

GRANVILLE VILLAGE COUNCIL

Minutes

January 17, 2024

7:30 P.M.

1. CALL TO ORDER

Mayor Hartfield called the regularly scheduled Council meeting to order at 7:30pm.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Clerk Klein conducted roll call. Those present were Councilmember Demarest, Councilmember Keethler Ball, Councilmember Leithauser, Councilmember Mickelson, Councilmember Olbur, Vice Mayor Johnson, Mayor Hartfield, Manager Koehler and Law Director Mattes

4. APPROVAL OF AGENDA

Councilmember Mickelson made a motion to approve the agenda, second by Councilmember Demarest

Motion passed by a vote of 7-0

5. GRANVILLE CHRISTIAN ACADEMY- SPECIAL PRESENTATION

Josh Sexton, Head of School, stated that they are outgrowing their current facility and that they need to expand. They have looked at different properties and buildings but they want to remain in Granville and a part of the Granville community. They presented Council with their plan for expansion at 11 Westgate Drive, the "blue building" and asked Council for their support.

Councilmember Leithauser asked what the growth rate has been since he took over the school in 2021.

Josh Sexton stated that when he took over there were 217 students and now there are 310.

Councilmember Keethler Ball asked about the plan and capacity for the building.

Josh Sexton stated that the initial plan was for kindergarten through second grade in the building. They cap their classrooms at twenty students per class, their goal with this building would present six classrooms which would allow 120 students. There would be a 1600-1700 square foot recreation space and five offices that are available.

Manager Koehler stated that there are currently two parcels at this site and GCA is hoping to acquire both parcels to achieve the plan that is being described to Council.

Mayor Hartfield stated that in order to make their plan happen Council would need to modify the Code.

Manager Koehler stated that the proposal is in the Community Service District, it does not currently specifically permit or conditionally permit schools. This would require a Code change. Across the street on Cherry Valley Road, the zoning is Suburban District and that would conditionally permit a school.

Vice Mayor Johnson asked if there was any type of school permitted on the lots.

Law Director Mattes stated that there is no specific mention of schools in that zoning district.

Vice Mayor Johnson, doesn't it say trade schools?

Law Director Mattes confirmed that it does say trade school.

Vice Mayor Johnson stated that STEM could be considered a trade school.

Councilmember Keethler Ball asked about the traffic pattern.

Josh Sexton stated that they would have to acquire both properties to expand the parking lot and create a pickup and drop with busing. You couldn't get a bus in or out of there right now as it currently sits. We are in contract currently for both lots pending zoning.

Councilmember Mickelson asked how many parents participated in busing.

Josh Sexton stated that about 20% - 25% of their students are in busing.

Councilmember Mickelson stated that she assumed they were going to remain at their other location and if so then there would be two points of contact on Newark Granville Road where parents and buses would be going in and out.

Josh Sexton stated that was something that they were going to have to work out with the individual districts, some of them may not be willing to drop off in two locations. But again, that is where we are open on the transportation side, even from our parents' perspective. We may have them drop off at one location and we transport over to the other location. They have civil engineers working on this and they have giving us preliminary thoughts on the traffic and will continue with a traffic study. We understand the concerns with congestion on Newark Granville Road that Council has.

Councilmember Leithauser asked if having a school there will hinder any development happening on the other side of the road.

Law Director Mattes stated that this would only be an amendment to the Zoning Code to typically permit or conditionally permit schools.

Councilmember Keethler Ball asked if the Code was changed if that meant other schools could go in there.

Manager Koehler stated that they could, but if it was conditionally permitted, then they would have to be individually approved.

Councilmember Mickelson asked what the next step was.

Manager Koehler stated that he would need a Councilmember to ask staff to begin drafting legislation, and a second.

Councilmember Mickelson stated that she had concerns about changing zoning where the districts were strategically placed. I know that it is empty now but putting a school in there would take it off of the property tax rolls.

Councilmember Leithauser agreed and said that he had the same thoughts about the taxes. There are no tax dollars today but there is potential to generate taxable income for the Village.

Josh Sexton stated that there are forty-three people employed here by the school and with our growth we are looking to expand that to fifty or sixty so even though we wouldn't bring in tax dollars from the property side we would bring it in through income tax. If we were to take the school outside of the Village then that would remove those income tax dollars.

Councilmember Olbur stated that ultimately that building has been sitting empty for a long time and I think that having the opportunity to do something with it that is in the right direction. He thanked him for all of the thought and effort he put into the presentation.

Councilmember Demarest made a motion to direct staff to draft legislation amending the Community Service District as a permitted use and a conditional use, second by Councilmember Keethler Ball

Councilmembers made a unanimous voice vote

Vice Mayor Johnson stated to the GCA members that with a conditional use applicants would still have to go through Board of Zoning and Building Appeals to get

their approval which is appealable, and that comes to Council. If it was a permitted use there wouldn't be that process.

Josh Sexton thanked the planning staff for all of their help and the meetings that they have taken with them.

FRANK O'BRIEN-BERNINI – ENVIROMENTAL SUSTAINABILITY COMMITTEE UPDATE

Frank O'Brien-Bernini, defined environmental sustainability and stated that there is a deep connection between that and climate change. He discussed what impacts climate change and what Granville can do as a community do to make a difference. The committee conducted a greenhouse gas inventory for the Village of Granville which includes Village operations and the community members. It is the committee's goal to have a 50% reduction of emissions in the Village by 2030. They are also going to focus on encouraging and engaging the community to educate residents what they can do in their daily life to reduce emissions and why they should want to do it.

Councilmember Mickelson stated that she and Jeremy King spoke to Jon-Paul from the PCFO and some of the things that we can take action on right now is an energy efficiency audit by building. Maybe V3 could do that for us or we could find an engineer to do that. PCFO will do a fleet assessment and she is going to find out what that involves and bring it to the Village Manager. We really need to think about our EV infrastructure charger. What kind of infrastructure do we want? And what type of zoning do we need to make this happen? There are some grants that can also be followed up on to get us some funding for that.

Mayor Hartfield stated that she appreciated all of the time and energy the committee has invested and that the most important thing is to bring awareness to the most practical things that people can do to help reduce emissions.

Councilmember Mickelson stated that she and Jeremy King are taking on the task of what can the Village do. Then a couple of the committee members are working on an update to the website to get those education pieces out to the community. We are a very residential Village so we need to educate our community so that they can be doing their part and save themselves some money.

Councilmember Keethler Ball asked about Scope 3 emissions and what could be done in the future regarding air pollution from Intel.

Frank O'Brien-Bernini explained that Scope 3 emissions were associated with purchases that individuals make that come from the manufacturing or production of them. Buying local would be a way of controlling that.

Councilmember Mickelson stated that we are doing things like that already with our Farmers Market, electric aggregation, Tree City, those are some of the things that are benefiting us.

6. CITIZENS COMMENTS

There were no comments from citizens, Mayor Hartfield closed that section.

7. PUBLIC HEARING

- A. **ORDINANCE NO. 01-2024** AN ORDINANCE ADOPTING THE PERMANENT ZONING OF INSTITUTIONAL DISTRICT (ID) FOR THE PROPERTY OWNED BY DENISON UNIVERSITY THAT IS APPROXIMATELY 31.317 +/- ACRES LOCATED ALONG NEW BURG STREET

There were no comments from citizens, Mayor Hartfield closed the public hearing. 8:12pm

8. OLD BUSINESS

- A. **ORDINANCE NO. 01-2024** AN ORDINANCE ADOPTING THE PERMANENT ZONING OF INSTITUTIONAL DISTRICT (ID) FOR THE PROPERTY OWNED BY DENISON UNIVERSITY THAT IS APPROXIMATELY 31.317 +/- ACRES LOCATED ALONG NEW BURG STREET

Councilmember Keethler Ball introduced and made a motion to adopt **Ordinance No. 01-2024**, second by **Councilmember Mickelson**

Law Director Mattes stated that Vice Mayor Johnson had asked at the close of the last Council meeting whether the annexation agreement or the Institutional District zoning would control. Some Councilmembers weren't a part of Council when the agreement was signed, so I will give you a quick overview of it to make sure you understand what the annexation agreement says. Our general opinion is that the annexation agreement controls for a ten-year period which is the length of the current annexation agreement. Annexation agreements are contracts and can be amended at any time in writing as long as both parties agree upon them. The annexation agreement states that the property can only be developed in compliance with the agreement and Village zoning. That means they have to follow both the annexation agreement and the zoning which is before Council to vote on as the Institutional District. The Institutional District guidelines must be followed for any building in this area that has been annexed. The ordinance that Council is considering is to classify the area from what its current classification is to the Institutional District. It has to be in compliance with the current comprehensive plan and it has to be in consideration of Township

zoning classifications for proposed use of this property, all of which the preliminary plans fell within when we reviewed them. Denison is going above and beyond what the current zoning requires and agreed to comply with the Tree Preservation Code. They didn't have to because it is in an Institutional District but they agreed to do that.

The general restrictions on the development of the property have to be in keeping with the preliminary plan which has already been reviewed. The scope of the project for the purposes of development state that there can be no changes in the permitted use unless approved by Council. For the next ten years there can't be any changes that Council doesn't approve of. The limitations that Council specifically put in was the number of units, there can be no more than seventy and the first phase will be within twenty-four to thirty units. That is good for the first ten years of this agreement Vice Mayor Johnson's question was what happens when the agreement runs out. If the agreement is not modified before the ten years runs out it would fall back on the Institutional zoning for any controls in that area. While your initial hold on the property is seventy units there is nothing that would prevent future growth should the annexation agreement go away. The Village asked about a deed restriction but Denison was against any deed restriction that would run with the property because they didn't want to bind any future generations. In the future it will be controlled by the Zoning laws unless Council changes the Zoning laws and makes the annexation agreement part of the Zoning laws, i.e. it can never be developed for more than blank in this parcel as part of this annexation agreement.

Vice Mayor Johnson stated that he isn't concerned about the first ten years, it is after. We have been talking about revisions to our Code and what Council's intent was the last couple of meetings, the purpose of the question was, do we need to properly lay out our intent?

Law Director Mattes stated that a question came up about whether the annexation agreement was binding on anyone in the future. The annexation agreement is binding for ten years on any successors of the property. If Denison were to not go forward with the project and transfer the property the annexation agreement would be binding on anyone who bought the property for ten years assuming that it was not amended. The term is ten years or until completion of all new structures whichever occurs first.

Vice Mayor Johnson stated that we have worked this out and this is a good thing, but my concern is that they build twenty units and it doesn't work out, maybe that ground sits there for another twenty years but now it is zoned Institutional which allows a lot more there on that ground under Institutional than

if it were a Township parcel. I think that we need to be clear that is a possibility in the future that was not the basis of annexation now. I am not saying that we should be so restrictive that we can't be forwarding thinking in the future. Under no accusation of anything nefarious, the natural course of life could happen and this doesn't get built out as residences because it doesn't work or the market doesn't allow for it, then eleven years from now there could be a student housing project there or a science building. I am not commenting on whether that is good or bad it is just a reality that we all need to be mindful of as we adopt Institutional zoning, and remind ourselves of the limits of the annexation agreement.

Law Director Mattes stated that there is nothing that prevents Council from modifying your current Zoning Code to say that the restrictions in the annexation agreement are the zoning for this property.

Mayor Hartfield asked what happens with that zoning reference in the Institutional District after the annexation agreement expires.

Law Director Mattes stated that you could change your Zoning Code to say that forever in a day that the zoning in this area, the intent of the zoning and the annexation agreement was that the annexation agreement would control and therefore the annexation agreement is the zoning for this property within the Institutional District.

Councilmember Mickelson asked if that was spot zoning.

Law Director Mattes stated that it is incorporating the annexation agreement into your current Zoning Code. It could be argued that it is but it could be enacted if Council chooses to enact it. The other option is to amend that annexation agreement, the other option that we discussed before the annexation agreement came to be was a restrictive covenant but the university didn't want a restrictive covenant.

Mayor Hartfield stated that she thinks that hamstrings them outside of what is reasonable. There are options that we could discuss with Denison that would not prevent Council from moving forward tonight.

Law Director Mattes stated that modifications can be made to the annexation agreement at any time if Denison is open to sitting down to discuss it.

Mayor Hartfield called for a roll call vote on Ordinance No. 01-2024. Councilmember Demarest (yes), Councilmember Keethler Ball (yes), Councilmember Leithauser (yes), Councilmember Mickelson (yes),

Councilmember Olbur (yes), Vice Mayor Johnson (yes), Mayor Hartfield (yes)

Motion passed by a vote of 7-0

9. NEW BUSINESS

- A. **RESOLUTION NO. 2024-05** A RESOLUTION TO (RE)APPOINT A MEMBER TO THE BOARD OF ZONING AND BUILDING APPEALS (Neal Zimmers)

Councilmember Mickelson introduced Resolution No. 2024-05 and made a motion to adopt, second by Vice Mayor Johnson

Motion passed by a vote of 7-0

- B. **RESOLUTION NO. 2024-06** A RESOLUTION TO (RE) APPOINT MEMBERS TO THE PLANNING COMMISSION (Bill Habig, Jack Burriss, Craig Potaracke, Jeremy King ex-officio)

Councilmember Mickelson introduced Resolution No. 2024-06 and made a motion to adopt, second by Vice Mayor

Motion passed by vote of 7-0

- C. **RESOLUTION NO. 2024-07** A RESOLUTION TO (RE) APPOINT MEMBERS TO THE ARTS COMMISSION (Ryan McGuire, Cory Camp, Lois Foreman Wernet, Marla Krak)

Councilmember Keethler Ball introduced Resolution No. 2024-07 and made a motion to adopt Resolution No. 2024-07, second by Councilmember Olbur

Motion passed by a vote of 7-0

- D. **RESOLUTION NO. 2024-08** A RESOLUTION TO (RE) APPOINT MEMBERS TO THE TREE AND LANDSCAPE COMMISSION (Don Hostetter, Lynne Kishler, Linda Reynolds, Susan King)

Vice Mayor Johnson introduced and made a motion to adopt Resolution No. 2024-08, second by Councilmember Olbur

Motion passed by a vote of 7-0

- E. **RESOLUTION NO. 2024-09** A RESOLUTION TO AUTHORIZE THE VILLAGE MANAGER TO ENTER INTO CONTRACT WITH THE STATE OF OHIO FOR THE IMPROVEMENT OF THE INTERSECTION OF NORTH PEARL AND NEW BURG STREET BY CONSTRUCTING A ROUNDABOUT, INCLUDING

PAVEMENT, PAVEMENT MARKINGS, CURB, CURB AND GUTTER, SIDEWALK, CURB RAMPS, SIGNAGE, DRAINAGE, LANDSCAPING, AND LIGHTING, LYING WITHIN THE VILLAGE OF GRANVILLE

Councilmember Olbur introduced Resolution No. 2024-09 and made a motion to adopt, second by Councilmember Mickelson

Mayor Hartfield stated that Councilmembers received an email from a resident that indicated that Council should consider changes regarding the materials being used to construct the roundabout. Doing this resolution doesn't stop us from dressing up the roundabout right? The upcharges would fall on the Village.

Manager Koehler answered that it wouldn't stop the Village from making changes but anything over and above would be our bill.

Vice Mayor Johnson asked if it was too late since they are starting the project this summer.

Manager Koehler stated that the resident is concerned about the brick work. We have agreed to a certain level of material, we haven't picked the pattern we want. To upgrade we would have to find the money to do that.

Vice Mayor Johnson asked if we would have to do that pretty quickly.

Manager Koehler answered that we would.

Mayor Hartfield stated that dressing up the landscaping would go much further than worrying about whether it is stamped or cobble stone.

Motion passed by a vote of 7-0

- F. **RESOLUTION NO. 2024-10** A RESOLUTION TO ADOPT VILLAGE COUNCIL'S JANUARY 3, 2024 DECISION, WITH FINDINGS AND CONCLUSIONS OF FACT, REVERSING THE DECISION OF THE BOARD OF ZONING AND BUILDING APPEALS

Vice Mayor Johnson introduced and made a motion to adopt Resolution No. 2024-10, second by Councilmember Mickelson

Councilmember Olbur stated that he agreed that the Short-Term Rental Code needed to be revisited at the Council Retreat.

Motion passed by a vote of 7-0

10. REVIEW AND APPROVAL OF MINUTES

Minutes from the Village Council Meeting of January 3, 2024 and January 11, 2024 special meeting

Councilmember Mickelson made a motion to approve the minutes of the January 3, 2024 Council meeting and the January 11, 2024 special Council meeting, second by Councilmember Olbur

Motion passed by a vote of 7-0

11. MAYOR'S COURT REPORT

Vice Mayor Johnson made a motion to accept the Mayor's court report, second by Councilmember Mickelson

Motion passed by a vote of 7-0

12. MANAGER'S REPORT

Councilmember Mickelson made a motion to accept the Manager's report, second by Vice Mayor Johnson

Motion passed by a vote of 7-0

13. COMMITTEE / COMMISSION / BOARD REPORTS

Granville Community Foundation (Olbur) stated that they had their first meeting of the year last Monday, the Foundation received a gift of \$190,000 from Carolyn Chambers, that is an incredible donation that will do a lot for the community.

Granville Recreation District (Johnson) stated that they are working on 2024 strategic planning, spring/summer program planning. Tonight, they are getting their Licking Parks District funding approved.

Planning Commission (Mickelson) – No Report

Granville Arts Commission (Keethler Ball) stated that they met this past Monday and they approved two grants. One was for the annual daffodil show, the second grant was for a Ceili which is an Irish dance and music event that will happen in March. Our newest member to the commission Leah Bernini is leading that effort. There are two vacancies on the commission, the appointees would represent the Bryn Du Commission and the Chamber of Commerce.

Bryn Du Commission (Demarest) stated the next meeting is January 25th.

Open Space Committee (Johnson) – No Report

Tree & Landscape Commission (Leithauser) – No Report

Union Cemetery (Demarest) stated that he has a financial report from the board to review and will give an update at the next meeting.

Environmental Sustainability Committee (Mickelson) – No Report

14. OTHER COUNCIL MATTERS

There were no other Council matters discussed.

15. OTHER STAFF MATTERS

Manager Koehler stated that he sent Councilmembers the survey for the retreat in his last weekly update and reminded them that he requested that back by February 2nd.

16. EXECUTIVE SESSION- Pursuant to O.R.C. 121.22(G) (3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

Councilmember Mickelson made a motion to enter executive session, second by Councilmember Keethler Ball

Mayor Hartfield called for a roll call vote. Councilmember Keethler Ball (yes), Councilmember Leithauser (yes), Councilmember Mickelson (yes), Councilmember Olbur (yes), Councilmember Demarest (yes), Vice Mayor Johnson (yes), Mayor Hartfield (yes)

Motion passed by a vote of 7-0 8:40pm

Motion by Councilmember Demarest to leave executive session, second by Councilmember Olbur

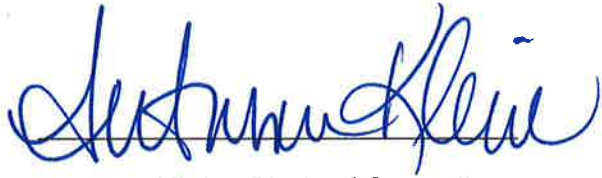
Mayor Hartfield called for a roll call vote. Councilmember Leithauser (yes), Councilmember Mickelson (yes), Councilmember (Olbur), Councilmember Demarest (yes), Councilmember Keethler Ball (yes), Vice Mayor Johnson (yes), Mayor Hartfield (yes)

Motion passed by a vote of 7-0 8:50pm

17. ADJOURNMENT

Councilmember Demarest made a motion to adjourn, second by Vice mayor Johnson

Motion passed by a vote of 7-0 8:51pm



Autumn Klein, Clerk of Council



Mayor, Melissa Hartfield