

# City of Groveport

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## Meeting Minutes - Draft

Monday, May 13, 2013

6:30 PM

Council Chambers

### City Council

*Mayor Lance Westcamp*

*Council Members - Ed Rarey, Jean Ann Hilbert,  
Donna Drury, Ed Dildine, Shawn Cleary & Jan Stoots*

**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 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey, and Council Member Stoots

**V. Approval of Minutes - April 22, 2013**

*Approved as submitted.*

**Present:** 6 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey, and Council Member Stoots

**#033-2013** 4-22-13 Council Minutes

**Attachments:** [4-22-13 Council Meeting Minutes.pdf](#)

**VI. Proclamation for National Police Week and National Peace Officers' Memorial Day**

*Mayor Westcamp presented the Proclamation honoring all officers for National Police Week, National Peace Officers' Memorial Day & Ohio Peace Officers' Memorial Day to Officer Amabile. Officer Bell was also present at the meeting.*

**#034-2013** Police Week Proclamation

**Attachments:** [Police Week Proclamation.pdf](#)

**VII. Business of Guests**

**A. George Geisler, Director of Assisted Living Partnerships**

*SEE APRIL 15, 2013 COMMITTEE OF THE WHOLE MEETING FOR PRIOR DISCUSSION REGARDING NEIGHBORHOOD CONCERNS*

*George Geisler, director of Assisted Living Partnerships, said his organization provides assistance to three mentally disabled clients who live at the group home in question. He explained that he has two members on staff to assist with his clients, which disabilities include autism, dementia and mental retardation. He said the property is rented to them and the owner currently lives in Florida.*

*Resident Doug Scott, who lives at 540 Elm Street, raised concerns about the amount of police calls made regarding the home clients. He explained that a client wandered off and was missing for three hours and tried to enter a neighboring home. He said a lot of damage could have been done in that amount of time. He believes the group home staff cannot ensure the safety of neighborhood residents, especially the elderly.*

*Resident Keith Burt, who lives at 316 Holton Street, said the home poses a danger to the neighborhood and its presence hurts property values. He cited parts of the City's Zoning Code and he believes that the presence of the home should be questioned by the City's building official.*

*Mr. Geisler responded to the concerns raised by the residents, pointing out that the client who left the home and tried to enter another residence, was not intending to hurt anyone or cause them harm. He thought he could just walk in and was confused due to the nature of his disability. He said that particular client will now always be accompanied by at least two staff members when he is outside. He added that he is taking measures to further control the clients and he is also seeking funding for additional staff.*

*Chief Portier explained that there have been five incidents at the*

*group home, but no citations were issued due to being no proof of criminal intent in any of the cases.*

*Council Member Hilbert stressed the safety impact of everyone involved. She said either party could get hurt if the situation were to escalate and continue to be a problem. She indicated that she is not against the group home, but believes the situation is very serious.*

*Council Members questioned why there were not informed when the group home opened. Mr. Geisler responded that a notification letter was sent out as part of his application process with the Ohio Department of Developmental Disabilities. He said it was up to that department to send the letter notifying the City. He said the letter was sent as a courtesy, because he legally did not have to notify the City.*

*Council Member Cleary expressed his concerns for the residents who are impacted negatively due to the amount of police calls, especially the client who attempted to enter another home and scared a resident in the comfort of their own home. He said that he can't blame the neighbors for raising concerns and being afraid for their family's safety.*

*Law Director Shannon explained that the zoning code legally allows for up to four non-related residents living in a home. He said, in this case, the three individuals living in the group home lease the property as a rental home, which is permitted under the zoning code. He said Assisted Living Partnerships needs to take steps to reduce the risks involved and ensure the safety of its clients and nearby residents.*

*Mr. Geisler said they are doing everything they can to protect the community and his clients and hopes to resolve things and move forward to be good neighbors.*

## **VIII. Ordinances and Resolutions**

### **A. 3rd Readings**

#### **ORD. 13-012**

AN ORDINANCE AMENDING PART NINE, TITLE 3, CHAPTER 935 -  
**STORMWATER MANAGEMENT POLICY** FOR THE CITY OF  
GROVEPORT

**Sponsors:** Jan Stoots

**Attachments:** [Stream Corridor Protection Zone ORD. 13-012.pdf](#)

**The Clerk of Council read by title Ordinance 13-012. A motion was made by Council Member Hilbert, seconded by Council Member Drury, to adopt. The motion carried by the following vote:**

**Yes:** 6 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots

## **B. 2nd Readings**

### **ORD. 13-014**

AN ORDINANCE AMENDING ORDINANCE 12-051 (ADOPTED 11/13/2012), THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF GROVEPORT, OHIO, FOR THE CALENDAR YEAR 2013 AND FURTHER AMENDING ORDINANCE 13-007 (ADOPTED 3/25/13), WHICH AMENDED THE SAME

**Sponsors:** Ed Dildine

**Attachments:** [ORD. 014 Amend Appropriations.pdf](#)

*Staff requested later in the meeting that this Ordinance be considered for emergency passage due to time constraints on amending the appropriations as it relates to the Town Center Project time line.*

**The Clerk of Council read by title Ordinance 13-014. A motion was made by Council Member Hilbert, seconded by Council Member Dildine, to reconsider. The motion carried by the following vote:**

**Yes:** 6 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots

**A motion was made by Council Member Hilbert, seconded by Council Member Drury, to suspend the rules as to the three readings. The motion carried by the following vote:**

**Yes:** 6 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots

**A motion was made by Council Member Dildine, seconded**

**by Council Member Hilbert, to adopt. The motion carried by the following vote:**

**Yes:** 6 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots

**ORD. 13-015**

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 SITE IMPROVEMENTS AND ALL NECESSARY APPURTENANCES IN CONJUNCTION WITH THE GROVEPORT TOWN CENTER PROJECT AND THE DECLARATION OF AN EMERGENCY

**Sponsors:** Council Member Drury

*Staff indicated this Ordinance needs to be considered for adoption as it relates to the Town Center Project time line discussed at a prior meeting.*

**The Clerk of Council read by title Ordinance 13-015. 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 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots

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

**Yes:** 6 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots

**ORD. 13-017**

AN ORDINANCE GRANTING AN EXTENSION TO COLUMBUS REGIONAL AIRPORT AUTHORITY AS TO THE TIME LIMIT OF A PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR THE PROPERTIES LOCATED ON ROHR ROAD, (PARCEL NUMBERS 185-002914, 185-002915, 185-002917, 185-002916, 185-002780, 185-002918, 185-002921, 185-002922, 185-002920 AND 185-002919)

**Sponsors:** Council Member Cleary

**The Clerk of Council read by title Ordinance 13-017.****ORD. 13-018**

AN ORDINANCE GRANTING AN EXTENSION TO SCHOTTENSTEIN TRUSTEES GP ET AL AS TO THE TIME LIMIT OF A PREVIOUSLY APPROVED DEVELOPMENT PLAN FOR APPROXIMATELY 353.422 ± ACRES AT ROHR ROAD AND PONTIUS ROAD IN THE CITY OF GROVEPORT

**Sponsors:** Council Member Dildine

**The Clerk of Council read by title Ordinance 13-018.****C. 1st Readings****ORD. 13-019**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$500,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF CONSTRUCTING IMPROVEMENTS TO THE CITY'S MUNICIPAL GOLF COURSE, and retiring notes previously issued for such purpose; AND APPROVING RELATED MATTERS

**Sponsors:** Council Member Rarey

**Attachments:** [Golf Course Bonds Attachment ORD. 13-019.pdf](#)

**The Clerk of Council read by title Ordinance 13-019. Council Member Rarey sent this Ordinance to the Committee of the Whole.**

**ORD. 13-020**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOTES IN THE AMOUNT OF NOT TO EXCEED \$450,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF engineering, inspecting, reconstructing, and improving a waterline, with related site improvements and appurtenances thereto, and retiring notes previously issued for such purpose; AND APPROVING RELATED MATTERS

**Sponsors:** Council Member Stoots

**Attachments:** [2013 Water Notes ORD. 13-020.pdf](#)

**The Clerk of Council read by title Ordinance 13-020. Council Member Stoots sent this Ordinance to the Committee of the Whole.**

**ORD. 13-021**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$90,000 OF BONDS FOR THE PURPOSE OF ACQUIRING REAL PROPERTY FOR MUNICIPAL PURPOSES; AND APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF THE BONDS

**Sponsors:** Council Member Drury

**Attachments:** [2013 Bonds - Bond Ordinance \(Property Acquisition\) ORD. 13-021.pdf](#)

**The Clerk of Council read by title Ordinance 13-021. Council Member Drury sent this Ordinance to the Committee of the Whole.**

**ORD. 13-022**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$915,000 OF BONDS FOR THE PURPOSE OF CONSTRUCTING SITE IMPROVEMENTS AND APPURTENANCES THERETO IN CONNECTION WITH THE GROVEPORT TOWN CENTER PROJECT; AND APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF THE BONDS

**Sponsors:** Council Member Hilbert

**Attachments:** [2013 Bonds - Bond Ordinance \(Downtown Improvements\) ORD. 13-022.pdf](#)

**The Clerk of Council read by title Ordinance 13-022. Council Member Hilbert sent this Ordinance to the Committee of the Whole.**

**ORD. 13-023**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$950,000 OF BONDS FOR THE PURPOSE OF CONSTRUCTING, RESURFACING AND IMPROVING LESLEH STREET AND ANY CONNECTING STREETS AND ROADWAYS, WITH RELATED EQUIPMENT AND ALL NECESSARY APPURTENANCES, AND RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE; AND APPROVING RELATED MATTERS IN CONNECTION WITH THE ISSUANCE OF THE BONDS

**Sponsors:** Council Member Dildine

**Attachments:** [2013 Bonds - Bond Ordinance \(Renewal Road Improvements\) ORD. 13-023.pdf](#)

**The Clerk of Council read by title Ordinance 13-023. Council Member Dildine sent this Ordinance to the Committee of the Whole.**

**ORD. 13-024**

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO EXECUTE THREE (3) SUPPLEMENTAL RIGHT-OF-WAY AND EASEMENT INSTRUMENTS WITH AEP AND THE DECLARATION OF AN EMERGENCY

**Sponsors:** Council Member Rarey

*Law Director Shannon requested that Council consider emergency passage due to it being a right of way easement instrument with AEP as it relates to the relocation of poles and*

*noted some of the easements are in conjunction with the Town Center Project.*

*Council Member Cleary noted after abstaining that it was due to his employment at AEP.*

**The Clerk of Council read by title Ordinance 13-024. A motion was made by Council Member Stoots, seconded by Council Member Hilbert, to suspend the rules as to the three readings and the effective date. The motion carried by the following vote:**

- Abstain:** 2 - Council Member Cleary and Council Member Rarey
- Yes:** 4 - Council Member Dildine, Council Member Drury, Council Member Hilbert and Council Member Stoots

*Law Director Shannon, in light of the fact that Council Member Cleary abstained due to his employment with AEP, he indicated the motion to pass as an emergency failed due to lack of super majority. He said that unless there is a reconsideration of the vote, the Ordinance will not pass at tonight's meeting. Council Member Hilbert said she would like to make that motion, because it is a time sensitive matter. Law Director Shannon asked Council Member Rarey if he would reconsider his vote, noting that due to Council Member Cleary's abstention the Ordinance will not pass without his positive vote. Council Member Rarey said he would consider it.*

**A motion was made by Council Member Hilbert, seconded by Council Member Drury, to reconsider. The motion carried by the following vote:**

- Abstain:** 1 - Council Member Cleary
- Yes:** 5 - Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots

*Law Director Shannon indicated Council would need to make a motion to suspend the rules as to the three readings and as to the effective date. Administrator Hall pointed out that this is a combination of projects. She said AEP has some easements in place; however, they want to amend the easements and be more specific as it relates to the use of the easement. AEP indicated they will compensate the City \$1,000 per acre for reducing the easement. She pointed out there are multiple clean up issues, including pole replacement. She said they are in the*

*middle of the project and they have would like Council's approval as soon as possible.*

*Council Member Rarey wanted to know if this issue is where the old locks were at one time. Administrator Hall responded that is part of the line of electric poles that are being relocated. Finance Director Green stated they are trying to relocate the poles away from the lock.*

**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:**

**Abstain:** 1 - Council Member Cleary

**Yes:** 5 - Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots

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

**Abstain:** 1 - Council Member Cleary

**Yes:** 5 - Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots

**ORD. 13-025**

AN ORDINANCE REAFFIRMING, AMENDING AND/OR RESTATING ORDINANCE 2005-052 PREVIOUSLY APPROVING A PICK-UP OF 3% OF EMPLOYEES OF THE GROVEPORT POLICE DEPARTMENT CONTRIBUTION TO THE OHIO POLICE AND FIRE PENSION FUND AND THE DECLARATION OF AN EMERGENCY

**Sponsors:** Council Member Cleary

*Finance Director Green indicated this will not change the amount of the City's pick on the contribution, but the Police and Fire Pension is increasing slightly in the next three years. He said the City's portion will stay at a 3% contribution and this more of a procedural issue for police and fire. He said they are requesting the legislation by July 1st and requested emergency action on the matter.*

**A motion was made by Council Member Hilbert, seconded by Council Member Drury to suspend the rules as to the three readings and the effective date. The motion carried by the**

**following vote:**

**Yes:** 6 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots

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

**Yes:** 6 - Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots

**IX. Reports**

**#035-2013** 5-13-13 Council Update

**Attachments:** [CR 5-13-2013.pdf](#)

**A. Mayor - Lance Westcamp**

*Mayor Westcamp recommended that Bob Brokus be appointed to the Cemetery Committee.*

*A motion was made by Council Member Hilbert, seconded by Council Member Stoots, to appoint Bob Brokus, as a resident member, to the Cemetery Committee. The motion carried by the following vote:*

*Yes: Council Member Cleary, Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Rarey and Council Member Stoots*

**B. Administrator - Marsha Hall**

*No report*

**C. Chief of Police - Ralph Portier**

*Chief Portier said he would continue to monitor the group home and keep Council updated.*

**D. Director of Finance - Jeff Green**

*Finance Director Green reported that he will be on vacation at*

*the next Committee of the Whole, but noted he will have the financial report in the packet.*

**E. Director of Law - Kevin Shannon**

*No report*

**F. Council Members - Ed Rarey, Jean Ann Hilbert, Donna Drury, Ed Dildine, Shawn Cleary & Jan Stoots**

*Council Member Hilbert indicated she appreciates the residents coming in to address their community concerns.*

*Council Member Drury said the Police Exhibit looks great and commended Officer Ernie Bell for his hard work and dedication to the history of the police officers.*

*Council Member Cleary said that there a lot of graduation parties and kids celebrating right now and reminded everyone to be safe.*

**G. Clerk of Council - Kimberly McWilliams**

*Clerk McWilliams reminded Mayor Westcamp and Council Member Cleary that their Financial Disclosure Forms are due on May 15th. She said all other members need to file their form before October 7th if they are running for office again.*

**H. Standing Committees**

**X. Other Business**

**XI. Adjournment**

*Council Member Drury made a motion, seconded by Council Member Hilbert to adjourn at 7:22 p.m. All in favor stated AYE, None Opposed. Motion passed.*

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*Lance Westcamp, Mayor*

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*Kimberly McWilliams, 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.*