

City of Groveport

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Groveport, OH 43125
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Meeting Minutes - Final

Monday, September 9, 2013

6:30 PM

***REVISED ON 9-9-13 (ADDED 2 FIRST READINGS)**

Council Chambers

City Council

Mayor Lance Westcamp

*Council Members - Ed Rarey, Jean Ann Hilbert,
Donna Drury, Ed Dildine, Shawn Cleary & Jan Stoots*

I. Call to Order

by Chair Ed Dildine at 6:30 p.m.

Staff Present: Marsha Hall - Administrator, Kevin Shannon - Law Director, Jeff Green - Director of Finance, Ralph Portier - Chief of Police

Guests Present: The Guest Book is on file with the Clerk of Council.

II. Moment of Silence

Chair Ed Dildine asked everyone to join him in a moment of silence.

III. Pledge of Allegiance

Chief Portier lead the Pledge of Allegiance.

IV. Roll Call

Council Member Drury made a motion, seconded by Council Member Cleary, to excuse Council Member Hilbert from the meeting. All in favor stated AYE, None Opposed. Motion passed.

Absent: 1 - Council Member Hilbert

Present: 5 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Rarey, and Council Member Stoots

V. Approval of Minutes - August 26, 2013

Approved as submitted.

[#081-2013](#) 8-26-13 Council Minutes

Attachments: [8-26-13 Council Minutes.pdf](#)

VI. Business of Guests**A. Swearing in of New Police Officer**

Law Director Kevin Shannon swore in Officer Chad Rosser, the new officer of the Groveport Police Department. Chief Portier

introduced Chad Rosser to Council.

B. Jay Montgomery

Jay Montgomery of 4865 Apple Grove Court represented the community at the Grovepointe Subdivision in regards to the subdivision's entryway. Residents in the community have maintained, planted, and mulched the entryway. The residents are seeking Council's direction on future maintenance, to include watering the plants and asked if this could be added to the duties of the Parks and Recreation Department staff. Administrator Hall advised Council that the planted area is in the right-of-way and the matter has been referred to the Trees and Decoration Committee.

VII. Ordinances and Resolutions

A. 3rd Readings

[ORD. 13-034](#)

AN ORDINANCE AMENDING **PART SEVEN - BUSINESS REGULATION CODE, CHAPTER 715 - GARAGE SALES**, OF THE CITY OF GROVEPORT CODIFIED ORDINANCES

Sponsors: Donna Drury

Attachments: [ORD. 13-034 715 garage sales final changes exhibit \(final\).pdf](#)

No discussion.

The Clerk of Council read by title Ordinance No. 13-034. A motion was made by Council Member Drury, seconded by Council Member Stoots, to adopt. Motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

[ORD. 13-036](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH HUNTINGTON BANK AND PURCHASE A DUMP TRUCK FOR THE PUBLIC WORKS DEPARTMENT UNDER THE STATE OF OHIO COOPERATIVE PURCHASE PLAN THEREBY WAIVING COMPETITIVE BIDDING PURSUANT TO GROVEPORT CITY CHARTER SECTION 9.02(B)

Sponsors: Dildine

Law Director Kevin Shannon requested Council to amend the Ordinance to remove the emergency language from the title and the effective date to be at the earliest allowed by law.

The Clerk of Council read by title Ordinance No.13-036. A motion was made by Council Member Stoots, seconded by Council Member Cleary, to amend to remove the emergency language from the title of the Ordinance.

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

Council Member Rarey asked for clarification on how the purchase of this vehicle would work and Administrator Hall responded that it was through the State purchasing policy and administered by a private company. Adopted as amended.

A motion was made by Council Member Drury, seconded by Council Member Stoots, to adopt. The motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

B. 2nd Readings

[ORD. 13-037](#)

AN ORDINANCE ACCEPTING THE FINAL PLAT FOR THE GROVEPORT SENIOR VILLAGE (PARCEL NO. 185-002762) AND THE DECLARATION OF AN EMERGENCY

Sponsors: Hilbert

Attachments: [ORD. 13-037 EXHIBIT.pdf](#)
[Todd Valentine ltr to Council.pdf](#)

Law Director Kevin Shannon requested on behalf of the applicant that Council consider adding emergency language to the title of this Ordinance and in Section 2, redact the standard language for the effective date and putting in the following language: that for the reasons stated in the preamble hereto which are made a part hereof, this Ordinance is hereby declared an emergency measure necessary for the preservation of the health, safety and general welfare of the community to the extent this legislation must be enacted in a timely fashion, to the extent the approval of this plat and development of the Groveport Senior Village will finally address affordable housing issues for the City's senior residents, which have long plagued the City; Wherefore, this Ordinance shall take effect and be in full force upon passage by Council and signature of the Mayor.

The Clerk of Council read by title Ordinance No.13-037. A motion was made by Council Member Cleary, seconded by Council Member Stoots, to amend the title of this Ordinance to include emergency language. Motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

Law Director Kevin Shannon requested the following items be change on the final plat. 1. Second paragraph on the left side of the first sheet references a "Reserve A". Currently there is no "Reserve A" so it is being requested to remove this reference. 2. In preparation for the Owners signatures he requested to remove the references to Ohio and Franklin County from the notary language because at least one owner is living in Florida and the others may be located outside Franklin County when the plat is signed.

A motion was made by Council Member Stoots, seconded by Council Member Cleary, to amend the plat. Motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

Mr. Shannon requested Council take the emergency action and make a motion to suspend the rules as to the three readings and the effective date.

A motion was made by Council Member Cleary, seconded by Council Member Drury, to adopt as emergency legislation and to suspend the rules as to the effective date. Motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

Mr. Shannon requested of Council that a motion be made to adopt as amended as emergency legislation.

A motion was made by Council Member Cleary, seconded by Council Member Stoots, to adopt as emergency legislation. Motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

[ORD. 13-039](#)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$800,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF CONSTRUCTING, IMPROVING, FURNISHING, AND EQUIPPING A POLICE FACILITY, WITH RELATED SITE IMPROVEMENTS AND APPURTENANCES

THERETO; AND APPROVING RELATED MATTERS

Sponsors: Stoots

Attachments: [ORD. 13-039 Attachments.pdf](#)

No discussion.

The Clerk of Council read by title Ordinance No.13-039.

[RES. 13-006](#)

A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE GROVEPORT TAX INCENTIVE REVIEW COUNCIL RELATING TO VARIOUS CITY OF GROVEPORT TAX INCENTIVES

Sponsors: Dildine

Attachments: [TIRC Meeting 8-14-2013.pdf](#)
[RES 13-006 TIRC](#)

No discussion.

The Clerk of Council read by title Resolution No. 13-006.

C. 1st Readings

[ORD. 13-040](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO SOLICIT BIDS AND TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR IMPROVEMENTS/RENOVATIONS AT THE MUNICIPAL BUILDING AND NEWLY ACQUIRED POLICE FACILITY AND THE DECLARATION OF AN EMERGENCY

Sponsors: Hilbert

Law Director Shannon requested Council to consider emergency passage and a motion to suspend the rules as to the three readings and the effective date.

Council Member Rarey inquired as to why the project needed to move so fast and Administrator Hall responded that the standard process would delay the project.

The Clerk of Council read by title Ordinance No. 13-040. A motion was made by Council Member Stoots, seconded by Council Member Cleary, to adopt the legislation as an emergency measure and suspend the rules as to the three readings and the effective date. Motion carried by the

following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

Council Member Cleary inquired if the project could possibly exceed the \$800,000 quoted in Ordinance 13-039. Administrator Hall responded that it could exceed that amount but any amended amount to that Ordinance would be a financial matter and it would be effective upon passage.

A motion was made by Council Member Drury, seconded by Council Member Stoots, to adopt as emergency legislation.

Motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

[ORD. 13-041](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ACCEPT A UTILITY EASEMENT FROM CHARLES AND MILDRED MCCLAY AND THE DECLARATION OF AN EMERGENCY

Sponsors: Cleary

Law Director Shannon commented the City seeks emergency passage on easements and requested Council make a motion to adopt the Ordinance as emergency legislation and to suspend the rules as to the three readings and the effective date.

The Clerk of Council read by title Ordinance No. 13-041. A motion was made by Council Member Drury, seconded by Council Member Stoots, to adopt as emergency legislation and to suspend the rules as to the effective date. Motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

Council Member Rarey inquired about after the passage of the Ordinance if a work order would be issued for work to begin. Administrator Hall explained the next step will be to submit the engineering plans to the Ohio EPA for a permit to install the PRV. Then legislation will be brought back to Council to authorize the Administrator to solicit bids and enter into a contract for this project.

A motion was made by Council Member Cleary, seconded by Council Member Stoots, to adopt as emergency legislation. Motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

[ORD. 13-042](#)

AN ORDINANCE ESTABLISHING GRANT APPLICATION PROCESS FOR THE CITY OF GROVEPORT

Sponsors: Dildine

Attachments: [ORD. 13-042 Attachment Grant Application.pdf](#)

The Clerk of Council read by title Ordinance No.13-042.This Ordinance was referred to the Committee of the Whole.

[ORD. 13-043](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ACCEPT THE GRANT OF A FEE SIMPLE INTEREST IN A 0.0861 ACRE TRACT OF LAND FOR RIGHT-OF-WAY PURPOSES FROM AL DEVELOPMENT, INC. AND THE DECLARATION OF AN EMERGENCY

Sponsors: Stoots

Law Director Shannon requested Council to consider emergency passage and a motion to suspend the rules as to the three readings and the effective date.

The Clerk of Council read by title Ordinance No.13-043.

Law Director Kevin Shannon proposed to Council to make a motion to suspend the rules and amend the agenda to include ORD. 13-043 and RES. 13-008.

A motion was made by Council Member Drury, seconded by Council Member Stoots, to amend the agenda to include ORD. 13-043 and RES. 13.008. The motion carried with the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

[ORD. 13-043](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ACCEPT THE GRANT OF A FEE SIMPLE INTEREST IN A 0.0861 ACRE TRACT OF LAND FOR RIGHT-OF-WAY PURPOSES FROM AL DEVELOPMENT, INC. AND THE DECLARATION OF AN EMERGENCY

Sponsors: Stoots

Law Director Kevin Shannon explained that with any type of easement access the City routinely asks for emergency action,

so any immediate work that may be needed can be done in that right-of-way. Emergency passage of this grant tonight will make said grant of record, therefore making this right-of-way in place enabling the City to do any utility work necessary. Law Director Shannon requested Council to consider emergency passage and a motion to suspend the rules as to the three readings and the effective date.

The Clerk of Council read by title Ordinance No.13-043. A motion was made by Council Member Cleary, seconded by Council Member Drury, to suspend the rules as to the three readings and the effective date. Motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

Mr. Shannon requested of Council that a motion be made to adopt as amended as emergency legislation. No further discussion.

A motion was made by Council Member Stoots, seconded by Council Member Cleary, to adopt as emergency legislation. Motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

[RES. 13-008](#)

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Sponsors: Drury

Attachments: [RES. 13-008 Attachment \(Tax Levy\).pdf](#)

Finance Director Jeff Green explained to Council that this was a formality done every year with the County Auditor and needs to be adopted by October 1, 2013. Law Director Shannon requested Council to consider making a motion to suspend the rules as to the three readings and the effective date.

The Clerk of Council read by title Resolution No. 13-008. A motion was made by Council Member Drury, seconded by Council Member Stoots, to suspend the the rules as to the three readings. The motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

No further discussion.

A motion was made by Council Member Cleary, seconded by Council Member Stoots, to adopt. The motion carried by the vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

VIII. Reports

[#082-2013](#)

9-9-13 Council Update

Attachments: [CR 9-9-2013.pdf](#)

A. Mayor - Lance Westcamp

Chair Dildine reported for Mayor Westcamp that they had received a thank you card from Ms. Blankenship. He read the card from Ms. Blankenship, who thanked Council for listening and hearing her concerns regarding the condition of Old Groveport Rd.

B. Administrator - Marsha Hall

Administrator Hall reported that Linda Haley was seeking Council's authorization to donate the old Hendron/Main signboard to go to New Hope Church, located at Center and Main streets. The church is aware that they are responsible for any additional costs and any and all applicable permits.

C. Chief of Police - Ralph Portier

Chief Portier thanked Council for all of their support with the new police facility. He updated Council on the traffic issues at the schools and praised the efforts of our officers. He reminded Council of this year's beard contest.

D. Director of Finance - Jeff Green

Nothing further to report. No questions for Mr. Green.

E. Director of Law - Kevin Shannon

Nothing to report.

F. Council Members - Ed Rarey, Jean Ann Hilbert, Donna Drury, Ed Dildine, Shawn Cleary & Jan Stoots

Council Member Cleary thanked the Chief for his participation in the Harrisburg and Westerville Cops & Kids.

Mr. Cleary expressed concerns on the amount of emergency legislation put before Council.

Council Member Rarey expressed his concerns regarding the stop sign at the intersection of Cherry and West streets and the sidewalk at the intersection of College and Cherry streets. He mentioned the walkways on Wirt Rd. and Orchard Run Complex and Administrator Hall updated Council on the project. He commented on the tower on the property at Cherry and West streets.

Chair Ed Dildine advised everyone of the 911 Ceremony on Wednesday, October 11, 2013 at 7:45. p.m. and on September 15, 2013 at 9:00 a.m. will be the first annual Motts Walk to benefit Motts Military Museum.

G. Clerk of Council - Kimberly McWilliams

Nothing to report.

H. Standing Committees

A. Trees & Decorations Committee

Council Member Drury informed everyone that the committee will be handing out apples and pencils for Apple Butter Day and will hold a tree raffle again this year. The committee was informed of 13 ash trees that were taken down, 5 of which were at Degenhart Park, that will be replaced with other trees. There will be mums in the flower pots along Main St again this year. Mrs. Drury updated everyone on the designs for the new City flag.

Council Member Cleary mentioned the Hall of Fame Induction on Friday, September 13, 2013.

IX. Other Business

- - - Executive Session

Law Director Shannon requested Council go into executive session pursuant to Ohio Revised Code Section 121.22(G)(1) to discuss the employment of a public employee and/or public official and invited the Mayor, Council, Administrator Hall, Finance Director Green and himself.

A motion was made by Council Member Cleary, seconded by Council Member Drury, to go into executive session pursuant to Ohio Revised Code Sections 121.22(G)(1) at 7:51 p.m. to discuss the employment of a public employee and/or public official and invited the Mayor, Council, Law Director Shannon, Administrator Hall and Finance Director Green. The motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

A motion was made by Council Member Cleary, seconded by Council Member Dildine, to come out of executive session at 8:20 p.m., with no action being taken. The motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Rarey and Stoots

X. Adjournment

Meeting adjourned at 8:20 p.m. All in favor stated AYE, None Opposed. Motion passed.

Lance Westcamp, Mayor

Kimberly McWilliams, Clerk of Council

PLEASE NOTE: THESE MINUTES ARE NOT VERBATIM. A RECORDING OF THE MEETING IS AVAILABLE IN THE CLERK'S OFFICE DURING REGULAR BUSINESS HOURS.