

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

December 03, 2007

Regular Meeting

The regular meeting of Council was called to order by President Lester 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:

Larry Corbin Maria Klemack-McGraw Rich Lester Richard Stage Ted Berry

1. President Lester moved to dispense with the reading of the minutes from the previous meeting and approve as written; seconded by Ms. Klemack-McGraw.

Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes

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

The Chair recognized Mr. Stage, Chairman of Finance, for discussion and voting under said Committee.

1. Ordinance C-95-07 (Appropriate \$130,450.00 from the General Fund for the Current Expense of a Town Center Plan and Authorize the City Administrator to enter into a Contract for said Plan with Lincoln Street Studio) was given its second reading and public hearing.

Ms. Rebecca Sommer, Sommer House Gallery, stated that the city has always been an asset to the Town Center for seasonal events. However, there is no development in the Town Center today. The business owners are aware that there is very little foot traffic and customers are attracted to the new shops on Stringtown Rd. However, many business owners persist and holding on to the day when the Town Center is attended to. They are looking forward to the Lumberyard development not being a -Development: Looking forward to utilizing the outcome from the Study. The Town Center Merchants have been kept waiting for the gears of development to begin.

Mr. Berry said they are a very good resource and he thanked them all for their efforts. He said, hopefully, there will be development in the area by the end of next year.

Ms. Bonni Trice, Town Center business owner, strongly encouraged council to pass this ordinance now. They have waited a long time to see something happen. Their biggest problem is making this area a destination spot. They have waited a number of years and they are still waiting. Now they are asking for an additional month, on top of the six months it will take the Consultant to do the study. See begged them to do something now, so they can move forward and so it can be turned into a memorable experience for all business owners and residents.

Mr. Stage said, to some degree; the planning has already started with Mr. Elmer being here tonight, as he loves to hear these comments.

Mr. Mike Laemmle, HER Realtor, also asked that council move this forward without any more delay. He said he has many people asking him about the Lumberyard project and they don't believe it is really going to happen. He asked that it be approved without any delay.

Mr. Frank Elmer, Lincoln Street, said it has been 19 years since they have conducted a study. He has a soft spot for this community and is why he worked so hard to get this new contract. He said he looks forward to the hard work ahead and believes this will be successful, too.

Mayor Grossman said she wasn't present for Caucus and understands that some kind of delay was requested. She said it is pretty obvious from the Town Center Merchants here tonight that they, and she, is ready for the progress to go on. She asked why a delay is being requested.

Mr. Stage said no one is asking that the legislation get delayed. He asked that the actual contract get delayed because the contract calls for a point person. With a new City Administrator coming on board, he feels that this person should have some time to understand the contract beforehand. The Mayor questioned why Mr. Elmer could not get started with his interviews and other items, while the new City Administrator gets up to speed.

Mr. Berry asked Ms. Reichard her thoughts of waiting for the new City Administrator. Ms. Reichard said at first, she didn't agree with any delay. However, there is a certain amount of respect that should be given to a new Administrator. She said she doesn't believe that Mr. Elmer is going to stop preparing and moving forward, because as she understands it - the contract will be signed? Mr. Stage said that was correct. Ms. Reichard said it wasn't the worst thing in the world to wait a couple of weeks to sign the contract, as long as everyone is assured that it will be signed. It needs to be right and that the City has something that the new administration is going to embrace.

Mr. Stage moved to amend Section 2 to include "after 1-31-08" to the end of the sentence; seconded by Mr. Berry.

Ms. Klemack-McGraw	Yes
Mr. Lester	No
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes

There being no additional questions or comments, Mr. Stage moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes

2. Ordinance C-96-07 (Appropriate \$180,000.00 from the General Fund for the Current Expense of Slide Improvements at The Big Splash) was given its second reading and public hearing.

Mr. Stage reminded everyone of the additional information Ms. Conrad, Dir. of Parks & Rec., provided at that last meeting.

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

Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes

3. Ordinance C-97-07 (Approve a Then & Now Certificate for the payment of \$119,010.15 for The Groves Sanitary Sewer Rehabilitation Project) was given its second reading and public hearing and Mr. Stage moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes

4. Ordinance C-98-07 (Amend Various Sections of Chapter 161 of the Codified Ordinances titled Employment Provisions for City Employees) was given its second reading and public hearing.

Mr. Stage explained that this and the next ordinance deal with the addition of a Deputy City Administrator position. He stated that while he believes Ms. Reichard has done a great job as City Administrator, he will be invoking his privilege as Mayor to hire a City Admin. However, this position would allow for the new person to come in and Ms. Reichard to remain and assist with the transition. He also explained that this would allow for a full or part-time position, appointed by the City Administrator.

Mr. Berry commented that Mr. Corbin made a good point about the salary if this was a part-time position in Caucus. He said the salary would be reflective of a part-time position, so we are not paying someone \$65,000.00. Mr. Stage commented that the salary could not go over the maximum amount in the Code within the calendar year. Dr. Whitney, Dir. of Finance, said it is his understanding that a part-time position would be paid half the full-time salary, capped only by the Appropriation Ordinance. Mr. Stage commented that the City Admin., would stipulate the hours and the per hour rate for the position. The check and balance is that the salary would not go over the appropriation amount.

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

Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	No
Mr. Stage	Yes
Mr. Berry	Yes

5. Ordinance C-99-07 (Amend Chapter 133 to Add a New Section titled Deputy City Administrator) was given its second reading and public hearing.

Mr. Stage commented that this is not dissimilar to the addition of a new department. This is going into the City Administrator chapter.

Mr. Stage moved to amend "a" under Section 1 to reflect that the Deputy City Administrator shall be appointed by the City Administrator, and to add "as designated by the City Administrator" to the last sentence; and amend "b" under Section 1 to read: "During the absence of the City

Administrator, the Deputy City Administrator shall assume all of the powers of the City Administrator. This position shall be under the immediate supervision of the City Administrator"; seconded by Mr. Berry.

Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes

There being no additional questions or comments, Mr. Stage moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Lester	No
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes

6. Ordinance C-100-07 (Appropriate \$10,000.00 from the Senior Nutrition Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on 12/17/07.
7. Ordinance C-101-07 (Appropriate \$85,144.16 from the Sanitary Sewer Fund for the Current Expense of Debt Service on Two Projects) was given its first reading. Second reading and public hearing will be held on 12/17/07.
8. Ordinance C-102-07 (Approve a Then & Now Certificate for the payment of \$3,600.00 for the Annual Subscription to CDX Services) was given its first reading. Second reading and public hearing will be held on 12/17/07.
9. Ordinance C-103-07 (Appropriate \$50,000.00 from the General Fund for Legal Services) was given its first reading. Second reading and public hearing will be held on 12/17/07.

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

1. Resolution CR-62-07 (Accept a Certain Parcel of Real Estate for Right-Of-Way and to Dedicate said parcel for Public Use) was given its reading and public hearing.

Mr. Berry explained that this is for the extension of Lamplighter Way.

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

Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes

2. Resolution CR-63-07 (Authorize a Settlement Agreement in a matter related to the Improvement of State Route 665) was given its reading and public hearing.

Mr. Elliott, Dir. of Law, explained that the contract provides for a full curb cut for the property during construction and thereafter.

Ms. Reichard thanked Ms. Bobbie Sprader, attorney for city, for all her hard work on this issue. She announced that we received a signed contract from the property owner's today.

President Lester encouraged Mr. Keller, EMH&T, to get the easement finished so that Ms. Sprader can get everything filed by the end of the year.

Mr. Stage commented that the estimate for the 400 feet of sewer line is \$100,000.00.

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

Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes

3. Resolution CR-64-07 (Supporting the Environmental Goals and Practices established by the Ohio Environmental Protection Agency's "208 Plan" and General Stormwater Permit Requirements for the Big Darby Watershed) was given its reading and public hearing.

Mayor Grossman commented that this resolution supports the environmental protection of the Big Darby. There are still some outstanding issues with the Plan and it is her recommendation that the city not sign the Big Darby Accord until they are resolved.

There being no additional questions or comments, Mr. Berry moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes

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

1. Ordinance C-68-07 (Approve a Special Use Permit for an Antenna Tower for T-Mobile located at 2650 London-Groveport Road) was given its second reading and public hearing.

Mr. John Kopf, attorney for T-Mobile, stated they are requesting approval for a 160' monopole located at 2650 London-Groveport Road. He stated that there is not very much residential development in the area, and there are many large electrical towers. He explained that T-Mobile engaged a site acquisition agent to assist in determining the best location to provide improved service. He said there is a strong need for improved service in this area. Currently, service can be received when outside a building, but gets lost when you go inside. He commented that Council had already approved the Development Plan. He believes this means Council has determined it is not detrimental to the residential area. He noted that Kyle Rausch, Planning Dept., recommended approval of the Special Use. He said T-Mobile already has an agreement with Jackson Township and this will be a valuable source of revenue for the Township. He said at an earlier meeting, there was

talk about trying to place this antenna on an alternative site, proposed by the city, at the cities water tower. He explained that there were several reasons this site doesn't work. The latest communication he had with the City Administration said there were deed restrictions on the water tower site. Additionally, they were told that the water tower may be taken out of service in the next five years, due to the City placing a new one on the other side of street. T-Mobile determined that this site would not be a viable alternative, if the site is not going to assist any longer. It would not be worth the cost and expense of putting the tower on the existing water tower. If the water tower is moved to the other side of the street, this may be a problem in providing service. He believes they have worked in good faith with city on the other site, but they are left with their original site. He said they have not seen any reports that indicate this site would be detrimental to the area. It is properly zoned and he feels it is good for the community to have this tower, which will provide better cell phone coverage.

Mr. Stage stated that the Oct. 1, 2007 Minutes state that Mr. Kopf requested a postponement and read the Minutes to him. He asked Mr. Kopf if he remembers those comments. Mr. Kopf said he hasn't read the Minutes. He said there was some confusion as to Council's desire over the water tower site. At that point, they asked for postponement. Mr. Stage asked if these were his comments. Mr. Kopf said he believes they are accurate. Mr. Stage asked how many times he spoke to Ms. Reichard. Mr. Kopf said once because she voiced two concerns over the use of the water tower - one being the deed restrictions and one being the new tower on the other side of the road in 5 years. Mr. Stage said if Council knew that the offer to look at a different site was not extended in good faith, then he isn't sure the development plan would have passed. In addition, because the Special Use Permit is specific in the Code, there are nine separate items that must be met. It gives Council the ability to speak to those items on the individual issue of the Special Use Permit.

Mr. Louis Siyufy, President of LJS & site acquisition representative hired to find a location for the T-Mobile site, said he chose the Fire Station site because he thought it would be a good way for T-Mobile to put money back into the community. He said he contacted Council Members to discuss the water tower site and spoke to Ms. Reichard several times. It was his recommendation to delay the Special Use Permit in order to look at water tower site. He said that didn't go anywhere. He then recommended they move forward tonight, and request a vote based on the merit of the site.

Mr. Nadis El Fadli, Sr. Engineer for T-Mobile, voiced support for the site. He is in charge of engineering the site. He shared a coverage map with Council. One page shows coverage before the proposed tower and the second page is after. They want to cover more of the area to the east. He emphasized their E-911 service. Their customers do not have to tell the Dispatcher where they are, the service provides the intersection or area that someone is calling from. Their current system does not do that, in this area.

Mr. William Lotz, Jackson Township Trustee, said there was a 100' tower on the site, in approximately the same area, until three years ago when they remodeled the fire station. He said this is no more of a disadvantage than the tower the City approved at the skate park.

Mr. Stage commented that he is not opposed to approving a tower for T-Mobile. However, the question was - could they find a site that didn't conflict with the first requirement in the Code, that being the tower would be harmonious with the area. He said he is not sure they did it. The difference between this one and the Skate Park is that there is a major open space at S.R. 665. He asked if another building is located in the area and makes the tower becomes obsolete, what happens. Mr. Kopf said that is a difficult question to answer. Mr. Siyufy said they can't predict the future. They build towers based on need. The tower is needed. T-Mobile is in the business to make money. If the tower becomes obsolete, it would be removed. Mr. Berry asked if they were guaranteeing that if the cell tower becomes obsolete, they would not ask for one across the street and

leave this one up. It would be taken down, so the City isn't littered with cell towers. Mr. Siyufy said if it doesn't fulfill the design objective, it doesn't need to be there.

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

Ms. Klemack-McGraw	No
Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes

2. Ordinance C-104-07 (Rezone 0.26 acres located at 4194 Broadway from C-2 to R-2) was given its first reading. Second reading and public hearing will be held on 1/7/08.
3. Ordinance C-105-07 (Rezone 2.97 acres located at 4401 and 4407 Broadway from IND-2 and SD-4 to PUD-C) was given its first reading. Second reading and public hearing will be held on 1/7/08.
4. Ordinance C-106-07 (Approve a Special Use Permit for U-Haul Truck Rental Service for Ted's Service Center located at 4353 Broadway) was given its first reading. Second reading and public hearing will be held on 12/17/07.
5. Resolution CR-65-07 (Approve the Development Plan for LWB Investment located at 4401& 4407 Broadway) was given its reading and at the request of the petitioner's agent, Mr. Corbin moved it be postponed to 1/7/08; second by Mr. Stage.

Mr. Lester	Yes
Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes

6. Resolution CR-66-07 (Approve the Sign Request for Healthy Pets located at 3643 Broadway in the Historical Preservation Area) was given its reading and public hearing and Mr. Corbin moved it be approved; seconded by Ms. Klemack-McGraw.

Mr. Stage	Yes
Mr. Berry	Yes
Mr. Corbin	Yes
Ms. Klemack-McGraw	Yes
Mr. Lester	Yes

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

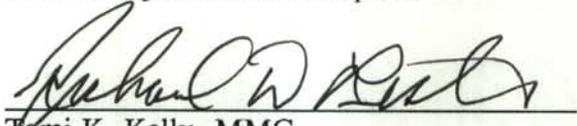
1. Mr. Bill Lotz, Jackson Township Trustee, requested President Lester to join him. He presented Mr. Lester with a plaque from the Jackson Township Trustees for his service on Council and all his effort to make the community a better place.

The Chair recognized members of Administration and Council for closing comments.

1. Ms. Reichard reported that a 5% increase in basic cable is coming for both companies.

2. President Lester announced that council will coordinate, in the next few days, a special meeting for review of the budget. It may be sometime next week.
3. After additional comments from Council and other Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 9:18 p.m.



Tami K. Kelly, MMC
Clerk of Council



Richard D. Lester
President