CITY OF GROVE CITY, OHIO
COUNCIL MINUTES

November 1, 1999 — 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:

Vaughn Radi *Steve Bennett* *Mike Milovich* *Chris Fulton*

1. Mr. Bennett moved to excuse Mr. Eversman and Mayor Grossman; seconded by Mr. Fulton.

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Fulton	Yes

2. President Milovich recognized Chief McKean who administered the Oath of Office to two new officers - Tisha Pack and Aaron Flaugher.

3. Mr. Bennett moved to dispense with the reading of the minutes for the previous meeting and approve as written; seconded by Mr. Radi.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

President Milovich read the agenda items and were approved by unanimous consent.

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

1. Ordinance C-82-99 (Accept the Annexation of 47.4 acres located North of Zuber Road and West of Seeds Road to the City) was given its first reading. Second reading and public hearing will be held on November 15, 1999.

2. Ordinance C-83-99 (Accept the Annexation of 35.838 acres located North of Orders Road and West of Haughn Road to the City) was given its first reading. Second reading and public hearing will be held on November 15, 1999.

3. Ordinance C-84-99 (Approve the Rezoning of Lots 93 & 94 of Woodlawn Addition, located on the southeast corner of Bruce and Bonnie, from R-2 to D-1) was given its first reading. Second reading and public hearing will be held on December 06, 1999.

4. Resolution CR-95-99 (Approve the Sign Request for Sound Communications located at 3902 Broadway in the Historical Preservation Area) was given its reading.

Mr. Hollingsworth, representing petitioner, was present to answer any questions. Mr. Bennett reviewed the stipulations set by Planning Commission and Mr. Hollingsworth agreed to them. Mr. Bennett noted that no lighting is proposed at this time and if they wish to add it later, they will need to come back. Mr. Hollingsworth said that was understood.

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

Mr. Milovich	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

5. Resolution CR101-99 (Approve the Sign Request for Berger Chiropractic Family Care, located at 3870 Broadway, in the Historical Preservation Area) was given its reading and public hearing.

Ms. Edna Springer, representing Berger Chiropractic, was present and presented two brick samples for the planter. It was determined that either sample would be appropriate. Ms. Springer provided dimensions of the planter around the sign and stated that decorative, spindle, tops will be placed on the sign posts. These posts will be painted in a color that is on the "approved historical chip chart".

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

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

6. Resolution CR102-99 (Approve the Final Development Plan for Electro General Plastics, located at 6200 Enterprise Parkway) was given its reading and public hearing.

Mr. Fritz Bauman, Contractor, was present to answer any questions. Mr. Bennett asked if the construction of the building will be similar to the existing buildings. Mr. Bowman said yes, very similar. Mr. Bennett asked what the use of the building would be. Mr. Bowman said it was a warehouse.

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

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Fulton	Yes

7. Resolution CR103-99 (Approve the Preliminary Development Plan for Grove City Sports Center, located at 1645 Gateway Circle) was given its reading and public hearing.

Mr. Bennett asked Mr. Clark, Dir. of Law, to explain the approval process for a preliminary development plan for a PUD zoning.

Mr. Clark stated that there was a question in Caucus about the denying a preliminary plan based on use of the building. He explained that the current zoning does not accommodate the proposed use unless Council would approve it. Another question was with regard to approval of the structure. Based on the PUD section of the Code, which he read a portion of, he believes they have the right to deny the plan based on the building also.

Mr. Bennett commented that due to the serious concerns for this plan and there being no representation, he moved to postpone this Resolution until 11/15/99; seconded by President Milovich.

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

8. Resolution CR104-99 (Approve an Amendment to the Final Development Plan for Heritage Glen, located on the southeast corner of Harrisburg Station Lane & Broadway) was given its reading and public hearing.

Mr. Ross Sanford, Casto Group, explained that they are asking for an amendment to the originally approved Development Plan, consisting of deleting the pond. He said by not building the pond, they will be able to save a large amount of trees. Several nice, big, walnut & oak trees. The stream corridor will be saved, which is an EPA practice for keeping the creek sound. It will also keep the aesthetics of the stream-way and by cleaning out the "forest", will provide a better green-way for the residents. He also stated that the detention for the site is being provided without the need for a pond.

President Milovich asked, where we are following the Greenways Program, if the new engineering drawings show the limits of construction. Mr. Sanford said they have conducted a full tree survey and he believes it does. They are staying 35' from the bank's edge, which is what they were told by MORPC. President Milovich asked Mr. Lathrop, Urban Forester, that he believes MORPC is suggesting 50' now, but, may have been 35' before. President Milovich asked if the drawings show a "Trees to Remain" zone for this area, as it does for the west side of the complex's north/south road. Mr. Sanford said he wasn't sure. President asked if he would be agreeable to adding a stipulation that would assure that the wooded area adheres to the Greenways Program and that a tree removal plan be submitted to the Urban Forester. Mr. Sanford said the only thing he is hesitant to agree on is that he didn't realize there was a revised plan to require 50' dimensions. He said it is not their intention to clear any area of the stream. President Milovich asked if he would agree to wording that said 35' unless it can be coordinated with our Urban Forester to achieve 50'? After further discussion, an agreement was reached.

President Milovich moved to amend Section 1 to include the following stipulations: 1. The creek area, for which the pond would have been placed, will be designed to adhere to the Franklin County Greenways Program; 2. Preservation of the tree line on either side of the creek bed, will be 35' unless it is coordinated with the Urban Forester to achieve 50'; 3. A Tree Saving Plan for the locations along either side of the creek will be reviewed with the Urban Forester; seconded by Mr. Radi.

Mr. Milovich	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

Mr. Radi asked if the Revised Development Plan would increase the number of units or paved area. Mr. Sanford said no. Mr. Radi asked Mr. Boso, City Admin., to verify that this Revised Plan will not increase the detention burden on adjacent property owners. Mr. Boso said it does meet our Code, which is also the MORPC model for storm water retention. He said after development, it would not create any more water runoff than it did before development.

Mr. Fulton asked why the original plan did not reflect the retention of this stream and treed area. Mr. Sanford said the heart of the matter is that they did not spend a lot of money on engineering and only did preliminary plans. They weren't certain if they needed the pond for retention, so they included it until they received their Development Plan. Once they began, they money was available to do Tree Surveys and detailed engineering. It was then that they realized that it was in everyone's best interest to eliminate the pond and save the trees.

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

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

9. Resolution CR105-99 (Appeal the Decision of the Board of Zoning Appeals regarding the Tower Height for the Park Street Intermediate School) was given its reading and public hearing.

Mr. Bennett announced that the appellant has verbally requested to withdraw this appeal. However, nothing has been received in writing and the appellant is not present.

Mr. Stage, Dir. of Development, commented that the Board of Zoning Appeals turned down the original height request and after hearing two hours of testimony on this second request, approved the 49'11" height. There was other input by the public at that meeting. Mr. Fulton asked what the City's position was on the Resolution. Mr. Stage said they ask Council to turn it down.

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

Mr. Radi	Yes
Mr. Bennett	No
Mr. Milovich	No
Mr. Fulton	No

The Chair recognized Mr. Fulton, Chairman of the Service Committee, for discussion and voting of legislative agenda items under said committee.

1. Resolution CR-106-99 (Support the Certification from the State of Ohio for the Offices of Clerk of Council and Clerk/Treasurer) was given its reading and public hearing.

Ms. Kelly, Clerk of Council, explained that the Ohio Municipal Clerks Assoc., is requesting the support of Council's to petition the State Legislature to Certify Municipal Clerks. It is similar to certification for Building Inspectors and Mayor's Court Training. Many States across the Country have already adopted similar legislation and this was developed using those other State requirements.

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

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

In the absence of Mr. Eversman, Mr. Radi chaired the Finance Committee, for discussion and voting of legislative agenda items under said committee.

1. Ordinance C-79-99 (Direct the Certification to the County Auditor of the Expense for Cutting Weeds on Private Property) was given its second reading and public hearing.

Mr. Radi explained that this is for the expense of cutting weeds on private property and announced that one owner has paid their debt, in full. He moved to amend "Exhibit A" to remove Parcel No. 040-784 and amend the total to $11,770.00; seconded by Mr. Fulton.

Mr. Milovich	Yes
Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes

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

Mr. Fulton	Yes
Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes

2. Ordinance C-80-99 (Appropriate $13,380.00 from the Community Environment Tree Fund for the Current Expense of Tree Installation) was given its second reading and public hearing.

Mr. Lathrop explained that this is money collected from builders, at the time of permitting, so that street trees can be planted.

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

Mr. Radi	Yes
Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Fulton	Yes

3. Ordinance C-81-99 (Appropriate $103,965.42 from the Sewer Fund for the Current Expense of Reimbursing the City of Columbus for Tap Fees Collected) was given its second reading and public hearing.

Mr. Radi explained that this is money collected for sewer tap fees that is due the City of Columbus.

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

Mr. Bennett	Yes
Mr. Milovich	Yes
Mr. Fulton	Yes
Mr. Radi	Yes

4. Ordinance C-85-99 (Appropriate $24,000.00 from the General Fund for the Current Expense of Employment Severance) was given its first reading. Second reading and public hearing will be held on November 15, 1999.

5. Ordinance C-86-99 (Appropriate $5,000.00 from the General Fund for the Current Expense of Legal Services) was given its first reading. Second reading and public hearing will be held on November 15, 1999.

6. Ordinance C-87-99 (Appropriate $5,800.00 from the DARE Fund for Current Expenses) was given its first reading. Second reading and public hearing will be held on November 15, 1999.

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

There being no new business, the Chair recognized members of Administration and Council for closing comments.

1. Ms. Kelly thanked Council for their support of the State Certification Legislation.

2. The Council Members congratulated the new police officers and reminded everyone to exercise their right to vote tomorrow.

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

Council adjourned at 8:46 p.m.

Tami K. Kelly

Tami K. Kelly, CMC/AAE
Clerk of Council

Michael Milovich, Jr.
President