

# City of Groveport

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## Meeting Minutes

Wednesday, July 26, 2017

6:30 PM

"Special Meeting"

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

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**

**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 Hilbert, seconded by Council Member Lockett, to excuse Council Member Dildine from tonight's meeting. All in favor stated AYE, None Opposed. Motion passed.

**V. Approval of Minutes - July 10, 2017**

Approved as submitted.

[#477-2017](#) City Council Minutes 7-10-17

**Attachments:** [City Council Minutes 7-10-17.pdf](#)

**VI. Business of Guests**

*None.*

**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

**Sponsors:** Lockett

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

*Law Director Shannon requested Council to consider making a motion to postpone this matter to the August 14, 2017 City Council meeting. Staff is requesting the postponement because the Public Hearing on July 24, 2017 was canceled for a lack of quorum. This matter cannot be properly presented before Council for its third and final reading until a public hearing takes place.*

**Clerk of Council Ross read by title Ordinance No.17-026. A motion was made by Council Member Hilbert, seconded by Council Member Hutson, to postpone to a date certain, August 14, 2017 City Council meeting. 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](#)

*Director of Golf Tom Walker presented several options regarding smoking and non-smoking areas at the golf course patio for Council's consideration. The first option is for Council to pass this Ordinance as written. The second option would be to vote the matter down to*

disapprove the Ordinance. Other options: make the north end of the patio with the awning a designated smoking area and add three (3) new tables with umbrellas on the east end of the property. This would give patrons a smoking area and a non-smoking area that would fall under the State's standard. The last option would be to cover the entire east end of the patio, which would be expensive.

Law Director Shannon advised the way this Ordinance is written it basically is codifying for our City Ordinances the existing State law as to the smoking ban. And the law very clearly states that any owner of property can designate a specific area as a non-smoking area. If you add the tables on the east end of the patio by the pro shop and designate the area as non-smoking and allow smoking on the backside of the patio, it conforms to the Ordinance as written. The Ordinance has definitions in it as to a patio area, which would be the area where smoking would be permitted. If Council allowed for that alternative to take place, there would not be any need to make changes to the Ordinance as written. Mr. Shannon advised there was a previous motion of Council that made that patio a non-smoking area. Mr. Shannon advised that if a member of Council would like to make a motion this evening to repeal that previous motion by Council, Council could instead make the eastside of the patio area the designated non-smoking area in the same motion.

A motion was made by Council Member Hutson, seconded by Council Member Hilbert, to repeal the previous motion that made the north end patio area at the golf course a designated non-smoking area and to now designate the eastside of the patio area a non-smoking area, thereby making the north side of the patio a smoking area. The motion carried by the following vote: Mrs. Hilbert wanted to withdraw her second and Mrs. Hutson wanted to know if she withdrew her motion if the matter could be voted on at a later time. Mr. Shannon advised Council needed to take action on the matter that was presently on the table. Mrs. Hilbert withdrew her second and the motion failed for the lack of a second. The motion cannot be voted on. The Mayor asked for another second. The motion died for lack of a second. Council moved on the matter of the Ordinance.

Clerk of Council Ross read by title Ordinance No.17-027. A motion was made by Council Member Hilbert, seconded by Council Member Hutson, to postpone to a date certain, August 14, 2017 City Council meeting. The motion carried by the following vote:

**Excused:** 1 - Dildine

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

## **B. 2nd Readings**

### [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.**

**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.**

**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.**

**#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](#)

**C. 1st 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. This Ordinance was referred to the Committee of the Whole

[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. This Ordinance was referred to the Committee of the Whole

*Law Director Shannon requested Council to consider making a motion to amend the agenda to add Ordinance Number 17-032 **AN ORDINANCE AMENDING ORDINANCE 16-053 AUTHORIZING THE ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH HUNTINGTON PUBLIC CAPITAL CORPORATION AND THE DECLARATION OF AN EMERGENCY***

A motion was made by Council Member Hilbert, seconded by Council Member Beidler, to amend agenda to add Ordinance Number 17-032 **AN ORDINANCE AMENDING ORDINANCE 16-053 AUTHORIZING THE ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH HUNTINGTON PUBLIC CAPITAL CORPORATION AND THE DECLARATION OF AN EMERGENCY**. The motion carried by the following vote:

**Excused:** 1 - Dildine

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

[ORD. 17-032](#)

AN ORDINANCE AMENDING ORDINANCE 16-053 AUTHORIZING THE ADMINISTRATOR TO ENTER INTO A LEASE AGREEMENT WITH HUNTINGTON PUBLIC CAPITAL CORPORATION AND THE DECLARATION OF AN EMERGENCY

**Sponsors:** Dildine

*Law Director Shannon requested Council to consider making a motion to suspend the rules as to the three readings and the effective date. Finance Director Jeff Green reminded Council legislation is brought before Council for purchases, projects and such every year. Last year the City was looking to purchase a sprayer for approximately \$60,000. When staff went to purchase the sprayer is was only around \$30,000. Since it cost only half the amount, it was asked if the City could buy*

*the much needed tractor as well. When the City submitted the lease paperwork it came back saying the City's legislation only lists the golf course sprayer. Therefore, new legislation was needed to add the tractor as soon as possible.*

**Law Director Shannon read in its entirety Ordinance No. 17-032. 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 Hutson, to adopt as emergency legislation. The motion carried by the following vote:**

**Excused:** 1 - Dildine

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

#### [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

*Administrator Marsha Hall explained this Ordinance was for the three-year program for Community Development Block Grant (CDBG). Although the City hasn't used the program recently, the City could possibly need to use it in the next three (3) year term. It also enables residents in low income areas to use CDBG Program. It is a grant program that enables municipalities to do some housing work. The City received it last week, but even though it does not start until next year the application needs to be submitted by July 28, 2017.*

**Clerk of Council Ross read by title Resolution No. 17-005. A motion was made by Council Member Hilbert, seconded by Council Member Beidler, 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 Beidler, 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

## VIII. Reports

### A. Mayor - Lance Westcamp

*Nothing to report.*

### B. Administrator - Marsha Hall

*Administrator Marsha Hall reported the 911 Ruck Run will take place again this year. They tried to come up with some changes regarding their beer tent but nothing worked out. Ms. Hall will need Council's approval by motion for the beer tent to be setup at the Recreation Center again this year. The event will be held on Sunday, September 10, 2017. It should be larger this year since they added a 10k run to the event. The crowd is too large to consider moving the beer tent to the golf course.*

*Franklin County has already been doing extra mosquito spraying in Groveport. The County is paying extra attention to Groveport.*

A motion was made by Council Member Beidler, seconded by Council Member Lockett, to allow the Ruck Run Event to have a beer tent at the Groveport Recreation Center on Sunday, September 10, 2017. The motion carried by the following vote:

Excused: 1 - Dildine

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

[#478-2017](#)

Adm Report to Council

Attachments: [Adm Report to Council - July 24.pdf](#)

### C. Chief of Police - Ralph Portier

*Nothing to report.*

### D. Director of Finance - Jeff Green



*Finance Director, Jeff Green commented the City is already starting the budget process for the 2018 appropriations. Departments have already received their worksheets that are due back to Finance by August 31, 2017. Staff plans to have the work session with Council at the October 16, 2017 Committee of the Whole meeting.*

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

*Nothing further to report.*

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

*Council Member Hutson sent her condolences to Senior Accountant, Anna Krigbaum for her loss and wished Clerk of Council, Ruthanne Ross a happy birthday. Mrs. Hutson referred to the letter from Brenna Kilbarger received by all the Council Members. Mrs. Hutson purchased some of Brenna's unicorn fudge at the Franklin County Fair.*

*Council Member Cleary thanked everyone for their concern.*

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

*Nothing to report.*

**H. Standing Committees**

*None.*

**IX. Other Business**

*Administrator Marsha Hall asked Director of Golf Tom Walker to give Council an update on the condition of the golf course after the flooding. Tom Walker stated an inventory of materials needed for the bridge repairs was done with the work to be performed tomorrow on the contingency of the weather. The current forecast calls for an 80% chance of rain. Current rains have caused the conditions of the golf course to remain the same. Unfortunately, the course isn't any further than it was a week ago to being open for public use. None of the course is open, the bridge is unsafe for people to travel on and the back nine took the brunt of the damage. Until staff can get out there to make repairs the course will remain closed. If the bridge is repaired and the course isn't saturated any more than it already is, Mr. Walker could consider opening the course for the weekend with car path only signs throughout the course. Unfortunately, staff would have to monitor golf cart patrons or the course could be badly rutted, causing even more damage. Staff is being as cautious as possible before the*

*course is reopened. Mr. Cleary asked if it would be more beneficial to keep the course closed until all repairs have been completed. Ideally, yes, but the City has so many obligations and commitments to groups. Half the groups are willing to play the course regardless of the conditions and the other half will complain playing the course in less than ideal conditions. It is trying to appease both sides but, either way, some groups are not going to be satisfied. If the City makes these repairs and gives the groups the option, Mr. Walker thinks the City will get less backlash than if the course is just arbitrarily closed. These groups have stayed with the City through everything so far, and he wants to maintain that relationship.*

## **X. Adjournment**

Council Member Cleary made a motion, seconded by Council Member Hutson to adjourn at 7:04 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.