

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

August 4, 2014

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 meeting and approve as written; seconded by Mr. Bennett.

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

2. President Berry recognized the Mayor, who recognized Tim Baker and the Big Splash team for receiving the 2013 Ellis Platinum Award for pool safety. This is the 7th award for the pool staff, out of 8 years of the pool being open.

3. The 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-46-14 (Appropriate \$940,385.00 from Various Funds for the Current Expense of the Orders Road Reconstruction Project) was given its first reading. Second reading and public hearing will be held on August 18, 2014.

The Chair recognized Mr. Davis, Chairman of Safety, for discussion and voting under said Committee.

1. Ordinance C-47-14 (Establish Section 505.16 of the Codified Ordinances titled Bees) was given its first reading. Second reading and public hearing will be held on August 18, 2014.

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

1. Ordinance C-43-14 (Amend Section 1137.05(e) & (f) of the Codified Ordinances titled Yard Obstructions and Fences) was given its second reading and public hearing.

Mr. Smith, Dir. of Law, explained that these amendments are clean-up measures to the Code. We found that we had two different heights for pool fences. This will make it consistent.

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

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

3. Ordinance C-44-14 (Approve the Special Use Permit for Outdoor Seating for Wendy's Restaurant located at 1920 Stringtown Road) was given its second reading and public hearing.

Mr. George Schweitzer, representing Wendy's, was present. He explained that this restaurant is about 30+ years old and there is a national incentive to upgrade these buildings.

Ms. Klemack-McGraw reviewed the stipulations from Planning Commission. Mr. Schweitzer said they agreed to both. Mr. Berry asked if it will be completely leveled. Mr. Schweitzer said yes.

Mayor Stage asked about blowing trash and how that will be mitigated. Mr. Eric Stevenson, owner, said they will have trash cans on the patio and it is gated so trash should stay inside the patio area.

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

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

4. Ordinance C-45-14 (Approve the Special Use Permit for a Drive-Thru Window for Wendy's Restaurant located at 1920 Stringtown Road) was given its second reading and public hearing.

Mr. Schweitzer was present. Mr. Bennett confirmed that there would just be one pick-up window lane. Mr. Berry asked about parking. Mr. Schweitzer explained that the new width of the building and the landscaping easement does eliminate the parking row along the drive-thru window side. However, Mr. Boso, City Admin., confirmed that the plan meets the parking requirements of the Code.

Mayor Stage noted that the City did ask for a best effort to get a drive lane behind the property out to Gantz. They will also be removing their high-rise sign.

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

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

5. Resolution CR-37-14 (Approve the Development Plan for Wendy's Restaurant located at 1920 Stringtown Road) was given its reading and public hearing.

Ms. Klemack-McGraw reviewed the stipulations from Planning Commission. She noted that a landscape plan and a photometric plan were received. Both have been reviewed and approved by City staff. Mr. Schweitzer agreed to the stipulations.

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

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.

1. Mr. Brian Grove, resident, spoke on the Bee hives next to his home. He said immediately after the last Council Meeting, Channel 10 was at his home. Once 10TV aired their story, the neighbor moved the hive off his property line, which is some good news. Secondly, he contacted his homeowner's insurance company and asked them if his policy would cover his property if he were to harvest bees. He was told that they did not cover bees. He asked about a rider for his policy for liability issues. He was told no – they do not insure insects. He said he has bees behind his siding and now cannot issue a claim against his neighbor's insurance or his own because it is excluded from a homeowner's policy. He said he also had an HER Realtor come out to evaluate his property with a bee hives next door and was told that the bees could have a direct impact on the resale value of the homes in Grove City. They said anyone with children would be very hesitant to purchase a home nearby where hives like this are kept. He provided a copy of that evaluation for Council. He then shared that his Deed Restrictions do not allow for any insects to be raised, bred or kept on the property. He said he believes this is a fair, good, just reason why these hives should not be in our subdivisions. He gave a copy of the Deed Restrictions to Ms. Kelly, Clerk of Council.
2. Ms. Cindy Schemrich, spoke against Bees in neighborhoods. She explained that she is highly allergic and has had three heart attacks from being stung from bees. She said she lives in the country and the guy who had bees in the woods took them out because she is so allergic. She said she has not been able to go to Mr. Grove's home, which is family, because of the bees. As soon as you step out of your car, the bees are there. She said she doesn't feel that beehives belong in the City, at all. She said Jackson Township carries special medicine just for her. She asked that they think hard before they approve this. Having several acres is one thing, but not in a yard space.
3. Mr. Eugene Marzika, resident, provided pictures to Mr. Davis of his home. He explained that on his front porch, there are flower pots and bushes that bloom. He said his backyard is practically all flowers. He said he has one bush that is full of bees already. He said he spoke to a lot of people in the Park who were swatting bees. Ms. Lanese asked if there was a hive in the neighborhood. Mr. Marzika said there is one across the street. Mr. Berry asked if he feels there are enough bees in his neighborhood. Mr. Marzika said yes. He said he doesn't want his wife getting stung. She has had enough problems.
4. Mr. Jim Swanson, resident, said he has nothing against bees and he lives next to a hone with hives. He said he has had a different experience than Brian Grove because he has a natural fly-away, with a grove of Buckeye trees. However, those trees drop their leaves early and he is not sure what will happen this Fall. He said he read the ordinance and there is nothing in it that would address Brian's problem directly. He said he applauds the efforts of Council, but is not sure that on these small lots, that they are able to handle hives. Ms. Lanese commented that she believes the provision for a fly-away zone and the complaint process would address these types of issues. He thanked Ms. Lanese and said it is just not clear to him what constitutes an interruption of the ability to enjoy ones property.

5. Mr. Jerry Hinton, resident, said he is a Bee Keeper in the City. He said he doesn't know what is happening with the neighbors, but, he does consider himself an expert. He said the reality is there is a real fear when someone has a true allergy to bees. He said if his neighbor had an allergy that the lady explained he would reconsider what he is doing. He said he doesn't believe there are enough pollinators anymore. He said other bugs and pesticides have compromised bees. He said he thinks they can be handled, if done responsibly. He said limit the number of hives and size of hives.

Mr. Bennett said this is not negating any concerns. There is nothing in the Code now to prevent hives and this is attempting to address them in a responsible manner. He said he had no idea that people like Mr. Hinton have had hives for years in the City. This is not negating any safety or health concerns. There are regulations for fly-away's and water sources. This is an attempt to make someone responsible for their hive.

Ms. Lanese said she would like to permit bees but does have a concern for safety. She asked if Mr. Grove were living by a responsible bee keeper, what reassurance would his family member have that she could visit him and not have to worry. Mr. Hinton said there is no guarantee for her. He said a honey bee will sting – primarily – if you step on one or if you try to take their honey. She asked about a fly away zone. Mr. Hinton said they should go up and away, but you can never say never. Honey Bees typically travel around 30 feet. However, when you have bees placed too close to your neighbor's property, you are setting yourself up for a whole bunch of issues that are not fair for your neighbor. Ms. Lanese asked if he feels they can be regulated responsibly. Mr. Hinton said yes.

Mr. Bennett noted that this ordinance does not overrule Deed Restrictions.

6. Miss Karissa Smith, Bee Keeper, said she has a little under an acre and there haven't been any problems. She asked if someone had bees now and had no fence, would they have to get rid of their hobby. She asked how the complaint process works. Mr. Smith, Dir. of Law, explained that this is currently written so a complaint would be forwarded to the Safety Director and he would issue a notice to remove the bees. He said that may get amended to provide for an inspection by the Safety Division to establish non-compliance before an issue to remove the bees is sent.
7. Mr. Seth Wiegand, as a young person who is now a University of Dayton student, said he was recently informed that Beulah Park is being torn down and there are proposals on what to do with that space. He said he would like to come back here to live. However, Grove City is lacking, compared to other Central Ohio communities, with a Recreational Center. He feels it would be very beneficial for the community if they were to look into a proposal that would develop into a place where young people and new families could move into houses or apartments, with a community recreational center in the area. He said this would attract a younger population. He said if it connected to downtown Grove City, it would be very cool too. There is no reason to not think it could develop into something like the Short North. Putting in place a community recreation center with developed housing would allow for an opportunity like this and would be great for Grove City.
8. Ms. Mary Shaw, resident, wanted to share that she was at Southwest and Demorest Rd. during the downpour and the mud was not rolling out of her entrance mound. The mulch kept the plantings in place. She also noticed this morning that the guardrail was getting fixed. She then read the definition on "independent", for Council to remember when discussing the Library.
9. Ms. Theresa Thomas, resident, commented on the new Library. She said she has read the latest Study. She shared concerns about changing the agreed upon site; the ease of accessibility; the library working in synergistically with the Town Center. She feels the revised plan is beneficial for one property owner and not the entire Town Center. She said the longer they wait in making decisions is costing the library more money. To see money spent foolishly is not in the best interest of the City

nor is it good stewardship. She feels that the benefits to the rest of the Town Center would be benefitted by the third option.

10. Mr. J. R. Rucker, current operator of Grove City Lanes, said he thought the library was to get started in the Spring. He spent money on the kitchen to attract the construction workers. He said he is struggling and if they are going to help one person, he wants a piece of the pie too. He said the Bowling Alley is just as historical to Grove City as the homestead they just bought. He said let's get it going so more movement can get started. He said it's not fair to make someone change their house so another can have a bigger driveway – and that is the way he looks at it.
11. Mr. Jim Russell, Pizzuti, provided an overview of the latest study. He said the Study looked at a couple of things: Initially, a review of the proposed alternative plan. As that began, it was realized that it was important to do a review of the current site plan, as it related to the Town Center Plan & the 2011 Supplement; as well as looking at potential alternative locations and/or modifications that were in keeping with the spirit of Council's direction and what the Library needs. He introduced each consultant involved. He said there were two main factors that moving the library were focused on: 1. Improving the operational functionality of the Library, and 2. Look at the opportunity to help revitalize and stabilize the Town Center merchants. He then had each firm come up and give their findings:

Ms. Jennifer Sun, Brahn & Steidel & HBM Architects. She said they were asked to evaluate their site plan and an alternate site offered by neighbor to the North. She said what evolved out of that was a third concept. They stepped back a bit from their own site bounds and took a bigger view of how this investment in the library will give opportunity to that site. She said they believe that can happen without revising the City grid. She explained that as part of the collective study, they looked at how the architecture can conserve library function and contribute to the overall growth along Broadway and the Town Center. Two concepts emerge from that – the frontage along Broadway, and location of the entry. She said there is an urban environment and they are developing an area along Broadway and a roof patio to activate the energy there. Ideally, if there could be an entry off Broadway that would be best. Keeping people walking up and down Broadway, coming in and out of the Library and activating the whole street, would be the #1 goal. She said they do have a deep site so it is difficult to do. There is parking in the rear. In the center of the building, there is a point of entry on Grant Ave. They landed there based on the Library Director and meetings with the staff. This entrance also aligns well with more development to the south, by Pizzuti. She then reviewed the alternate site that extends Columbus Street. She said they can build a great library, but what would be a best library has to consider many factors other than the architecture. She shared highly conceptual ideas for this footprint to see what could happen. She said there is a third option that provides for a way to keep the City grid in-tact and gives another option. That option utilized Mill Street as a developed street between the Library and Mill Street Market.

Mr. Bennett said in February, information was provided, regarding the continuation of Columbus Street that was intended by a 1998 Study that the City had completed, and again in the 2008 Study. He said there is a tendency to take private businesses and put public buildings on them without looking into the ability to reconstruct those businesses. The idea of continuing Columbus Street is to allow for more business in the Town Center. He asked if the architects, etc. looked at this property before knowing a Library were to be put there, would they consider the best use and best plan to make a zigzag street, or continue the street straight through. Mr. Russell said part of the problem with extending Columbus Street, creates a more narrow lot that may not be able to be developed with the desired business. The alternate plan does provide for some opportunity for new business with frontage on the extended Mill Street.

Mr. Brian Kinsel, MKSK urban architect & landscaping firm, came forward to discuss the architecture and the functionality of it for the site and along Broadway.

Mr. Pete DeSalvo, DeSalvo Development Advisors, said their main focus is on mixed use and is a market analyst. He said from a market standpoint, there is limited interaction with the Town Center merchants with the current library schematics. You could effectively drive in, park, walk in, and leave without really doing anything in the Town Center. Pedestrian traffic is key to the health of a Town Center. He said being able to see people inside the Library is good, but the entrance is limiting. There is limited visibility and the Library has its back facing the Mill Street Market. He said the Library does fill a street gap. He said gaps stop people from walking farther and you want to be careful with having too big of a gap between businesses. He said under the alternate Plan, there is an improved egress. It does open up the visibility for both the Library and Mill Street Market. It also increases some opportunities for retail behind the Mill. He said extending Columbus Street doesn't activate the existing building behind Mill Street Market. He said no one knows what will happen with Beulah but extending an entrance to it, does increase the marketability of the property just southeast of the railroad tracks. However, if the Beulah property has a concentration of retail on it, it would divert the Town Center traffic to the new retail. In summary, the Library entrance is not optimum; having the library at this site is a big boon; the alternate plan is an improvement to the Library configuration, but the extension of Columbus Street has minimal overall impact; they suggest an alternate configuration that interacts better with the Broadway area and Town Center.

Mr. Dave Samuelson, E.P. Farris & Associates, is a traffic engineer. They were asked to look at traffic. They looked at vehicular traffic, pass-by trips. They did not evaluate pedestrian trips. They assumed keeping Mill St. as-is and realigning Mill St. to be opposite Columbus St. They also looked at some variations. He recommended keeping Mill St. at its current location and signalizes it. Each side would get their own green light and turn arrow. The alternative is to realign Mill Street, but there is no traffic flow incentive to do this. The last item was to look at extending Columbus Street to Beulah. He said they do have some concern that this may require the need to widen the street. If it were two lanes wide, it would impact the developable area for the Library. He said, today, their recommendation is to keep Mill Street where it is.

Ms. Lanese thanked the consultants. She said she didn't think about the need for further widening of Mill/ Columbus St. She also liked the outer green space.

Mr. Bennett said 160 ft. of frontage is a big, long building. He invited people to walk the length of City Hall which is only 80 feet. He said he had a business at Broadway and Grant. He said it is a dangerous intersection and invites serious chaos. He asked where all the parking for the Library will come from. Mr. Russell said you don't want all the parking in one space for the Town Center, it is spread throughout all the businesses. Mr. Bennett said parking is going to be a problem and he doesn't want to chase out businesses that rely on parking and are now in competition with the Library. He said it also doesn't negate the pedestrian traffic trying to cross Grant Ave. Mr. Boso said Mr. Bennett has a fair comment. He said he is in discussion with other property owners for more parking behind the library site.

Mr. Berry asked if it is so important to have frontage on Broadway, why is there no entrance on Broadway. Mr. Russell said they agree that a configuration with an entrance from Broadway with functionality is recommended. Mr. Berry asked if that was the perfect spot for the Library. Mr. Russell said they believe it is. Jennifer Sun said they are trying to queue people from the front to the entry so it is a more functional operation inside.

Mr. Davis asked that someone walk him through the traffic patterns. Mr. Samuelson, traffic consultant, took him through it, but said they had not evaluated the need to widen Mill Street in the future. Mr. Davis said he considers the current Library a suburban style and the new location would create an urban style that stimulates the market around it. He asked if he is missing the concept. Mr. Russell said that is correct. Grove City is unique in that we have an authentic Town Center. It was here

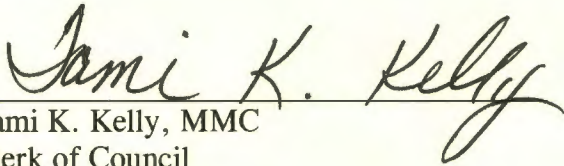
before suburbs were created and we have an active space. Libraries are now being used as a catalyst for further development and the important way it speaks to the Town and area of activity, and even the adjacent sites. Mr. Davis said that part of that is done through the design of the building. Ms. Sun said yes, with glass and green space.

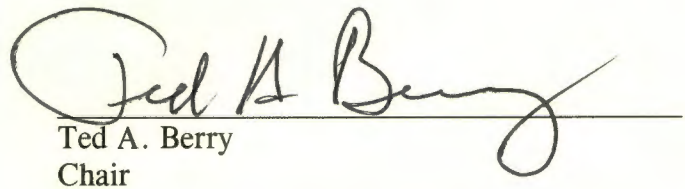
12. Mr. Scott Stover, resident, said he is concerned over traffic. He is concerned over turning the Columbus/Mill Street into an intersection like Whittier. He needs proper traffic flow to get in & out of his home and to work.
13. Mr. Dan Walts(?), Park St; also voiced concern over traffic flow. He said from Grove City Road to Mill Street there will be 5 traffic lights. It was stated that there would be no change in the existing number of traffic lights. It was asked how people on Grant Street would get out and the traffic engineer said it would remain controlled with a stop sign.
14. Mr. Neil Baker, one of the owners of Mill Street Market, said he believes it is inappropriate for the Mayor and the Consultants to call this alternative the Dover Project. To be appropriate, he would call it the correction to the Columbus/Mill Street intersection.
15. Mr. Rick Kidwell, resident who lives on Grant Street, said it is impossible to get out off Grant Street now. With 3,500 people visiting the library each day, there is no way you will be able to get off the street. He has lived there for 25 years and this is a terrible idea. He said this Library Building is a bad design. It will be impossible to get out.
16. Mr. Baker stated that Mill Street is 40 foot wide now. His customer's park head-in and would be backing out into the flow of traffic, under this alternate design. He wondered if the traffic officials considered this. Additionally, his tenants have large box trucks delivering materials, snow plows, utility trailers and large busses. The building in the back has two loading docks. He said the diagrams don't seem to consider this. He asked if they were aware of the variety of traffic that comes in and out of Mill St. Mr. Russell said this is an urban setting. The street will be designed to handle the traffic. They used the existing traffic counts in their study. Mr. Baker asked if all they are showing is on the property outlined by the City or is it encroaching on Mill Street. It was determined that some is in the right-of-way of Mill St. Mr. Baker said this plan is detrimental to the businesses at Mill Street Market.
17. Mr. Joe Ciminello said he doesn't believe it is fair to say this is about one property owner. He came up with the idea of extending Columbus Street through. He didn't know Mr. Baker or Mr. Dover at that time. He still feels his design solves many of the problems. He said all sides need to look good. He likes what Jennifer suggested in the architectural design and says it can all be done. He asked how they are going to get all 100 spaces next to the site; without having to cross a busy street; as insisted on by the Library Board. Mr. Russell said he has encouraged the City to look for additional parking. The Library has said that is not a deal breaker now. Mr. Ciminello asked if the extension of Columbus Street goes somewhere, is that a game changer. Mr. Russell said Brian said Beulah Park is a game changer.
18. Mr. Dennis Donavan, resident on Kersdale, said nothing in this City discourages him more from coming downtown than parking. He said he loves where the library is now. He is in education and thinks the Library is an excellent extension of education. He said he is looking at a bigger area that just Broadway and the biggest problem is parking. He would love to do all his shopping down here, but can't because he can't find parking. He said this needs addressed if you really expect this City to be the viable center that everybody talks about.
19. Mr. Gary Leisure asked if it would be difficult to get a railroad crossing over the tracks. Mr. Samuelson said it is an extensive process.

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

1. Mayor Stage said this type of exercise is extremely helpful. He thanked Council for this forum. However, since June 9th they have been consumed with a plan from someone that is not a partner that has no monetary contribution as of today. He hopes that the opportunity is provided to Jennifer to see what can come off of Broadway, Grant Ave. & Mill St.
2. It was noted that monthly financials were provided to Council.
3. After comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Council adjourned at 9:50 p.m.


Tami K. Kelly, MMC
Clerk of Council


Ted A. Berry
Chair