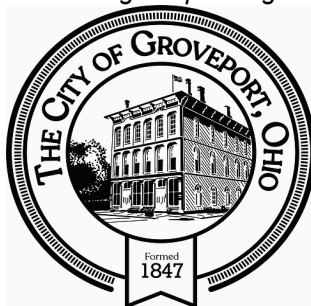


City of Groveport

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Groveport, OH 43125
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Meeting Minutes

Monday, May 23, 2022

6:30 PM

Council Chambers

City Council

Mayor Lance Westcamp

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

I. Call to Order

Mayor Lance Westcamp called the City Council meeting to order at 6:30 p.m.

Staff Present: BJ King - Administrator, Jason Carr - Director of Finance, Casey Adams - Chief of Police, Jeff Green - Development Director, Steve Farst- City Engineer, Ruthanne Sargus Ross - Clerk of Council

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 Adams led the Pledge of Allegiance.

IV. Roll Call

Present: 6 - Shawn M. Cleary, Edward Dildine, Jean Ann Hilbert, Becky Hutson, Scott Lockett, and Jack Rupp

V. Approval of Minutes - May 9, 2022

The May 9, 2022 City Council Meeting Minutes stand approved as submitted.

[#100-2022](#) City Council Meeting Minutes

Attachments: [City Council Meeting Minutes 5.9.2022.pdf](#)

VI. Business of Guests

None.

VII. Ordinances and Resolutions**A. 3rd Readings**

None

B. 2nd Readings

[Ord. 2022-020](#)

AN ORDINANCE APPROVING THE FINAL PLAT FOR 325 MAIN STREET, AARON CARROLL, APPLICANT, PARCEL NUMBER 185-000443

Sponsors: Rupp

Attachments: [Ord. 2022-020 Exhibit A.pdf](#)

Clerk of Council Ross read by title Ordinance No. 2022-020.

C. 1st Readings

[Ord. 2022-023](#)

AN ORDINANCE GRANTING A VARIANCE AS TO THE PERMITTED USES IN THE ESTABLISHED ZONING DISTRICT FOR THE PROPERTY LOCATED AT 4400 MARKETING PLACE, PARCEL NO. 185-001361, CURRENTLY ZONED PLANNED INDUSTRIAL PARK (PIP), CHRISTOPHER DUMFORD, APPLICANT

Sponsors: Lockett

Attachments: [Ord. 2022-023 Exhibit A.pdf](#)

Clerk of Council Ross read by title Ordinance No. 2022-023. This Ordinance was referred to the Planning & Zoning Commission.

VIII. Reports

A. Mayor - Lance Westcamp

Mayor Lance Westcamp reported that he and Administrator BJ King had the honor of attending the Armed Forces Day celebration by invitation of Warren Motts. It was a great event.

The Mayor and two of his grandchildren had the opportunity to watch the young man City officials sponsor compete in a race in Obetz. Cam Lindsay was entered in a heat race with six cars and came in second. He was in the inside lane in the final race and smoked the other drivers.

Mayor Westcamp thanked everyone who attended this morning's breakfast recognizing the Groveport Madison valedictorians.

B. Administrator - BJ King

Administrator BJ King echoed the Mayor's sentiments on the breakfast. The young people were awe-inspiring in their past achievements and future goals and pursuits.

Administration will ask Council to consider going into executive session under the other business agenda item to discuss economic

development.

The Aquatic Center's outdoor pool opens for the season on Saturday, May 28, at noon. The process to gain entry will be faster and simpler. An overhead person counter will track everyone coming in and going out of the facility on a screen. Employee training will start next week on the new system. Kudos to Trevor Swackhamer and Seth Bower for modernizing the City's technology at the Aquatic Center. Some latest technology included moving Wi-Fi hotspots, installing new cameras, and implementing barcode scanners.

On May 30, 2022, the Memorial Day Celebration starts with the parade at 1:30 p.m., ending at the Groveport Cemetery. The event immediately follows the parade.

Mr. King will be on vacation starting Wednesday, May 25, and back in the office on Monday, June 6, 2022.

Mr. King mentioned HB 172, which permits commercial-grade fireworks to be let off ten days during the year in Ohio.

Ohio House Bill 172: Starting July 1, 2022, the legislation would allow the public to launch consumer-grade fireworks on a number of major holidays, including Independence Day and New Year's Eve. The legislation, however, would allow municipalities to restrict or prohibit the use of consumer-grade fireworks.

The legislation would also eliminate a state law that requires fireworks purchased in Ohio to be transported out of the state within 48 hours.

The bill would continue to prohibit the use of commercial-grade fireworks by the public. It would also criminalize anyone negligently using fireworks while intoxicated or under the influence. It would also prohibit the public from negligently using fireworks on someone's property without proper permission.

Mr. King commented that City Council has options on proceeding with the passage of House Bill 172.

- Do nothing and follow HB 172. If Council pursues this option, the City will have to amend its fireworks ordinance, which prohibits the use of fireworks in Groveport.*
- The City can restrict the use of fireworks by its current legislation or restrict use on all ten or some of those days of the year.*
- Council can craft the ordinance's language to read however they deem appropriate, but since the bill becomes effective on July 1, 2022, the legislation should pass in June.*

An open discussion on provisions of the bill and responsible parties for

any injury or property damage ensued. Keys points discussed:

- There is no provision for who is accountable for any fireworks debris or property damage.*
- **JCARR** (Joint Committee on Agency Rule Review) is who establishes the rules for the enforcement of new laws. The Marshall's Office is not planning to have the regulations for that law out until July 1, 2022.*
- Any criminal accountability would take the Police Department to prove negligence. As Groveport's code reads now, it is not easy to enforce on the 4th of July.*
- Chief Adams clarified that the bill states consumer-grade fireworks, not commercial-grade.*
- The JCARR rules require a distance of 150' when launching consumer-grade fireworks. Few residential communities in Groveport have 150' between houses.*
- Other municipalities are considering different options.*
- Follow the rules of HB 172 for one year and evaluate problems and issues.*
- Work with the Madison Township Fire Department to support a safety training campaign on the proper use of consumer-grade fireworks.*

The Administration will draft legislation for a first reading on June 13, 2022, to restrict the use of fireworks on nine (9) of the ten (10) days in HB 172 to permit fireworks on the 4th of July. Regardless of HB 172, the City code still restricts fireworks in public spaces; the ordinance will include language conveying the same. President Pro-Temp Jean Ann Hilbert will sponsor the legislation. The legislation will have emergency language but will be referred to the Committee of the Whole at its first reading on June 13, 2022. The June 20, 2022, Committee of the Whole meeting will allow City Council to discuss the matter and hear public input.

Council Member Cleary mentioned that the City Public Works Department has a new employee who does not have a commercial driver's license (CDL). A new rule went into effect at the beginning of this year, which requires an individual to attend a driving academy. A 30-day driving academy can cost anywhere from \$5,000 to \$12,000. After an employee passes a probation period, will the employee pay for the classes and get reimbursed by the City, or will the City pay upfront? The Administration needs to develop a procedure for new employees getting their CDL. Mr. King's position on the matter is that an employee would get reimbursed upon completing the course and obtaining their CDL. The same procedure as tuition reimbursement. Mayor Westcamp asked if a CDL requirement was on the job description for this particular

position and if the job needed a CDL? Mr. King responded that a CDL is not a requirement in the job description, but it would be helpful in a pinch. Council Member Dildine remarked that since it is not on the job description, it could be challenging for a person to take it upon themselves to pay upward of \$12,000. Suppose Groveport pays for classes for other employees to better themselves in other areas. In that case, it should pay for CDL classes if someone wants to better themselves or move up to another position. Different department trucks don't require a CDL.

[#101-2022](#)

Admin Report to Council

Attachments: [Admin Report to Council May 23, 2022.pdf](#)

C. Chief of Police - Casey Adams

Police Chief Casey Adams is proud to announce that Detective Joshua Gilbert is getting his Master Criminal Investigator accreditation. The Department will now have three master investigators.

The Chief received a call from the State of Ohio about the American Rescue Plan Act (ARPA) funding. The Chief expects the Department to receive some funding and plans to invest in some criminal investigation tools.

D. Director of Finance - Jason Carr

Finance Director Jason Carr reported that at least one payment remains on the Rarey's Port building. After the City considers the amount of debt issued, it will have approximately \$56,000 of bond money remaining after that final payment. There are several payments left for Wert's Grove, but if there are no other significant changes, the City should have approximately \$63,000 in bond money remaining once final payment is made.

In the April Finance report, income tax collections continue to pace higher; the City is 18% higher for the year. The General Fund balance is \$2,000,000 higher than April 2021, even when considering the large economic development incentive payments paid in February 2022. The City recorded the bond anticipation note proceeds in April, but the City has not spent any of the golf course portion of that bond. The City did purchase the front-end loader with the debt proceeds.

Council Member Lockett commented that since this is the end of May, does the City need to postpone the \$1.2 million loan for interior build-out. He wanted to know if the City had the figures for the interior build-outs for both buildings and if the \$1.2 million loan would be

sufficient. Jeff Green responded that right now, the \$1.2 million is enough. The building plans are in the hands of the contractors working on the final costs. Groveport has another business interested in the other space. Being that tonight is the last meeting in May, and due to the delay, Administrator King advised the City Council does need to address the matter tonight. Therefore, the staff is requesting that Council make a motion authorizing or directing the Finance Director not to disburse the interior build-out internal loan/bond issuance proceeds as authorized in Ordinance 2021-050 no later than July 31, 2022. Mr. Carr added that City Council passed Ordinance 2021-050 that authorized the amount not to exceed \$1.2 million. This motion refers to a timing issue only. Finance initially did it to alleviate any confusion for the audit that the City wouldn't loan itself money when there was no firm number when the 2022 budget was prepared and approved in 2021. If the \$1.2 million were to change, the matter would have to be brought back before Council to amend Ordinance 2021-050.

A motion was made by Council Member Hutson, seconded by Council Member Dildine, to amend the previously approved motion made on February 28, 2022 establishing the Finance Director to not disburse bond proceeds pursuant to Ordinance 2021-050 until May 2022, be amended that the Finance Director not disburse said bond proceeds from May 2022 to no later than July 31, 2022. The motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Hilbert, Hutson, Lockett and Rupp

E. Director of Law - Kevin Shannon

Law Director Kevin Shannon was not present.

F. Development Director - Jeff Green

Development Director Jeff Green had nothing further to report.

G. Council Members - Jean Ann Hilbert, Ed Dildine, Shawn Cleary, Becky Hutson, Scott Lockett and Jack Rupp

Council Member Scott Lockett commended Chief Adams on his Coffee with a Cop event.

Council Member Becky Hutson mentioned that her neighbors in the Orchard subdivision have concerns about the deterioration of the entrance sign. The subdivision does not have a Homeowners' Association (HOA), so residents are asking if the City can do something with the sign or if it is strictly on the residents. Mr. King stated that cities do not typically maintain subdivision signs, common spaces, or similar shared spaces. It would take an act of City Council to authorize the City

to fund money to replace or repair that sign, but he cautioned to be careful about opening that can of worms. It could cause future complications with other subdivision expectations of Groveport's involvement in subdivision matters. Council Member Dildine suggested looking into deed restrictions for the Orchard subdivision to ensure there is no provision that the City maintains the sign or other items if there is no HOA. Mr. Farst noted that the place to start is to look on the Franklin County Recorder's website. Mr. King will follow up on the matter with Mrs. Hutson.

H. Clerk of Council - Ruthanne Sargus Ross

Clerk of Council Ruthanne Sargus Ross had nothing further to report.

I. Standing Committees

Cemetery Committee

Council Member Cleary reported that the Cemetery Committee held its first meeting in 2022. He passed along pictures showing three large trees in the Groveport Cemetery. All three trees are dead or dying and are in the cemetery's historic section. The trees need to be down before a storm blows them down. Mr. Cleary asked Public Service Director Brian Strayer to wait to remove the trees until after Memorial Day. Next year crews will replace them with Red Maple trees.

The Cemetery Committee needs to address the serious problem of patrons not abiding by the Rules & Regulations of Groveport Cemetery. Law Director Kevin Shannon will draft signs to place throughout the cemetery strategically. The Committee is aware that a graveyard is a place of reverence and respect, but some things have gotten way out of control.

The public can't plant trees on the lots. The crews are taking extra time to mow around accouterments, and it is becoming more challenging to maintain the cemetery. A mower hit some low fencing that shattered everywhere. The Committee wants to start fervently enforcing the Rules & Regulations in the middle of July 2022. The City won't single anyone out, and everyone will have ample notice. Enforcement will apply to the entire Groveport Cemetery.

The Committee has discovered that there have been four (4) plots that were resold, that's to say, four graves were sold twice. The problem the Committee has run into is that various people were maintaining records. Patty Storts had records, and Dennis Moore was keeping records. Carla Cramer has volunteered to return an original set of documents. The City needs to maintain all the cemetery records in one place.

Other Cemetery Committee matters: the fence will be getting a new coat of paint, and there are two (2) dead or dying trees in the Hendren Cemetery that Public Works will remove. Last fall's open house at Hendren Cemetery was such a popular event that the Committee looks to have another open house tour this year. Mr. Dildine asked if Groveport had to report cemetery data to another county or state agency. Mr. King responded that documentation is not registered or recorded elsewhere. Record keeping and documentation are the responsibility of the entity that owns the cemetery.

Trees & Decorations Committee

Council Member Dildine reported on the Trees & Decorations Committee meeting. The plaque in memory of Ralph Portier, former Chief of Police, has been received. The tree dedication will be this fall. The Committee will be ordering dark green polo shirts so the public can recognize all the members at various City events. The Committee will make Halloween purchases at the next meeting scheduled for July 11, 2022. The Committee wants to order early in the event of the unavailability of supplies.

Previously, the City had purchased one (1) bench from a Girl Scout troop, but three (3) additional benches on Groveport property are causing issues. The Committee is looking into who placed and owned these other benches. The Committee will connect with the owners to solve the benches' complications.

IX. Other Business

Executive Session

Administrator BJ King requested Council to consider making a motion to go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(8) to consider economic development items to include all members of Council, the Mayor, himself, Finance Director, the Development Director and the City Engineer.

A motion was made by Council Member Hilbert, seconded by Council Member Cleary, to go into Executive Session pursuant to Ohio Revised Code Section 121.22(G)(8) to consider economic development items to include all members of Council, the Mayor, the Administrator, Finance Director, the Development Director and the City Engineer at 7:40 p.m. The motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Hilbert, Hutson, Lockett and Rupp

A motion was made by Council Member Hilbert, seconded by Council Member Cleary, to come out of Executive Session at 8:26 p.m. with no action taken. The

motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Hilbert, Hutson, Lockett and Rupp

X. Adjournment

A motion was made by Council Member Cleary, seconded by Council Member Hilbert, to adjourn at 8:26 p.m. The motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Hilbert, Hutson, Lockett and Rupp

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.