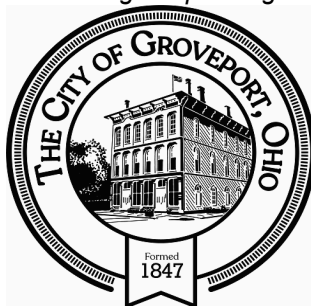


City of Groveport

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Groveport, OH 43125
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Meeting Minutes

Monday, June 26, 2023

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 6:50 p.m.

Staff Present: BJ King - Administrator, Kevin Shannon - Law Director, Jason Carr - Director of Finance, Casey Adams - Chief of Police, Steve Farst - City Engineer, Stephen Moore - Chief Building Official, Mindy Kay - 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

Local Boy Scout Darin Gearheart 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

The June 12, 2023 City Council Minutes stand approved as submitted.

[#134-2023](#)

City Council Meeting Minutes June 12, 2023

Attachments: [2023.06.12 City Council Meeting Minutes.pdf](#)

VI. Business of Guests

Administrator BJ King invited Sandy Trammer to the podium and introduced her as the City's new part time Front Desk Clerk. He said this is the most exciting job Sandy's ever had, her second one being the personal assistant to Woody Hayes. The Mayor and Council welcomed Sandy. She said she is very happy to be here and is very excited about this opportunity. She has been retired for five years and decided it was time to get out of the house and continue to contribute to society. She said she is very proud to be here and thanked Council for the warm welcome.

Mayor Westcamp stated that several speaker forms had been turned in

for the Casserly property Use Variance. He informed everyone that the ordinance will not be heard at tonight's meeting. The Public Hearing will be held on July 10th. He told them to feel free to speak tonight but they will need to speak again July 10th.

A. Wayne White

Wayne White greeted Council and stated that he is back to speak again about Raver Alley needing to be one way. He said he had been in communications with Administrator King and spoke to Council in March and there is still no real resolution. He believes after discussing with his neighbors who live along the alley as well as neighbors on the north side of Elm Street that the one-way direction should be heading south. Even if it's just between Maple and Hickory. He said we could leave the section of alley where Little Italy's parking lot is so that trash trucks are able to get in and out. He said he's heard that delivery trucks cannot maneuver back there if it's a one way but just doesn't know for sure. The traffic leaving from Little Italy is horrendous. He added that last Thursday evening from 4:00 until 9:00 he counted thirty-five cars in that short amount of time. Only two of them bothered to stop at the stop sign on Elm. It was just a continuous right or left turn and away they went. It seems to be the most used area for the delivery drivers leaving Little Italy. One of them runs the stop sign and guns it. He told Council that he is done with it and wants to know if Council can do something about it. He said he's heard that the City is looking at a study to make all alleys one way. He then said that he and Little Italy CEO Avery Ward had some history before Little Italy moved into the new building and doesn't know if that's been taken into consideration or not. Mr. White went on to say that he was told before the new Little Italy building was ever built that the residents' quality of life would not suffer. He knew there would be traffic but thinks that something can be done to make Raver Alley one way going south toward Main Street. He then said that his wife has it on video where a delivery driver was speeding down the alley. He said delivery trucks are constantly coming up Elm Street, going down by Maple, and he doesn't know where they're going to go because there's nothing there. The trash truck that picks up Little Italy's trash comes early in the morning and doesn't have to try to maneuver around cars in the parking lot. The delivery trucks deliver once a week before the restaurant is even open so they are also able to maneuver in the empty parking lot. He said he doesn't know if Avery has given input as to not wanting the alley to be one way because of his delivery drivers. He really hopes something can be done about the traffic there. Administrator King addressed Mr. White and said that they had been in touch and have had several talks about this issue. He said that City Engineer Steve Farst is here to answer any questions. Mr. King

stressed that it's not as simple as just changing it to one way because when you start looking at turning radiuses and utilities and curves and everything that is in play in Hickory Alley and Raver Alley, it makes it very difficult. He said we've talked about the trash truck having to come north off of Main Street to get to the dumpster. He said that Mr. White asked if the truck can just keep traveling north but we can't do that because that's contrary to traffic law now. Mr. White then replied that's why he said to leave it two ways inside the parking area. Mr. King said the trucks can't make the turn at Raver and Hickory Alley. There is a pole there. Mr. King then said the City did put the no parking signs up that Mr. White had requested. He said that we've since been requested to remove those signs. Mr. White said the signs were put up in his yard. He asked them to be put up in the alley and said they were put up in his yard instead. Mr. Farst stated that the reality is if we make Raver Alley southbound only the delivery or trash truck that comes down Raver north of Main, does what it needs to do at the site and then wants to leave the site, then the driver can't make a left turn on Hickory. That is a westbound alley and there is not enough space for the vehicle to make that turn without either impacting the tree or rolling out beyond the pavement onto the grass. In response to that, they either aren't going to care and cause damage to private property and knock down a tree or utility pole, or they're going to violate the sign and go forward anyway. He said they looked at the City's trash collection and the trash trucks will sometimes ignore one-way signs and will go the way they have to go. They'll even go backwards. Alleys present many challenges because of how narrow they are. Alley traffic is very hard to predict and a lot of it falls on driver behavior. We can't necessarily regulate that. Mr. White then said if they're not going to pay attention anyway why not just put the signs up. He then said the residential trash trucks enter off of Elm Street and drive right on through to Main Street. The commercial dumpster at Little Italy gets picked up between 12:00am-1:00am. They have free reign to turn in the parking lot and do whatever they need to do. They're not driving up my alley or turning left onto Hickory. He said Mr. King is right, they cannot make that turn and cars can barely even make that turn. Darlene White then approached the podium and stated that in order to exit Little Italy by way of the alley, you have to inch up into the intersection in order to see past the dumpster. She said that there have been several times she's almost been hit because cars just fly through there. She added that exiting Little Italy onto Main Street is the same way because of the cars lined up in the parking spaces along the street. You can't see any of the traffic coming. She said that from Elm Street to Main Street Raver Alley needs to be a one-way. She went on to say that when they bought their house they put a fence up. They did not put up a privacy fence because they wanted to be

a part of the community and involved with their neighbors. Now with the restaurant there, vehicles are constantly driving past our property and even stopping to see what we're doing. We cannot enjoy our back yard. Mr. White then said he asked for a privacy fence like the one that was put up behind the hardware store and was told by Administrator King that project predates him and he does not know the scope of work that project entailed. He asked Council if there could be a privacy fence put up there because it is getting out of hand. Mrs. White then also asked for either a one-way or some form of privacy for them. Mayor Westcamp turned to Chief Adams and said if they're running the stop signs, we know where to station an officer. He said if it's the delivery drivers doing, someone needs to talk to Avery. They need to observe the law. Mr. White added that they need to slow down too because his grandkids used to be able to ride their bikes and scooters in the alley and now he wouldn't dare let them play out there the way cars go flying by. Council Member Hilbert inquired about the no parking signs that were put up and stated she thought they could only be put in easements. Mr. King said the signs were put up in public right-of-way and we'd never put signs in private property. Mrs. White said the signs are in her grass. Mrs. Hilbert said that the grass could still be the City's right-of-way. Mr. King reiterated that none of the signs were put on private property. Mrs. White then said that the signs were supposed to go up in the back alley and they were put up on Elm. Mr. King addressed Mr. White and said that they had met and they had talked about where the signs would go. He said it was discussed that there would be a concern that people would start to park in the alley. Council Member Hutson then clarified with Mr. White that he wants the entire alley to be a one-way. Mr. White said he has video of delivery trucks driving northbound on Raver Alley toward Maple. Council Member Lockett asked Mr. White if trucks can't come off of Main Street then how are they going to come in. Mr. White said they can keep the alley a two-way in the parking lot area. Council Member Dildine confirmed with Mr. White that at Hickory is where he would want it to start to be a one-way. Mr. Lockett said there's no way for the trucks to get turned around to get back to Main Street if we do that. He said they've got to get out of there some way, unless they deliver on Main Street. That's what they do at Delaney's. He then said he wasn't sure if Delaney's is more well suited to receive deliveries off Main than Little Italy is, to which Mr. King said that it is. He explained that the intersection of College and Main would make deliveries off main more difficult. It could certainly become dangerous. Mrs. Hilbert then said she wonders if Avery might be able to have his deliveries made before the restaurant opens. Mr. Dildine agreed and said the trucks would then be able to deliver when there are no other cars in the parking lot. They should be

able to navigate the parking lot to go back out on Raver back to Main. Mr. Farst stated that would depend on the size of the food service truck. That is out of our control and probably out of Avery's control. Mrs. Hutson said she's seen delivery trucks park in the middle of main to deliver to the Mexican restaurant. Mr. King said his main concern with that at Little Italy is the close proximity to the intersection at College and Main. Mayor Westcamp said the bottom line is, we can make Raver Alley a one-way but we can't stop them. Mr. White said that if the Police are sitting there then it will stop. Chief Adams said if we wanted to make traffic go southbound there's no way those trucks can turn into that alleyway off Elm anyway because of how tight the turn is. Mr. Lockett said they're exiting that way though. Mr. and Mrs. White both said they turn in and out of the alley all the time. Mayor Westcamp suggested putting this issue on the Committee of the Whole agenda so that Council can have an opportunity to further discuss it. Mr. Dildine said that we need to look at all options and we may have to try options temporarily to see what works best.

B. Michelle Cuthbert

Michelle Cuthbert spoke about her concern for the proposed market at 385 Main Street. She said it's a strange situation where Mr. Casserly went in front of the zoning board and the majority of the information was not quite accurate. Even though he has taken some of the tables down because he's out of product and he's waiting for some other things to come on, for us neighbors' it's constantly a garage sale. The tables never go away, hours are never posted. We see people from an ADA noncompliance standpoint yelling from the sidewalk because they can't make it up the stairs. We've seen unleashed dogs, children everywhere. We've had several neighbors even say they wanted to sell their property because they can't deal with it. People are not only parking in front of their property on the street but also on their property itself. The kids aren't minding the property lines. It's loud and to be quite frank this is a historic district and it just doesn't fit the area. She said there is no example of that in any other city that she can find that has a historic district with a property like Mr. Casserly's having an ongoing garage sale outside. She said Mr. Casserly never turns anyone down and the majority of the time the transactions are cash. She added that at the last meeting Mr. Casserly said he and his wife had a subsidiary of his company, however there is no record of that when she called the State of Ohio. Therefore, who's paying taxes on all the cash he's putting in his pocket? She said that as a business owner herself, she is happy to pay the taxes here because it reinvests into the City and supports a lot of the programming that happens here. That's part of owning a business. But to constantly have stuff out because you think that there's better sun is not really

appropriate, especially if you can't make the space work to have enough room for your kids to play or for your market to grow. She added that the majority of his product is bought at the auction so there's a misalignment of his marketing. He says that he sells product on social media to do marketing but she has never seen that. She said she has looked into a lot of the things Mr. Casserly claims and it's inaccurate. She said as neighbors we don't really buy it, and added that he had come to them to discuss the business but has never come back with any additional plans. Everything is very loosey goosey. She then said that if you have a garage sale you need to put away your stuff when it's done. The neighbors are exhausted and just want quiet. Slowly every year the sale gets bigger and bigger. We see it totally across the front of the property. In his plan he says he keeps it in the corner but he really brings people from the front to the back. It is concerning that we see children not being watched because they're so busy doing the market. The space is too small if you're playing into other people's yards, if you're not respecting other people's space and parking in alleys with no adequate space. She said people park right on the edge of the corner and other people have to navigate around them. She added that there have been wrecks in the middle turn lane because people want to stop to see what there is in his yard. She concluded by saying it's just not really the right place for this. Mr. Lockett addressed Mrs. Cuthbert and mentioned the letter she had sent Council that had included names of some of the neighbors. He requested the addresses in hopes to talk to some of them before the next meeting.

C. Peggy Jones

Peggy Jones said that she's learned since the last meeting that he has applied for this and been turned down before. She said she's watched for the past three years that he's steadily increased what he wants to do. She doesn't understand why we're even doing this if he's already been turned down, and why he continues to escalate his business. The only time the signs go down and the flowers go away is Saturday morning when there's the farmer's market but it all comes back in the afternoon. If the sign is not out in the yard he's got it leaning up against the porch so people can see he has produce. She says she has no confidence in his integrity because it seems like he's bent on doing what he wants to do and you can tell by the property that he's not concerned with neighbors. She went on to say that until today there's been a car sitting in his driveway and hasn't moved for over a year. Today is the first day she's seen it move. She added that Mr. Casserly talks about how his customers can park in his driveway but he has a truck, a car, that other

car that was sitting there and often times he has a van sitting there so she doesn't know where his customers are going to park. She said he wants them to park on West Street but people fly down Main and they go around the corner to turn on West. If there's another car coming the opposite way on West while cars are parked on the side, there's no way they can get by. There's just not room, especially if they're going quickly. She said she hopes this is not allowed because it's just not good for the neighborhood. She mentioned a couple who bought an abandoned house and turned it into one of the nicest houses on the street. But how are we going to attract people like that when you've got that mess right on Main Street? If we're going to have the community that we want to have we really need to look at this and not be taken in by what he says. We need to look at what he does. Mayor Westcamp stated that he's applied for other things in the past but nothing as elaborate as this. Law Director Shannon then said that when she says Mr. Casserly was turned down, he's assuming he may have contacted our Chief Building Official seeking to do this and was told he couldn't because it's a residential area, but could apply for a use variance. Mr. Shannon said that is the process that Mr. Casserly is engaged in. Ultimately the decision as to this matter is going to be discussed at the Public Hearing in July, where you will have another opportunity to be heard. Council is going to review the decision of Planning and Zoning then ultimately make the decision whether or not to grant this use variance. Council Member Hilbert said that in the meantime he should not be having anything going on. Mr. Shannon stated that he is permitted to. Once he goes through the process of making application for a Use variance, our policy has been that he can continue to operate during that interim period until Council makes the decision. If Council decides not to grant the use variance the Chief Building Official will issue a cease and desist as it relates to that operation. If Council approves the use variance then he just continues in the manner that he has been but with the exception that there were any conditions set forth by Planning and Zoning. There are several conditions as it relates both to the use variance and area variances. He has to operate under those guidelines as well. Mrs. Hilbert added that it can be checked to see if he is operating under those guidelines. Mr. Shannon said that if he is not, then he is in violation and runs the risk of Council repealing its action. Mr. Dildine said that Council has not seen the conditions yet. Mr. King stated that there were several conditions put on the application for this. Even if Council approves it and he fails to meet those conditions, he is in violation of the approval. Therefore, Council can repeal it. Mr. Shannon said that is way down the road and that Council is at a loss tonight because they do not have the conditions in front of them. Tonight, the ordinance was just set for the second reading. When it

comes to the Public Hearing, there will be materials available to Council. Mr. Farst will give a staff report, Mr. Moore will also give a staff report, then Council will have all the information before them in order to ultimately decide whether they would like to approve or deny the action of the Planning and Zoning Commission.

D. Rebecca Little

Rebecca Little said that she and her husband bought a house across the street from the Casserlys and have put a lot of work into remodeling it. She invited any member of Council who wanted to see their progress to feel free to stop by. She said that in regard to the Casserly variance, one thing that really perturbs her about it is that she personally likes Brian and his wife but he's flown under the radar for so long and he doesn't seem to want to adhere to any guidelines. She added that he constantly operates outside of the hours that he's supposed to be operating under and every year it just grows more and more. She said that as neighbors, we don't like it. We feel like it's an interruption to the traffic, it's not historical, and it's a noise factor. We're opposed to it and hope it does not pass. She went on to say that one day last week Mr. Casserly came and spoke to her and Mrs. Cuthbert. She said she assumes he saw them collecting signatures from the neighbors for their petition. Mrs. Little stated that she told Mr. Casserly she was surprised at the number of neighbors who were opposed to his outside business. She said the neighbors were talking about how it's too big and this isn't the right area for it. People really don't want it. She then said that Mr. Casserly asked what it would take for the neighbors to approve to which she and Mrs. Cuthbert replied that he should take his tables and sign down because people never know when you're open. The product sits out there all the time. She added he did take the tables and sign away so there is a part of her that's hoping he is giving up on it. She explained she doesn't have a problem with him growing his product but the constant sales are chaotic in that little corner where we live.

VII. Ordinances and Resolutions

A. 3rd Readings

[Ord. 2023-023](#)

AN ORDINANCE ACCEPTING AND DEDICATING AS PUBLIC IMPROVEMENTS THE WATER MAIN AND HAYES ROAD ROADWAY IMPROVEMENTS CONSTRUCTED IN CONJUNCTION WITH THE CA VENTURES, PROJECT SUNSHINE DEVELOPMENT

Sponsors: Lockett

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

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

B. 2nd Readings

[Ord. 2023-020](#)

AN ORDINANCE GRANTING A VARIANCE AS TO THE PERMITTED USES IN THE ESTABLISHED ZONING DISTRICT FOR THE PROPERTY LOCATED AT 4500 S HAMILTON RD, PARCEL NUMBERS 185-0002942, 185-002943, 185-001330 AND 185-001331, CURRENTLY ZONED PLANNED INDUSTRIAL PARK (PIP), JIM VOORHIS, APPLICANT, AND THE DECLARATION OF AN EMERGENCY

Sponsors: Rupp

Attachments: [Ord. 2023-020 Exhibit A.pdf](#)

A motion was made by Council Member Rupp, seconded by Council Member Dildine, to adopt as emergency legislation. The motion carried by the following vote:

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

[Ord. 2023-021](#)

AN ORDINANCE GRANTING A VARIANCE AS TO THE PERMITTED USES IN THE ESTABLISHED ZONING DISTRICT FOR THE PROPERTY LOCATED AT 385 MAIN ST, PARCEL NUMBERS 185-000282 AND 185-000283, CURRENTLY ZONED RESIDENTIAL (R-6), BRIAN CASSERLY, APPLICANT

Sponsors: Dildine

Attachments: [Ord. 2023-021 Exhibit A.pdf](#)

This Ordinance was read by title

[Ord. 2023-022](#)

AN ORDINANCE APPROVING THE RECODIFICATION, EDITING, AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF GROVEPORT, OHIO AND THE DECLARATION OF AN EMERGENCY

Sponsors: Hilbert

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

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

[Ord. 2023-026](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH GROVEPORT MADISON SCHOOL DISTRICT TO PROVIDE A SCHOOL RESOURCE OFFICER.

Sponsors: Dildine

Attachments: [Ord. 2023-026 Exhibit A.pdf](#)

This Ordinance was read by title

[Ord. 2023-027](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO SOLICIT PROPOSALS AND TO ENTER INTO A CONTRACT WITH THE COMPANY OR FIRM THAT SUBMITS THE MOST BENEFICIAL AND/OR ACCEPTABLE PROPOSAL TO THE CITY FOR PLANNING SERVICES WITH RESPECT TO THE FUTURE DEVELOPMENT OF "AREA C".

Sponsors: Hilbert

This Ordinance was read by title

C. 1st Readings

VIII. Reports

A. Mayor - Lance Westcamp

Mayor Westcamp reported that he was able to meet with Administrator King and Community Affairs Director Jessica Wyke to iron out final plans for the Fourth of July celebration. He thanked Director of Transportation Bob Dowler for securing the parade vehicles and stated that all of the grand marshals will all be able to get into one vehicle. The Mayor then spoke of a great friend to the City who passed away yesterday, Robert Garvin. He stated that Mr. Garvin was a big influence on making the Fourth of July celebration what it is today. He said as most of us in this room know from talking to Mr. Garvin, he had a lot of great ideas. He thanked Council member Cleary and the Alumni Association for getting Mr. Garvin in as the 2023 Rarey Award recipient. He exclaimed "What a lot of things he contributed to not only the township but the City of Groveport."

B. Administrator - BJ King

Mr. King stated that the parade float will be ready to go for the Fourth of July. The parade starts off at 11:00am. You may want to be there around

10:15 to see the kids parade which starts at 10:30. He said he's looking forward to the Fourth.

C. Chief of Police - Casey Adams

Chief Adams informed Council that Congressman Carey's advisors were in last week. They came to talk to the City and see if there's any support they can offer our community and the school districts. He said it seems like we're going to be seeing a lot more of Congressman Carey and his advisors down the line. Mayor Westcamp added that Administrator King had introduced him to Warren Motts and Motts Military Museum. Administrator King then said one of Congressman Carey's biggest charges and beliefs is in veterans so he felt the need to make him aware of the Museum.

D. Director of Finance - Jason Carr

Finance Director Carr said there are many projects the Finance department is working on but the one that should come before Council here shortly is how we've been looking into ways to reduce the credit card fees for the Utility Department, Mayors Court and our Billing Department. He said he's spoken to a couple of companies to make sure we're compatible with all their software and is trying to change the user experience for the online portion of it as well. Hopefully within the next couple months we will have something finalized so we can amend the ordinance that we currently have in place with the cheaper method for costs that incur when a resident wants to pay by credit card.

E. Director of Law - Kevin Shannon

F. Development Director - Jeff Green

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

Council Member Lockett invited all to come join in the fun at Degenhart Park for this weekend's Pickleball Tournament. He said there will be over a hundred people from all over the state of Ohio here to compete. Mayor Westcamp said to make sure Public Works check the restrooms and the lights to make sure everything works. Council Member Dildine said the lights work just fine.

Council Member Cleary commented on how fantastic the concert was at Heritage Park on Saturday Night. He said it was well attended and very nice. Mayor Westcamp said it was one of the larger crowds at about 200

people.

H. Clerk of Council - Mindy Kay

I. Standing Committees

IX. Other Business

X. Adjournment

Council Member Hilbert made a motion, seconded by Council Member Hutson to adjourn at 7: 55 p.m. All in favor stated AYE, None Opposed. Motion passed.

Lance Westcamp, Mayor

Mindy Kay
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.