

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

December 16, 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 Mayor Grossman for a presentation. Mayor Grossman recognized Grove City High School Football Coach, Mr. Cross and player Derek Combs for their outstanding season this year. The team's record was 10 - 0 awarding them with the Division Championship. Mr. Combs was named "Mr. Football" by the Associated Press and Coach Cross was named Division 1, Ohio Coach of the Year. She presented each with a Proclamation and declared December 16, 1996 as Coach Cross and Derek Combs Day.
2. President Milovich recognized Ms. Nancy Schlagheck, Public Information Coordinator, for a presentation. Ms. Schlagheck is the spotlight for this council meeting and she explained that Council approved her position around the same time last year and she began in March '96. She presented a slide show that outlined her duties and highlighted some of her accomplishments this year. Among them were: Developing a consistent City image, from letterhead to brochures; Identify programs belonging to the City, from VIP Newsletters to Gardens at Gantz to the Music Series; Designing many new forms, notes, newsletters, flyers, maps, brochures, etc. saving the City money by creating them in-house; Media Relations; and Promoting Special Events. She said the position is still be refined and looks forward to next year.
3. Mr. Faris moved to dispense with the reading of the minutes of the 12/2/96 & 12/9/96 meetings and approve as written; seconded by Mr. Bennett.

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-100-96 (Accept the Plat of Quail Creek, Section 3, located east of Hoover Road and north of State Route 665) was given its second reading and public hearing.

Mr. Roland "Lum" Edwards, representing White Oak Communities, commented that this is the last half of a Development Plan that was approved some time ago and requested that the Plat be approved, as submitted. President Milovich asked if it was the property owners intent to deed the creek property over to the City. Mr. Edwards said yes. With that, President Milovich moved to amend Section 1 to read, in part: . . . is hereby accepted, as originally submitted, removing the stipulation recommended by Planning Commission on November 12, 1996, . . .; seconded by Mr. Hurley.

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

Mr. Milovich then stated that he would like to see this area left in its natural state. Mr. Edwards commented that the Grading Plan stops at the 100 year flood point and it is not only their intent to keep this area in its natural state, but, it is necessary not to disturb it to stay in good standing with other Agencies. With that, President Milovich moved to amend Section 2 and include the following sentence: **It is anticipated that properties along Grant Run Creek of Quail Creek Section 3, will, in the future, be deeded to the City of Grove City and therefore, the existing natural condition of said property (i.e. grading and vegetation) must be preserved and maintained in a natural state;** seconded by Mr. Bennett.

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

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

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

- 2 Resolution CR-75-96 (Approve the Final Development Plan for FerrellGas located at 4401 Broadway) was given its reading and public hearing.

Mr. Sam Shihab, attorney representing the petitioner in Mr. Goldman's place, explained that FerrellGas is requesting a temporary structure until September 30, 1997 and agrees to a \$1,000.00 per day penalty for each day they remain after 9/30/97.

Mr. Hurley stated that there was some concern voiced in caucus and referred to Mr. Clark, Director of Law. Mr. Clark explained that he had spoken with Mr. Goldman and an Agreement was to have been sent to him, however, he has yet to receive it. In order to move forward this evening, he recommended that an amendment be made to Section 1 to include a new sentence reading: *and the execution of said Agreement referenced above.* He said this will prohibit a building permit from being issued until an agreement has been reached.

There being no additional questions or comments, Mr. Hurley moved to amend Section 1 to include the following: . . . *and the execution of said Agreement referenced above;* seconded by President Milovich.

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

Mr. Hurley moved it be approved, as amended; seconded by Mr. Faris.

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

3. Resolution CR-76-96 (Approve the Final Development Plan for a Building Addition located at 2394 Old Stringtown Road) was given its reading and public hearing

Mr. B.J. Roach, owner, explained that there is currently a home that no longer conforms to the use. He is proposing to tear down the house and replace it with a structure that does conform to the commercial use.

Mr. Hurley moved it be approved; seconded by President Milovich.

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

4. Resolution CR-77-96 (Approve the Final Development Plan for Monro Muffler located on Old Stringtown Road) was given its reading and public hearing.

Mr. Robert Schirtzinger was present to answer any questions. He presented a color rendering of the facility along with brink and drivet samples. Mr. Hurley reviewed the stipulations set forth by Planning Commission, to which Mr. Schirtzinger agreed. Mayor Grossman complimented them on the finished product.

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

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

5. Resolution CR-78-96 (Approve the Final Development Plan for Microtel Inns Motel located at the northwest corner of Stringtown and Jackpot Roads) was given its reading and public hearing.

Mr. Jeff Brown, attorney representing owner, was present to answer any questions. He commented that he felt changes had been made to everyone's satisfaction and requested approval, as submitted.

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

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

6. Resolution CR-79-96 (Authorize the City Administrator to purchase 3453 Park Street) was given its reading and public hearing.

Mr. Hurley explained that this was the lot directly west of the City Hall parking lot and the Farmers Exchange had agreed to sell this one lot to the City for \$85,000.00, which has been included in the 1997 Appropriations Ordinance.

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

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

7. Mr. Hurley moved to add Ordinance C-1-97; seconded by President Milovich.

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

Ordinance C-1-97 (Approve the Special Use Permit for Monro Muffler located on Old Stringtown Road) was given its first reading. Second reading and public hearing will be held on January 06, 1997.

Since the Monro Muffler representative was present for this meeting, Mr. Hurley reviewed the stipulations set forth by Planning Commission and these were agreed to by the property owner and Monroe Representative.

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

1. 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.

Mr. Bennett commented that they are still waiting on some information and moved to postpone this ordinance indefinitely; seconded by President Milovich.

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

2. Ordinance C-101-96 (Appropriate \$36,000.00 from the Police Pension Fund for Current Expenses) was given its second reading and public hearing.

Mr. Bennett explained that the City has received invoices in 1996 from the Police and Fire Pension System for five quarters of liability due to the timing of the third quarter '95 billing. The City budgeted for only four quarters of liability for Police Pension in the 1996 Appropriation Ordinance and it is necessary for Council to appropriate monies from the Police Pension Fund for this purpose.

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

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

3. Ordinance C-102-96 (Appropriate \$17,135.64 from the Convention Bureau Fund for Current Expenses and declare an emergency) was given its first reading.

Mr. Behlen explained that the City of Grove City has a responsibility to distribute a portion of the Hotel/Motel tax collected from the Convention Bureau Fund and revenues to this fund have exceeded estimates for fiscal year 1996 in the amount of \$17,135.64. It is necessary for Council to appropriate the amount that is in excess of the estimate and an emergency exists for this approval to allow the City to legally meet its statutory obligation.

There being no additional questions or comments, Mr. Bennett moved that the Rules of Council be suspended and the waiting period waived; seconded by President Milovich.

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

Mr. Bennett moved Ordinance C-102-96 be approved as an emergency; seconded by Mr. Faris.

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

4. Ordinance C-103-96 (Make Appropriations for Current Expenses and Other Expenditures for which the City of Grove City must provide during the twelve months ending December 31, 1997) was given its reading and public hearing

Mayor Grossman commented that \$0.635 of each \$1.00 is spent on Capital Improvements and the Police Department. She listed some of the Improvements: Fryer Park, Haughn Road, Hoover/S.R.665 realignment, etc. President Milovich commented that the amount of revenue received from Income Tax was 70% this year. That is way up from 1994 which was only 66%. He said it shows that the grant programs are very important to us, but, the property tax paid is only a small portion of the tax used to fund the City services provided.

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

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

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

1. Mr. Bill Ferguson, Meadow Grove resident, addressed Council concerning the recent rape. He said he found out about it through the newspaper and was concerned about the length of time it took to release the information. He called City Administrator, Chuck Boso and was transferred to the Police Chief, Jim McKean. He asked why it took 48 - 72 hours to inform the public. The Chief stated that he did not have to speak to him and hung up. He said he spoke with other area residents who also commented that they heard about it through "hear-say" or the news. After speaking with the local newspaper reporters, one didn't know anything about it, and after calling SWCS Administration, found that they were informed Thursday. He said he understands the trauma of the victim and getting a sketch, but, there are some proactive things that could have been done to inform the taxpayers. It is his opinion that image was more of a concern than the health, safety and welfare of the citizens.

President Milovich yielded the floor to Safety Director, Tom Kulp for a response. Mr. Kulp stated that he had a conversation with Mr. Ferguson last Friday evening. He asked Captain Deskins and Sergeant Robinette to provide particular information on the investigation. Captain Deskins reported that he has also received calls asking why it took so long to get information out. He explained that Rape is treated as a very serious crime and not only are the officers here to protect and serve the community, they are fathers, brothers, sisters, etc. of our residents and share in the concern. He explained that the victim is paramount and must be protected, as well as catching and prosecuting the perpetrator. He doesn't feel that anyone was at a greater risk due to the steps taken in the two days after this occurred. In response to Mr. Ferguson's comments, he said Chief McKean is out of town and in his absence he takes over. The officers are trained to handle confrontational calls and Chief McKean chose to terminate the conversation, in this instance. He suggested to Mr. Ferguson that, in the future when he calls the Police Department, if he acts like a gentleman, he will be treated like a gentleman. He said he respects Mr. Ferguson's opinion, but, feels they have a good image because of their conduct. He deferred to Sergeant Robinette who explained what took place in the few days following the incident. The first day was spent with the victim and going over

the crime scene and speaking to available witnesses. The second day, two detectives were out at 6:30 a.m. to see what the normal activity of the neighborhood was, at the time the rape occurred, locate people that were out then, and see who was in the neighborhood, if it was a crime of opportunity. A number of contact letters were left and on Tuesday & Wednesday they kept getting in contact with people in the area. A composite was put together on Thursday and released. There are two full-time detectives assigned to this case alone and two other detectives assisting when possible. There are a number of leads and will continue to pursue it.

Mr. Bennett asked if Sgt. Robinette felt this was an appropriate time frame. Sgt. Robinette said yes. He explained that they wanted to get back into the neighborhood and didn't want the suspect to alter their behavior, if they were in the area. He said people typically do things out of habit and they wanted to see who was up at that time of the morning, who might have seen something, etc. Mr. Eversman asked how long two full-time detectives will remain on the case. Sgt. Robinette said there is no set time limit. They will remain on the case until all valuable leads are exhausted. Safety Director Kulp clarified that this incident occurred in the early morning hours and each case is handled different. He said he felt the Department took the very appropriate action of getting back out into the neighborhood, during the hours of the incident, to see what the neighborhood was like. He referenced a letter he received from Mr. Ferguson and the insinuation that this case is some big secret. He contended that the department conducted themselves very appropriately and there is no secret. He also feels there is some history between Mr. Ferguson and Chief McKean, which he feels is irrelevant. However, when a conversation is going nowhere, sometimes the best this to do is hang up and come back to it later. Mr. Bennett asked if the parents of the victim feel comfortable with the investigation. Sgt. Robinette said as far as they know, they are. If they are not, it has not been expressed. Mr. Kulp commented that calls saying too much information was given have also been received.

Mr. Faris commented that he too, initially was concerned with the time it took to release information, but, after calling Chief McKean he understands the procedure. He asked Mr. Kulp how many years he had been in criminal justice. Mr. Kulp said he retired after 26 years. Mr. Faris asked if this was regular procedure. Mr. Kulp said in this instance, yes.

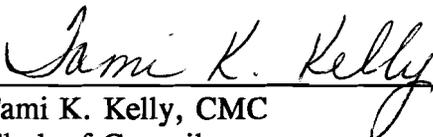
Mr. Jeff Warner, Community Relations for SWCS, commented that they had initial concern and found out Wednesday evening through the news program. On Thursday morning, they met with the Police Department and were invited to participate in the news release and copied 6,000 flyers to hand out to the students that afternoon. He said the police department was very eager to work with them and provide information.

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

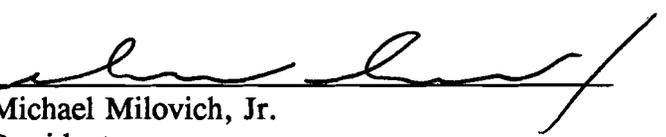
1. Mayor Grossman commented on the Holiday Celebration, held on Dec. 6 and thanked all the City workers and different organizations who helped make it such a successful evening. She announced that Chief McKean has been reappointed to the Governor's Task Force on Domestic and Violent Crimes and this certainly speaks to his credentials. She also announced that the Ice Rink will be open on December 20, weather permitting.
2. Council & Administration conveyed Happy Holidays to everyone and congratulations to Coach Cross and Derek Combs. Mr. Bennett called for all citizens to recognize strangers in the neighborhood and not to be afraid to call the police.

3. After additional comments from Administration, the Chamber and Council, a motion was made to adjourn and seconded. Motion carried.

Council adjourned at 9:20 p.m.



Tami K. Kelly, CMC
Clerk of Council



Michael Milovich, Jr.
President