

# City of Groveport

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[www.groveport.org](http://www.groveport.org)



## Meeting Minutes

**Monday, August 14, 2017**

**6:30 PM**

**Council Chambers**

### **City Council**

*Mayor Lance Westcamp*

*Council Members - Jean Ann Hilbert, Ed Dildine, Shawn Cleary, Becky Hutson, Scott Lockett & Jim Beidler*

**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, Stephen Moore - Chief Building Official, Tom Walker - Director of Golf

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**

Sergeant Adams led the Pledge of Allegiance.

**IV. Roll Call**

**Excused:** 1 - Edward Dildine

**Present:** 5 - Jim Beidler, Shawn M. Cleary, Jean Ann Hilbert, Becky Hutson, and Scott Lockett

**A motion was made by Council Member Cleary, seconded by Council Member Beidler, to excuse Council Member from the meeting. The motion carried by the following vote:**

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

**V. Approval of Minutes - July 26, 2017**

Approved as submitted.

[#489-2017](#) City Council Minutes 7-26-17

**Attachments:** [City Council Minutes 7-26-17.pdf](#)

**VI. Business of Guests****a. Sharon Whitten - Candidate for Madison Township Trustee**

*Sharon Whitten, candidate for Madison Township Trustee, addressed Council to ask for their support in the November election and handed out her business card to all members. Ms. Whitten gave her support to Madison Township Trustee, Ed Dildine, the elder, for his re-election.*

## **VII. Ordinances and Resolutions**

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

#### [ORD. 17-026](#)

AN ORDINANCE GRANTING A VARIANCE AS TO THE PERMITTED USES IN THE ESTABLISHED ZONING DISTRICT FOR THE PROPERTY LOCATED AT 4855 HENDRON ROAD, PARCEL NO. 185-001359, CURRENTLY ZONED COMMUNITY SERVICE (CS), DIANA WARD, APPLICANT, AND THE DECLARATION OF AN EMERGENCY

**Sponsors:** Lockett

**Attachments:** [4855 Hendron Rd - Use Variance attachment.pdf](#)

*Law Director Shannon requested Council to consider making a motion to amend Section 1 as follows: redact everything after the word "provided" and insert "that the following conditions set forth by the Planning & Zoning Commission are satisfied:*

1. Site development associated with this new building must conform with City of Groveport development and engineering standards.
2. In the event the site development for this project is to involve installation of water and sewer service to this building, and as this address is not in close proximity to public water and public sanitary sewer, the establishment of water and sewer service shall also meet the requirements of the County Board of Health and Ohio EPA, particularly if a well is to be used for water service and a site sewage treatment system is proposed."

*Everything else in this Ordinance would remain the same.*

*Council approval is not needed if plans for water and sewer are submitted at a later date.*

Clerk of Council Ross read by title Ordinance No. 17-026. A motion was made by Council Member Hilbert, seconded by Council Member Lockett, to amend Section 1 as follows: redact everything after the word "provided" and insert "that the following conditions set forth by the Planning & Zoning Commission are satisfied:

1. Site development associated with this new building must conform with City of Groveport development and engineering standards.
2. In the event the site development for this project is to involve installation of water and sewer service to this building, and as this address is not in close proximity to public water and public sanitary sewer, the establishment of water and sewer service shall also meet the requirements of the County Board of

Health and Ohio EPA, particularly if a well is to be used for water service and a site sewage treatment system is proposed." The motion carried by the following vote:

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

*Law Director Shannon requested Council to consider making a motion to amend, at the applicants request, the title to insert a comma after "applicant" and add "AND THE DECLARATION OF AN EMERGENCY". In Section 3 everything after the word "ordinance" would be redacted and the following language inserted: "be deemed an emergency measure necessary for the preservation of the health, safety, and general welfare of the community as the applicant's construction schedule will be unduly delayed unless this legislation is enacted in a timely fashion; WHEREFORE, this Ordinance shall take effect and be in full force upon its passage by Council and signature of the Mayor."*

**A motion was made by Council Member Hilbert, seconded by Council Member Lockett, to amend the title to insert a comma after "applicant" and add "AND THE DECLARATION OF AN EMERGENCY." In Section 3 everything after the word "ordinance" would be redacted and the following language inserted: "be deemed an emergency measure necessary for the preservation of the health, safety, and general welfare of the community as the applicant's construction schedule will be unduly delayed unless this legislation is enacted in a timely fashion; WHEREFORE, this Ordinance shall take effect and be in full force upon its passage by Council and signature of the Mayor." The motion carried by the following vote:**

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

*Law Director Shannon requested Council to consider making a motion to adopt as emergency legislation. No other motions are necessary. This Ordinance has already had its three readings and its effective date will be tonight because of the emergency language.*

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

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

[#459-2017](#)

ORD. 17-026 Staff Reports

**Attachments:** [ORD. 17-026 Staff Reports.pdf](#)

[ORD. 17-027](#)

AN ORDINANCE AMENDING PART FIVE - GENERAL OFFENSES CODE, CHAPTER 521, HEALTH, SAFETY AND SANITATION, SECTION 521.10 - NONSMOKING AREAS IN PLACES OF PUBLIC ASSEMBLY OF THE GROVEPORT CODIFIED ORDINANCES

**Sponsors:** Beidler

**Attachments:** [ORD. 17-027 521.10 Smoking Ban attachment.pdf](#)

*Law Director Shannon clarified for Council and all in attendance that this Ordinance merely codifies State law. Council is mirroring that which State law provides (**ORC 3794.03 - Areas where smoking is not regulated by this chapter (F)**) as it relates to determining which areas must be non-smoking and which areas are discretionary by the public authority to be non-smoking. That action is a separate and distinct action as it relates to whether or not City Council wants the City's smoking ban to conform to State law. If Council chooses to make a specific area as a non-smoking area at the golf course, it can do so as empowered by this statute or Ordinance that would have been passed. He suggests Council to consider this Ordinance first. Then, once that is done, Council has the authority to do whatever it wants to do as it relates to the golf course.*

Clerk of Council Ross read by title Ordinance No. 17-027. A motion was made by Council Member Beidler, seconded by Council Member Hutson, to adopt. The motion carried by the following vote:

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

#### [#490-2017](#)

Links Patio Area

**Attachments:** [Links Patio Area.pdf](#)

*Law Director Shannon advised Council can choose by way of motion to designate a particular area of any City property as a non-smoking area. Director of Golf Tom Walker had provided Council a map to illustrate designated areas for non-smoking and smoking on the golf course patio. Staff had proposed adding three (3) tables with umbrellas on the east end of the patio as a designated non-smoking area with the north side of the patio designated as a smoking area. More tables could be added if business dictated that they would be needed to accommodate patrons. The patio area is not regulated under Ohio law nor under the City of Groveport's ordinance in thirty (30) days of its passage. Now Council, by motion, can address an area as a non-smoking area and a smoking area outside on the patio.*

A motion was made by Council Member Hilbert, seconded by Council Member Lockett, to designate a non-smoking area and a smoking area outside on the patio at the golf course: that is, adding three (3) tables with umbrellas on the east end of the patio as a designated non-smoking area with the north side of the patio designated as a smoking area. The motion failed by the following vote:

**Excused:** 1 - Dildine

**Yes:** 3 - Hilbert, Hutson and Lockett

**No:** 2 - Beidler and Cleary

**ORD. 17-028**

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS IN CONJUNCTION WITH THE MAJOR TRAFFIC SIGNAL UPGRADE PROJECT AT HAMILTON ROAD AND FIREHOUSE LANE

**Sponsors:** Cleary

Clerk of Council Ross read by title Ordinance No. 17-028. A motion was made by Council Member Hilbert, seconded by Council Member Beidler, to adopt. The motion carried by the following vote:

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

**ORD. 17-029**

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS IN CONJUNCTION WITH THE WEST BIXBY ROAD PAVEMENT REHABILITATION (PHASE II) PROJECT

**Sponsors:** Hilbert

Clerk of Council Ross read by title Ordinance No. 17-029. A motion was made by Council Member Hilbert, seconded by Council Member Hutson, to adopt. The motion carried by the following vote:

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

[RES. 17-004](#)

A RESOLUTION ADOPTING THE FIVE YEAR CAPITAL IMPROVEMENT FUND PLAN

**Sponsors:** Hutson

Clerk of Council Ross read by title Resolution No. 17-004. A motion was made by Council Member Hutson, seconded by Council Member Cleary, to adopt. The motion carried by the following vote:

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

[#473-2017](#)

CIP Street Program 2018

**Attachments:** [CIP StreetProgram 2018 WORKSHEET VF 7 10 17 TOJuly2017COW.pdf](#)  
[WORKSHEET Capital Summary - 2018 VF 7 10 17 TOJuly2017COW.pdf](#)

**B. 2nd Readings**

[ORD. 17-030](#)

AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO ENTER INTO AN EASEMENT AGREEMENT WITH 6500 PONTIUS ROAD LLC, AKA HILLWOOD DEVELOPMENT COMPANY (HILLWOOD), VACATING AN EXISTING EASEMENT AND GRANTING A NEW EASEMENT TO FACILITATE THE RELOCATION OF A SANITARY SEWER LINE FOR THE 6500 PONTIUS ROAD SITE

**Sponsors:** Dildine

Clerk of Council Ross read by title Ordinance No. 17-030.

[ORD. 17-031](#)

AN ORDINANCE ACCEPTING AND DEDICATING AS A PUBLIC IMPROVEMENT, THE SANITARY SEWER LINE CONSTRUCTED IN CONJUNCTION WITH THE GROVEPORT 1 DEVELOPMENT AT 6500 PONTIUS ROAD AND 6606 PONTIUS ROAD DEVELOPMENT SITES

**Sponsors:** Lockett

Clerk of Council Ross read by title Ordinance No. 17-031.

**C. 1st Readings**

[ORD. 17-033](#)

AN ORDINANCE GRANTING TO SOUTH CENTRAL POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO

ACQUIRE, CONSTRUCT, MAINTAIN AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES AND PUBLIC PLACES OF THE CITY OF GROVEPORT, STATE OF OHIO AND ITS SUCCESSORS, LINES FOR THE DISTRIBUTION OF ELECTRIC POWER AND ENERGY TO PARTS OF THE CITY OF GROVEPORT AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER AND OTHER PURPOSES AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH OR ACROSS SAID CITY OF GROVEPORT, STATE OF OHIO, SUBJECT TO AND IN COMPLIANCE WITH THE CERTIFIED TERRITORIES FOR ELECTRIC SUPPLIERS ACT (OHIO REVISED CODE SECTIONS 4933.81 TO 4933.90Z)

**Sponsors:** Hutson

**Clerk of Council Ross read by title Ordinance No. 17-033. This Ordinance was referred to the Committee of the Whole.**

**ORD. 17-034**

AN ORDINANCE TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE SOLID WASTE AUTHORITY OF CENTRAL OHIO

**Sponsors:** Hilbert

**Clerk of Council Ross read by title Ordinance No. 17-034. This Ordinance was referred to the Committee of the Whole.**

**#491-2017**

SWACO Plan overview

**Attachments:** [SWACO Plan overview.pdf](#)

**ORD. 17-035**

AN ORDINANCE AMENDING PART ELEVEN - PLANNING AND ZONING CODE, TITLE ONE - GENERAL PROVISIONS, CHAPTER 1102, DEFINITIONS AND TITLE SEVEN - SUPPLEMENTAL LAND USE REGULATIONS, CHAPTER 1178 SIGN REGULATIONS

**Sponsors:** Cleary

**Attachments:** [ORD. 17- 035 Sign Code and Definitions revisions attachment.pdf](#)

**Clerk of Council Ross read by title Ordinance No. 17-035. This Ordinance was referred to the Planning & Zoning Commission.**

**#492-2017**

Sign Code Update

**Attachments:** [Sign Code Update 2017.pdf](#)

**RES. 17-006**

A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE GROVEPORT TAX INCENTIVE REVIEW COUNCIL RELATING TO VARIOUS CITY OF GROVEPORT TAX INCENTIVES



Sponsors: Cleary

Attachments: [RES. 17-006 TIRC Meeting Minutes 8-2-2017.pdf](#)

Clerk of Council Ross read by title Resolution No. 17-006. This Resolution was referred to the Committee of the Whole.

## VIII. Reports

### A. Mayor - Lance Westcamp

*Mayor Lance Westcamp reported the 4th of July Committee held their final meeting and have come up with some great ideas for next year. The 4th of July Thank You dinner will be held at the Paddock Pub on August 30, 2017.*

*The Mayor was unable to attend the KidsFest event held last Saturday. Council Member Cleary commented the weather could not have been better for the event. It was the biggest crowd he has ever seen at the recreation center. The attractions were all a big hit, from the blow up games to the touch-a-truck vehicles. Chief Portier reported there were not as many law enforcement vehicles present as there have been in the past, but the departments who did participate had a ball with the kids. There were a lot more handouts this year. There were booths added to the event this year, such as, Groveport Madison Schools, the Franklin County Health Department and Bubba's Ice providing snow cones.*

### B. Administrator - Marsha Hall

*Administrator Marsha Hall stated she will be responding to the letter from resident Timothy Henry. This is the second time he has submitted this complaint about the business near his home. Chief Building Official, Stephen Moore responded to Mr. Henry that the business was now in compliance.*

[#493-2017](#)

Adm Report to Council

Attachments: [Adm Report to Council - Aug 14.pdf](#)

### C. Chief of Police - Ralph Portier

*Chief Ralph Portier reported the department had officers at every Groveport Madison School for the first day of school. There were no problems with traffic and no incidents of any kind. It was a good first day. Council Member Hutson expressed concerns with cars parking along Glendening Drive. There is no room to get through and one car has to back up to get a vehicle out. The department is aware of the*

*situation but part of the street is non-dedicated roadway and the police have no jurisdiction regarding non-dedicated roadways.*

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

*Director of Finance, Jeff Green reported on July 31st, the State Tax Credit Authority granted approval to incentives to a company the City has been working with for about four months. Fluvitex, a manufacturer, is coming to Groveport. They will move into one of the Port Road buildings at the Schottenstein property. They manufacture bedding and textiles for IKEA and will employ about 150 people. The company is based in Spain.*

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

*Law Director Shannon requested Council's reconsideration on this Resolution to correct a minor error as it relates to effective dates of the agreement.*

[RES. 17-005](#)

A RESOLUTION RE-AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF GROVEPORT AND THE BOARD OF COMMISSIONERS, FRANKLIN COUNTY, OHIO ON BEHALF OF THE CITY OF GROVEPORT IN ORDER TO PARTICIPATE IN THE FRANKLIN COUNTY, OHIO DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (HUD) ENTITLEMENT PROGRAM AND ABIDE BY THE COVENANTS OF THAT PROGRAM AS STATED HEREIN, AND THE DECLARATION OF AN EMERGENCY

**Sponsors:** Beidler

*Law Director Shannon requested Council to consider making a motion for reconsideration of Resolution 17-005. A RESOLUTION RE-AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF GROVEPORT AND THE BOARD OF COMMISSIONERS, FRANKLIN COUNTY, OHIO ON BEHALF OF THE CITY OF GROVEPORT IN ORDER TO PARTICIPATE IN THE FRANKLIN COUNTY, OHIO DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (HUD) ENTITLEMENT PROGRAM AND ABIDE BY THE COVENANTS OF THAT PROGRAM AS STATED HEREIN, AND THE DECLARATION OF AN EMERGENCY.*

**Law Director Shannon read by title Resolution No.17-005 . A motion was made by Council Member Hilbert, seconded by Council Member Cleary, to reconsider Resolution 17-005. The motion carried by the following vote:**

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

*Law Director Shannon advised Council the Ordinance states the correct effective dates in the last **Whereas** clause, that is, April 1, 2018 to March 31, 2021. However, in the actual action part of the Ordinance itself in Section 2, the dates were not dropped down correctly. Law Director Shannon requested Council to consider making a motion to amend Section 2 to read "for the period April 1, 2018 to March 31, 2021" thereby redacting the previous date section that was in the Ordinance.*

**A motion was made by Council Member Hilbert, seconded by Council Member Lockett, to amend Section 2 to read "for the period April 1, 2018 to March 31, 2021" thereby redacting the previous date section that was in the Ordinance. The motion carried by the following vote:**

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

*Law Director Shannon requested Council to consider making a motion to suspend the rules as to the three readings and the effective date.*

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

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

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

**Excused:** 1 - Dildine

**Yes:** 5 - Beidler, Cleary, Hilbert, Hutson and Lockett

**F. Council Members - Jean Ann Hilbert, Ed Dildine, Shawn Cleary, Becky Hutson, Scott Lockett and Jim Beidler**

*Council Member Beidler asked how Council would go about resolving the no smoking at the golf course in a way they could all agree upon. Ms. Hall suggested those members who voted against the motion regarding smoking and non-smoking areas on the patio to come up with some ideas they would like to see put in place to accommodate everyone. The matter can be reconsidered in two weeks at the next regular City Council meeting.*

**G. Clerk of Council - Ruthanne Sargus Ross**

*Clerk of Council, Ruthanne Sargus Ross reminded everyone of the upcoming ethics training on Monday, August 21st at 5:00 p.m. The Committee of the Whole meeting will start immediately following the training.*

#### **H. Standing Committees**

*Council Member Cleary reported the Cemetery Committee approved more weed and feed fertilizer. The Mayor asked if there were enough members present for the Trees and Decorations Committee meeting. Mr. Green commented he believes there were enough members present.*

#### **IX. Other Business**

*None.*

#### **X. Adjournment**

Council Member Hilbert made a motion, seconded by Council Member Cleary to adjourn at 7:11 p.m. All in favor stated AYE, None Opposed. Motion passed.

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Lance Westcamp, Mayor

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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.