

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

November 18, 1996

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:

Todd Hurley Steve Bennett Mike Milovich Budd Eversman Bruce Faris

1. President Milovich recognized Mr. Robert Behlen, Director of Finance, for a presentation. Mr. Behlen's department is the spotlight for this council meeting and he explained that in 1958 the City approved a Charter, which implemented the Department of Finance and the responsibilities therein. The Director of Finance was a part-time position until 1976, when Mr. Charles Boso, Jr. was hired as the first full-time Finance Director. In 1980, Mr. Behlen succeeded Mr. Boso. The Department has successfully completed 16 years of auditing with no material findings and has received a Certificate of Achievement of Excellence in Financial Reporting from 1989 to the present. They work with other Departments in the City to secure more than 50% of outside funding for the Capital Improvement Program for the City. Over the last six years, this represents over 18 million dollars that has been put toward projects without being paid by the taxpayers. Currently, the Department is staffed by four (4) full-time employees and has four (4) divisions - taxation, accounting, risk management and information systems. The Division of Taxation is staffed by a contract with Bob Curtain. Mr. Curtain has 25 years of public service in Tax Administration. He has worked with the State of Ohio and City of Columbus, and has worked with Grove City since 1989. Under Mr. Curtain's surveillance, the City has recovered approximately 2.8 million dollars. The Division of Accounting is the core technology. Ms. Jackie Kincaid, who has over 27 years of experience in public finance and worked for this City for 10 years, is Mr. Behlen's direct assistant and oversees an Account Clerk II position, Kathy Urban. Kathy has 10 years of public finance and accounts payable/receivable. Ms. Kelly Reeves began with the City in 1993 in the Parks & Rec. Dept. and is a new member of the Finance staff. She completed her Associates Degree in accounting. The Division of Risk Management is the item that Mr. Behlen takes responsibility for. This includes budgetary items, debt service, contracts, grants, external audit, and reporting requirements. He also commented on the professional Code of Ethics that has to do with the personal standards of conduct, responsibilities as public officials, professional development, professional integrity and conflict of interest. It is his departments responsibility to maintain the public trust and as the Chief Financial Officer of this municipality, the liability for the efforts and conduct of the office is on him personally. Thus, he tends to take things quite seriously. He closed by introducing those members of his staff who were present (Kelly Reeves & Bob Curtain).

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

Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes

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

1. Ordinance C-86-96 (Approve a PSO Zoning Classification for 1.080 acres located at 4218 Hoover Road, upon its annexation) was given its second reading and public hearing.

Mr. Stanley Norris, contingent property owner, stated that he didn't have any objection to the rezoning, but, voiced concern over paving of the front yard and, more importantly, he didn't want a large sign like the property directly to the north, which shines in their bedroom at night and is quite bright. He said he was told that paving of the front yard would probably not occur and that the max. sign allowed would be 50 sq. ft. As long as a discrete sign is put in, they won't object.

Mr. Michael Brandt, attorney representing owner, commented that they did meet with Mr. & Mrs. Norris and stated that they would absolutely not have parking in the front. They will also work within the guidelines of the Grove City Sign Code and the concerns of Mr. & Mrs. Norris. President Milovich asked Mr. Hamons to explain the new Sign Code. Mr. Hamons stated that the new Sign Code requires a sign that is significantly less than the one directly to the north of this property. President Milovich stated that not only did it decrease the square footage, but, also the height. Mr. Hamons said yes, the maximum height is eight feet. Mr. Hurley explained that this ordinance determines the zoning classification for the property upon its annexation and the next ordinance will actually accept the annexation of the property to the City.

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

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Hurley	Yes

2. Ordinance C-84-96 (Accept the Annexation of 1.080 acres located east of Hoover Road and south of Old Stringtown Road) was given its second reading and public hearing and Mr. Hurley moved it be approved; seconded by Mr. Bennett.

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes

3. Ordinance C-93-96 (Approve a Special Use Permit for a Drive-Thru Window for Dairy Mart located South of State Route 665 and East of I-71) was given its second reading and public hearing and Mr. Hurley moved it be approved; seconded by President Milovich.

Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

4. Ordinance C-94-96 (Approve a Special Use Permit for a Drive-Thru Window for Wendy's Restaurant located South of State Route 665 and East of I-71) was given its second reading and public hearing and Mr. Hurley moved it be approved; seconded by Mr. Faris.

Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

5. Resolution CR-66-96 (Approve the Sign request for Huntington National Bank located at 3378 Park Street in the Historical Preservation Area) was given its reading and public hearing.

Mr. Hurley explained that a letter from Artglo, sign company representing Huntington, was received at 4:37 p.m. today informing Council that they did not wish to pursue a portion of the signage. Due to the late arrival of this correspondence and some questions concerning this, Mr. Hurley moved to postpone this resolution until December 2, 1996; seconded by President Milovich.

Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes

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

1. Ordinance C-97-96 (Vacate a 0.965 acre tract being the previous location of Seeds Road and a 1.260 acre Roadway Easement) was given its first reading. Second reading and public hearing will be held on December 02, 1996.

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

1. Ordinance C-90-96 (Levy Special Assessments for the construction of Various Sidewalks in the City of Grove City) was given its second reading and public hearing.

Mr. Scott Golden, Brookgrove Dr., commented that he has filed a written objection to his assessment and even though he received a letter from the Clerk of Council explaining this, he believes that an error made by a City employee should make them liable, when they based their decision upon that erroneous information. He feels that the amount stated in Mr. Blackburn's letter should be the assessed amount.

Mr. Bennett asked if Mr. Golden has any bids from other contractors. Mr. Golden said they did get prices from other contractors, but, once they received Mr. Blackburn's letter stating what the assessment would be, and not an "estimate", they decided to allow the City to put in the sidewalks. He went through the chronological order of events, beginning with the first notice from the Clerk of Council, which he did check on and was explained to be an estimate. He said he understands that errors are made, but, he doesn't feel that they should be penalized for a city employee's

mistake. Mr. Faris asked what the original estimate was. Mr. Golden said \$1,444.00, but, in May he received the letter from Mr. Blackburn stating that the assessment would be \$740.00 and was provided with approximately 60 days to choose again. Mr. Bennett explained that the letter from the Service Dept. reflected the actual cost for construction, but, did not include the engineering costs. He realizes it may be semantics, but, the second letter did provide the actual cost for construction. It just didn't give a correct picture of what the total cost would be.

Mrs. Rice also commented that she feels they should not be held liable for the difference. Mr. Clark, Dir. of Law, explained that many meetings have been held on this and we are all aware of the letter sent by Mr. Blackburn, however, according to State Law, the City's Consulting Engineer holds the authority to certify the actual costs. The residents were notified that there was a mistake with Mr. Blackburn's letter and we have bent over backwards to make sure proper frontages were assessed. It's unfortunate that a mistake was made, however, according to State and City Code, we have followed the correct procedure in certifying these assessments and he recommended that Council approve it as submitted. Mr. Golden stated that if the Engineer is the authority, then all the correspondence should have been sent out by him. President Milovich asked Mr. Clark if it was his understanding that the original estimates, which were on file for viewing in the Clerk of Council's office, were higher than the final cost estimates, before them today. Mr. Clark stated that the original estimates were substantially higher. President Milovich then summarized that the original assessments were made available; then the letter was sent giving an amount which reflected the actual contractor's amount; and finally the engineer certified the final cost which included engineering fees and other associated costs necessary to make this a successful project. So, the numbers that are shown on the Contract Assessment Totals are significantly less than those posted in October, 1993. Mrs. Rice said she did not have an amount in 1993, she only has the amount from 1994. Mr. Behlen explained that the procedure, under State Law, provides for the Estimates to be filed with the Clerk of Council and she is to notify the property owners that they are available for inspection. This was done and certification cards are on file. President Milovich stated that the Notice was an opportunity for the City to communicate, more directly, with those involved.

Mr. Faris asked, at what point did the home owners have an opportunity to procure their own contractor. Mr. Behlen stated after the first notice of assessment. Mr. Faris asked how long they had to obtain a contractor. Ms. Kelly indicated that property owners were afforded 30 days from the date the Notice was received to notify the City if they were going to construct the sidewalks themselves. Mr. Faris said that by May, 1994, they had no option. Ms. Kelly said, by State Law, that was correct. Mr. Golden commented that the letter sent by Mr. Blackburn offered a second opportunity, until June, 1994, to decide. Mr. Faris said he understands the confusion, however, the Notice in October provided you with the opportunity and after 30 days the time was up. The letter sent on May 3, was not applicable to the situation. The consulting engineer has certified the actual, total cost and he looks at this as the cost each property owner owes. It is the cost that any other homeowner in Grove City would be assessed.

There being no additional questions or comments, Mr. Bennett moved that Section 1 of the Ordinance be amended to reflect the correct total amount of \$80,383.24; seconded by President Milovich.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Hurley	Yes

Mr. Bennett moved it be approved, as amended; seconded by President Milovich.

Mr. Milovich	Yes
Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes

2. Ordinance C-92-96 (Authorize the Administrative Assistant to Advertise for Bids and Sell Park Land located in the Meadow Grove Area No Longer Needed by the City) was given its second reading and public hearing.

Ms. Tina Dillion, Cloverleaf Ct., commented that they did receive a letter from President Milovich informing them that he and Mr. Faris would be available this coming Saturday to discuss the residents concerns and she wanted to thank them for taking this time.

Mr. Bennett moved to postpone this Ordinance to 12/16/96; seconded by President Milovich.

Mr. Eversman	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

3. Ordinance C-95-96 (Appropriate \$22,183.45 from the Sewer Fund for the Current Expense of Reimbursing the City of Columbus for Tap Fees Collected) was given its second reading & public hearing.

Mr. Bennett explained that the City has a contract with the City of Columbus that requires Grove City to collect and remit a portion of sewer tap fees to Columbus and the City has received \$22,183.45 for the third quarter of 1996. It is necessary for the Council to appropriate these monies before this required payment can be made.

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

Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Eversman	Yes

4. Ordinance C-98-96 (Provide for submission to the Electors of the City of Grove City at the Special Election to be held March 19, 1997 of an Ordinance Amending Sections 191.02, 191.15 and 191.17 of the Codified Ordinances of the City so as to Increase the City Income Tax from 2.00% to a rate of 2.25% for Parks & Recreation purposes) was given its first reading. Second reading and public hearing will be held on December 2, 1996.

Mr. Behlen briefly explained that State Law allows the City to go to the voters to increase income tax over 1%. According to a survey taken in the City, a Recreation Center was shown as a high

priority. Additionally, the survey discussed financing a Recreation Center and it was determined that an income tax increase was the most desirable. Passage of this ordinance will allow the Board of Elections to place the question of raising the income tax from 2.0% to 2.25% before the voters. This would generate roughly \$100.00 per household and would be restricted to financing this and other Parks & Rec. facilities. Mr. Bennett asked if this would be taken from gross or net income. Mr. Behlen said gross. Mayor Grossman elaborated on the survey citing 81% favored a recreation center and 71% favored an 0.25% income tax increase. She commented that this is a subject that has been discussed for many years and she feels that this is the direction to take, at this time.

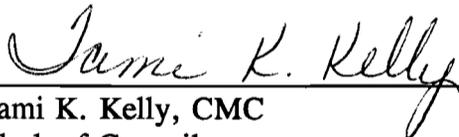
5. Ordinance C-99-96 (Direct the Certification to the County auditor of Various Expenses for Collection by Assessment) was given its first reading. Second reading and public hearing will be held on December 2, 1996.

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

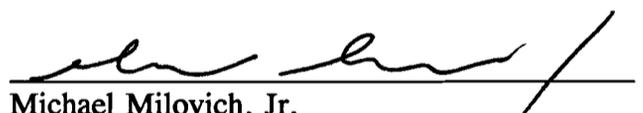
There being no new business, President Milovich recognized members of Administration and Council for closing comments.

1. Mayor Grossman expressed appreciation for allowing to be a part of the Veterans Day Celebration. Additionally, last Saturday was a monumental event in the City as she took part in the Ribbon Cutting for the Stringtown Road Bridge Dedication. She said this was started 12 years ago, under Mayor "Ike" Stage and the Administration of that time. This was a 4.1 million dollar project and the City's portion was only \$400,000.00. She said this certainly speaks well of our success in obtaining grants. She also announced that on Wednesday, November 20, 1996 at 7:30 p.m. the Police Department will be hosting a Domestic Violence Panel Discussion. She will be joined by Ann Murray, Det. Terri Russlander and Chief McKean. She encouraged everyone interested to attend. Finally, she announced the Holiday Celebration in the Town Center for Dec. 6, 1996.
2. President Milovich expressed his thanks for being a part of the Veterans Day Celebration. He also commented that there are a lot of long term projects in our City that Mr. Boso has been a part of making sure they are followed through on. He has been the cohesive unit from Administration to Administration and thanked him for his efforts with the Stringtown Road Bridge.
3. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:02 p.m.



Tami K. Kelly, CMC
Clerk of Council



Michael Milovich, Jr.
President