

City of Groveport

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Groveport, OH 43125
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Meeting Minutes

Monday, July 28, 2014

6:30 PM

Council Chambers

City Council

Mayor Lance Westcamp

*Council Members - Ed Rarey, Jean Ann Hilbert,
Donna Drury, 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, Steve Farst - City Engineer, 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 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Hutson, and Council Member Rarey

V. Approval of Minutes - July 14, 2014

Approved as submitted.

#170-2014 Council Meeting Minutes 07-14-14

Attachments: [City Council Meeting Minutes 07-14-2014.pdf](#)

VI. Business of Guests**1. James Ramsey - Franklin County Engineer's Office**

James Ramsey with the Franklin County Engineer's Office addressed Council regarding the first reading of Ordinance No. 14-028 Modification to Development Plan at 4871 Hendron Road. Mr. Ramsey was present in support of the project and the fee waiver the Franklin County Engineer has requested related to the work the County is doing at 4871 Hendron Road next to the County's east outpost facility. The County had talked to the Lewis family; the original property owner; about purchasing

approximately 5 acres of the property to use as an annexed storage area. Once the property was purchased by the Franklin County Engineer, they saw the opportunity to eliminate the landfill and repair the corridor in that area. The City has partnered with the County by doing a conservation easement which helped to get the grant application by providing a local match. The County Engineer believes eliminating the landfill and restoring and conserving the area will be a great benefit to the City. Stopping the permitted use of the landfill now will prevent it getting any closer to the City's main sewer trunk line, as well as the Hendron Ditch which is a main stormwater asset for Groveport. City Administrator Marsha Hall and staff recommended waiving the fees as it will be a real benefit to the City. The only caveat to waiving fees would be the few fees the City would be required to pay for any outside consultant work that needs to be done and staff would not recommend waiving those fees. The development fees and engineering review fees will be done by City Engineer Steve Farst in house with no actual cost to the City. City Engineer Steve Farst commented Council passed an ordinance around two years ago to establish fees developers pay to support the City's costs to review plans. The fee waiver request submitted by the Franklin County Engineer itemizes the fees in the ordinance and Building & Zoning staff do not have the authority to waive codified fees. When the County approached B & Z staff, it was suggested the appropriate procedure would be to address Council to consider waiving the fees. The review has already been completed, it is a simple engineering improvement with landscaping. The Ordinance has its first reading tonight and is scheduled for a Planning & Zoning Commission hearing in August. Law Director Kevin Shannon advised Council has the ability to act by way of oral motion to waive fees in this situation and include the caveat "except fees the City would incur for purposes of conducting a review of the amended development plan". Mr. Farst stated the only fee listed on the waiver request the City would outsource is the Stormwater Pollution Prevention Plan Review fee of \$350. Council Member Cleary asked Mr. Farst how much time he had in the project. Mr. Farst stated not much time at all; it is grading, sediment control plans and looking at the landscape improvements that are very good for the community as a whole. It is a great project. Council Member Dildine stated with the partnership the City has had with the County in various projects, it is a win-win for everyone. Mr. Cleary commented covering up

a landfill is a very good green initiative. Mayor Westcamp asked how bad of shape was the area when the County became involved with the property. The City of Groveport would be much in favor of what the County is planning to do with the property. The Mayor concurs with Mr. Dildine, if the City can partner with the County in any way to make this a better project and speed things up, we should do whatever is necessary. Mr. Shannon advised Council the Charter states that Council can act by way of resolution, ordinance and/or motion. Council is not doing anything to change the fees schedule; which would be appropriate to do by ordinance as it is more permanent. This is a temporary, one time situation that can be acted upon by way of an oral motion. Someone would need to make an oral motion to waive the fees as to the plan review for the amendment to the development plan by the County except for those as indicated by Mr. Farst related to stormwater or any outsourcing.

A motion was made by Council Member Dildine, seconded by Council Member Cleary, to waive fees as to the plan review for the amendment to the development plan by the County except for fees or any outsourcing costs the City would incur for purposes of conducting a review of the amended development plan, for the Franklin County Engineer's Office in regards to Ordinance No. 14-028. The motion carried by the following vote:

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

2. Dennis Smith - Whitehall Moose 1245

Dennis Smith from Moose Lodge 1245 addressed Council regarding the lodge trying to move their facility to this community. He is required by his superiors out of Chicago to do community service once a month. He could not see them continuing community service within Whitehall when they are no longer Whitehall. He would like to start doing community service in Groveport this Saturday morning by conducting a trash pick up in one of the parks within the City. He has come tonight to ask permission to conduct the trash pick up at the park at the end of South Street (Degenhart Park). Council Member Hilbert commented it is a great idea. Council Member Becky Hutson raised the question of the Moose Lodge having to get on the

ballot. Mr. Shannon advised the lodge has a ballot initiative they are required to go through by the Division of Liquor Control in order for them to obtain a liquor permit for the area in question. They have to get it on the ballot and approved. That process will move forward if the petitions are deemed certifiable by the Franklin County Board of Elections. The matter would be placed on the ballot and voted on in November. Council Member Hilbert asked Mr. Smith to speak with Clerk of Council Ruthanne Ross regarding volunteering at the Shred-It event on Saturday, August 2nd at Groveport Park. Mr. Smith replied he would be happy to do whatever Council needed.

A motion was made by Council Member Hilbert, seconded by Council Member Drury, to permit Dennis Smith of Whitehall Moose 1245 to conduct a trash pick-up at Degenhart Park and to move on to other parks within the City of Groveport, on Saturday, August 2, 2014. The motion carried by the following vote:

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

3. Joyce Fridley

Joyce Fridley of 300 Holton Street addressed Council with her concerns of mosquitoes. The United McGill property has a lot of brush and a low lying area with standing water. The standing water is the issue with the mosquitoes, she hasn't seen any fogging done in the area for the last 2 to 3 years. She is hoping the Board of Health can be contacted to check the mosquitoes for the West Nile virus. Administrator Hall advised the City contracts with the Franklin County Board of Health for the Mosquito Control Program. They do not fog any longer. In the spring they come out and use products to kill the mosquito larvae in the standing water. They will come out in the summer if there is a problem and repeat the application. They track mosquitoes and have not found any West Nile virus within Groveport. The City website provides a direct link to the Franklin County Mosquito Control Program where information can be found in regards to their testing and schedules. Council Member Rarey asked if the City could initiate something to move a little faster in controlling the mosquitoes. Ms. Hall responded she can have Public Works Superintendent Dennis Moore go out and

place pellets in the problem area. The Board of Health tests a number of test sites throughout Groveport on a weekly basis. Council Member Hilbert doubts the county has tested the United McGill property. Council Member Cleary stated the area is accessible by way of the City's access road along the path. Mayor Westcamp thanked Mrs. Fridley.

VII. Ordinances and Resolutions

A. 3rd Readings

ORD. 14-025 AN ORDINANCE AMENDING PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE, TITLE FIVE - OTHER PUBLIC SERVICES, CHAPTER 941 PARKS, OF THE CODIFIED ORDINANCES OF THE CITY OF GROVEPORT

Sponsors: Rarey

Attachments: [ORD. 14-025 Exhibit A .pdf](#)

The Clerk of Council read by title Ordinance No. 14-025. A motion was made by Council Member Rarey, seconded by Council Member Drury, to adopt. The motion carried by the following vote:

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

B. 2nd Readings

ORD. 14-027

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ADD THE POSITION OF PROGRAM COORDINATOR IN THE DEPARTMENT OF COMMUNITY AFFAIRS

Sponsors: Hilbert

The Clerk of Council read by title Ordinance No. 14-027.

C. 1st Readings

ORD. 14-028

AN ORDINANCE AUTHORIZING A MODIFICATION TO THE DEVELOPMENT PLAN FOR 4871 HENDRON ROAD, PARCEL NO. 185-002948 AND PARCEL NO. 185-002949

Sponsors: Cleary

Attachments: [4871 Hendron Rd - Modification to DEV.pdf](#)
[4871 Hendron Rd plan 1.pdf](#)
[4871 Hendron Rd plan 2.pdf](#)
[4871 Hendron Rd plan 3.pdf](#)
[4871 Hendron Rd - Statement of Request.pdf](#)
[4871 Hendron Rd - fee waiver request.pdf](#)

The Clerk of Council read by title Ordinance No. 14-028. This Ordinance was referred to the Planning & Zoning Commission.

ORD. 14-029

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE SERGEANTS OF THE CITY OF GROVEPORT POLICE DEPARTMENT WHO ARE ALSO MEMBERS OF THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, AND THE DECLARATION OF AN EMERGENCY

Sponsors: Cleary

The Clerk of Council read by title Ordinance No.14-029. 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

A motion was made by Council Member Hilbert, seconded by Council Member Cleary, to adopt as emergency legislation.

The motion carried by the following vote:

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

ORD. 14-030

AN ORDINANCE REPEALING ORDINANCE NO. 14-023, (PASSED JUNE, 23, 2014) AND ACCEPTING THE ANNEXATION OF 9.6 ACRES, MORE OR LESS, PARCEL NUMBERS 180-001052, 180-001048, AND 180-003042, LOCATED IN MADISON TOWNSHIP UPON ANNEXATION OF SAID TRACT TO THE CITY OF GROVEPORT (JACKSON B. REYNOLDS, III, AGENT FOR PETITIONERS)

Sponsors: Drury

Law Director Kevin Shannon advised Council this Ordinance repeals Ordinance No. 14-023 (Passed 6-23-14) because the

matter was acted upon too soon rather than too late. This annexation was approved by the Franklin County Commissioners' Office on May 13, 2014. When the approval came back to the City, Ordinance No. 14-23 was placed on the agenda, went through its three readings and was passed by Council on June 23, 2014. The statute states a city has to wait sixty days from the date of the Commissioners' approval before the city can act on it. Therefore, had the City followed the rules Council would have first reviewed the matter tonight. It is more of a no harm, no foul situation but the best way to rectify this procedurally is to repeal Ordinance No.14-023 and to adopt Ordinance No.14-030. Mr. Shannon requested Council to consider making a motion to suspend the rules as to the three readings, allowing things to stay on track for the developer on the Rohr Road site.

The Clerk of Council read by title Ordinance No.14-030. A motion was made by Council Member Hilbert, seconded by Council Member Dildine, to suspend the rules as to the three readings. 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. The motion carried by the following vote:

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

ORD. 14-031

AN ORDINANCE AUTHORIZING THE MADISON TOWNSHIP FIREFIGHTERS LOCAL UNION COLLECTION FOR MUSCULAR DYSTROPHY

Sponsors: Dildine

Law Director Shannon requested Council to consider making a motion to suspend the rules as to the three readings so the Ordinance can go into effect in plenty of time so Labor Day collection activities can occur. Therefore, by passing it on July 28th it goes into effect on August 27, 2014.

The Clerk of Council read by title Ordinance No.14-031. A motion was made by Council Member Dildine, seconded by Council Member Cleary, to suspend the rules as to the three readings. The motion carried by the following vote:

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

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

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

ORD. 14-032

AN ORDINANCE AMENDING ORDINANCE 13-053 (ADOPTED 12/16/2013), THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF GROVEPORT, OHIO, FOR THE CALENDAR YEAR 2014

Sponsors: Drury

Attachments: [ORD. 14-32 2014 BUDGET EXHIBIT A 14-032.pdf](#)

Law Director Shannon requested Council to consider making a motion to suspend the rules as to the three readings. This Ordinance, along with the next Ordinance, are being requested by Finance Director Jeff Green in regards to Council's consideration to suspend the rules as to the three readings and their passage tonight so they can go into effect immediately; as they are both appropriation Ordinances. Mr. Green commented he would like to get these matters cleaned up before they get further into the budget.

The Clerk of Council read by title Ordinance No.14-032. A motion was made by Council Member Dildine, seconded by Council Member Hutson, to suspend the rules as to the three readings. The motion carried by the following vote:

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

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

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

ORD. 14-033

AN ORDINANCE AUTHORIZING THE TRANSFER OF CASH FUND BALANCES FROM THE GENERAL FUND TO THE CAPITAL IMPROVEMENT FUND

Sponsors: Hutson

The Clerk of Council read by title Ordinance No.14-033. A motion was made by Council Member Dildine, seconded by Council Member Cleary, to suspend the rules as to the three readings. The motion carried by the following vote:

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

No: 1 - Hilbert

Council Member Hilbert asked since Council just passed Ordinance No.14-032 dealing with appropriations why was this matter separate. Finance Director Jeff Green advised it requires a separate action of Council to transfer money from one fund to another. Mr. Green explained the monies going into the Capital Improvement Fund is needed to cover various project cost overruns plus some additional revenue the City needs to balance out. Law Director Shannon stated the City used to get cited in the audits for not having Council act separately on these types of transactions.

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

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

RES. 14-009 A RESOLUTION ADOPTING THE FIVE YEAR CAPITAL IMPROVEMENT FUND PLAN

Sponsors: Rarey

The Clerk of Council read by title Resolution No. 14-009. This Resolution was referred to the Committee of the Whole.

#172-2014 WORKSHEET_Capital Summary - 2014

Attachments: [WORKSHEET_Capital Summary - 2014_V5.pdf](#)
[WORKSHEET STREETS.pdf](#)

RES. 14-010 A RESOLUTION AMENDING THE RULES OF COUNCIL

Sponsors: Hilbert

Attachments: [Rules of Council 2014 - FINAL.pdf](#)

Council Member Hilbert asked if the matter could be taken care of tonight and if everyone had a chance to review the attached Rules of Council 2014 Red-Line version. Law Director Shannon affirmed Council can act on this Resolution tonight. The Charter specifically indicates once there has been a recommendation by the Rules of Council Committee as to amendments to the Rules of Council, the Resolution can be brought before Council. If

Council chooses to waive the rules as to the three readings and Council acts upon it tonight, it goes into effect immediately per the Charter.

The Clerk of Council read by title Resolution No. 14-010. A motion was made by Council Member Hilbert, seconded by Council Member Dildine, to suspend the rules as to the three readings. 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 Cleary, to adopt. The motion carried by the following vote:

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

VIII. Reports

A. Mayor - Lance Westcamp

Mayor Westcamp reported he spent the last couple of days at the Ohio State Fair and encourages everyone to go. He reported the barn on Rohr Road is down.

B. Administrator - Marsha Hall

Administrator Marsha Hall referred Council to her July 28th Report noting the tentative budget process schedule. She is suggesting Council consider combining the October Committee of the Whole meeting and the Budget Workshop because the meeting can be done in a very short period of time. With the possibility of having the Budget Workshop during the day on October 22, 2014, she requests the Mayor and Council check their work schedules to see if that date is a possibility. Council Member Dildine commented for clarification the October 20, 2014 Committee of the Whole meeting will be moved to Wednesday, October 22, 2014.

#171-2014 Adm Report to Council - July 28

Attachments: [Adm Report to Council - July 28.pdf](#)

C. Chief of Police - Ralph Portier

Chief of Police Ralph Portier thanked Council, the Mayor and

Administration for their support of the Benevolent Police Association. We have taken five years to finally rebuild the department and we are now representing them as we should have been doing for a long time. We have a lot of happy officers. The Chief reported the department is still working on an arson fire from the other night.

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 Cleary commented the Shannon Road / Winchester Pike melee started today and he advises everyone to use another route. Council Member Dildine informed everyone the fire department was informed the road will be closed for two weeks and the fire department has changed their run cards for any emergency that may arise in the area during that time. Mr. Cleary also wanted to acknowledge Groveport resident Kasey Petty for the Women's Golf Championship and thinks she needs to attend a Council meeting to be congratulated by the Mayor.

G. Clerk of Council - Ruthanne Sargus Ross

Nothing further to report. Mr. Shannon commented today is Clerk of Council Ruthanne Ross' birthday. Council and the Mayor, along with everyone else, wished her a Happy Birthday.

H. Standing Committees

None

IX. Other Business

None

X. Adjournment

Council Member Cleary made a motion, seconded by Council Member Hilbert to adjourn at 7:09 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.