

CITY OF GROVE CITY, OHIO  
COUNCIL MINUTES

November 17, 1997

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 Budd Eversman Bruce Faris*

1. President Milovich recognized Boy Scout Troop 136, who is attending tonight to fulfill requirements to obtain their "Communications Merit Badge", and their Assistant Scout Master - Mr. Otto Tennant.

He then recognized the Mayor for two presentations. Mayor Grossman presented Tigerpoly with a plaque for their 10th Anniversary. She then presented Mrs. Laura Bennett, G.C. resident, with a proclamation for being named the 1997 Ohio Mother of the Year and one recognizing the week of November 25, 1997 as National Week of Prayer.

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

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes

**The Chair recognized Mr. Faris, Chairman for the Lands Committee, for discussion and voting of items under said committee.**

1. Ordinance C-56-97 (Approve the rezoning of 4326 Broadway from IND-1 to PUD-C) was given its second reading and public hearing.

Mr. James Schnaudt, petitioner, was present to answer any questions. There being none, Mr. Faris moved it be approved; seconded by President Milovich.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes

2. Ordinance C-57-97 (Approve a Special Use Permit for Auto Repair Services located at 4326 Broadway) was given its second reading and public hearing.

Mr. Faris read the stipulations set forth by Planning Commission and Mr. Schnaudt agreed to them. Mr. Faris pointed out that the signage on the submitted drawing is higher than the Code allows and this approval does not include the signage. In addition, this Special Use Permit will be reviewed

in one year to make sure all stipulations have been adhered to. Mr. Schnaudt displayed understanding of this. Mr. Bennett asked if a specific color had been chosen for painting the building. Mr. Schnaudt said the bottom will stay the same for a while and the top will be light grey or white. Mr. Bennett asked when he anticipated painting the bottom. Mr. Schnaudt said it would probably be two years and he would paint it the same, light grey.

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

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

3. Ordinance C-69-97 (Accept the annexation of 1.010 acres located on White Road, to the City of Grove City) was given its first reading. Second reading and public hearing will be held on December 01, 1997.
4. Ordinance C-70-97 (Approve a Special Use Permit for Wendy's/Tim Horton's Restaurant located on Broadway) was given its first reading. Second reading and public hearing will be held on December 01, 1997.

Mr. Mike Moriarty, representative of Wendy's, was present.

5. Ordinance C-71-97 (Approve the rezoning of 0.895 acres located South of 3756 Hoover Road from IND-1 to CF) was given its first reading. Second reading and public hearing will be held on January 05, 1998.

Mr. Mike Lilly, Township Administrator, was present. He explained that there is an approximate 60' strip of land, just south of the Administration Building, that was deeded to the Township from the City. It is zoned IND-1, as it was a remainder piece from Pizzuti Development. They are requesting it be rezoned to Community Facility (CF), so it will be compatible with the rest of the Township property. In addition, they wish to construct a storage building towards the rear. With the industrial zoning, the building setback line is 100' and since it is only 60' wide, that makes it undevelopable. With the CF zoning, the building setback line is 30'.

6. Ordinance C-72-97 (Change the name of a portion of Great Hunter Drive to Wild Horse Drive) was given its first reading. Second reading and public hearing will be held on December 01, 1997.
7. Resolution CR-75-97 (Approve the Final Development Plan for SprintCom, Inc. located at 3728 Hoover Road) was given its reading and public hearing.

Mr. Thomas Gorham, representing SprintCom, was present to answer any questions. Mr. Faris read the stipulations set forth by Planning Commission and Mr. Gorham agreed to them. Mr. Faris asked if he had a color rendering of the tower. Mr. Gorham said he didn't have a rendering, but, showed a picture of a similar tower. He explained that it would be a 120' monopole tower with antenna's on top. On the ground, there would be associated radio equipment, roughly four feet tall. It will be enclosed by a fence and landscaped. He noted that they did receive a Variance on the landscaping to allow existing trees to remain. He said the pole will be painted whatever color the

City would like. It is galvanized steel and if left unpainted, will turn grayish with time - which they have found blends in with the surroundings very well. Mr. Faris asked if another service could coexist in this pole. Mr. Gorham said yes. It is designed to hold two carriers and the second carrier would go 20' below the SprintCom antenna's. He explained the need for towers' ability to see each other so they can talk to one another, which determines the locations. Construction will take approximately two weeks and, although they will need 24 hour access, service to the site should only occur once a month. Mr. Faris asked, of their 88 sites, how many were within 250' of a residential neighborhood. Mr. Gorham said approximately 50%. He said they tried to stay away from residential, but, there wasn't an existing building high enough in Grove City to attach to. Mr. Faris asked what Phase Two would be. Mr. Gorham said typically, this would be to extend the system outward to outlying areas. It is unknown, at this time, if this will be necessary. Mr. Faris asked how far out they would go. Mr. Gorham said they would review the system and probably put three to four miles between poles. Mr. Radi asked if any other sites were looked at in Grove City. Mr. Gorham explained that he was not directly involved in the site acquisition, but, typically, there are three sites given to review. Mr. Faris commented that there was a balloon test done and asked for further detail. Mr. Hamons, Dir. of Development, stated that about three months ago, a balloon 4 - 5' in diameter was put up 120' on this site and then viewed from all angles. This was also done at a potential location on McDowell Road by McKnight & Assoc. Mr. Hamons said it was the Administration's opinion that the McDowell Road site was more visible than the one on Hoover Road.

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

Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	No
Mr. Bennett	Yes
Mr. Milovich	Yes

8. Resolution CR-76-97 (Authorize the Administrative Assistant to enter into a Lease Contract with SprintCom, Inc.) was given its reading and public hearing.

Mr. Hamons explained that some of the details within the Lease Agreement are still being worked out, however, the first year's payment will be \$12,000.00 and will increase 4% each year thereafter. In total, it will generate a little under \$500,000.00 over the 25 year period. In addition, the City would receive, one-third of the cost charged to a second carrier on this pole. Mr. Faris noted that the money received would be placed in the Community Development Fund.

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

Mr. Faris	Yes
Mr. Radi	No
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

9. Resolution CR-77-97 (Approve the Final Development Plan for Ernie's Carryout Addition located at 4340 Broadway) was given its reading and public hearing.

Mr. Paul McClellan, representing Ernie's, was present to answer any questions. Mr. Faris read the stipulations and moved it be approved; seconded by Mr. Radi.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes

10. Resolution CR-78-97 (Approve the Final Development Plan for Wendy's/Tim Horton's Restaurant located on Broadway) was given its reading and public hearing.

Mr. Moriarty, Wendy's, was present to answer any questions. Mr. Faris read the stipulations and Mr. Moriarty agreed to them. He also showed a color rendering of the restaurant, noting that the only difference is that the red tile shown in the rendering will be a teal color - showing a tile painted the correct color. Mr. Faris confirmed that the landscaping met Code, through Mr. Lathrop (Urban Forester). Mr. Eversman asked if the connection between the end of Farmbank Way and their site would be constructed by Wendy's. Mr. Moriarty said no. It is the property owner's responsibility.

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

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes

11. Resolution CR-79-97 (Approve the Final Development Plan for Jackson Township Storage Building located at 3756 Hoover Road) was given its reading and public hearing.

Mr. Mike Lilly, J.T. Administrator, was present to answer any questions. Mr. Faris read the stipulations and Mr. Lilly agreed to them. Mr. Faris asked if the landscaping met Code. Mr. Lathrop indicated that the Code does not address CF districts. Mr. Faris asked if that was true for incompatible districts. Mr. Lathrop said it was not evaluated in that sense and it is hard to do so because their landscape plan was submitted in textual format rather than a drawing. Mr. Faris voiced concern over this and suggested that a plan be submitted for the landscaping. He asked Mr. Lilly what kind of time frame they were under. Mr. Lilly stated that they had some time, due to the rezoning question needing to be completed. Mr. Faris suggested that this be postponed and a landscape plan submitted for review before it was brought back to Council for a vote. Mr. Lilly agreed.

There being no additional questions or comments, Mr. Faris moved it be postponed until January 5, 1998; seconded by Mr. Bennett.

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes
Mr. Bennett	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-58-97 (Amend Chapter 1136 of the Codified Ordinances of Grove City, titled Landscaping and declare an emergency) was given its second reading and public hearing.

Mr. Lathrop pointed out some of the significant amendments, such as requiring the Developer to make a deposit for street trees and allowing the City to purchase and plant them. This will provide a better quality tree and ensure planting at an optimum time of the year. It, also, reduced the size of a tree, in some cases. There is a new requirement to landscape around retention ponds and the inspection procedures for preserving wooded lots was spelled out in better detail. Mr. Radi said this cleans up some issues and addresses others that were previously not addressed. Mr. Faris noted that there were a few suggested amendments to this ordinance and asked Mr. Lathrop to review them. Mr. Lathrop said in 1136.10 (a)(b) & (e) it is requested that verbiage be added to address signage for preservation areas. Typically, they find contractors are not aware of what area is to be preserved. Signage would make this more clear. In Section 1136.10, it is requested that an addition to allow for credit to be given in certain instances for existing wooded areas. As an example, he referred to SprintCom, where there is an existing, good, tree line that would have to be removed in order to replant trees and it was felt that consideration should be given to these instances.

Mr. Eversman noted that this Code Section was replaced in March, 1996, and he feels it is overly expensive for small businesses to comply. However, the changes made in this ordinance will ease that expense. He feels this should continue to be reviewed, specifically the planting islands in parking lots. Mr. Lathrop commented that he looked at the old Code and those planting islands were determined by a percentage of the size of the parking area. The new Code bases this on the number of parking spaces and when you work this out, the calculations virtually stay the same. Mr. Eversman said he is more concerned about the specificity of the placement of the islands, which may cause some maintenance problems, rather than the amount of ground coverage. Mr. Faris pointed out that even though some of the tree sizes were reduced, the City will not suffer. What this will do is allow the tree to grow faster, due to less shock to the root ball when transplanted. President Milovich stated that attention was given to not reduce the number of trees planted in larger parking lots. From a safety standpoint, he feels that these islands provide a safe zone for pedestrians and provides for the slowing of traffic. Mr. Bennett also commented that in his travels he has paid close attention to other community parking lots and this will be keeping in concert with what is taking place in development throughout the mid-west.

There being no other questions or comments, Mr. Radi moved that wherever the "Service Director or Urban Forester" is found, that it be amended to read *Service Director, his designee, or the Urban Forester*; seconded by President Milovich.

Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

Mr. Radi moved to amend Section 1135.10(a) to include the following: ". . . Signage shall be secured to the fencing every twenty feet (20'), shall be a minimum size of eight and one half inches (8-1/2") by eleven inches (11"), and shall include readable text stating *Preservation area, no*

*construction or encroachment permitted under Section 1136, City of Grove City*"; seconded by Mr. Faris.

Mr. Faris	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

Mr. Radi moved to amend Section 1135.10(b) to include the following: ". . . with fencing and signage . . ." and "Signage shall be secured to the fencing every twenty feet (20'), shall be a minimum size of eight and one half inches (8-1/2" by eleven inches (11"), and shall include readable text stating *Preservation area, no construction or encroachment permitted under Section 1136, City of Grove City*"; seconded by President Milovich.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes

Mr. Radi moved to add (e) to Section 1135.10 to read: "Credit for Preserving Existing Woods. In perimeter and interior use areas where Council has determined that the strict application of this section would require the removal of trees to plant the required landscaping, such required landscaping may be omitted. Preserved woods deemed eligible for credit shall be healthy and of such quality as is acceptable to the Service Director, his designee, or the Urban Forester. In order to maintain the trees within the woods, one hundred percent (100%) of the ground area under and within the drip line of the trees shall be protected from construction damage with fencing and signage, undisturbed (except for removal of trash) and preserved in it's natural state. Signage shall be secured to the fencing every twenty feet (20'), shall be a minimum size of eight and one half inches (8'1/2") by eleven inches (11") and shall include readable test stating *Preservation area, no construction or encroachment permitted under Section 1136, City of Grove City*"; seconded by President Milovich.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes

Mr. Radi moved that the Rules of Council be suspended and the waiting period waived; seconded by President Milovich.

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

Mr. Radi moved this ordinance be approved as an emergency measure, as amended; seconded by Mr. Faris.

Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

2. Ordinance C-64-97 (Amend Chapter 723 of the Codified Ordinances of Grove City, Ohio titled Taxicabs, and its Rules and Regulations) was given its second reading and public hearing.

Mr. Boso, City Administrator, explained that these changes would mirror Columbus with one exception - licensing of a driver will be more strict, in that if convicted of certain crimes (i.e., rape, sexual battery, corruption of a minor, sexual imposition) a license would never be approved.

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

Mr. Faris	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

3. Ordinance C-65-97 (Amend Chapter 1101.07(a) of the Codified Ordinances of Grove City, Ohio titled Submission Procedures) was given its second reading and public hearing.

Mr. Radi explained that this will increase the number of plans to be submitted to Planning Commission and amends the time frame in which to get them submitted.

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

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes

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

1. Ordinance C-66-97 (Appropriate \$1,169.00 from the Drug Law Enforcement Fund for Current Expenses) was given its second reading and public hearing and Mr. Bennett moved it be approved; seconded by Mr. Faris.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes

2. Ordinance C-67-97 (Appropriate \$6,000.00 from the Senior Nutrition Fund for Current Expenses) was given its second reading and public hearing and Mr. Bennett moved it be approved; seconded by Mr. Faris.

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

3. Ordinance C-68-97 (Direct the Certification to the County Auditor of the Expense for Cutting Weeds on Private Property) was given its second reading and public hearing.

Mr. Bennett explained that these are property owners who are being assessed for the cutting of weeds on their property. There being no additional questions or comments, Mr. Bennett moved it be approved; seconded by Mr. Faris.

Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

4. Ordinance C-73-97 (Amend Section 121.01(a) of the Codified Ordinances titled Council Salary) was given its first reading. Second reading and public hearing will be held on December 01, 1997.

Mr. Bennett explained that this will increase the salary of Council Members in two years time. It will bring the compensation in line with what surrounding communities of our size are currently being paid. Mr. Faris pointed out that the last increase took place in 1989 and when this goes into effect, it will be 10 years.

5. Resolution CR-80-97 (Accept the Amounts and Rates as determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor) was given its reading and public hearing.

Mr. Behlen explained that this will decrease the property tax to Grove City residents by .1%. Mayor Grossman pointed out that this is the seventh time in the past eight years that the City has been able to reduce the inside millage.

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

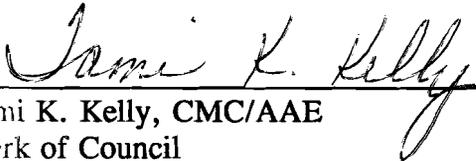
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

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

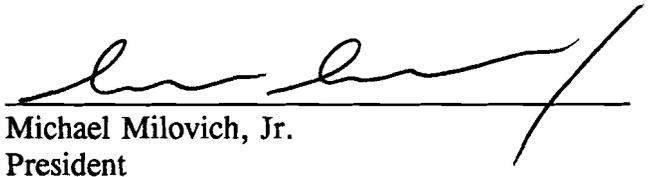
There being no new business, President Milovich recognized members of Administration and Council for closing comments.

1. Mayor Grossman noted that on page two of the Metro section in the Columbus Dispatch, there is an article about Grove City's new magistrate, Mike Miller. She is very pleased in securing such a qualified person for Mayor's Court. She announced the receipt of a check we were awarded through a grant from the Ohio Department of Natural Resources, to be used for the development of Fryer Park, in the amount of \$142,066.00. Last Friday, she attended the National Association of Industrial and Office Properties, 1997 Lifetime Achievement and Awards Program. During that, Pizzuti Development won the 1997 Outstanding General Investment/Development Award for SouthPark. She said this is an admirable award for them and reflects the efforts put forth by them and the City to determine that we have a very attractive and beneficial Industrial Park at SouthPark. She provided Council with an overview of all the new businesses that have located in Grove City in 1996-97.
2. Mr. Shannon Hamons, Dir. of Development, pointed out the City's new Advertising Display Unit that is used for conferences, etc. It was used for the first time last week and it received many nice comments from attendees.
3. Council congratulated Mrs. Bennett on her award and for upholding and promoting the spiritual and family values this community stands for. They recognized the Boy Scouts again and Mr. Faris noted that he is an Eagle Scout. He encouraged each of them to achieve this status, as it does help in the business world. That's how he got his first job. Mr. Bennett congratulated David Bristol on achieving his Eagle Scout award last week. They thanked Bob Lathrop and all those who worked so diligently on the Landscape revisions; and commended the Administration for continuing to reduce the inside millage. Tigerpoly was also congratulated on their ten year anniversary. President Milovich commented that reducing the inside millage comes from additional monies being received from the new businesses locating here, as roughly 65% of our income comes from Income Tax. He then announced that Council would hold its Organizational Meeting tomorrow, November 18, 1997 at 6:30 in the Council Conference Room.
4. 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