

City of Groveport

655 Blacklick St.
Groveport, OH 43125
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Meeting Minutes

Monday, November 23, 2015

6:30 PM

Council Chambers

City Council

Mayor Lance Westcamp

Council Members - Ed Rarey, Jean Ann Hilbert, Ed Dildine, Shawn Cleary & Becky Hutson

I. Call to Order

by Mayor Westcamp 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

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

Present: 6 - Shawn M. Cleary, Edward Dildine, Donna Drury, Jean Ann Hilbert, Becky Hutson, and Ed Rarey

V. Approval of Minutes - November 9, 2015

Approved as submitted.

[#254-2015](#)

City Council Meeting Minutes 11-09-15

Attachments: [City Council Meeting Minutes 11-09-15.pdf](#)

VI. Business of Guests

None.

VII. Ordinances and Resolutions

A. 3rd Readings

[ORD. 15-055](#)

AN ORDINANCE AMENDING THE ZONING MAP AS TO APPROXIMATELY 41.413 ACRES, MORE OR LESS, OF THE FOLLOWING TRACT OF LAND, LOCATED AT 2850 ROHR ROAD, PARCEL NUMBERS 185-001444 AND 185-001445 OWNED BY VANTRUST REAL ESTATE LLC FROM EXCEPTIONAL USE (EU) TO PLANNED INDUSTRIAL PARK (PIP)

Sponsors: Hilbert

Attachments: [2850 Rohr Rd - Rezoning Application Exhibit A.pdf](#)
[2850 Rohr Rd - Final Development Plan Application Exhibit B.pdf](#)
[2850 Rohr Rd Exhibit C.pdf](#)
[2850 Rohr Rd Exhibit D.pdf](#)

Law Director Shannon requested Council to consider making a motion to amend Ordinance 15-055 to include the following ten conditions to be set forth in Section 2.:

- 1. Ground and directional signage shall comply with Chapter 1178 of the Groveport Zoning Code.*
- 2. Parking setback for side and rear yards shall be a minimum of 15 feet.*
- 3. Loading Dock screening shall be installed to screen the loading dock areas along the north and south ends of each building to comply with Chapter 1176 of the Groveport Zoning Code.*
- 4. Landscaping along Green Pointe Drive should be installed to match the landscaping shown in the Development text for Rohr Road.*
- 5. The Traffic Impact Study will be addressed by the developer's engineer in a manner acceptable to the City Administration, before the subject site is platted.*
- 6. Site access from all public roads (including the western driveway entrance to the site from Rohr Road) shall be compliant with the City's Access Management standards.*
- 7. The center lane of Rohr Road shall be restriped in a manner acceptable to the City Engineer. Details to be reviewed and approved with site development plans.*
- 8. Site development design shall conform to the City of Groveport stormwater management policies and regulations, including requirement for directing site managed storm drainage into an adequate drainage outlet that has positive flow. If offsite drainage improvement is required, such system shall have easements and/or rights-of-use assigned to the City for said purpose. Design of drainage facilities and stormwater management features shall comply with City of Groveport Stormwater Management Policy (Chapter 935) and with the "Toy Road-Rohr Road Watershed" ditch design standards, whichever is greater.*
- 9. New site sanitary sewers shall be extended into the site contemporaneously with the construction of site improvements. The design of said sewers (i.e., size, depth, pipe and manhole material, specifications, and alignment) shall be per the requirements of the City of Groveport and City of Columbus (per service agreement with Columbus). Easements ambiguity shall be resolved with site developed in a manner to ensure City has appropriate rights to access, operate, and maintain public sewers.*
- 10. Any future proposed guard-house and/or gates on site shall be subject to approval of the City of Groveport's Chief Building Official and City Engineer.*

Clerk of Council Ross read by title Ordinance No.15-055. A motion was made by Council Member Dildine, seconded by Council Member Hutson, to amend this Ordinance to include the conditions set forth by the Planning & Zoning Commission. The motion carried by the following vote:

Yes: 5 - Cleary, Dildine, Drury, Hilbert and Hutson

No: 1 - Rarey

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

Yes: 5 - Cleary, Dildine, Drury, Hilbert and Hutson

No: 1 - Rarey

[#253-2015](#)

ORD. 15-055 Staff Reports

Attachments: [ORD. 15-055 Staff Reports.pdf](#)

[ORD. 15-069](#)

AN ORDINANCE AUTHORIZING THE CHARITY NEWSIES SALE AND THE DECLARATION OF AN EMERGENCY

Sponsors: Drury

Law Director Shannon requested Council to consider making a motion to amend by adding "AND THE DECLARATION OF AN EMERGENCY" to the title of Ordinance 15-069.

Clerk of Council Ross read by title Ordinance No.15-069. A motion was made by Council Member Hilbert, seconded by Council Member Drury, to amend the title of Ordinance 15-069 by adding "AND THE DECLARATION OF AN EMERGENCY" and changing Section 3. by adding emergency language. The motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

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

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

B. 2nd Readings

[RES. 15-006](#)

A RESOLUTION AUTHORIZING THE USE OF A PORTION OF BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF GROVEPORT, IN

THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$914,000.00, TO BE ISSUED FOR THE PURPOSE OF CONSTRUCTING PARKING LOT AND ADJACENT HILLSIDE IMPROVEMENTS, ALONG WITH COURSE MODIFICATIONS, IMPROVEMENTS AND APPURTENANCES THERETO IN CONNECTION WITH THE CITY'S MUNICIPAL GOLF COURSE PROJECT, TO REIMBURSE THE CITY'S GENERAL, PERMANENT IMPROVEMENT, OR BOND CONSTRUCTION FUND FOR MONIES PREVIOUSLY ADVANCED FOR SUCH PURPOSE

Sponsors: Hutson

Clerk of Council Ross read by title Resolution No.15-006.

C. 1st Readings

[ORD. 15-072](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO SOLICIT PROPOSALS FOR CONCESSION OPERATIONS AT THE LINKS AT GROVEPORT AND FURTHER AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE FIRM OR COMPANY THAT SUBMITS THE MOST BENEFICIAL PROPOSAL TO THE CITY, AND THE DECLARATION OF AN EMERGENCY

Sponsors: Cleary

Law Director Shannon requested Council to consider making a motion to suspend the rules as to the three readings and the effective date in order to solicit these proposals and have something in place in time for the upcoming golf season.

Clerk of Council Ross read by title Ordinance No.15-072. A motion was made by Council Member Hilbert, seconded by Council Member Rarey, to suspend the rules as to the three readings and the effective date. The motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

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

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

[ORD. 15-073](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO SOLICIT BIDS AND TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR CONSTRUCTION OF THE WIRT ROAD PHASE II PEDESTRIAN BIKE PATH

Sponsors: Drury

**Clerk of Council Ross read by title Ordinance No.15-073.
This Ordinance was referred to the Committee of the Whole.**

[ORD. 15-074](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH HUNTINGTON PUBLIC CAPITAL CORPORATION AND PURCHASE TWO (2) POLICE CRUISERS AND ANCILLARY EQUIPMENT, ONE (1) 1-TON DUMP TRUCK FOR THE PARK MAINTENANCE DEPARTMENT, ONE (1) SINGLE-AXLE 25-TON DUMP TRUCK FOR THE PUBLIC WORKS DEPARTMENT, AND ONE (1) ROUGH MOWER FOR THE GOLF COURSE UNDER THE STATE OF OHIO COOPERATIVE PURCHASE PLAN THEREBY WAIVING COMPETITIVE BIDDING PURSUANT TO GROVEPORT CITY CHARTER SECTION 9.02(B)

Sponsors: Hilbert

**Clerk of Council Ross read by title Ordinance No.15-074.
This Ordinance was referred to the Committee of the Whole.**

[ORD. 15-075](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH HUNTINGTON PUBLIC CAPITAL CORPORATION AND PURCHASE ONE (1) PICK-UP TRUCK FOR THE BUILDING AND ZONING DEPARTMENT, ONE (1) CUSHMAN TRUCKSTER AND (1) TIGER CUB MOWER FOR THE PARKS MAINTENANCE DEPARTMENT

Sponsors: Hutson

**Clerk of Council Ross read by title Ordinance No.15-075.
This Ordinance was referred to the Committee of the Whole.**

[ORD. 15-076](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO SOLICIT BIDS AND TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE 2016 STREET MAINTENANCE PROGRAM

Sponsors: Rarey

**Clerk of Council Ross read by title Ordinance No.15-076.
This Ordinance was referred to the Committee of the Whole.**

[ORD. 15-077](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO SOLICIT BIDS AND TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR THE PAINTING OF THE INDOOR POOL CEILING AND WALLS

Sponsors: Cleary

**Clerk of Council Ross read by title Ordinance No.15-077.
This Ordinance was referred to the Committee of the Whole.**

[ORD. 15-078](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO SOLICIT BIDS AND TO ENTER INTO A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER FOR WELL FIELD IMPROVEMENTS

Sponsors: Dildine

**Clerk of Council Ross read by title Ordinance No.15-078.
This Ordinance was referred to the Committee of the Whole.**

[ORD. 15-079](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ISSUE REQUESTS FOR QUALIFICATIONS AND ENTER INTO A CONTRACT WITH THE MOST DESIRABLE COMPANY OR FIRM, TO ENGINEER, DESIGN, AND ESTIMATE CONSTRUCTION COSTS FOR A FACILITY TO HOUSE THE PARKS MAINTENANCE AND TRANSPORTATION DEPARTMENTS ON THE PROPERTY LOCATED AT 5101 SOUTH HAMILTON ROAD

Sponsors: Hilbert

**Clerk of Council Ross read by title Ordinance No.15-079.
This Ordinance was referred to the Committee of the Whole.**

[ORD. 15-080](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ACCEPT A GRANT OF A SANITARY SEWER EASEMENT FROM GROVEPORT MADISON SCHOOL DISTRICT AND THE DECLARATION OF AN

EMERGENCY

Sponsors: Hutson

Law Director Shannon requested Council to consider making a motion to amend the title of Ordinance 15-080 by adding "AND THE DECLARATION OF AN EMERGENCY". The language was not included in the title but it is in the effective language of the Ordinance.

Clerk of Council Ross read by title Ordinance No.15-080. A motion was made by Council Member Hilbert, seconded by Council Member Drury, to amend the title by adding "AND THE DECLARATION OF AN EMERGENCY. The motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

Law Director Shannon requested Council to consider making a motion to suspend the rules as to the three readings and the effective date. In conjunction with the construction of the new high school the sanitary sewer line will be relocated and the City wants to have the ability to access the sanitary sewer line as soon as possible in the event the City needs to get involved with the relocation. Mr. Farst has been very proactive with this matter. The easement has already been signed by the Groveport Madison School District representatives.

A motion was made by Council Member Hilbert, seconded by Council Member Rarey, to suspend the rules as to the three readings and the effective date. The motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

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

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

[ORD. 15-081](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO APPLY FOR AND ACCEPT A GRANT FROM THE FRANKLIN COUNTY COMMISSION ON AGING SENIOR OPTIONS GRANT PROGRAM FOR THE SENIOR TRANSPORTATION PROGRAM, AND FURTHER AUTHORIZING THE ADMINISTRATOR TO EXECUTE ANY

AGREEMENT NECESSARY TO RECEIVE SAID GRANT FUNDING,
AND THE DECLARATION OF AN EMERGENCY

Sponsors: Drury

Law Director Shannon requested Council to consider making a motion to suspend the rules as to the three readings and the effective date. Emergency action is being requested so the City can meet the time frame set forth by Franklin County in order for the City to apply and receive the grant which is essential to the operations of the City's Senior Transportation Program.

Clerk of Council Ross read by title Ordinance No. 15-081. A motion was made by Council Member Hilbert, seconded by Council Member Dildine, to suspend the rules as to the three readings and the effective date. The motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

Council Member Cleary asked if the grant was straight funding for the Senior Transportation Program. Mr. Shannon advised the City applies for this grant each year for the staffing and operations of the program. Funds are not for the purchase of vehicles.

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

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

[ORD. 15-082](#)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR ADMINISTRATOR TO ENTER INTO A CONTRACT WITH KAREN E. SHEFFER TO SERVE AS MAGISTRATE FOR THE CITY OF GROVEPORT, AND THE DECLARATION OF AN EMERGENCY

Sponsors: Hilbert

Clerk of Council Ross read by title Ordinance No. 15-082. This Ordinance was referred to the Committee of the Whole.

[ORD. 15-083](#)

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF THE COLUMBUS WATER MAINTENANCE FUND

Sponsors: Rarey

Clerk of Council Ross read by title Ordinance No. 15-083. This Ordinance was referred to the Committee of the Whole.

[ORD. 15-084](#)**AN ORDINANCE TO AMEND TITLE NINE - TAXATION OF THE CODIFIED ORDINANCES OF THE CITY OF GROVEPORT REGARDING MUNICIPAL INCOME TAX BY ADDING NEW CHAPTER 182 AND THE DECLARATION OF AN EMERGENCY**

Sponsors: Dildine

Attachments: [2016 Income Tax Code.pdf](#)

Law Director Shannon requested Council to consider making a motion to suspend the rules as to the three readings and the effective date. Mr. Shannon explained that a year ago the Ohio Legislature enacted changes to local taxation. The State wants to have a standardized system of taxation within the State of Ohio throughout all the municipal corporations, villages and cities. The State has said if a municipality wants to continue to levy income taxes on their citizens, the municipality has to enact a model of the state code. If the changes are not enacted by January 1, 2016, it will be illegal for the municipality to continue to levy a tax. Mr. Shannon explained the City is not repealing its old income tax code because the City has filings that have occurred as it relates to previous tax years. Therefore, the City will need to have its existing income tax code in place to address those issues. That is the law to be applied in the event there is any kind of conflict or issue with respect to an individual's income tax during the years prior to January 1, 2016. In going forward the City needs to have this new income tax code in place by January 1, 2016. The process required staff going through a whole sale revision so that in addition to Chapter 181 (an income tax code for years prior to 2016), the City will now have Chapter 182 for the year 2016 and forward. This is consistent with all of the State requirements that the City must have in place. Mr. Shannon added, Council is aware the City of Columbus administers the collection of Groveport's income tax and the City has a Tax Administrator, Bob Curtin. Administrator Marsha Hall, Finance Director Jeff Green, Tax Administrator Bob Curtin and Mr. Shannon met to go through all of the provisions of the sample model code for income tax that was provided to the City by the Ohio Municipal League. The sample model code was basically "the meat and potatoes" of what the City has to pass in order to be able to continue levying taxes in Groveport as of January 1, 2016. Because the City of Columbus assists in the collection and administration of Groveport's tax code, staff wanted to have the City's new tax code consistent with Columbus' new tax code. Mr. Shannon went through Columbus' tax code to make sure Groveport was consistent where it needed to be consistent and changed what needed to be changed, e.g. Columbus is at 2.5% whereas Groveport is 2%. Mr. Green provided a summary of all the

changes in Council's packet. Mr. Green commented the changes for Groveport that staff has assessed so far will not have a great impact on the City. He went over some of the changes; the operating losses and so forth. Up to now the City has never allowed a net operating loss to carry forward, meaning corporations can spread that loss over a number of years. Another change will have some impact that will be seen now with all the construction going on. You may have a contractor bringing in employees to do specific jobs and they may be in Groveport for only a certain number of days. Now the City can tax them from the first day, but the new code is implementing a "casual entrance" or a "12 day rule" (someone has to be working in Groveport for 12 days before the City can tax them).

Clerk of Council Ross read by title Ordinance No. 15-084. A motion was made by Council Member Hilbert, seconded by Council Member Rarey, to suspend the rules as to the three readings and the effective date. The motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

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

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

[#255-2015](#)

SUMMARY OF TAX CODE CHANGES

Attachments: [SUMMARY OF TAX CODE CHANGES.pdf](#)

[RES. 15-007](#)

A RESOLUTION AUTHORIZING THE ADMINISTRATOR TO EXECUTE A MASTER LEASE AGREEMENT WITH HUNTINGTON PUBLIC CAPITAL CORPORATION

Sponsors: Dildine

Clerk of Council Ross read by title Resolution No.15-007. This Resolution was referred to the Committee of the Whole.

VIII. Reports

A. Mayor - Lance Westcamp

Mayor Westcamp thanked staff for getting ready for 2016 with all the

legislation on tonight's agenda. The Mayor reported on the Southeast Franklin County Chambers' luncheon featuring Attorney General Mike DeWine as the keynote speaker.

Mayor Westcamp asked Mr. Shannon to explain the legislation to hire Karen Sheffer as Magistrate and why he does not preside over Groveport Mayor's Court. Mr. Shannon stated roughly 14 years ago, there was a decision out of Macedonia which indicated that a Federal District Court stated that if a mayor has broad administrative control over the police department or if the municipality in question obtains a substantial amount of their revenue from Mayor's Court proceedings where cost and fines are levied, the mayor is not neutral or impartial as a magistrate presiding over the case. Therefore, the mayor should not preside over contested cases. Groveport receives little in revenue that goes towards the City's General Fund but Groveport's Charter makes it very clear that the Mayor has administrative control over the day to day operations of the police department. Obviously the Chief runs the department on a daily basis but ultimately it's the Mayor who has control over that department. For these reasons Groveport has a magistrate that has been appointed by the Mayor who handles the contested cases for the City. The City has been appointing a magistrate to stay consistent and above board with the Federal District Court case law. Unfortunately for the Mayor, for a mayor to conduct or to have a Mayor's Court, he/she should still receive the training necessary to conduct a Mayor's Court. Each year, Mayor Westcamp is required to attend the 8 hour training session with Mr. Shannon. Mayor Westcamp wanted Council, and those in attendance of tonight's meeting, to know that even though he does not run Mayor's Court, he does keep his certification in case there is an emergency. If the magistrate is unable to be present or in the event bond was taken on a case the Mayor could conduct a bond hearing. Mayor Westcamp also signs transfer entries for cases being transferred to Franklin County Municipal Court. He essentially still has functions as the Chief Executive Officer and Chief Judicial Officer presiding over Mayor's Court, he will not be hearing contested cases. The Mayor commented once a month Ruthanne brings the Mayor the court checkbook for him to review and he initials the last registry entry, because if there is a problem the mayor is the one who will be held accountable. The Mayor wished everyone a Happy Thanksgiving.

B. Administrator - Marsha Hall

Nothing further to report.

[#256-2015](#)

Adm Report to Council - Nov 23

Attachments: [Adm Report to Council - Nov 23.pdf](#)

C. Chief of Police - Ralph Portier

Nothing to report but wished everyone a Happy Thanksgiving as well.

D. Director of Finance - Jeff Green

Nothing further to report.

E. Director of Law - Kevin Shannon

Nothing further to report.

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

Council Member Hilbert wished everyone a Happy Thanksgiving and commented the tree lighting will be on December 4, 2015.

G. Clerk of Council - Ruthanne Sargus Ross

Nothing to report.

H. Standing Committees

Nothing to report.

IX. Other Business**Executive Session**

President Pro-Tem Cleary requested Council to consider making a motion to go into Executive Session pursuant to Ohio Revised Code 121.22(G)1; to include the Mayor, Council, Law Director Shannon, Finance Director Green and Administrator Hall; to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

A motion was made by Council Member Cleary, seconded by Council Member Dildine, to go into Executive Session at 7:07 p.m. pursuant to Ohio Revised Code 121.22(G)1: To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee

or official. To include the Mayor, Council, Law Director Shannon, Finance Director Green and Administrator Hall. The motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

Executive Session

A motion was made by Council Member Rarey, seconded by Council Member Hilbert, to come out of Executive Session at 7:41 p.m. with no action taken. The motion carried by the following vote:

Yes: 6 - Cleary, Dildine, Drury, Hilbert, Hutson and Rarey

X. Adjournment

Council Member Dildine made a motion, seconded by Council Member Cleary to adjourn at 7:42 p.m. All in favor stated AYE, None Opposed. Motion passed.

Lance Westcamp, Mayor

Ruthanne Sargus Ross, 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.