CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

August 6, 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. Mr. Corbin moved to dispense with the reading of the regular and special minutes from the previous meetings 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-09-07 (Appropriate $224,595.00 from the General Fund for the Current Expense of Developing Town Center Green) was given its second reading and public hearing and at the request of the Administration, Mr. Stage moved it be withdrawn; seconded by President Lester.

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

2. Ordinance C-64-07 (Appropriate $100,000.00 from the Sewer Fund for the reimbursement to the Water Fund) was given its first reading.

Mr. Stage explained that this is simply a housekeeping measure and is not an additional expenditure. The State Auditor's have requested it be completed immediately. Due to the sense of urgency, Council has been requested that it be approved as an emergency measure.

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

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

Mr. Stage moved it be approved as an emergency; seconded by Ms. Klemack-McGraw.

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

3. Ordinance C-65-07 (Appropriate $22,911.00 from the General Fund for the reimbursement to the Water Fund) was given its first reading.

Mr. Stage explained that this housekeeping measure is to reimburse the water fund for money taken from an inappropriate fund.

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

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

Mr. Stage moved it be approved as an emergency; seconded by President Lester.

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

4. Ordinance C-66-07 (Amend Section 161.10 of the Codified Ordinances titled Compensation Plan; Employees and Officers) was given its first reading and at the request of the Administration, Mr. Stage moved it be withdrawn; seconded by President Lester.

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

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

1. Ordinance C-63-07 (Accept the Resubdivision of all of Lots 181 to 186 of Pinnacle Club Section 2, Phase 1 and all of Lots 319 to 330 of Pinnacle Club Section 2, Phase 2) was given its second reading and public hearing.

Mr. Ed. Miller, EMH&T, was present and requested that this item be approved as an emergency measure. Mr. Stage asked why the need for an emergency. Mr. Miller indicated that about five homes have been sold and they need approval to obtain the necessary building permits to begin building.

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

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

Mr. Corbin moved it be approved as an emergency measure; seconded by Mr. Stage.

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

2. Ordinance C-67-07 (Accept the Re-subdivision of Reserve B of Hoover Crossing, Section 1) was given its first reading. Second reading and public hearing will be held on August 20, 2007.

3. Ordinance C-68-07 (Approve a Special Use Permit for T-Mobile for an Antenna Tower located at 2650 London-Groveport Road) was given its first reading. Second reading and public hearing will be held on August 20, 2007.

4. Ordinance C-69-07 (Approve a Special Use Permit for Speed E Car Wash for a Car Wash facility located at 1895 Stringtown Road) was given its first reading. Second reading and public hearing will be held on August 20, 2007.

5. Resolution CR-41-07 (Approve the Development Plan for T-Mobile Communication Tower located at 2650 London-Groveport Road) was given its reading and public hearing.

   Mr. Louis Siuffi, was present on behalf of T-Mobile & Jackson Township, explained that their application was for a 160' cell tower, which will accommodate two additional carriers and be placed at the rear of the fire department. He said they chose this location because it was zoned properly and they wanted to put the money directly back into the community – through the fire dept.

   Mr. Corbin asked if the prior tower was 130'. Mr. Siuffi said he wasn't aware that there had been a tower there previously. Mr. David Burris, J.T. Trustee, stated that there was a 130' radio tower that the fire dept. used. When they renovated the fire house three (3) years ago, they took it down. He went on to voice the Trustee's concerns over denial of this tower. He said they have tried to stay off the ballot and this would provide $500,000.00 over the life of the contract (30 years). He said they were upset to learn that the day after Planning Commission denied this application, an e-mail was sent by the City offering to place this on the city's water tower. He provided a copy of the e-mail to Council. He also stated that he was told the reason for denial of this development plan was due to landscaping deficiencies. He showed Council pictures of the city's cell tower on Hoover Road.

   President Lester asked how T-Mobile would reimburse Jackson Township. Mr. Burris stated that they would receive monthly payments of approx. $1,000.00. The contract has a built-in annual increase. President Lester asked how tall the Hoover Road tower is. No one was certain of the height. *Mr. Berry* asked Ms. Reichard if she was aware of the e-mail that was sent. Mr. Chuck Boso, Dir. of Dev., stated that the e-mail was sent at his direction. Based on the comments and decision of Planning Commission he was attempting to assist the developer. He apologized to the Trustees. He said, based on the city's annual budget, it certainly was not a matter of trying to obtain this revenue. He said the Dev. Dept. recommended approval and they stand behind that recommendation. Mr. Burris accepted the apology and said he wasn't aware of all that had transpired. Mr. Boso stated that there was a matter of aesthetics and if it could be placed on the water tower, the revenue could still go to the Township. *Mr. Stage* commented that he is not supportive of this antennae tower at this location. It is not a matter of revenue. It has to do with the city investing $12 Million in road improvements. He asked why it can't go in a different location. He said if it goes on the water tower, we give the revenue to the Township. What, after spending $12 million, makes sense about placing this behind the road. Mr. Burris stated he doesn't think they look any worse than other power lines in the area. He said he doesn't like the look of the tower either, but until technology changes, this is what is needed. Mr. Boso questioned T-Mobile about a different location. "Lou" stated that they won't go on an AEP Pole because it doubles the price and it only gives 68% of the service needed. This approach would require an additional tower in three to six months.

Mr. Steve Bowshier, J.T. Trustee, referenced a letter that was sent to Council from Fire Chief Sheets. It explains that the revenue from this cell tower would be used to provide fiber optic lines for their computer system and link all three Houses together. Mr. Stage commented that it sounds like something T-Mobile could do for the Township. That is right up T-Mobile's alley. "Lou" commented that they are always looking for public and private partnerships.

Mr. Corbin noted that there were four (4) stipulations from Planning Commission, which Mr. Siuffu agreed to.

Mr. Holt, Chair of Planning Commission, referenced a memo from him regarding the Development Plan. He indicated that with the stipulations, the development plan met Code, and Planning Commission should have recommended approval. However, Planning Commission felt that this cell tower could be better located somewhere other than the developing corridor of Hoover & S.R. 665. They recommended denial of the Special Use Permit, based on the requirements of the Code, and still believe it should be denied.

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

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

6. Resolution CR-42-07 (Approve the Development Plan for Speed E Car Wash located at 1895 Stringtown) was given its reading and at the request of the petitioner's agent, Mr. Corbin moved it be postponed to 8/20/07; seconded by President Lester.

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

7. Resolution CR-43-07 (Approve the Development Plan for HH Gregg located on Buckeye Place) was given its reading and public hearing.

Mr. Don Plank, attorney for HH Gregg, requested approval of this plan. Mr. Corbin asked if they agreed with the eight stipulations. Mr. Plank said yes. President Lester asked about stipulation #8. Mr. Plank stated that there was a question of the color gold shown on their drawings. It is different when you see it in person and they are willing to match the color gold on this building as is on the building at the Easton store.

Mayor Grossman commented that the Administration is willing to work with the property owner on securing a letter defining the 40,000 sq. ft. signature office building that was negotiated as part of the original zoning of this property.

Mr. Stage stated that the zoning text states that the parking requirements, per City Code, would be adhered to. He asked why we are avoiding that Section of Code and only allowing 50% of the required parking. Mr. Plank stated that he read that zoning text to be for the signature office building only. He said there is a significant portion of their building that will be used for storage, and not retail space. The City's parking requirements are designed to deal with more retail square footage in the building. He stated that there were deviations in the Parkway Centre North and South developments for similar reasons. He said if they do not have enough parking, they lose customers. They feel confident that the parking is sufficient for their use.

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

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

8. Resolution CR-44-07 (Waive Certain Provisions of Section 1135.14(a)(5) of the Codified Ordinances titled Submission Procedures for the River Walk Subdivision located East of S.R. 104 and North and South of White Road) was given its reading and public hearing.

Mr. Jack Reynolds, attorney for petitioner, explained that they are seeking an extension for their construction drawings. He said he heard some concern in Caucus and asked that their request be amended from three (3) years to one (1) year. That time line is more in keeping with what has been given to other developments in the past.

Mr. Stage stated that he will be asking for a postponement on this issue. He said he would embrace a year's extension, but would rather have six (6) months. He believes there needs to be additional review of this project and getting additional insight into this massive project. The extension of Pinnacle Drive and the potential extension of Holton Road are still not clarified - particularly who will pay for what and the timing of those extensions. Mr. Reynolds stated that in Feb., 2006, they committed to working out the extension of the roadways prior to the plans being approved with the Administration. He said he doesn't know how they can address this in the next two weeks, when they have not started working on the construction drawings. They have committed to resolving any of those issues and they are addressed in the legislation passed in 2006. Additional discussion took place concerning the previous approval of the Development Plan.

There being no additional questions or comments, Mr. Corbin moved that Section 1 be amended to reflect a one year extension rather than a three year extension; seconded by Mr. Stage.

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

Mr. Stage moved that this Resolution be postponed to 8/20/07; seconded by Ms. Klemack-McGraw.

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

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

1. Mr. Gerald Kimmell, Orders Rd. resident, expressed his concern over the rebuilding of Orders Road that took place last year. He said there was poor engineering, lousy planning, lack of cooperation with the Administration, and getting this project finished. He said they have tried for one year to get someone back to take care of flooded yards, poor drainage, poles too close to the roadway, with no response from the Administration. All of this pales to the events of yesterday that ended in a fatal accident. He said it is the third time that he knows of that the same utility pole has been hit. He believes the pole is too close to the road and was left there after the redesign of the road. His mailbox has been wiped out three times. He implored Council to look at the situation with this pole. He said it should have never been left there. *President Lester* stated that in light of the current incident and the ongoing investigation, he believes that these comments will add more information to be reviewed. Mr. Kimmell said he would invite Council to come and look at the area and see what has not been completed. They cannot get the contractor or engineer back to do anything. *Mr. Stage* stated that he appreciated these comments, however this is truly an Administrative issue and calls for no councilmatic action.

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

1. The Mayor submitted the Mayor's Monthly Report and Mr. Berry moved to accept same; seconded by Ms. Klemack-McGraw.

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

The Mayor expressed sympathy to the Bollinger family. She reported on the success of the Balloons Off Broadway event and the Alumni Softball Tournament. She reported on upcoming events and road construction.

2. Dr. Howard, Interim Finance Dir., distributed the Comprehensive Annual Financial Report and thanked everyone who was involved in the report.

3. Chief Deskins commented on the tragic incident yesterday. He said Sgt. Bollinger was known to the Department. He explained that the passengers were headed home from a special duty job and

assured Council that there is a full scale investigation taking place. He said the best thing to do is allow for that investigation to be complete to determine the cause of the incident. They will share all the information with the engineering and other departments within the City. He also announced that their Assessors will arrive next week to review the Dept. on their reaccreditation (466 standards).

4. Ms. Klemack read a statement concerning a piece of legislation that she and Mr. Berry have been working on to place power lines underground. President Lester noted that this issue was mentioned in a caucus session and it was determined that the Administration does research burying the lines at the time of a road construction project.

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

Council adjourned at 8:50 p.m.

Tami K. Kelly

Tami K. Kelly, MMC
Clerk of Council

Richard D. Lester

Richard D. Lester
President