

City of Groveport

655 Blacklick St.
Groveport, OH 43125
614.830.2052
www.groveport.org



Meeting Minutes

Monday, February 23, 2015

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 7:40 p.m.

Staff Present: Marsha Hall - Administrator, Kevin Shannon - Law Director, Jeff Green - Director of Finance, Brian Zets, Special Counsel, Kurt Blevins - Captain

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

Captain Blevins led the Pledge of Allegiance.

IV. Roll Call

A motion was made by Council Member Rarey, seconded by Council Member Drury, to excuse Council Member Cleary from the meeting. All in favor stated AYE, None Opposed. Motion passed.

Excused: 1 - Council Member Cleary

Present: 5 - Council Member Dildine, Council Member Drury, Council Member Hilbert, Council Member Hutson, and Council Member Rarey

V. Approval of Minutes - February 9, 2015

Approved as submitted.

[#038-2015](#)

City Council Meeting Minutes 2-9-15

Attachments: [City Council Meeting Minutes 2-9-15.pdf](#)

VI. Business of Guests**a. Groveport Fighting Fish**

Maria McGraw of 468 Crestmoore Drive addressed Council on the matter of the Groveport Fighting Fish's practice schedule for 2015. The proposal was approved by Council at the February 9, 2015 City Council meeting. Mrs. McGraw asked Council to revise the approved

proposal since the swim team parents were not advised of the proposal in advance and denied the opportunity to comment on the issue. Mrs. McGraw is concerned with the parents having to stay outside of the pool if they are not pool members. Her family has purchased memberships in the past, but parents hold meetings during practice times and those inside will have to go outside to attend meetings. She also raised the matter of designated volunteers to assist children to the restrooms. It will cost the swim team to have background checks on the individual volunteers. Mrs. McGraw is concerned that her son, who struggles with communication, will not have her presence to help him understand. Mrs. McGraw informed Council that if the policy is not changed her family has made the decision to enroll in Canal Winchester for pool membership and swim team. Council Member Hilbert commented it would have been nice if the swim team representatives had informed the parents of their coming before Council to address the matter and had given parents the full background of what was going on before Council had made their decision. Council Member Dildine stated the representatives had gone to Parks & Recreation Director Kyle Lund and Aquatic Manager Steve Hawkins back in November. Mrs. McGraw was given the impression by the Fighting Fish Representatives that the proposal, which was approved February 9, 2015, was presented to Council that night. Council Members Dildine and Hilbert explained the proposal had been presented to Council prior to the night of the vote. Mrs. Hilbert asked Administrator Marsha Hall to speak to Mr. Lund regarding exceptions to be made when needed. Mayor Westcamp stated Council Member Dildine had left it open the night of the vote for the Administrator and Parks & Recs Director to handle individual situations as they arise. Mr. Dildine commented Council has given the Administrator and Parks & Recs Director a lot of leeway on how to handle any issues. He explained the main reason Council voted as they did was because practice times only ran for 15 minutes of the pool's open session last year, this year they will run for 45 minutes of open session. Council also wants to maintain consistency; people cannot enter the Recreation Center to watch youth sports games without obtaining a membership or be on the golf course without paying for a round of golf. The proposal had been discussed by Council since last November with no changes. Council empathizes with the parents of the swimmers on not being informed of the proposal before action was taken on the matter.

b. Cherry Street Building

Linda Killough of 435 Rothgate Drive, addressed Council on behalf of the Greater Groveport Food Pantry. They ask that Council consider postponing their decision on the Cherry Street building for 6 months. The food pantry would like that time to check into their options to

renovate the building for their use. They need a new location due to the steep, narrow stairs that have to be navigated by the senior citizens who run the food pantry. There is no access to water or restrooms on the lower level, and it is not handicapped accessible. They hope to get volunteers and grants to cover costs on the renovations.

Lee Hess of 5255 Solomon Avenue, informed Council there are ten churches involved in keeping the food pantry alive. Ninety percent of the workers are senior citizens. Therefore, people coming in to receive items have to have someone young to retrieve food from downstairs. Groveport has a building that can be decorated, painted and worked on to not be an eyesore, but a spotlight in the eyes of the community. He implored to the hearts of the Council Members to stop and think what it means to the senior citizens and to the community itself to relocate the food pantry. With the array of tradesmen in ten churches, they could bring the building up to code. He knows Groveport has money, the City is not building these buildings for nothing. The City is making money and has a hopper with money in it that could foot some of the bill. They could go out for pledges in the community to raise money for the project. He wants to make Council aware that the building they are considering knocking down could be the answer for the senior citizens of the food pantry. He asks that Council think of how this building could benefit the community and Groveport itself.

William Kurey of 286 Walnut Street, lives next door to the brick building. He thinks the City should use the building for storage, the food pantry, museum or another good purpose, as long as the City puts it to good use. To destroy that good brick building would literally be flushing about \$52,000, the value of that building, right down the drain. At a loss as well would be the opportunity to use the 1024 square feet of indoor space. The building is 75 years old, which means the building was built with better materials than most modern buildings. The building's current state of disrepair reflects a lack of routine maintenance and neglect, not structural defects. The shell of the building is of high quality and the inside could be configured to meet current needs. He spoke with members of the food pantry who currently occupy the Madison Township building, who serves Groveport without support from Groveport. He prefers the food pantry use the building, especially if the alternative is destruction. Mr. Kurey would like Council to do something with the building, not destroy it.

Mayor Westcamp opened the floor to Council to discuss the matter. Council Member Hilbert approved of the six month extension to allow the food pantry members to find volunteers to do the work. Council Member Rarey also agreed to a six month extension but he feels the City has a responsibility to make sure it continues to operate as a service to the community, even though it spills into other communities. What more satisfaction could the City of Groveport

have in serving the community in a positive manner. There are a lot of children who benefit from the food pantry. Mr. Rarey stated the City spends a lot of money on different items and areas in Groveport that serve the community. He commented we certainly could reach into our pockets ourselves and do the same thing. There is nothing wrong with the building that a few dollars couldn't fix. Mr. Rarey, for one, would go to Administrator Hall and say "find me the money". He feels that is the attitude Council should have when it comes to serving Groveport citizens and the surrounding communities by feeding the children and older citizens who can't afford to feed themselves. He thinks it would be a very sad day to stand in front of the people and say we don't want the building anymore. We do need it and the City has to have an open hand in order to go after fixing the building.

Council Member Drury would like to see the building used by the food pantry. This area has a lot of people who would not have food on their tables if not for the food pantry. Mrs. Drury commented perhaps the City could work something out to help them, and agreed to the six month extension.

Mayor Westcamp has no objection to an extension and would like to give the food pantry the opportunity to get the ball rolling before the City spends any money.

Council Member Dildine stated he has no problem with the six months but he doesn't want the building. With the support of ten churches, he feels the food pantry could find a better building than the one on Cherry Street. He has a problem with the City spending \$82,000 to \$90,000 to update a building the City will not be using and hasn't used in 23 years. If the food pantry wants to buy and rehab it, so be it. He is not saying the food pantry does not need the building, he knows first hand the issues with their current location. With all their resources, he thinks they can find a better building that doesn't need \$90,000 worth of renovations before anyone can even step foot inside. He feels better with tearing the building down and using the site for green space for KidSpace. Rehabing that building is not a good use for the City's dollars and the food pantry could do better finding another structure.

Council Member Hutson agreed with giving them the six months extension. She stated she is not for tearing the building down but she is not for keeping it at that cost. If the food pantry can bring something back to Council she will be more than glad to listen.

VII. Ordinances and Resolutions

A. 3rd Readings

[ORD. 14-072](#)

AN ORDINANCE AUTHORIZING A MODIFICATION TO THE

DEVELOPMENT PLAN FOR 3860 ROHR ROAD, PARCEL NUMBERS 185-001312, 185-001313, 185-001318, 185-001319, 185-001321 AND 185-001324

Sponsors: Dildine

Attachments: [ORD. 14-072 Exhibit A.pdf](#)
[ORD. 14-072 Exhibit B.pdf](#)

Council Member Dildine moved to make a motion to amend the Ordinance based on Special Counsel Brian Zets' recommendation. Mr. Dildine wants the part of the development plan that has the written agreement between Schottenstein and the Groveport Heritage Society to read "the Schottenstein/NorthPoint for the number they have provided to the Heritage Society of an \$80,000 donation to the Groveport Heritage Society to rehab, move, or restore the building on that property". Mr. Zets advised Council the actual motion to amend, when you look at the ninth criteria contained in Ordinance No. 14-072, Number 9 would have to be amended to read "Obligations to be met by Schottenstein Trustees as set forth in their February 2, 2015 letter, which is attached hereto as Exhibit B and made part thereof by reference. However, as for the two historic structures at the southeast corner of Rohr Road and Pontius Road, as depicted on the development site plan, shall be set aside in reserve and the owner shall pay to the Groveport Heritage and Preservation Society \$80,000 toward the relocation and/or rehabilitation of said structure, when relocation and/or rehabilitation has occurred or occurs". Council Member Dildine made a motion, seconded by Council Member Hutson to amend the Ordinance as stated by Mr. Zets. Council Member Hilbert asked if the statement meant they will either have to rehab the structure or move it. Mr. Zets responded it was his understanding the agreement was that the structure would be relocated and rehabilitated off the site. The City can't get in and try to force an agreement between two parties when the City isn't in the agreement. What this does is requires the owner to make a payment to the Heritage & Preservation Society of \$80,000. The City can step in and state the owner and the Heritage Society have to come to an agreement and it has to be X dollars. The City can say to the owner you have to contribute \$80,000 toward this project as a condition of the modification to the development plan. This amendment basically requires the \$80,000 payment as a condition. Carla Cramer of the Heritage Society relayed that at a meeting with Schottenstein, they wanted the Heritage Society to tell them exactly what the Society wanted. Ms. Cramer told them the value of the buildings and where the Society felt the building would be best suited to be relocated. Schottenstein Trustees don't want to move the structures and get into unknown expenses of taking on a project of which they have no experience or knowledge. The Society

needs to give them an amount, they will cut a check and the Society will have the structure dismantled and reconstructed to their satisfaction. Since that meeting the Society has gathered numbers on having the building dismantled and reconstructed. When they presented their estimates to Schottenstein, Schottenstein came back with the \$80,000 offer. Ms. Cramer stated if Council amends the Ordinance with this language they will be taking the Heritage Society out of the equation because they cannot agree to that amount of money. Robert Gude with NorthPoint stated they had met the other night with Ms. Cramer and Dirk Greene with Schottenstein Property Group. Mr. Greene clearly stated they did not know anything about moving historic buildings, tell us what you think it costs. Mr. Greene wasn't saying Schottenstein will pay the Heritage Society whatever they say it is going to cost. When Ms. Cramer came back with \$325,000, Mr. Gude contacted Mr. Greene and advised him of that amount. Mr. Greene told Mr. Gude to tell Ms. Cramer Schottenstein will pay \$80,000 to move the structure. They don't have to wait to pay the Heritage Society, they can pay whenever they close on the property. NorthPoint was not around when the original agreement was made in 2008. NorthPoint is saying they will give the Society the funds and they can do with it whatever they like. Whether they determine to relocate the building, tear it down or whatever, the Society can keep the money. From NorthPoint's perspective they would like to have certainty, if there is any amount over the \$80,000 it would come from NorthPoint. They would like to know what that number has to be to have that certainty and move forward with the project. Mr. Gude cannot negotiate on behalf of Schottenstein, he thinks Schottenstein is done with their \$80,000 offer. Ms. Cramer stated it has been hard to convey to the owners the Society is not just trying to make money on the deal, they just cannot move the building for \$80,000. Council Member Hutson raised the possibility that the Society just use the bricks as proposed by Mr. Cleary at last week's meeting. Ms. Cramer responded Council Member Cleary had suggested using the bricks for a walkway but their aim is to preserve the history by showing life on the canal in the 1830s. Mrs. Hilbert raised several options for which the Society could use \$80,000. Ms. Cramer stated they are trying to preserve a building that is an actual piece of Groveport's history. Mr. Dildine commented if the owners and the Heritage Society can't end the dispute of the amount of money, and it holds up the progress of the project, they get nothing and the Society gets nothing. Mayor Westcamp asked if there was ever an option of Schottenstein giving the Heritage Society the corner where the building is located. Mr. Gude stated there would be fewer people coming out to that corner to visit the building than if the structure were located in town. The Heritage Society determined they did not want to keep the building on that site. Mayor Westcamp asked about the time frame the building would have to be moved. Mr.

Gude remarked it had been discussed giving the Society 24 months. The dollar amount is the only thing holding up the progress of the project, NorthPoint is willing to work with them in any way to accommodate this requirement. Ms. Cramer asked if the dollar amount was closer could NorthPoint pick up the balance. Mr. Gude cannot speak for Schottenstein but he can speak for NorthPoint. NorthPoint needs a resolution and the certainty of what that number will need to be. Hopefully the issue can be resolved in the next few minutes. Ms. Cramer stated she was willing to go over the estimate with Mr. Gude and come up with a number right now. Mr. Zets stated Mr. Dildine's motion doesn't cover any certainty for either party because right now there is no real agreement. Mayor Westcamp called for a recess to allow the parties to talk. Mr. Dildine wanted to withdraw his motion and make a new one after the parties have reached their agreement. Mr. Dildine made a motion to rescind his original motion.

Mayor Westcamp called for a 15 minute recess at 8:35 p.m. Back in session at 8:58 p.m.

Mr. Zets advised the Mayor and Council an agreement had been made between NorthPoint and the Heritage Society which will result in an amendment to the Ordinance. It will be added to condition number nine. **Section 9** currently reads:" Obligations to be met by Schottenstein Trustees as set forth in their February 2, 2015 letter which is attached hereto as Exhibit B and made part hereof by reference." An amendment needs to be made to add to **Section 9** the following language: " However, as for the two historical structures depicted in the site plan, owner agrees to allow Groveport Heritage & Preservation Society 24 months to relocate the small brick building. Owner shall pay Groveport Heritage & Preservation Society \$200,000 within 3 days of closing. If this building is not relocated within 24 months, owner shall take any action it desires and deems necessary with respect to this structure. If Groveport Heritage & Preservation Society decides sooner than 24 months not to relocate this structure, it shall notify owner immediately. Demolition of the white brick house shall be owner's responsibility."

Mr. Dildine made a motion to amend Ordinance 14-072 as Mr. Zets stated. Mayor Westcamp stated he needed Clerk of Council Ruthanne Ross to read the title of the Ordinance. Mr. Zets stated Council had to vote on the amendment first and then the Clerk would read it as amended.

A motion was made by Council Member Dildine, seconded by Council Member Hutson, to rescind the motion to amend as first stated. The motion carried by the following vote:

Excused: 1 - Cleary

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

Clerk of Council Ross read by title Ordinance No. 14-072. A motion was made by Council Member Dildine, seconded by Council Member Hutson, to amend Section 9 to add the language: "However, as for the two historical structures depicted in the site plan, owner agrees to allow Groveport Heritage & Preservation Society 24 months to relocate the small brick building. Owner shall pay Groveport Heritage & Preservation Society \$200,000 within 3 days of closing. If this building is not relocated within 24 months, owner shall take any action it desires and deems necessary with respect to this structure. If Groveport Heritage & Preservation Society decides sooner than 24 months not to relocate this structure, it shall notify owner immediately. Demolition of the white brick house shall be owner's responsibility." The motion carried by the following vote:

Excused: 1 - Cleary

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

Mr. Zets advised Council Section 1135.01 states the approval shall be given upon a finding of the purpose and necessity for such modification and evidence of reasonable effort toward the accomplishment of the original Development Plan, and that such modification is not in conflict with the general health, safety, and welfare of the public or the development standards of the planned development district. Mr. Zets advised if Council found these things to be true, then that is how the approval should be given. Council Member Hilbert asked for clarification for the residents on the traffic flow coming out of the private road and how the two buildings don't have the same impact as the original one building. Todd Cunningham with EMH&T is confident the details of how the access road comes out to Rohr Road can be worked out with the City Engineer. Whether it is concrete barriers, bollards or something substantial making it an obvious barrier for the trucks and substantial enough to preclude that movement. As far as the configuration of the buildings (Mr. Cunningham referred to a drawing showing the original building and an overlay of the two proposed buildings) the closest corner to Rohr Road is now about 200' further away from Rohr Road. The new configuration calls for far less parking areas. Mrs. Hilbert asked if the height of the mound will be increased to accommodate the height of the newly configured buildings. The mound section is over 120' to get to that height, with a 10' flat top. They can extend the slope of the mound to maximize that height. Council Member Dildine stated if this modification to the development plan goes down within the five-year time frame, the property reverts back to the original zoning. Mr.

Dildine asked Mr. Moore to clarify; for the record; what could be built on the site if reverted back to the original zoning. Chief Building Official Stephen Moore said the original zoning of the property was PR-6 (Planned Residential - 6 units per acre), the development plan shows single family homes (approximately 300 to 350 homes). Also a commercial retail / office, similar to what the City has at the Kroger Center (the area at the end of Tallman Street coming out on Rohr Road was about twice the size of the Kroger Center). The corner of Pontius Road and Rohr Road was zoned CC (Community Commercial) with an area about the size of the Kroger development. Businesses zoned for CC could be retail and offices. The area between Greenhill Drive and Tallman Street was zoned approximately half CC and half PR-6. Mr. Dildine asked if PR-6 allowed for apartments and/or condos. Mr. Moore stated they would have to apply for a modification to their development plan. Mr. Dildine explained the alternative is the original development called for nine buildings. Homes and commercial development would necessitate a lot of curb cuts coming out onto Rohr Road. He would rather see the money generated with this project go towards street and sidewalk repairs, and/or new streets and sidewalks. City Council looks to do what is best for the City when considering these matters. Council Member Hutson stated the question of this matter not concerning Council because they don't live here, was not true. Mrs. Hutson was adamant that all of Council lives here and it definitely concerns her, she lives right on State Route 317. She does not make these decisions lightly.

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

Excused: 1 - Cleary

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

[#040-2015](#)

2014-13 Engineer & Staff Reports

Attachments: [2014-13 Engineer Report#2.pdf](#)
[2014-13 Modification to Dev Plan#2.pdf](#)

[ORD. 15-005](#)

AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A SURETY BOND AGENCY FUND

Sponsors: Hutson

Clerk of Council Ross read by title Ordinance No. 15-005. A motion was made by Council Member Drury, seconded by

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

Excused: 1 - Cleary

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

B. 2nd Readings

[ORD. 15-006](#)

AN ORDINANCE AMENDING ORDINANCE 14-048 (ADOPTED 11/10/2014), THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF GROVEPORT, OHIO, FOR THE CALENDAR YEAR 2015

Sponsors: Rarey

Attachments: [ORD. 15-006 Exhibit A.pdf](#)

Law Director Shannon requested Council to consider making a motion to suspend the rules as to the three readings for this Ordinance and the next two as they relate to appropriation matters that staff would like to have take place immediately.

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

Excused: 1 - Cleary

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

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

Excused: 1 - Cleary

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

[ORD. 15-007](#)

AN ORDINANCE AMENDING ORDINANCE NO.12-005 (ADOPTED 02/27/2012), PART ONE - ADMINISTRATIVE CODE, TITLE NINE - TAXATION, OF THE CODIFIED ORDINANCES OF THE CITY OF GROVEPORT BY AMENDING **CHAPTER 181 - INCOME TAX, SECTION 181.15 - ALLOCATION OF FUNDS**

Sponsors: Cleary

Clerk of Council Ross read by title Ordinance No. 15-007. 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:

Excused: 1 - Cleary

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

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

Excused: 1 - Cleary

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

ORD. 15-008

AN ORDINANCE AUTHORIZING THE TRANSFER OF CASH FUND BALANCES AND APPROVAL OF RAINY DAY FUNDS

Sponsors: Dildine

Clerk of Council Ross read by title Ordinance No. 15-008. 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:

Excused: 1 - Cleary

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

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

Excused: 1 - Cleary

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

ORD. 15-009

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: Drury

Clerk of Council Ross read by title Ordinance No. 15-009.

ORD. 15-010

AN ORDINANCE CREATING THE POSITION OF COLLEGE INTERN,
ACCEPTING THE POSITION DESCRIPTION AND PAY GRADE
THEREFORE

Sponsors: Hilbert

Attachments: [College Intern.pdf](#)

Clerk of Council Ross read by title Ordinance No. 15-010.

[ORD. 15-011](#)

AN ORDINANCE AMENDING THE PAY SCALE

Sponsors: Hutson

Clerk of Council Ross read by title Ordinance No. 15-011.

C. 1st Readings

VIII. Reports

A. Mayor - Lance Westcamp

Nothing further to report.

B. Administrator - Marsha Hall

Nothing further to report.

[#039-2015](#)

Adm Report to Council - Feb 23

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

C. Chief of Police - Ralph Portier

Nothing to report.

D. Director of Finance - Jeff Green

Nothing to report.

E. Director of Law - Kevin Shannon

Nothing to report.

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

Nothing to report.

G. Clerk of Council - Ruthanne Sargus Ross

Nothing to report.

H. Standing Committees

Nothing to report.

IX. Other Business - None

a. Cherry Street Building

Discussion on the Cherry Street building was conducted under Business of Guests. This matter will be re-addressed in 6 months.

[#041-2015](#)

Cherry Street Building Report

Attachments: [Cherry Street Building Report.pdf](#)

X. Adjournment

Council Member Drury made a motion, seconded by Council Member Rarey to adjourn at 9:24 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.