

CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

April 05, 2021

Regular Meeting

Council reviewed the agenda in Caucus at 6:30 and the regular meeting of Council was called to order by President Houk at 7:00 p.m. by a virtual Webex connection due to the Coronavirus-19 pandemic, as temporarily allowed by the State.

Roll was called and the following members were present:

Roby Schottke Aaron Schlabach Christine Houk Randy Holt Ted Berry

1. Mr. Schlabach moved to dispense with the reading of the minutes from the previous regular and special meetings and approve as written; seconded by Mr. Schottke.

Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes

2. President Houk recognized Mr. Shane Fuller, Boy Scout – Troop 136, who reported on his Community Garden project by sharing a slideshow presentation.
3. The Chair read the agenda items and they were approved by unanimous consent.

Mr. Schottke moved to amend the order and move C-14-21 to the last item under the Lands Committee; seconded by Ms. Houk.

Mr. Schlabach	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes

The Chair recognized Mr. Schottke, Chairman of Lands, for discussion and voting under said Committee.

1. Ordinance C-06-21 (Approve an M-1 (medical) Zoning Classification for 9.83 acres located at 1255 Stringtown Rd. upon its annexation) was given its second reading and public hearing.

Ms. Kacie Waugh, attorney for petitioner, was present to answer any questions.

Ms. Houk asked for an explanation for the M-1 zoning request. Mr. Rauch, Dir. of Dev., stated that the original request was C-2 but when the Development Dept. looked at the 2050 Long Range Plan, it was suggested that an M-1 (medical) classification would be more in line. The property owner did not want the current, residential zoning classification to remain upon annexation to the City. He explained that since a new State statute prohibits municipalities from regulating where churches can be placed, it was better to go with a zoning classification that met the long range plan and the current zoning in the area.

Ms. Waugh stated that it was felt that it would be more advantageous in the long run for this property to be something other than residential.

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

Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	Yes

2. Ordinance C-12-21 (Approve a Special Use Permit for an Automotive Dealer for Gibby's Auto Exchange located at 3422 Mill Street) was given its second reading and public hearing.

Mr. Schottke explained that this was approved in 2020 with a one year expiration date.

Mr. Rauch stated that this is mostly for wholesale vehicles. It is all done indoors and there have been no complaints.

There being no additional questions or comments, Mr. Schottke moved it be approved; seconded Ms. Houk.

Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes

3. Ordinance C-13-21 (Approve a Special Use Permit for a Car Wash for Moo Moo Express Car Wash located at 2607 London-Groveport Road) was given its second reading and public hearing.

Mr. Schottke moved to amend Section 1 to include the following stipulation: 1. There will be no entrance into the car wash from State Route 665. Existing driveway onto S.R. 665 is to be exit only; seconded by Mr. Berry.

Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	No
Ms. Houk	No
Mr. Holt	Yes

Mr. Rauch reported that this is a seven day per week operation. It can accommodate 47 vehicles from their access drive. They can stack up to 72 vehicles before impacting any adjacent property owner.

Mr. Jeff Gilger, representing Moo Moo Car Wash was present to answer any questions. Mr. Schottke commented that it seems that they place their businesses in awkward locations where cars stack up on roadways – for instance Stringtown Road, Fifth Avenue, & Sawmill Road. He said we have a fire station across the street from this proposed location and other businesses along that stretch of road. He said they also have added a road out to Hoover to accommodate this car wash. Mr. Gilger said they would not make the same mistake that they did on Stringtown Road. He said the way they have designed this car wash, they feel they have a monumental amount of stacking for vehicles – more so than any other site. He said they are learning how to control and manage their

business better. He said they believe it will reduce the load on Stringtown. He said the building is presented with S.R. 665 road frontage. If they force customers to enter off another road, he believes it will be detrimental to the success of this business.

Mr. Frea, resident, asked if the new stipulation would interfere with access to the Huntington Bank. Mr. Schottke said entering from S.R.665 would also interfere with the Bank access because cars would stack up in front of their access point.

Mr. Paul White asked if the access to CVS from Hoover Road could be used for access to Moo Moo. Mr. Schottke said that access drive would be extended for the car wash.

Ms. Christina Temple asked that Mr. Schottke please consider the implications of having the entrance for Moo Moo run right by the Day Care Center. Children are often outside and the fence is very close to the service road.

Ms. Houk voiced concern over this application. She said she looked at the original proposal from 2006 for this site. She said she voted no for the additional stipulations because she doesn't believe it answers her concern, but understands the issue behind it. She said she is grappling with the impact to the Huntington Bank; the Day Care Center and the CVS. She said we can design how cars get stacked, but we can't design for human behavior. People will take the path of least resistance and she wants to make sure that granting a special use permit will not adversely affect surrounding businesses and future development in the area. She said she thinks we have learned some lessons with the Stringtown Road location.

Mr. Berry shared similar concerns. He said blocking the road is just not going to work. He said he would like to hear from the Police Division on how they will handle stacking on the road. He would like to hear from the Dev. Dept. on how what they are discussing will impact this plan. He moved that this be postponed to 4/19/21; seconded by Mr. Schottke.

Mr. Gilger asked what the required research or deliverables would be for the next meeting. Mr. Berry said he wants to know the exact number of cars can be stacked and what the police will do about a vehicle holding up traffic on the thoroughfare. Mr. Gilger said they can put 74 cars on this property. He said they show signs in place to prevent stopping in advance of the Huntington drive-thru. He said they would be willing to block the S.R. 665 access on those days that back out onto the road.

There being no additional questions or comments, the vote was called on the motion to postpone.

Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	No
Mr. Holt	No
Mr. Berry	Yes

4. Resolution CR-14-21 (Approve a Development Plan for Moo Moo Express Car Wash located at 2607 London-Groveport Rd) was given its reading and Mr. Schottke moved it be postponed to 4/19; seconded by Mr. Berry.

Mr. Schlabach	Yes
Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes

Mr. Steve Weygandt posted a comment asking how people wanting to enter the Huntington Bank enter from S.R. 665 and asked if would go against those exiting the Moo Moo Car Wash.

5. Ordinance C-14-21 (Amend Sections 1131.03 and 1137.05 of the Codified Ordinances to device "Privacy Fence" and restrict their use) was given its second reading and public hearing.

Mayor Stage explained that the Code does not define a privacy fence and this is an attempt to give some definition and how they can be used. He said this was never designed to be punitive. He said there was a lot of discussion on social media and he made 30+ calls to help explain the confusion. He said they will be making some suggestions to Council to amend this to clarify grandfathering, as well as others. He turned it over to Mr. Chuck Boso, City Admin., who share a number of existing fence pictures within the City. He said there are some that are more pleasing than others. Those that are not pleasing, are still Code compliant. He said the ultimate goal is to give the our residents the ability to provide privacy and pet control, while at the same time – have structures that do not detract or are detrimental to the neighborhoods. Mayor Stage referenced a fence that was leaning into a neighbor's property and causing damage and safety concerns. He said they would like to make some adjustments and hear additional comments from the public.

Mr. Berry said he has no problem creating a standard for upkeep and maintenance of fencing, however he has concern for creating a uniform style of fence.

Mr. Smith, Dir. of Law, reiterated that there is no retroactive application to this Code change. Legally, it cannot. If a fence exists today, it is allowed to remain.

Mr. Schlachach asked how the size restrictions help make the privacy fence more pleasing to the eye. He said he doesn't believe the height of six feet causes any issue in the neighborhood. He said he doesn't feel postponing this is in order. The public has made it very clear how they feel about this ordinance and Council should listen to what they want.

Ms. Houk said this was added to the Council Agenda after it was published and the fact that the conversation started on social media was detrimental. She said the current ordinance is not aligned with the intentions and hopes the Administration can modify this in a positive way for the community.

Mr. Schottke shared his concerns over this amendment. He said he believes there are valid reasons for some to have a stockade fence, such as those backing up to commercial or a busy road. As for upkeep, he thinks there are ordinances in place and they just need to be enforced. He shared concerns over the dimensions outlined, as this will require people to mow the parameter of their yard. He feels there is 1 positive reason and 7 – 8 negative reasons that this is not a good piece of legislation. He said the emails that were received share concerns over: grandfathering of existing and future structures; dogs/pets; children's safety; the condition of neighbor's back yard; safety. He asked if anyone had other comments to share, please raise their hand so they could be heard.

Mr. William Evans asked what the timeline and process be for the approval of this ordinance. He said he has dogs that can easily jump a four foot fence.

Mr. Matt O'Brian asked if you can change from a chain link to a wood fence.

Ms. Joyce Sharron stated that the length of fence on sides and back are an issue. This ordinance is 40+ years old. A couple more months is not going to break the process.

Ms. Kimberly Bolin asked if she would be able to install a new six foot fence.

Mr. Paul White stated that limiting the height and grandfathering does not solve the unsightly fences. That would go more to types of material. He said you could have an unsightly four foot fence. He doesn't see how this legislation solves the problem.

Ms. Sheets stated that she wants to know how anyone thinks they have the right to tell her what she can do with her property. She said she has a dog and two children that she doesn't want escaping her yard. She said she pays her taxes and if it is not violating a real law, she will do as she pleases.

Ms. Joyce Sharron said it would be helpful if the pictures of the fences were labeled "pleasing or displeasing" and the reason for each. Additionally, the ordinance limits the rear to 48 feet. It would prohibit someone from running a fence the entire length of their back yard.

Mr. T.J. Jester asked why make limitations to the fencing. He said the Mayor mentions a fence leaning onto a neighbor's yard. He asked why not deal with the leaning fence with the homeowner rather than write a blanket ordinance.

Mr. Rotruck stated that if the City's concern is the upkeep and appearance of existing fences, then why is there an attempt to dictate fence height and length. This also poses a safety concern for anyone with a swimming pool.

Mr. Paul White asked what will happen with existing fence requests until this is resolved. He said they are currently on hold. Mayor Stage said there are no fence requests on hold. They checked with the Building Division today and those are being processed as they come in.

Mr. Matthew O'Bryan, Tamera Dr., stated that he feels he should be able to put a privacy fence around the perimeter of his yard as long as there is a survey. He feels this ordinance limits many activities.

There being no additional questions or comments, Mr. Berry moved it be postponed to 5/3/21; seconded by Ms. Houk.

Ms. Houk	Yes
Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	No

The Chair recognized Mr. Berry, Chairman of Service for discussion and voting under said Committee.

1. Resolution CR-19-21 (Authorize participation in the Ohio Department of Transportation Contract for Road Salt) was given its reading and public hearing.

Mr. Boso explained that this gives the City the ability to take advantage of the ODOT purchasing power for road salt and will save us money.

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

Mr. Holt	Yes
Mr. Berry	Yes
Mr. Schottke	Yes
Mr. Schlabach	Yes
Ms. Houk	Yes

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

1. Ordinance C-15-21 (Continue the Grove City "Buy Local Certificate Program" administered by the Grove City Area Chamber of Commerce and Appropriate \$50,000.00 from the General Fund for the Current Expense of said program) was given its first reading. Second reading and public hearing will be held on 4/19/21.

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

1. Ms. Julie Ruzicka asked for further clarification of ordinance C-15-21. Mr. Berry explained what the program is and how it is administered by the Chamber of Commerce. This ordinance would provide a second round to that program.
2. Ms. Carol Kimmel voiced concern over flooding in the Town Center on Breck Avenue. She asked if an environmental impact study for Beulah was conducted. She asked how the City is set up to deal with the excess water and if the infrastructure is going to be updated and made better for everyone.

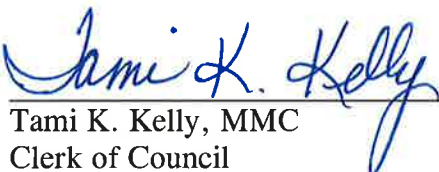
Ms. Houk said there is a very complex answer to address her questions and concerns. She said an e-mail was received from Ms. Kimmel on this issue and would like to connect her to Ms. Cindi Fitzpatrick, Dir. of Service, to get those questions answered expertly.

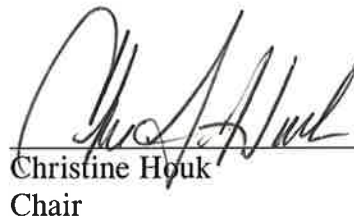
Mr. Chuck Boso stated that in terms of an environmental impact study, it depends on how you define that. He explained that when a development comes in, we look at all aspects of sanitary, sewer, water, wetlands, how it affects floodways and floodplains on a local and federal level. He said this is all done individually. He said in terms of run-off, that development can have no greater run-off than it did before the development. That is why you see retention ponds. He said if she would like to come in or have those reviews delivered to her, they will coordinate that with her tomorrow.

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

1. Mayor Stage thanked everyone for their comments on the fencing issue. He announced the Keep G. C. Beautiful event on Saturday to pick up litter. He reported on Senate Bill 22 concerning local income tax and those working to get it fixed.
2. Mr. Smith, Dir. of Law, reported on the Electric Aggregation progress. He said Drafts are done of the Plan of Operation and Request for Proposal and hope to get them finalized in the several months.
3. After comments from Council and Administrative staff members, a motion to adjourn was approved by unanimous consent.

Adjourn at 8:58 p.m.


Tami K. Kelly, MMC
Clerk of Council


Christine Houk
Chair