

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

November 20, 1995

Regular Meeting

The regular meeting of Council was called to order by President Grossman at 8:00 p.m. in the Council Chamber, City Hall, 4035 Broadway.

After a moment of silent prayer and the Pledge of Allegiance, roll was called and the following members were present:

Mike Milovich Todd Hurley Cheryl Grossman Jeff Warner

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

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

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

1. Ordinance C-74-95 (Accept annexation of 9.825 acres located east of Hoover Road & north of Orders Road (Elks, Lodge 37)) was given its first reading. Second reading and public hearing will be held on December 18, 1995.
2. Ordinance C-75-95 (Accept annexation of 26.217 acres located north of Stringtown Road (Thistlewood)) was given its first reading. Second reading and public hearing will be held on December 04, 1995.
3. Ordinance C-76-95 (Accept annexation of 15.3 acres located south of Stringtown Road and east of I-71 (Williard Kaiser)) was given its first reading. Second reading and public hearing will be held on January 16, 1996.
4. Mr. Hurley moved to add Ordinance C-82-95 to the agenda; seconded by Mr. Warner.

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

Ordinance C-82-95 (Vacate an unused easement located south of Stringtown Road (Mara Enterprises, Inc.)) was given its first reading.

Mr. Hurley explained that the easement was dedicated in the wrong place and Mr. Clark, Director of Law, noted that this will clear the way so an easement can be placed where the sanitary sewer line actually is.

Mr. Hurley moved that the Rules of Council be suspended and the waiting period waived; seconded by Mr. Warner.

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

There being no additional questions or comments, Mr. Hurley moved it be approved as an emergency measure; seconded by Mr. Warner.

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

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

1. Ordinance C-77-95 (Repeal and replace Chapter 719 titled Itinerant Vendors) was given its first reading. Second reading and public hearing will be held on December 04, 1995.
2. Ordinance C-81-95 (Repeal and replace Chapter 723 titled Taxicabs) was given its first reading. Second reading and public hearing will be held on December 04, 1995.

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

1. Ordinance C-71-95 (Appropriate \$32,749.00 from the Sewer Fund for the Current Expense of reimbursing the City of Columbus for Tap Fees collected) was given its second reading and public hearing.

Mr. Milovich 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. \$32,749.00 for the third quarter of 1995 has been received and it is necessary for the Council to appropriate these monies before this required payment can be made.

There being no further discussion, Mr. Milovich moved it be approved; seconded by Mr. Warner.

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

2. Ordinance C-73-95 (Appropriate \$18,409.00 from the General, Street, Water and Sewer Funds for the Current Expense of purchasing a Telephone System) was given its second reading and public hearing.

Mr. Milovich explained that the City, through the State of Ohio Cooperative Purchasing Agreement, has received quotes for a new telephone system and the Police Department has been upgraded to this system. The current telephone system at City Hall is six years old and at the Service Department is 12 years old and in order to facilitate a City Wide telephone system, this purchase is necessary.

Mr. Warner asked if the old system would be sold? Mr. Behlen stated that he felt it would be placed in the items not needed by the City and sold. Mr. Warner asked if the new system was expandable? Mr. Behlen said yes. He explained that we are currently paying for the "brains" of Centrex, but, because of the other portion of our phone system, we are not able to utilize all the features Centrex offers. This will enable us to get the most for our money.

There being no further discussion, Mr. Milovich moved it be approved; seconded by President Grossman.

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

3. Ordinance C-78-95 (Direct the Certification to the County Auditor of the Expense of Demolition on Private Property and declare an emergency) was given its first reading.

Mr. Milovich explained that the City has given notice to the owner of parcel 040-000067 that the structure on said parcel is unsafe pursuant to sections 103.11 and 103.1.3 of the Property Maintenance Code adopted by Ordinance C-26-94 and pursuant to Section 110.3, raised the structure and seeks to be reimbursed for its expenses as provided by this section. The Director of Finance, by the origination of this ordinance, certifies the expenses to be believed as \$2,800.00.

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

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

There being no further discussion, Mr. Milovich moved it be approved as an emergency measure; seconded by Mr. Warner.

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

4. Ordinance C-79-95 (Direct the Certification to the County Auditor of the Expense for Cutting Weeds and Abatement of a Nuisance on Private Property and declare an emergency) was given its first reading.

Mr. Milovich explained that by Section 543.02 of the Codified Ordinances of the City of Grove City, adopted April 18, 1988 by Ordinance No. C-23-88, Council directed the giving of notice to certain owners and persons having charge of lands, of the growth of noxious weeds and other vegetation of rank growth thereon and directing that such be cut and destroyed and by Section 521.11 of the Codified Ordinances of the City of Grove City, adopted May 16, 1988 by Ordinance C-39-88, Council directed the giving of notice to certain owners and persons having charge of lands of the illegal storage of waste materials and directing the removal of these materials. Such notice

was duly given, and thereafter the City caused such growth to be cut and destroyed and waste materials removed in instances where the above mentioned notice and order had not been complied with. These expenses were incurred by the City in cutting and destroying said growth, in the amounts set forth in Exhibit "A", which exhibit contains the names of the non-complying owners, the identity of their lands, and the amounts of such expenses. He then asked Mr. Behlen to explain the reason for the emergency measure. Mr. Behlen stated that with this ordinance and Ord. C-78-95, the City has an obligation to protect the health, safety and welfare of the residents. In doing so, weeds were being cut as late as last week and notice given to the property owners. It is necessary to certify these assessments to the Franklin County Auditor by December 1, 1995, in order for them to be placed on the tax duplicate. Mr. Warner asked what a "special haul" was. Mr. Behlen stated that garbage, furniture, etc. had been left in the right-of-way and it was removed by someone other than our normal refuse hauler.

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

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

There being no further discussion, Mr. Milovich moved it be approved as an emergency measure; seconded by Mr. Warner.

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

5. Ordinance C-80-95 (Appropriate \$5,036.57 from the Senior Nutrition Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on December 04, 1995.

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

1. Ms. Debra Alabaugh, Sassafras Ct., addressed Council on the issue of political signs. She showed pictures that were taken during the last election, which showed many candidates in violation of the two signs per tax parcel regulation. She said Mrs. Grossman had the most infractions, with 32, and asked what laws are going to be enforced and which ones are not. She said if it is not going to be enforced, it should be taken off the books and noted that it is her opinion that it should not be enforced, however, that is not the opinion of the law. She said Mr. Lotz announced at a September meeting that he was going to vigorously enforce this and she doesn't feel he did.

President Grossman responded that she is part of the legislative branch of government and it is Administration's responsibility to enforce the Code. She said she was not in control of all her signs, as various people took her signs to place them in yards. Mrs. Alabaugh reiterated her desire to have this removed, as she feels it is a violation of freedom of speech.

Mr. Tom Clark, Dir. of Law, stated that there have already been conversations over the legalities of this ordinance. He said it is difficult enough to enforce the Code by way of the police or by Joe Endres, Enforcement Officer. Every day, speeders go through the City and not all of them are

picked up. Mr. Endres was out every day picking up signs that were in violation and feels the ordinance was strictly enforced. It is very difficult for one person to get all the violators.

Mr. Hurley stated that if a candidate wasn't in violation, he would be very surprised. He said the problem begins with signs in private property. If a sign is in the right-of-way, the City has the right to remove it. If the sign is on private property, the City cannot remove it. The owner must be notified of the violation. There is a different process used to remove those signs.

Mr. Warner stated that he feels there is a safety issue that must be addressed, especially with signs on corners and at intersections.

2. President Grossman opened the floor for nominations for the Ward 3 Council seat. Mr. Hurley nominated Mr. Bruce Faris; seconded by Mr. Warner. There being no other nominations, the floor was closed.

Mr. Warner moved to appoint Mr. Faris as the Ward 3 council member; seconded by Mr. Milovich.

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

President Grossman administered the Oath of Office to Mr. Faris.

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

1. Mayor Stage submitted his monthly report and requested it be accepted.

Mr. Warner moved to accept the Mayor's Report; seconded by Mr. Milovich.

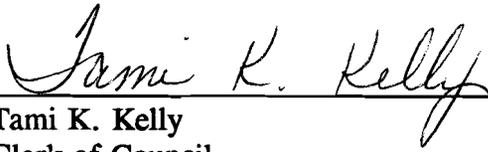
Mr. Warner	Yes
Mr. Milovich	Yes
Mr. Hurley	Yes
Ms. Grossman	Yes

Mayor Stage closed by congratulating all the newly elected officials. He noted that Mr. Behlen is working on the 1996 Budget and will submit it to Council appropriately. He announced the ribbon cutting for Fazoli's Restaurant for tomorrow, November 21, and reminded everyone of the Tree Lighting and parade set for December 1, 1995. He expressed great sorrow in the loss of Andy Zamerelli. He said Andy was certainly one of the very few people who had his heart in the right place and he will be sorely missed.

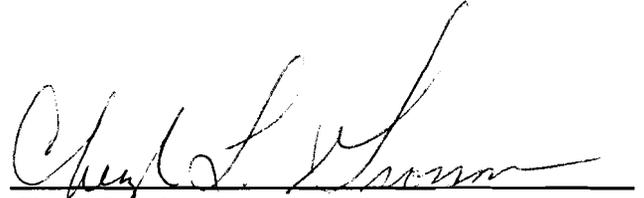
2. Mr. Clark announced that effective Wednesday, November 22, 1995, the Franklin County Common Pleas Court will issue an order declaring our Itinerant Vendors ordinance unconstitutional. The purpose of the legislation read tonight on this issue is to regulate Itinerant Vendors as much as possible, without being unconstitutional. He encouraged Council to review it carefully and call him with any questions.

3. Mr. Blackburn, Dir. of Service, announced that for the third year in a row, the Grove City Area Clean Community has received the White Glove Award through the Franklin County Office of Litter Control. This particular award was given on behalf of the Beautification Committee, primarily on their efforts of the Garden Tour.
4. Council expressed congratulations to Mr. Faris and welcomed him. President Grossman expressed condolences to the Zamerelli family on the loss of Andy. She said Fire Chief Ashcraft had invited Council to attend the safety drill over the weekend and found it very interesting to watch the fire fighters practice their skills on a burning house.
5. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 8:45 p.m.



Tami K. Kelly
Clerk of Council



Cheryl I. Grossman
President