

City of Groveport

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Groveport, OH 43125
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Meeting Minutes

Monday, September 24, 2018

6:30 PM

Council Chambers

City Council

Mayor Lance Westcamp

Council Members - Jean Ann Hilbert, Ed Dildine, Shawn Cleary, Becky Hutson, Scott Lockett & Chad Grashel

I. Call to Order

by Mayor Westcamp at 7:16 p.m.

Staff Present: Kevin Shannon - Law Director, Jeff Green - Director of Finance, Ralph Portier - Chief of Police, Stephen Moore - Chief Building Official, Steve Farst - City Engineer

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

II. Moment of Silence

The Mayor asked everyone to join him in a moment of silence.

III. Pledge of Allegiance

Chief Portier led the Pledge of Allegiance.

IV. Roll Call

A motion was made by Council Member Hilbert, seconded by Council Member Cleary, to excuse Council Member Grashel and Council Member Lockett from tonight's meeting. All in favor stated AYE, None Opposed. Motion passed.

Excused: 2 - Chad T. Grashel, and Scott Lockett

Present: 4 - Shawn M. Cleary, Edward Dildine, Jean Ann Hilbert, and Becky Hutson

V. Approval of Minutes - September 10, 2018

Approved as submitted.

[#233-2018](#) City Council Meeting Minutes 9.10.18

Attachments: [City Council Meeting Minutes 9.10.18.pdf](#)

VI. Business of Guests

None.

VII. Ordinances and Resolutions**A. 3rd Readings****[ORD. 18-037](#)**

AN ORDINANCE AMENDING THE ZONING MAP AS TO APPROXIMATELY 6 ACRES, MORE OR LESS, OF THE FOLLOWING TRACT OF LAND, LOCATED ON HENDRON ROAD, PARCEL NUMBER 185-002763 OWNED BY, VALERIE SHOLTES, ELISSA VILLIERS, AND JAMES SEELIG FROM RURAL (R) TO SELECT COMMERCIAL PLANNED DISTRICT (SCPD), PHILIP SALYERS, APPLICANT

Sponsors: Cleary

Attachments: [ORD. 18-037 Rezoning application.pdf](#)

Law Director Shannon requested Council to consider making a motion to amend the title by redacting the word "agriculture" and replacing it with the word "rural". The same to be true in Section 1. At the end of Section 2 the period would be replaced with a comma to read as follows: ",specifically, that a development plan shall be submitted within 24 months of the effective date of this Ordinance".

Clerk of Council Ross read by title Ordinance No. 18-037. A motion was made by Council Member Dildine, seconded by Council Member Hutson, to amend to amend according to the Law Director's recommendation. The motion carried by the following vote:

Excused: 2 - Grashel and Lockett

Yes: 4 - Cleary, Dildine, Hilbert and Hutson

Council Member Dildine had concerns regarding the 17 recommendations (items) Council needs to consider in order to make a decision on this zoning request. Mr. Dildine does not think Council has done their due diligence, only having this information since Friday, to go through the 17 checklist items in the Planning & Zoning Commission's staff report from Stephen Moore. This is a very neighborhood specific contested item. He wants to go through all the material to be sure he has all the information he needs to make an informed decision.

Law Director Shannon explained per the Groveport Charter, there has to be four (4) positive votes for any legislation to pass. Mr. Dildine wanted to know what the other Council Members' thoughts were on the matter. Mrs. Hilbert said she can't vote for something when she doesn't know what will be built there. She would like to see a plan for the site. Mr. Dildine thinks it would be nice to have the re-zoning request come

in with a development plan at the same time. Mrs. Hutson agrees, even though she sits on the Planning & Zoning Commission and has had plenty of time to review the application, site map and staff reports, she agrees she would rather see what she is to vote on. She noted that the other two Council Members are not present to weigh in on the matter. Council Member Cleary addressed the homeowners stating it would be nice, in the future, when the property will no doubt be developed, if the developer or property owner would meet with a group of The Orchard homeowners. He agrees with Mrs. Hilbert and Mrs. Hutson.

Mayor Westcamp thinks Council owes it to the property owner and the applicant to vote on the matter tonight, yea or nay. Mr. Shannon commented that the Mayor had a valid opinion. But, he added, not trying to sway Council one way or the other, he thinks Council should be clear and that Council recognizes the fact that they have the power to go forward and approve the zoning, but the fact that there is not a development plan makes them hesitant to do so. Council can say that no matter what Groveport's Zoning Code says in this situation, any Member will always vote no because he/she needs to see the development plan before voting. He reiterated that Council recognizes that they do have the ability to pass this if they wanted to allow the zoning and that everyone is clear that a development plan would have to be submitted in the future and staff would have to approve and hold the applicant to that development plan. Council has the power to vote this matter down tonight if anyone does not feel comfortable with passing the legislation and the power to postpone the matter to gather more information. A motion has to be made in the affirmative. Even though there is a motion to approve/adopt does not mean that the Council Member making the motion will ultimately vote for that approval/adoption, it is just something that has to be done in order to move forward procedurally.

A motion was made by Council Member Hilbert, seconded by Council Member Cleary, to adopt as amended. The motion failed by the following vote:

Excused: 2 - Grashel and Lockett

Yes: 0

No: 4 - Cleary, Dildine, Hilbert and Hutson

[#209-2018](#)

ORD. 18-037 Staff Reports

Attachments: [ORD. 18-037 Staff Reports.pdf](#)

[ORD. 18-038](#)

AN ORDINANCE GRANTING A VARIANCE AS TO THE PERMITTED USES IN THE ESTABLISHED ZONING DISTRICT FOR THE PROPERTY LOCATED AT 4241 WILLIAMS ROAD, PARCEL NO. 185-001368, CURRENTLY ZONED PLANNED INDUSTRIAL PARK (PIP), ACQUIRE INC., APPLICANT

Sponsors: Lockett

Attachments: [ORD. 18-038 - Use Variance application.pdf](#)
[ORD. 18-038 4241 Williams Rd - Use Variance site plan.pdf](#)
[ORD. 18-038 4241 Williams Rd - Use Variance site plan attachment C.pdf](#)

Law Director Shannon requested Council to consider making a motion to amend Section 1 of this Ordinance after the language "and fleet vehicle sales" there would be a comma and insert the language "and the area variance to reduce the required 453 parking spaces to 68 spaces are" and at the end of Section 1 after "Planning & Zoning Commission are satisfied" add " ,specifically, that additional screening may need to be put in place depending on the location of fleet sales display area and that the fence along Williams Road should be setback no closer to the right-of-way than along the north edge of the existing front parking lot; any future site modification involving a guard house(s), security gates, or similar structures that may affect site traffic circulation and impact on local traffic is subject to engineering review and approval by the City of Groveport Engineering Department". Those are the proposed amendments to the Ordinance.

Clerk of Council Ross read by title Ordinance No. 18-038. A motion was made by Council Member Dildine, seconded by Council Member Hutson, to amend according to the Law Director's recommendation. The motion carried by the following vote:

Excused: 2 - Grashel and Lockett

Yes: 4 - Cleary, Dildine, Hilbert and Hutson

Jeffrey L. Brown, of Smith & Hale, 37 W. Broad Street, Columbus, Ohio 43215, Attorney for applicant, Acquire Inc. addressed Council on two issues. He spoke to the neighbors in the hallway on two of their concerns. The applicant will not have a fence along the west side of the building. The fence will connect at the southwest corner of the building and the west side of the building will have no fence until the northwest corner of the building where the parking lot will be fenced in per the discussion with the Planning & Zoning Commission. Mr. Brown advised the neighbors that there will not be an outdoor PA system on the

property. The asphalt lot in front of the building closest to Williams Road will remain the employee parking lot. All other activities will be on the east or the southeast side of the building. Law Director Shannon spoke to Mr. Brown who indicated he was going to make these changes to the plan. Mr. Shannon clarified that the only way Council can do anything different as far as what was agreed to by the Planning & Zoning Commission, anything additional, Council would need a super majority vote of five (5) of six (6) Council Members. Mr. Shannon and Mr. Brown are in agreement that what Mr. Brown has talked about doing does not relate to the conditions that the Planning & Zoning Commission approved at its September 4, 2018 meeting. The applicant is willing to make the changes to the plan and, in the spirit of compromising with the neighbors, Mr. Brown is going on record to say that. If Council is looking to add specific language into the Ordinance, even with all four members present, there is not enough for a majority vote. Council could consider the Ordinance as it is tonight and vote on it or Council could postpone the matter until there is a fuller compliment of Council to consider any potential amendments but the matter will still require five (5) votes to do anything different than what Planning & Zoning recommended.

A motion was made by Council Member Hutson, seconded by Council Member Cleary, to postpone to a date certain, October 9, 2018. The motion carried by the following vote:

Excused: 2 - Grashel and Lockett

Yes: 4 - Cleary, Dildine, Hilbert and Hutson

[#210-2018](#)

ORD. 18-038 Staff Reports

Attachments: [ORD. 18-038 Staff Reports.pdf](#)

B. 2nd Readings

[RES. 18-006](#)

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

Sponsors: Grashel

Attachments: [2018 TIRC Minutes.pdf](#)

Clerk of Council Ross read by title Resolution No. 18-006.

C. 1st Readings**[ORD. 18-043](#)**

AN ORDINANCE GRANTING A VARIANCE AS TO THE PERMITTED USES IN THE ESTABLISHED ZONING DISTRICT FOR THE PROPERTY LOCATED AT 5940 CLYDE MOORE DRIVE, PARCEL NO. 185-001847, CURRENTLY ZONED PLANNED INDUSTRIAL PARK (PIP), OHIO ADDICTION RECOVERY CENTER, APPLICANT

Sponsors: Dildine

Attachments: [ORD. 18-043 5940 Clyde Moore Dr - application.pdf](#)
[ORD. 18-043 5940 Clyde Moore Dr - site plan.pdf](#)

Clerk of Council Ross read by title Ordinance No. 18-043. This Ordinance was referred to the Planning & Zoning Commission.

[ORD. 18-044](#)

AN ORDINANCE APPROVING THE FINAL PLAT FOR BIXBY ROAD, HICKORY GROVE SECTION 3A, EMH&T, APPLICANT (PARCEL NUMBER 185-001602)

Sponsors: Hutson

Attachments: [ORD. 18-044- Exhibit A.pdf](#)
[ORD. 18-044- Exhibit B.pdf](#)

Clerk of Council Ross read by title Ordinance No. 18-044. This Ordinance was referred to the Planning & Zoning Commission.

[RES. 18-008](#)

A RESOLUTION AMENDING THE RULES OF COUNCIL

Sponsors: Cleary

Attachments: [RES. 18-008 Rules of Council attachment.pdf](#)

Clerk of Council Ross read by title Resolution No.18-008. This Resolution was referred to the Committee of the Whole.

VIII. Reports**A. Mayor - Lance Westcamp**

Nothing further to report.

B. Administrator - Marsha Hall

Not present.

C. Chief of Police - Ralph Portier

Nothing further to report.

D. Director of Finance - Jeff Green

The finance report was in Councils' packet.

[#234-2018](#)

Finance Report

Attachments: [Finance Report.pdf](#)

E. Director of Law - Kevin Shannon

Nothing further to report.

F. Council Members - Jean Ann Hilbert, Ed Dildine, Shawn Cleary, Becky Hutson, Scott Lockett and Chad Grashel

Council Member Ed Dildine thanked everyone for coming out tonight. Council Member Jean Ann Hilbert announced the Voices of Hope will be at the High School on October 23rd. Council Member Shawn Cleary expressed his appreciation to everyone for coming out tonight. He thinks there may be a crack in the City's system that it may need to do better. He heard several people say they knew nothing about this matter until the last minute. The City does send out some mailings but he needs to find out how those mailings are sent out. He suggested looking at the website to be kept up-to-date. Mr. Dildine added that Council is in the process of updating its Rules of Council which will be adding an additional posting location. Crooked Alley KidSpace would be added to the three already designated locations: the municipal building, the recreation center, and Town Hall. A member of the audience suggested perhaps a billboard could be placed at a site displaying any zoning requests.

G. Clerk of Council - Ruthanne Sargus Ross

Nothing to report.

H. Standing Committees

None.

IX. Other Business

None.

X. Adjournment

A motion was made by Council Member Cleary, seconded by Council Member Hutson, to adjourn at 7:47 p.m. The motion carried by the following vote:

Excused: 2 - Grashel and Lockett

Yes: 4 - Cleary, Dildine, Hilbert and Hutson

Lance Westcamp, Mayor

Ruthanne Sargus Ross, CMC
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.