# CITY OF GROVE CITY, OHIO
# COUNCIL MINUTES

September 21, 2015 Regular Meeting

The regular meeting of Council was called to order by President Berry at 7:00 p.m. in the Council Chambers, City Hall, 4035 Broadway.

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

*Jeff Davis* *Maria Klemack-McGraw* *Ted Berry* *Steve Bennett* *Laura Lanese*

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

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| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |

2. President Berry recognized Mayor Stage who, with the assistance of Interim Chief Jeff Pearson, introduced our canine dog, Max. He is trained for a dual purpose – tracking people and finding drugs. The Mayor then administered the Oath of Office to two Dispatchers – April Fulk and Allen Horn, and one reserve officer –Jason Bliss.

3. Chair read the agenda items and they were approved by unanimous consent.

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

1. Ordinance C-60-15 (Authorize the City Administrator to enter into Agreements with Time Warner Communications for Data Connectivity for Fryer Park) was given its second reading and public hearing.

   Mr. Hurley, Info. Systems Dir., explained that this and the next ordinance will provide upgraded data connectivity to Fryer Park and Gantz Park.

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

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| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |

2. Ordinance C-61-15 (Authorize the City Administrator to enter into Agreements with Time Warner Communications for Data Connectivity at the Gardens at Gantz) was given its second reading and public hearing and Mr. Bennett moved it be approved; seconded by Ms. Klemack-McGraw.

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| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |

3. Ordinance C-62-15 (Accept the Donation of $100,000.00 from Laura Harper and Appropriate same for the Youth Services Department at the New Library) was given its second reading and public hearing.

Mr. Chuck Boso, City Admin., explained that Mrs. Harper donated this money for upgrades to the youth services area of the new library. He said about $15,000.00 went toward design.

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

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| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |

4. Ordinance C-63-15 (Accept a Donation of $1,250.00 from Wal-Mart and Appropriate same for the Division of Police Crime Prevention Program) was given its second reading and public hearing and Mr. Bennett moved it be approved; seconded by Ms. Lanese.

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| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |

5. Ordinance C-64-15 (Accept a Donation of $1,000.00 from the Columbus/Grove City Elks Lodge 37 and Appropriate same for the Division of Police DARE Program) was given its second reading and public hearing and Mr. Bennett moved it be approved; seconded by Ms. Klemack-McGraw.

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| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |

6. Ordinance C-65-15 (Appropriate $21,677.91 from the Mayor's Court Computer Fund for the Current Expense of purchasing Computer Furniture) was given its second reading and public hearing.

Mr. Smith, Dir. of Law, explained that for every Mayor's Court case, a fee is imposed and goes into the computer fund, as authorized by the State of Ohio for every court. He said it is very limited in what this money is allowed to be used for. Purchasing computer equipment for the Court office is one of the permitted uses.

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

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| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |

7. Ordinance C-66-15 (Authorize the City Administrator to enter into an Agreement with Mirolo Charitable Foundation and Thank them for their Donation of $100,000.00) was given its second reading and public hearing.

Mayor Stage explained that this is a real treat. The Little League Board has been raising funds for this ball field. He introduced Mr. Kim, with the Mirolo Foundation who donating a tremendous gift. Mr. Kim provided a little history about the Mirolo family and the Foundation. He said they are very pleased to make a contribution and work with the Little League Board. Mayor Stage noted that this will be paid in three annual installments.

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

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| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |

Ordinance C-67-15 (Authorize the City Administrator to enter into an Agreement with Mt. Carmel Health System and Thank them for their Donation of $100,000.00) was given its second reading and public hearing.

Mayor Stage explained that this and the previous grant came in about the same time. The field will be named for Mirolo and the stadium will be named for Mt. Caramel. Mr. Jason Koma, Dir. of External Affairs, said they are blessed to be part of this field.

Former Chief Ron Gabriel, Little League Board Member, commented that these fit together like a hand in a glove. They very much appreciate all the donations and assistance given. He said construction of the field is moving right along.

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

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| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |

9. Ordinance C-68-15 (Appropriate $60,000.00 from the Pinnacle Tax Increment Financing Fund for the Current Expense of Constructing an Entry Feature and other related improvements) was given its second reading and public hearing.

Mr. Smith explained that this will be for design and construction of an emergency only access to Pinnacle Club Drive off S.R. 104. It will also include a walkway to the Metro Park across the street.

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

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| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |

10. Ordinance C-71-15 (Appropriate $68,000.00 from the Rockford Tax Increment Equivalent Fund for the Current Expense of making Payments in accordance with the Infrastructure Agreement with Rockford Homes) was given its first reading. Second reading and public hearing will be held on 10/05/15.

11. Ordinance C-72-15 (Appropriate $5,000.00 from the SR665/I-71 Tax Increment Equivalent Fund for the Current Expense of making payments in accordance with the Compensation Agreement with Jackson Township) was given its first reading. Second reading and public hearing will be held on 10/05/15.

12. Ordinance C-73-15 (Appropriate $40,000.00 from the Convention Bureau Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on 10/05/15.

13. Ordinance C-74-15 (Authorize the Purchase of Part of the properties located at 3448, 3454 and 3460 Park Street and Appropriate $450,000.00 from the General Fund for said purchase and related expenses) was given its first reading. Second reading and public hearing will be held on 10/05/15.

    Mayor Stage commented that this is to replace parking that will go away with the construction of apartments behind City Hall. He said they have purchased two other properties for this - one on Civic and one on Grove City Road. Through them and these parcels, it will offset what will be eliminated. He said this proposal is just for part of the property to accommodate 38 more spaces.

    Ms. Lanese said she would like to hear from others on this issue. She had heard from many residents that they didn't want the homes torn down. It is pricey to just take the rear yards. While she wants to keep the character of the Town Center by keeping these homes, it is a bit risky and somewhat expensive. She asked residents and those with historical expertise to weigh in with their thoughts to Council.

14. Resolution CR-54-15 (Waive the provisions of Section 139.05 of the Codified Ordinances for the Renovations to the Kingston Center) was given its reading and public hearing.

    Mr. Smith, Dir. of Law, explained that the City leases part of the Kingston Center and SWCS uses the other half. The Schools will cease using their part of the building and we are working on a long-term lease for the entire budding. We did receive three (3) quotes and will use the lowest quote. It is intended to move the Parks & Rec. office to this building. Mr. Bennett asked how much those renovations would be. Mr. Veda, Safety Dir; explained that moving the P&R Dept. into this space, puts them close to their program space. He said in order to create a nice environment it calls for renovations (air conditioning; asbestos abatement; etc.). He said the City will act as the general contractor to save money. The trade work will cost about $63,000.00.

    Ms. Klemack-McGraw asked why we don't just buy the building. Mr. Smith said State law requires that a School District must offer their buildings to other educational institutions before offering it to us. Mr. Bennett asked if we would be responsible for the maintenance and upkeep of the buildings. Mr. Boso said yes. Ms. Lanese said she recalls that the School District had three years to get a grant from the Dept. of Ed. to tear this building down. Mr. Smith said he believes that time has passed. She asked when the money would be spent on renovations. Mr. Smith said, presumably, after the 10 year agreement is signed.

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

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| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |

**The Chair recognized Ms. Klemack-McGraw, Chairman of Lands, for discussion and voting under said Committee.**

1. Ordinance C-59-15 (Rezone 97.81 acres located South and West of Marlane Drive from R-2, SD-3 & SD-4 to IND-1) was given its second reading and public hearing.

Ms. Elizabeth Crawford, resident on Marlane Dr., voiced concern over this rezoning. She said there are safety issues with the road. .... She shared concurs about the large truck dock doors, lighting, noise, etc. She said time and effort are needed to insure that while we welcome business to the area, we do not forget that the residents have chosen to make this area their home – and have invested into their properties as well. She asked that they take resolute action to insure that Marlane Drive does not become the northern gateway to Southpark complex. She said she is against the designs that the developer has for the property and the burdens that it will have on their little corner of Grove City. She asked that Council make the following stipulations to this Ordinance: 1. No access on Marlane Drive (for many safety and hazardous reasons); 2. No loading docks or truck and trailer parking be permitted to face residentially zoned property; 3. A 100' setback from residentially zoned property shall be required with screening/plantings to obscure all building and parking areas. She said if Council does not they can make these changes to the ordinance at this time, she requested that they postpone this ordinance until a Development Plan is presented and make zoning approval based on that fully developed plan.

Mr. Don Plank, attorney for petitioner, requested that this rezoning be amended to remove parcels 2 and 3, leaving parcel 1 to be rezoned from R-2 to IND-1.

There being no additional questions or comments, Mr. Berry moved to replace Ord. C-59-15 with the revised version that removes all references to parcels 2 and 3 from the rezoning; seconded by Ms. Lanese.

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| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |

Mr. Plank said they are here for rezoning only. They understand they must go through the Development process. He said they have met with the Condo Association to the west. He showed a map of the zoning for the surrounding areas.

Mr. Berry asked how we can insure that there is no truck traffic on Marlane. Mr. Plank said that will be addressed at the development plan stage. Mr. Berry and Mr. Bennett shared concerns over more traffic and more truck traffic along Marlane, Home and Southwest Blvd. Mr. Bennett said additional truck traffic needs addressed now, not during development. Discussion over the preliminary development plan took place. Mr. Berry and Mr. Bennett said they need to keep truck traffic off Marlane and signage is only as good as they guy not getting caught.

Mayor Stage noted that there is a lot of truck traffic that goes north, clear to Frank Road. He said they are currently working with ODOT on the interchange improvements. He said they could make some stipulation in the zoning that makes the most sense.

Ms. Lanese suggested postponing the rezoning until the Development Plan is before Council to make sure all concerns are addressed. Mr. Plank said they will meet with area residents before submitting the Development Plan. He said they want zoning approval before they spend money on engineering.

Ms. Lanese asked Ms. Crawford if the developer meets with them prior, would that take care of her concerns. Ms. Crawford said she appreciates this, but she wants something to assure there will be more than what is required by Code, once zoning is approved. She doesn't feel they have as much of a voice to control their concerns once the property is rezoned.

Mr. Bennett shared concern over idling and loud exhaust from the trucks. He wants to assure there is enough screening and consideration to the residences next door. He wants this addressed in the development plan.

Ms. Klemack-McGraw moved to approve the replaced Ord. C-59-15; seconded by Ms. Lanese.

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| Mr. Berry | No |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |

Ordinance C-69-15 (Authorizing the Annexation of 7.1 acres located on Orders Road from Jackson Township to the City of Grove City) was given its second reading and public hearing.

Mr. Smith explained that this is just the roadway on Orders, as required by the County.

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

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| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |

3. Ordinance C-70-15 (Vacate the Public Alley located between Park Street and Grove City Road) was given its second reading and public hearing.

Mr. Smith explained that this is for the alley along the back parking lot of City Hall., and pursuant to our agreement with Pizzuti.

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

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| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |

4. Ordinance C-75-15 (Vacate a portion of a Sewer Easement behind 5965 Hoover Road) was given its first reading. Second reading and public hearing will be held on 10/05/15.

5. Ordinance C-76-15 (Approve the Plat of Pinnacle Club Section 2, Phase 9) was given its first reading. Second reading and public hearing will be held on 10/05/15.

6. Ordinance C-77-15 (Accept the Annexation of 16.45+ acres located at 3655 Orders Road to the City of Grove City) was given its first reading. Second reading and public hearing will be held on 10/05/15.

7. Resolution CR-55-15 (Approve the Development Plan for Story Point located at 3655 Orders Rd.) was given its reading and at the request of the petitioner's agent, Ms. Klemack-McGraw moved it be postponed to 10/05/15; seconded by Mr. Davis.

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| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |

8. Resolution CR-56-15 (Approve a Certificate of Appropriateness for the Construction of an O'Reilly Auto Parts located South of Southwest Blvd. and West of Broadway in the Historical Preservation Area) was given its reading and public hearing.

Mr. Don Plank, attorney for petitioner, was present. He offered to answer any questions about the Historical architecture. He said it is brick on all four sides and they tried to emulate the CVS building.

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

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| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |

9. Resolution CR-57-15 (Approve the Development Plan for O'Reilly Auto Parts located South of Southwest Blvd. and West of Broadway) was given its reading and public hearing.

Mr. Don Plank was present to answer any questions. Ms. Klemack-McGraw reviewed the six stipulations which Mr. Plank agreed to.

Mr. Bennett questioned the ingress/egress along Southwest Blvd. Mr. Plank said they would be using the same access points as CVS.

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

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| Mr. Berry | Yes |
| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |

10. Resolution CR-58-15 (Approve the Development Plan for Canaan Land Church Expansion located at 2777 Gantz Road) was given its reading and public hearing.

Mr. Darrel Roheer, architect, was present to answer any questions Ms. Klemack McGraw reviewed the five stipulations/ deviations from Planning Commission. Mr. Roheer agreed.

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

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| Mr. Bennett | Yes |
| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |

11. Resolution CR-59-15 (Approve the Development Plan for a Multi-Tenant Building located at 4145 Buckeye Parkway) was given its reading and public hearing.

Mr. Mark Headlee, representing petitioner, was present. Ms. Klemack-McGraw asked if they agree to all the stipulations set by Planning Commission. Mr. Headlee said yes.

Mr. Bennett asked about the primary ingress/egress. Mr. Headlee said they haven't done a traffic study, but did work with Staff and have moved the access points up, per their recommendation.

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

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| Ms. Lanese | Yes |
| Mr. Davis | Yes |
| Ms. Klemack-McGraw | Yes |
| Mr. Berry | Yes |
| Mr. Bennett | Yes |

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

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

1. Mayor Stage commented on the success of Arts-in-the-Alley. He noted that they will have a Resolution on next meeting to support a levy for ADAMH and one to deny Issue 3.

2. After comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 8:37 p.m.

Tami K. Kelly

Tami K. Kelly, MMC
Clerk of Council

Ted A. Berry
Chair