CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

September 03, 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* *Jeff Warner* *Bruce Faris*

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

Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes

2. President Milovich recognized Chief McKean & Director of Safety, Thomas Kulp for a presentation. Chief McKean announced the addition of four new officers to the Grove City Police Department. Mayor Grossman administered the Oath of Office to: Robert Koukavek, Richard Meadows, John W. Darnell & Joshua K. Edwards.

3. President Milovich recognized Mayor Grossman who called upon Director of Service, Jim Blackburn, for a presentation. Mr. Blackburn gave a brief overview of his department. Currently, they are undertaking seven (7) different projects. The biggest is the I-71/Stringtown Road Bridge. It should be completed in the next 45 days. Another is the Street Improvement Program, which includes 27 streets - replacing curb & gutter and/or milling & paving of streets. Also this year, Rose Avenue was completed. The department is also very active in the Urban Forestry Program and over 2,000 street trees have been put in this year. Along with these responsibilities, the Service Department is also responsible for closing streets and helping to set up for special events, sanitary sewer maintenance, snow removal, etc. He commented that future projects include: the realigning of Hoover Road at S.R. 665 and the reconstruction of Haughn Road from Woodgrove, south to the corporation limits. President Milovich asked what percent of the monies for these projects were gained from other agencies. Mr. Blackburn said about 50% comes from Federal, State, and other entities.

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-67-96 (Accept the annexation of 1.796 acres located on Haughn Road (Park R. Lipp, III, et. al.)) was given its second reading and public hearing.

Mr. Joe Hull, attorney for petitioner, was present to answer any questions. He stated that his client is interested in being annexed for the purpose of obtaining sewer and water access.

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

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes

2. Ordinance C-68-96 (Amend Ord. C-2-86 to extend boundaries of Community Reinvestment Area #2) was given its second reading and public hearing.

President Milovich moved to amend Section 2 to read: "Only new structures classified as to commercial use and that satisfy the requirements of Section 3735.67 & 3735.671 of the Ohio Revised Code are eligible for exemption from taxation. In the event that Star Theatre, or a like use business, does not operate a theater facility, within eighteen (18) months, the expansion of CRA #2 shall be revoked and this ordinance shall be void." and the existing Section 2 to become Section 3; seconded by Mr. Bennett.

Mr. Tom Clark, Director of Law, explained that amendments have been made to the Ohio Revised Code regarding tax abatement that get the school district involved more. By adding the first sentence in the amendment, the City retains control of commercial use of the property in the future. Section 3735.76 talks about making application to the Housing Authority for tax abatement and Section 3735.671 actually requires the legislative authority to enter into an agreement with the property owners for the purpose of tax abatement. It also requires the School District to agree to the Agreement. He has prepared a rough draft of an agreement and this will need to be finalized and entered into prior to construction beginning. The ordinance this evening only expands the area in which a tax abatement can be applied for and granted. President Milovich commented that he felt the first sentence puts us in line with the Ohio Revised Code and the second sentence puts us in an environment where we are not blanketly placing tax exempt status on specific pieces of property. He feels there has been due diligence executed in order to create an opportunity for mutual benefit for all political subdivisions involved. He feels it is important, as the community survey indicated, to extend an arm to those businesses that provide service to our residents - such as a theater or child care. For that reason, he feels it is better to have a theater building on a tax exempt piece of property rather than expand the CRA for any type of business.

Mr. Hamons commented that this is the first time that any CRA has been expanded since the State laws have changed and since the inception of this project, the School District has been kept involved. The School Board is to formally accept this project at their 9/9/96 meeting. He also noted that currently, the two parcels requesting addition to the CRA are generating $3,900.00 in taxes. Even with the abatement in place, taxes generated will be approximately $27,000.00. Because of the agreement with the School District, Star Theater will return an additional $14,000.00 to the School district, generating a total of $41,000.00. Mr. Hurley noted that not only is this supported by the School System, but, also the Grove City Area Chamber of Commerce.

There being no further questions or comments, the vote was called on the amendment.

Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	No
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. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

3. Ordinance C-75-96 (Approve the Special Use Permit for McDonalds located at 3370 Broadway) was given its first reading. Second reading and public hearing will be held on September 16, 1996.

4. Resolution CR-46-96 (Approve the Final Development Plan for Suburban Centers, Inc. located on Brookham Drive) was given its reading and public hearing and after reviewing the stipulations set forth by Planning Commission, Mr. Hurley moved it be approved; seconded by President Milovich.

Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes

5. Resolution CR-47-96 (Approve the Final Development Plan for Speedway #1158, located at 3612 Broadway) was given its reading and public hearing.

Mr. Tommy Henry, Marathon Oil, was present to answer any questions. He provided a color rendering of the facility. Mr. Hurley reviewed the stipulations set forth by Planning Commission and Mr. Henry stated that they had filed an application with the Board of Zoning Appeals for the signage; rather than change to a burgundy color (which they have several shades of) they have eliminated all the red except for the regulatory signs necessary for gasoline and the bumper poles; all other stipulations are O.K. President Milovich asked of the screening for mechanicals will be on all four sides. Mr. Henry said there is a hip roof on the building that screens the mechanicals on three sides and the fourth will have screening. President Milovich thanked Mr. Henry for the changes, it is a much improved structure from the previous one.

Mr. Ron Shaff, contiguous resident, asked if this facility will be open 24 hours. A representative of Marathon stated that it has not yet been decided. President Milovich asked what the hours of the old Bonded were. It was indicated that they closed between 10:00 and 12:00 midnight. Mr. Shaff asked about drainage. Mr. Kohman explained that drainage will take place through a pipe. Mr. Shaff asked that a privacy fence be put on the east property line, where the residences are. Mr. Faris explained that the landscaping code requires a barrier by either fencing or mounding and evergreens which this development must adhere to. Mr. Hurley noted that before an occupancy permit can be issued, the Urban Forester must sign off to the completion of the landscaping. Mr. Shaff then asked about the alarm system. Marathon indicated that a new, indoor system would be put in place and not audible like the old one. Council noted that there is now a False Alarm ordinance for businesses to adhere to.

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

Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes

6. Resolution CR-48-96 (Approve the Final Development Plan for D.L. Atkinson, Inc., located on McDowell Rd.) was given its reading and public hearing.

   Mr. Paul McKnight was present to answer any questions. He presented a color rendering of the building. Mr. Hurley reviewed the stipulations set forth by Planning Commission to which Mr. McKnight agreed. Mr. Faris asked what material the front face of the building was. Mr. McKnight indicated it would be stucco.

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

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes

7. Resolution CR-49-96 (Approve the Exterior Renovation of a Garage located at 3264 Park Street in the Historical Preservation Area) was given its reading and public hearing and Mr. Hurley moved it be approved; seconded by Mr. Warner.

Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes

8. Mr. Hurley moved to add Ordinance C-80-96, C-81-96, CR-52-96 & CR-53-96; seconded by Mr. Bennett.

Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

9. Ordinance C-80-96 (Rezone 24.121 acres located east of S.R. 104 and north of S.R. 665 from R-2 to PUD-R) was given its first reading. Second reading and public hearing will be held on October 7, 1996.

   Mr. Richard Talbott, President - Scioto Holding Co., was present and thanked Council for the addition of this ordinance. He offered to answer any questions.

10. Ordinance C-81-96 (Accept the Plat of Quail Creek, Section 4) was given its first reading. Second reading and public hearing will be held on September 16, 1996.

Mr. Roland Edwards, engineer for petitioner, was present. Mr. Hurley reviewed the stipulation requiring that the bike path be constructed in concert with the roadway. Mr. Edwards commented that he had no problem with a bike path for with the petitioner paying for it, but, he feels that the timing should be looked at carefully. A sanitary sewer line is to be placed in this same area and feels that if the bike path is put in before the sewer line, it will be damaged or need to be replaced once the sewer line is in place. Thus, causing for the payment of a bike path twice. Mr. Hurley agreed, but, felt there was a concern that the road would be completed years before the sewer line would be installed and for safety purposes, it was felt that the bike path installation should follow the road. Mr. Kohman, City's Consulting Engineer, also agreed with Mr. Edwards, however, he indicated that there is no plan set for the sewer yet and in the interest of safety, felt it was necessary to construct the bike path with the road.

11. Resolution CR-52-96 (Approve the Final Development Plan for Star Theatre, located on Parkmead Drive) was given its reading and public hearing.

A representative from Star Theatre was present and she showed a color rendering of the building. Mr. Hurley reviewed the six stipulations set forth by Planning Commission to which she agreed. Mr. Hurley asked if the color rendering was a redesigned facade. The representative said yes. It shows the addition of canopies over the poster cases and more clearly defines the texture. Mr. Faris asked what the canopy over the entrance was. It was explained that the canopy would protrude from the building to the end of the sidewalk - past the indentation. There will be drivet above the color band and split-face block below.

Mr. Warner moved that Stipulation #6 be removed; seconded by Mr. Bennett.

Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes

Mr. Faris asked about the stipulation regarding the approval of the fire and police departments for a drop-off lane. Mr. Hurley stated that it was his understanding that there was some concern regarding the approval of a drop-off lane from the fire department since that may be a designated fire lane. Mr. Faris asked if wall-packs will be used. It was stated that two sides and the rear of the building will have wall-packs. As far as the drop-off is concerned, it was stated that ticket sales are not right out front. They are inside and off to the left, so all stacking is contained inside the building. They really don't want the drop-off lane, since they are trying to discourage parking in front of the theater to buy a ticket and then leaving. They feel it will only congest the area and not accomplish the desired traffic.

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

Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes

12. Resolution CR-53-96 (Approve the Final Development Plan for a Jackson Township Salt Storage Dome located at 3756 Hoover Road) was given its reading and public hearing.

Mr. Hurley reviewed the two (2) stipulations set forth by Planning Commission and moved Stipulation #2 be amended to read: *Roof materials and color for salt storage dome to compliment existing building*; seconded by Mr. Warner.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes

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

Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes

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

1. Resolution CR-50-96 (Authorize the Mayor to enter into an agreement with Ohio Public Works for financial assistance) was given its reading and public hearing.

Mr. Bennett explained that the City is making application to the Ohio Public Works Commission for financial assistance on projects identified in the City's Capital Improvements Plan and it is necessary for the Mayor to enter into agreements with the Ohio Public Works Commission to accept this financial assistance. Mr. Blackburn stated that this is an annual resolution to show support by the legislative authority when applying for grants.

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

Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

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

1. Ordinance C-69-96 (Amend Section 1325.04 of the Codified Ordinances titled Enclosures) was given its second reading and public hearing.

Mr. Faris explained that this will decrease the height of a fence to be placed around a pool. Reasons for lowering it were the State requires a lower height and visibility into a swimming pool would increase the safety. He noted that in trying to find out how the community felt about this, he did a random telephone survey and the results stated that it should stay as is. Mr. Warner commented that he had initial reservations with this ordinance and contacted the Ohio Insurance Institute and several insurance agencies. Their opinion was a fence should be as high as possible as an impediment for someone trying to get over the fence. Interestingly, in the August 15, 1996 Dispatch, there was an article titled "Families with pools need to take extra precautions" - *A two year old child died after unlatching a simple gate. Tragic accidents, such as this, can be avoided with high walls or fences and combination or key locks.* Mr. Warner said he feels we do a very good job of trying to initiate legislation that keeps safety at the forefront of our thinking. He said he questions visibility, as it assumes there is someone there to see it. Knowing how many families we have with two parents working, this isn't an assumption he is willing to take. Mr. Bennett also commented that he watched a news report that showed infants being given swimming lessons to train them how to float in the event they would fall in a pool. However, at the end of the program, it was still noted that this is only one more layer of protection for drownings and that the more you can do to prevent gaining access to a pool the better.

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

Mr. Faris	No
Mr. Hurley	No
Mr. Bennett	No
Mr. Milovich	No
Mr. Warner	No

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

1. Ordinance C-70-96 (Appropriate $10,000 from the Community Development Fund for the Current Expense associated with the Franklin County Greenways Plan) was given its second reading and public hearing.

Mr. Warner explained that the many central Ohio communities under the leadership of MORPC have come together to develop a Greenways plan for Franklin County. This plan will identify opportunities to protect rivers and streams and develop ancillary community resources such as trails and open space, all which enhance the quality of community life. The completion of this plan will provide much needed support for community initiatives and documentation for matching funds through the Ohio Department of Natural Resources Nature Works program and other grant opportunities and community based funding of $10,000 has been requested from MORPC to support this project

Ms. Ann Weekes, MORPC, explained that the Franklin County Greenways is a big project and continues to grow. This project has had a great deal of support. There are 20 local governments that are part of their Steering Committee. It began as a goal to protect and enhance the streams and waterways of the County. As they reviewed the issue, they found that it is a development asset just as much as an environmental asset. Waterways can be used to attract tourism and development. The most crucial reason for greenways is the issue of streamwater and flooding. Greenways provide another way of dealing with floodways and building issues. The intent of this plan is to come up with another plan that will prioritize lands that show their appropriate uses based upon five criteria (linkages, community access, long term protection/environmental health, biological protection &

community identity). They will be using the GIS mapping system for the county. This is the first time this has been done and they have been able to bring experts together to help solve some of the questions and issues. Mr. Warner asked if the request for $10,000 was an expected annual expense or a one-time expense to help get thing rolling. Ms. Weekes stated that initially, this was to be a straight 18 week program and the money being requested is for this cycle. However, to get solid implementation, they need to go longer and they will pursue grant monies for the next phase. President Milovich stated that getting Greenways associated with our community is very timely for some of the efforts we are undertaking, such as Marsh Run.

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

Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes

2. Ordinance C-71-96 (Authorize the purchase of Right-of-Way and appropriate $27,000 from the Street Fund) was given its second reading and public hearing.

Mr. Warner explained that the City will widen Hoover Road in the future and the future landscaping plan for the Grove City High School initiated discussions between the District and the City. In order to avoid the landscaping of areas which in the future will become pavement, the City and District have agreed on the purchase of .751 acres as described in Exhibit "A".

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

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes

3. Ordinance C-72-96 (Amend Chapter 161 of the Codified Ordinances titled Employment Provisions for City Employees) was given its second reading and public hearing.

Mr. Warner explained that contained within the 1997 Tax Budget was the new position of Information Systems Supervisor and it is necessary to begin the process of creating this position and beginning the hiring process in order to maintain, upgrade, train and oversee the City's growing information system.

Mayor Grossman commented that issues such as repair, training, upgrades of software, etc. have come up and it is more efficient to have an employee available to take care of these issues rather than pull Mr. Behlen away from his financial responsibilities for the City.

Mr. Hurley requested he be excused from voting, after his involvement with the City's Web site. Mr. Warner moved to excuse Mr. Hurley from voting; seconded by Mr. Bennett.

Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes

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

Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Abstain
Mr. Bennett	Yes
Mr. Milovich	Yes

4. Ordinance C-73-96 (Appropriate $2,258.00 from the Sewer Fund for the Current Expense of Equipment Replacement) was given its second reading and public hearing.

   Mr. Warner explained that a service radio was damaged in an accident beyond repair and the City has received an insurance settlement of $2,258.00 to replace said radio.

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

Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes

5. Ordinance C-76-96 (Appropriate $1,785.00 from the DARE Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on September 16, 1996.

6. Ordinance C-77-96 (Appropriate $5,300.00 from the General Fund for the Current Expense of purchasing Proclamation and Presentation Folders) was given its first reading. Second reading and public hearing will be held on September 16, 1996.

7. Ordinance C-78-96 (Appropriate $3,539.00 from the Law Enforcement Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on September 16, 1996.

8. Ordinance C-79-96 (Appropriate $30,000 from the Sewer Fund for the Current Expense of Sanitary Sewer Maintenance and declare an emergency) was given its first reading.

   Mr. Warner explained that the City's sanitary sewer inspection program has found extreme deterioration of approximately 750 lineal feet of sanitary sewer in various locations within the City, that was construction prior to 1940. It is necessary to repair/replace these sections in an expedient manner, so as to maintain proper flow of the sewer system to insure the health, safety and welfare of the community. Mr. Blackburn noted that repairs will be made with a new lining system which is much cheaper. If all goes well with this experiment, they will continue with its use.

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

Mr. Hurley	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes

Mr. Warner moved it be approved as an emergency; second by President Milovich.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes

9. Resolution CR-51-96 (Authorize the Administrative Assistant to request $250,000 from the Franklin County Five Dollar License Fee Fund for Improvements to Haughn Road) was given its reading and public hearing.

   Mr. Warner explained that under Chapter 4504 of the Ohio Revised Code titled "Local Motor Vehicle License Tax", the curb and gutter, pavement, and storm drainage improvements to the unimproved portion of Haughn Road is an eligible project for such funds.

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

Mr. Milovich	Yes
Mr. Warner	Yes
Mr. Faris	Yes
Mr. Hurley	Yes
Mr. Bennett	Yes

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 congratulated the four new officers. She thanked Council for their support on expanding the CRA for the theater. She announced that she will be holding a meeting for all interested persons to share their ideas for a proposed Recreation Center. This will be on Sept. 12, 1996 at 7:00 p.m. at the Jackson Township Administration Office. It is being held outside of City Hall due to Arts-in-the-Alley preparing for the weekend here.

2. Mr. Warner announced that he has accept a position as Community Affairs Director with the South Western City School District. Due to the nature of the position and the need for his attendance at School Board meetings and work sessions, he will be unable to remain on Council. With disappointment, he submitted his letter of resignation, effective September 17, 1996. He commented

that he has thoroughly enjoyed his time on Council and is proud of the community and looks forward to working together in a new capacity, a concerned resident.

3. President Milovich also commended and welcomed the new police officers. He commended Council Member Hurley for his efforts in working with Jackson Township on getting a park established in the Tanglebrook subdivision area. He then applauded the efforts of Mr. Warner and noted that he didn't think anyone wanted to accept his letter of resignation, but, wished him success in his new position.

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

Council adjourned at 9:45 p.m.

Tami K. Kelly

Tami K. Kelly, CMC
Clerk of Council

Michael Milovich, Jr.
President