from the Enforcement and Education Fund for Current Expenses) was given its second reading and public hearing.

Mr. Eversman explained that this is grant money that must be used for the specific use of police enforcement and education and will be placed in a fund for such a specific use.

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

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

3. Ordinance C-77-98 (Appropriate \$8,000.00 from the DARE Fund for Current Program Expenses) was given its second reading and public hearing.

Mr. Eversman explained that this is money that was received through fundraising efforts for the DARE program.

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

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

4. Ordinance C-78-98 (Appropriate \$5,000.00 from the Senior Nutrition Fund for Current Expenses) was given its second reading and public hearing.

Mr. Eversman explained that this is from fundraising efforts to support the Meals-On-Wheels program.

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

Mr. Eversman	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

5. Ordinance C-79-98 (Appropriate \$714.89 from the Seeds Road Project Fund for the Current Expense of Project Costs) was given its second reading and public hearing.

Mr. Eversman explained that this is an accounting, housekeeping chore.

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

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

6. Ordinance C-81-98 (Appropriate \$55,399.67 from the Sewer Fund for the Current Expense of Reimbursing the City of Columbus for Tap Fees Collected) was given its first reading. Second reading and public hearing will be held on November 02, 1998.
7. Ordinance C-82-98 (Establish the Big Splash Pool Fund and Appropriate \$420,000 from Said Fund for the Current Expense of Pool Construction) was given its first reading. Second reading and public hearing will be held on November 02, 1998.
8. Ordinance C-83-98 (Direct the Certification to the County Auditor of the Expense for Cutting Weeds on Private Property) was given its first reading. Second reading and public hearing will be held on November 02, 1998.

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

1. Mr. Harold DeWeese, Patzer Ave., commented that at the last Council meeting he submitted a petition requesting that street lights be installed on Patzer Avenue to aid in the safety of the children walking to and from school. He asked if anything had been done in the past two weeks.

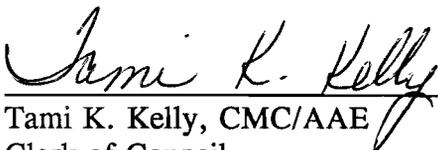
President Milovich commented that after the last Council meeting, he and Mr. Blackburn spoke with Mr. DeWeese to discuss the possibility of placing lights on the street and he asked Mr.

Blackburn to contact American Electric Power to see if additional lights could be added to the existing lights on the street. In addition to that, they have followed through with a comment that if there is street lighting needed on a road that has children traveling on it, due to split-sessions, there may be other streets in our community that have a similar situation. Mr. Blackburn will be contacting A.E.P. to see if they can conduct a study on all the streets in the traffic patterns for our schools. Mr. DeWeese asked if they will put in new telephone poles. President Milovich stated that Mr. Blackburn has not heard from A.E.P. yet.

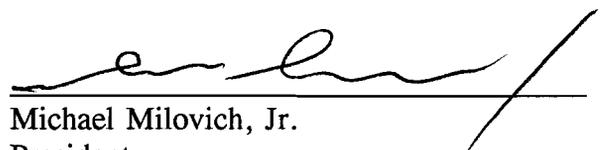
There being no New Business, the Chair recognized members of Administration and Council for closing comments.

1. Mayor Grossman announced that a meeting will be held on Tuesday, October 27, 1998 to review the Lotz Addition stormwater report; a meeting has been scheduled for Monday, October 26, 1998 to get input on water problems for the west side - Grants Addition to Beulah. Both will be held in Council Chambers at 7:00 p.m. She announced that Nationwide Insurance will be locating 800 jobs in Grove City, making them the third largest employer in the city. Graeter's Ice Cream is scheduled to open on October 28, 1998. She voiced much pleasure on the Professional Park Maverick Builders is developing on Marlane Drive. She announced that Household Hazardous Waste Day will be October 31 and November 1, 1998 at the Broadway Shopping Center on Broadway.
2. Council congratulated Mr. Jim Hale on his volunteer efforts with the Art-In-The-Alley Parade. It is truly a yeoman's job. Mr. Radi reminded everyone of the Ward 1 meeting on October 26, 1998 at 7:00 p.m. It will focus on the water problems in his ward, specifically the Grants Addition to Beulah. He encouraged everyone to attend, as they are looking for resident input. He also commented that election day is in two weeks. Our most precious commodity are our children and he encouraged everyone to learn as much as possible about the issues and go vote.
3. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:15 p.m.



Tami K. Kelly, CMC/AAE
Clerk of Council



Michael Milovich, Jr.
President