



Meeting Minutes

Monday, May 18, 2015 ~ 7:30 P.M.

Louis J. R. Goorey Worthington Municipal Building
John P. Coleman Council Chamber
6550 North High Street
Worthington, Ohio 43085

City Council

Bonnie D. Michael, President
Robert F. Chosy, President Pro-Tempore
Rachael Dorothy
Scott Myers
David M. Norstrom
Douglas Smith
Michael C. Troper

D. Kay Thress, Clerk of Council

CALL TO ORDER – Roll Call, Pledge of Allegiance

Worthington City Council met in Regular Session on Monday, May 18, 2015, in the John P. Coleman Council Chambers of the Louis J.R. Goorey Worthington Municipal Building, 6550 North High Street, Worthington, Ohio. President Michael called the meeting to order at or about 7:30 P.M.

Members Present: Robert F. Chosy, Rachael R. Dorothy, David Norstrom, Douglas K. Smith, Michael C. Troper, and Bonnie D. Michael

Member(s) Absent: Scott Myers

Also present: Clerk of Council Kay Thress, City Manager Matthew Greeson, Director of Law Pamela Fox, Assistant City Manager Robyn Stewart, Director of Finance Molly Roberts, Parks and Recreation Director Darren Hurley, Director of Planning and Building Lee Brown, Chief of Police James Masic and Chief of Fire Scott Highley

There were approximately sixty eight visitors present.

President Michael invited all those in attendance to stand and join in the recitation of the Pledge of Allegiance.

CONSENT AGENDA

Notice to the Public: There will be no separate discussion of Consent Agenda items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Consent Agenda and considered separately.

To address City Council regarding an item on Consent Agenda, please submit a fully completed speaker's slip to the Clerk of Council prior to the beginning of the meeting.

Legislation to Approve/Adopt**SPECIAL PRESENTATION**Recognition – National Merit Scholars**Resolution No. 18-2015**

Expressing the Congratulations of Worthington City Council to Nikhita Airi for being named a National Merit Scholarship Finalist and for her Academic and Extracurricular Achievements.

Resolution No. 19-2015

Expressing the Congratulations of Worthington City Council to Elizabeth Chiu for being named a National Merit Scholarship Finalist and for her Academic and Extracurricular Achievements.

Resolution No. 20-2015

Expressing the Congratulations of Worthington City Council to Zachary DeMartini for being named a National Merit Scholarship Semi-Finalist and for his Academic and Extracurricular Achievements.

Resolution No. 21-2015

Expressing the Congratulations of Worthington City Council to Samuel Fojas for being named a National Merit Scholarship Finalist and for his Academic and Extracurricular Achievements.

Resolution No. 22-2015

Expressing the Congratulations of Worthington City Council to Christina Yun Lin for being named a National Merit Scholarship Finalist and for her Academic and Extracurricular Achievements.

Resolution No. 23-2015

Expressing the Congratulations of Worthington City Council to Hannah Peffly for being named a National Merit Scholarship Finalist and for her Academic and Extracurricular Achievements.

Resolution No. 24-2015

Expressing the Congratulations of Worthington City Council to Sydney Welter for being named a National Merit Scholarship Finalist and for her Academic and Extracurricular Achievements.

Resolution No. 25-2015

Expressing the Congratulations of Worthington City Council to George Liu for being named a National Merit Scholarship Finalist and for his Academic and Extracurricular Achievements.

End of Consent Agenda**Introduced by Mr. Troper.**

Mr. Troper congratulated the students and commented that council appreciates their hard work. He also congratulated the parents. Council is excited to honor these students tonight.

MOTION Ms. Dorothy moved to adopt Resolution No. 18-2015, Resolution No. 19-2015, Resolution No. 20-2015, Resolution No. 21-2015, Resolution No. 22-2015, and Resolution No. 23-2015, Resolution No. 24-2015, and Resolution No. 25-2015. The motion was seconded by Dr. Chosy.

The motion to adopt the Consent Agenda passed unanimously by a voice vote.

Ms. Michael invited Vice Mayor Lorrimer forward to proceed with the recognition of these outstanding students.

Vice Mayor Lorrimer commented that Worthington City Council has for many years welcomed the opportunity to recognize the achievements of outstanding Worthington High School students. This evening council again has the opportunity to recognize, on behalf of our community, six Worthington High School students who have proven themselves among the best and brightest students in our nation.

These students from Thomas Worthington and Kilbourne High Schools have obtained national recognition for their scholastic achievement in the National Merit Scholarship Program. This is the largest and most competitive of all national scholarship programs which involves more than a million and a half high school students who take the test each year. High scoring in this testing program qualifies students for scholarship consideration both within the Merit Program as well as favorable consideration for assistance in many other scholarship programs. The recognition this year of these Worthington High School scholars is a very special and noteworthy achievement. They are most promising, already contributing and bright young leaders in our community whose talents extend to music, sports, and the creative arts.

Recipients from Thomas Worthington High School include:

Nikhita Airi

- Plays clarinet with the Columbus Symphony Youth Orchestra as well as High School Pit Orchestra
- Member of the Feminist Club and French Club
- Member of the Softball Team
- Favorite Subjects are History and English
- Obtained a 4.25 Grade point average
- Participated in the 2014 American High School Honors Performance series at Carnegie Hall
- Participated in the Ohio Math League
- Competed in the 2014 High School Jeopardy Team Tournament and member of the “In the Know” Team
- Plans to attend the Ohio State University, majoring in history and political science with the goal of pursuing a career in Foreign Policy
- Daughter of Laura Khaw and Vikram Airi

Zachary DeMartini

- Attended Worthington schools since kindergarten
- Favorite sport is soccer
- Participated in the Worthington field studies program involving two ecological studies courses in the central Rockies and the Pacific Northwest
- Plans to attend Miami University, majoring in chemistry with interest in computer science, career goal still open
- Son of Benjamin and Michelle DeMartini

Samuel Fojas

- Served as Thespian Officer and Student Director of Thomas Worthington's theater department
- Plays alto saxophone in the concert and symphonic bands
- Served as mentor to freshman students at Thomas Worthington
- Maintained a 4.18 grade point average
- Member of the National Honor Society and the Spanish National Honor Society
- Volunteers for church and children's programs
- Plans to attend the Ohio State University, majoring in biology
- Son of Augusto and Sherri Fojas

Hannah Peffly

- Participated in volleyball and basketball at Thomas Worthington
- Member of the National Honor Society
- Took additional studies in Japanese at the Ohio State University
- Maintained a 3.8 grade point average
- Plans to attend Miami University with additional study abroad in Japan. Her special interest is in world languages and cultures
- Daughter of Chris and Lori Peffly

Elizabeth Chiu

- Co-Captain of the Thomas Worthington Varsity Tennis Team
- President of the high school orchestra and played violin
- Played with OMEA All-star Orchestra for the past three years
- Participated in the Columbus Chinese Academy for fourteen years
- Member of the Science Olympiad for the past three years
- Plans to attend Duke University and major in chemistry or biomedical engineering
- Daughter of Mingte and Suchuan Chiu

Recipient from Worthington Kilbourne High School:George Liu

- One and only Worthington High School student in history to attain perfect scores on both the ACT and SAT College Entrance Examinations
- Maintained a grade point average of 4.45
- Won National Awards in Scholastic Arts Competitions
- Captain of the Tennis Team at Worthington Kilbourne
- Participated in the Science Olympiad
- Member of student council
- Plans to attend Harvard University

Mr. Lorrimer added that his mother shared that George had a choice between several schools, one of whom was Princeton who accepted him. He was particularly attracted by Princeton University because they have a mascot of the tiger. George's middle name is Tiger.

- Son of Jason Liu and Tina Tang (owners of the J Liu Restaurants). Some of George's fine art work are on displayed at the Worthington restaurant

Mr. Lorrimer understands that George was looking forward to this evening and views tonight as a night of reflection. He asked him if he would share some of his personal reflections of his life with those present. Mr. Lorrimer commented that if he will do that, let him begin by asking if his Dad adequately compensated him for his excellent mural work this appears on the walls of J Liu restaurant. Mr. Liu replied sometimes and sometimes not. He feels that he is pretty lucky to have grown up in Worthington. It is really all about what you make out of it. He feels like there are many resources and it's how you take advantage of the opportunities that are presented to you. He has just been very lucky.

Vice Mayor Lorrimer commented that we are very lucky on occasions such as these to have the leadership of Worthington schools here with us. He acknowledged Principal Jim Gaskill of Thomas Worthington and Principal Angie Adrean of Worthington Kilbourne.

Mr. Lorrimer also recognized Dr. Thomas Tucker who has served as the Superintendent of the Worthington School System for four years. He has been and is a great education and community leader. During the past four years he has participated in every City Council recognition ceremony involving students of Worthington High Schools. Several of these ceremonies have involved Worthington athletes who have won Ohio State championships across a range of sports. It is a pleasure to mention that Dr. Tucker's own personal record of .47 seconds in the 400 meter dash marks him as a model who has continued to achieve as should the young champions we were recognizing. During Dr. Tucker's four year tenure the academic achievement record of students throughout the

Worthington School system has risen each year, which is a significant accomplishment. Dr. Tucker has also spearheaded an important and successful community ballot effort to obtain passage of a needed Bond Issue to support the operations of the Worthington School system.

Mr. Lorrimer shared that Dr. Tucker has now elected to move his educational leadership career in a new direction by becoming Superintendent of the Princeton School system in Cincinnati. City Council and our entire Worthington Community wish Dr. Tucker continued great success. He thanked him for his leadership, his great contribution and his service to our Worthington community.

Dr. Tucker commented that it has been a pleasure to serve this community for the last four years that included the promise that was made by our founding mothers and fathers that we would maintain a strong government, religious opportunity, schools, and library. He feels very blessed to have been a part of this community. But unlike Mr. Liu he did not score perfect in the ACT/SAT. Very few students do. All of our honorees are humbled kids and they have outstanding role models and the best high school administrators. It is his sincere hope that over the next 200+ years the community will continue in keeping the promise that was made over 200 years ago.

Ms. Michael thanked the students and their parents.

VISITOR COMMENTS

Ms. Michael commented that the United Methodist Children's Home (UMCH) topic is not on the agenda tonight but members are aware that there are a number of people who are interested in that subject. Staff is going to provide council with an update. She recognized that we are at the very beginning of a development process that is going to be coming about. She will let staff has a few minutes to explain where we are going and then provide members of the audience an opportunity to speak. We will not stop anybody from having a chance to speak who wants to but council does have a full meeting and she asked that the speakers be sensitive to that.

Mr. Greeson introduced himself as the City Manager as there were some in the audience that may not know him. Staff will provide a brief summary of where we are with the UMCH property and provide information regarding the process we anticipate potentially undertaking should we receive a formal development proposal in the coming months. He will try to be brief. For those who have followed this process in detail over the last couple of years he will probably repeat some things that they already know and for that he apologizes. But for those who are newer to the subject he hopes that they will find it informative. It seems like this property has been the subject of some form of community conversation for a long time. He thinks we are in another evaluation of that.

Mr. Greeson shared that the most recent conversation regarding the roughly forty acres that are across the street from this property surrounded a pro-active planning effort that the city initiated over the last couple of years. It culminated last year in the adoption by

the city council of an amendment to our Comprehensive Plan. When UMCH decided to sell the property, we decided as a city that it was important to update our plan in order to be prepared for development proposals. We had had some proposals that did not fit our plan and we thought it needed more community dialog as well as more specificity than the original 2005 plan had about that property. The Comprehensive Plan is a vision document so every property including all the ones that residents own have a zoning category and when someone wants to change the use of their property, in this case from a mostly institutional use to a mix of uses, we evaluate that in part on what our future vision for the community is and that vision is outlined in words as it relates to land use in our Comprehensive Plan. So the plan serves as a guide.

When we did the Comprehensive Plan amendment for the UMCH site we really came out with a vision for a mix of uses on the site, in three main areas:

- 1) High St. mixed use – Mix of Office, Retail, Residential (more dense)*
- 2) Neighborhood Core – Center part of the site (might have a variety of housing types of various densities)*
- 3) An area called Worthington Estates Edge (lower density area intended to buffer the existing Worthingway and Worthington Estates communities and serve as a transition between the various types of housing and uses.*

Mr. Greeson commented that we can talk about that in more detail if necessary about what that plan says but that is a rough summary.

Mr. Greeson shared that since that process there has been a great deal of interest in the site and it is important to note that the city doesn't own it. Some of the recent dialog that we've monitored has questioned why we picked a particular developer and questions like that. The city does not own that site. It is owned and controlled by the United Methodist Children's Home and a Board of Directors. That entity has selected a developer in Lifestyle Communities and we are expecting Lifestyle to be prepared to present concept plans which would go to the Municipal Planning Commission and Architectural Review Board (MPC/ARB). Staff anticipates that will occur informally, which means that Lifestyles has indicated their desire to present their conceptually plans at some point in the middle of the summer in advance of a formal application, which is a little unusual in the sense that they will want to have a public forum, get the Planning Commission as well as the public's testimony about their plan before they would file a formal application and all of the requisite things that come with a formal application.

At this point, city staff and some of the city leadership has seen an early conceptual plan but no formal proposal. Staff encouraged Lifestyle to meet with some of the citizen groups that have followed this issue for several years such as Worthington Alliance for Responsible Development (WARD) and the Old Worthington Association, and they did that. They shared some of their conceptual plans with those citizens and essentially at this point those groups have seen the same things city staff has seen. That is kind of the level we are at, at this point. This development is notable in its size although not unheard of if we were a green field community out in the far flung parts of Delaware County but it

is more notable because of its mix uses: office, retail, residential, park space, etc. All of that also makes it more complex and it is a very important site in the life of this community. It is very context sensitive. So we anticipate and have articulated to them that there will be a requirement to complete a number of studies and we are aware that they have already initiated a number of those. It's customary, particularly on a site this complex and large in a community like this that a traffic studies are performed around your ideas and plans. Staff is aware that they have hired a traffic consultant and site consultant. EMH&T has begun those studies. The city has hired consultants to assist us by basically being a contract extension of staff to help us overview all of the technical work and submittals that we anticipate they will provide. The city hired a firm, Carpenter Marty Transportation and John Gallagher to help us with traffic. Our traffic consultant has met with their traffic consultant to help articulate what we will expect in terms of a level of analysis. We have also hired MS Engineering for storm water and sustainability. They have met with Lifestyle to determine how the site will drain as well as what innovative sustainability practices might be implemented in order to kind of meet our sustainability objectives in unconventional ways. He would say we have hired the right consultants to help with what we anticipate will be a rigorous evaluation. We don't have much to evaluate yet because they haven't done much work but we are geared up. They will assist us in the review and will provide advice to the MPC and ultimately to City Council.

Mr. Greeson thinks residents will start to see public information from the city in the form of website updates and using our various mediums. Anne Brown our Public Information Officer will endeavor to share what we know, when we know it to the best of our ability. We also expect the developer will also begin more community outreach as their plans take more shape. While he doesn't know when that will happen but we would expect that. For those who have been involved in our development review process you know that we always encourage the development community to reach out directly to their neighbors. Some of that has already been done but we would expect and encourage more of it.

Mr. Greeson shared that the next step will be the informal discussion in front of MPC. At some point, after they have had an opportunity to react to any public feedback they may obtain they will make revisions to their plans and make a formal application. While we don't know when that will occur, we would expect that with all of this effort that is the goal. He thinks the council, the staff, and the MPC recognize how important this is to the community and he is personally open to discussing the process, our knowledge of their conceptual ideas, and how we plan to technically review their work as it comes forward with anyone, anywhere. Given the growing community conversation of this we are going to endeavor to put more information on our website as it becomes available. There is some already and you can link to the Comprehensive Plan amendment and we will put additional details out and start using various ways to update the community as information becomes available.

Ms. Michael thinks it is safe to say that this is the tip of the iceberg for the development. It is the very beginning of what is going to be a very open community process. There will

be many opportunities for community input and dialogue and until a plan is actually submitted we really don't know exact what "it" is that we are looking at.

Ms. Michael commented that Tom Hamer asked if he could go first and she invited him to do so.

Tom Hamer, 160 Longfellow Ave; speaking on behalf of WARD

Mr. Hamer shared that WARD has a prepared statement that he would like to deliver. He read the attached statement and provided copies to the Clerk of Council for distribution to Council members.

Kathy Hamer, 160 Longfellow Ave.

Mrs. Hamer commented that she appreciated what Mr. Greeson and Ms. Michael shared. She thinks there has been some concern among the WARD group that there is kind of a rush the community is not going to have an opportunity to share ideas. With that in mind she thinks Mr. Greeson relaxed them a little bit so her statement might seem a little bit out of context

Mrs. Hamer shared that this community is dear to all residents. We value its aesthetics and quality of the community. It needs to be remembered that Worthington does belong to the residents and not developers and not just City Council. We all want ideas and we all have ideas on how the community should look. It seems to her, with the developing going on that it is important to get ideas generated to the developer either through staff or through the developer himself. She has heard a little bit about the preliminary plans and one of the things that concerns her is that there are plans to be kind of a big block mix-use apartment and retail at Larrimer and at Wesley. This bothers her a great deal. There is nothing of this size along High Street. Even though they may be done artfully, nothing ameliorates the largeness. She would like to suggest that the plans for Larrimer and Wesley Blvd., at the corners anyway and maybe up and down those streets for a block or so, could be framed with something like two story condos or townhouses or something that would be smaller but still meet the rental needs of the developer. It would at least be more aesthetic than anything that is three story. Three story buildings are quite overwhelming and they have been looking around at apartments in that category. She thinks if the developer did something along that line that would be more consistent with the architectural theme of Worthington.

Finally, she would like to request that Lifestyle Communities and City Council hold public meetings and she hopes that they will have mock ups of the plan so that people can comment.

Rick Bradley, 6670 Hayhurst St.

Mr. Bradley shared that he is a recent member of the WARD planning group. He is in total agreement with Mr. Hamer's comments. He is not anti-development. He knows something is going to happen to that piece of property. He just wants to be sure, as Mr. Greeson was eluding to, that the residents not only of that area but also of the city have ample opportunity for public input. They are concerned about four issues:

- 1) Green space
- 2) Density
- 3) Connectivity
- 4) Quality

Mr. Bradley added that the city hasn't received any tax revenue on this property since the United Methodist Church built a Children's Home there. He doesn't see a need and he would urge council not to rush into any final decisions until we get it right. We only have one chance on this piece of property. He thinks we can afford to take the time that it will take to hear everybody and see what other ideas are out there and how we can do it the best way possible for the City and for the future of our City.

Jason Phillips, 140 E. North St.

Mr. Phillips shared that he stands before council as a concerned resident regarding the proposal to build apartments at the former location of the United Methodist Children's Home. He is not opposed to development as other speakers have said but he thinks turning it into apartments would not be the best use of this area. His concerns involve the population density that would result from building an apartment complex in that location. His understanding is that there are roughly thirty-five acres that the developer proposed houses be built on. If the number he is hearing is correct and if his math is correct, the discussion about building roughly 570 units on 35 acres which is at a minimum over 16 units per acre and that assumes we don't go above that number with a finished development, to the best of his knowledge that density would be considerably heavier than any apartment or condo complex that he knows of in Worthington. He doesn't think the current infrastructure would be able to take care of that many new people in that small of an area. It is good to hear that a transportation study is going to be done. While we are already experiencing extremely heavy traffic flow while the US23/I-270 interchange is under construction, one of the concerns is that this congestion will become a more permanent fixture even after the construction is finished due to the greater density the apartment project will most likely bring.

Kathy Harper, 6769 Hayhurst St.

Ms. Harper commented that she is also concerned about the apartments. Since this issue came up it seems to her that there have been apartment complexes have sprung up very close to Worthington in every direction. She just hopes that as we go forward and evaluate the various proposals that come in that we really look at how many apartment complexes we think this area can support. She hopes that at the time any proposal comes in that we look at those other apartment areas. She asked why we think these apartments are going to be better. Why do we think that they are going to be occupied? Are we going to look at the existing complexes and see how they are doing and really think about whether we really want to become a community of apartment complexes because it kind of feels like every empty space around here is being taken up with that and that is not the Worthington that she moved into. She is a scientist and she hopes that we don't move forward without taking some good data, especially on that.

One other little point, she hopes that the traffic studies are done while school is in session so you can see how many children walk through that area to school every day and think about if some of the proposed streets that have been thrown around are put in there, what that will do to the experience of our children who walk to and from school every day. Two areas that she thinks we need data.

Erin Armstrong, 140 E. North St.

Ms. Armstrong shared that she was one of the recent Good Neighbor Award recipients. She thinks part of being a good neighbor is to speak up when she is concerned about her community especially when she's heard a number of concerns from her friends and neighbors in the community.

Ms. Armstrong stated that she has a few different things to share. She actually would like to shared several alternatives that she has heard from friends and neighbors.

1) Development specifically focused on senior housing.

Ms. Armstrong said that she understands that may be part of the proposal but she thinks there is a big difference between mixed development that includes condominiums and townhomes that includes some senior housing as opposed to an entire senior community of cluster homes which would be defined as detached, single family dwelling units with their own garages, their own small yards and a complex that would be geared towards a senior community. She mentions this because last fall while looking for senior housing for her father she discovered a lack of such facilities in Worthington. If an approach was taken with a developer on one story cluster versus apartments, townhouses and condominiums, she thinks it would not have the density problems that some others talked about and it would meet some demands of seniors who are only interested in one story. The location would be perfect as it is within walking distance of the Shops at Worthington Place, the Senior Center, and the new Fresh Thyme grocery on High St. Sunrise Assisted Living could possibly be part of a partnership and seniors could transition from independent living to assisted living.

2) City purchase and facilitate development for higher education (graduate school or branch campus)

Ms. Armstrong understands that there are some members of WARD who have volunteered to help put together a proposal for this and she would be help to help with any research. She teaches for Ohio State University and has worked at a branch campus. We are a community that really supports education. She acknowledged higher education facilities existed in our city's past and thinks it would be great to bring some back as a campus.

3) Green space

Ms. Armstrong shared that she would love to see the space used as green space. She knows that it would be costly but also knows that it would be possible to put to the voters

as a thirty year bond issue. Many in the community are interested in this issue so why not give the community that chance to vote on whether this should be developed or whether we should be taxed as new parkland that would be available to all residents. She could envision a gazebo, a botanical garden, and/or community garden. While it would be difficult, she thinks it is possible and should be put to the voters.

Ms. Armstrong felt that there could be some combination of green space as well as other ideas. She added that there is a lot of community hurt and disappointment after the pocket park issue and she thinks a commitment to having more green space in this property would go a long way in helping to alleviate those hard feelings. She suggested soliciting community opinion in a more comprehensive way. She understands there was a survey about potential apartments at this property. She did not receive any links or alerts to the survey but she knows some of her neighbors did. They mentioned that there was a question that gave choices of would you prefer 300, 600, or 900 apartments but reported there being no option for no apartments. There also weren't specific questions about types of materials, etc.

Mr. Norstrom shared that the property is currently zoned for a college to move in. No one has approached the United Methodist Children's Home about that. It is a great idea and we discussed that. Ms. Armstrong agreed. She noted that someone had posted to WARD that they would love to work with City Council on a proposal. Mr. Norstrom commented that Council is not the one that does this. An Ohio State or Columbus State would have to come forward and make the offer but no one has done that.

Ms. Michael commented that at this point in time this property is in contract for sale by the United Methodist Children's Home to Lifestyles Community. The city doesn't own the property. Ms. Armstrong stated that if the city purchased the property then they would be able to work. . . Ms. Michael explained that the city doesn't have the funds to be able to purchase the property. Ms. Armstrong replied that the city doesn't have the funds on hand but if there was an issue presented to the voters then why not try.

Ms. Michael commented that the city also spent hours and hours on the Comprehensive Plan and the community in general, you won't get 100% but the community in general agreed to the Comprehensive Plan that is in place.

Many in the audience disagreed.

Ms. Armstrong stated that she didn't come here to start a fight but rather to suggest some alternatives. She has heard many neighbors and friends who are really upset about this issue. She will leave members with her thoughts in that there are two perspectives on city government. One is that elected officials are more enlightened than the general population and think they act in the best interest of constituents who are unable or unwilling to contribute to decision making. This may work in some communities but she thinks here in Worthington we are really lucky to have such an educated residency. By other people here tonight as well as she understands the many, many letters members have received in the past few weeks they are very committed to the planning and

direction of our city. Thomas Jefferson once said, "Whenever the people are well informed, they can be trusted with their own government." So as elected official, we put our trust in council to represent our interest, values and ideals. She thinks council has an incredible opportunity. She doesn't think it has to be developed by this particular group. She thinks there could be the possibility of putting this to the voters and let us vote on whether we would want this and be something we would be willing to pay for. Let us decide. President Michael mentioned earlier that this is just the tip of the iceberg in terms of a development project. She hopes it is not the iceberg that was involved with the Titanic. She hopes that it is not something that we regret. As others have said, this property is so close to Old Worthington and High St., it is so visible and council has such a chance to leave a really wonderful lasting legacy on this community. She thinks specifically if it was focused on our senior population, education or green space it would be a much better route to take than apartments.

Ms. Michael echoed the need for housing that has first floor living space. There are people who have houses in Worthington and want to be able to retire and not leave the community. She understands the very strong need for that type of housing in this development. She thinks everyone is in agreement with that being a high priority in the housing.

Ms. Armstrong thanked council for their time.

Dr. Chosy shared that obviously council hasn't conveyed what is going on because there is no attempt to rush things through. Nothing has even been turned in yet. But he wants to share something that he personally resents. He shared that he and his neighbor were walking their dogs on opposite sides of the street and the neighbor began talking about some of these things in a very negative tone. When he got to one area it upset Dr. Chosy so much emotionally that he yelled a very negative comment across the street. He shared that not being typical of him but he shares that to show members of the audience how important it is that council members not hear from the people of this community that we have turned over. That we are in cahoots with developers and that we want to make this so that we increase the income to the city. He has served on council for twenty years and there has never been a time that he has ever felt that way and watching all of the council members through those twenty years, none of us have had that attitude. We are trying to do the best we can. We did the planning, which not everybody was happy about, but the city did it for private land so that we could get some semblance of control and then you say we are meeting secretly with the developer and we are working on all kinds of things and we are not going to pay attention to residents. That is totally and absolutely false. He resents it so much that he said something that he shouldn't have. He wants people to know that council members' point of view is to do the best we can for the community. He asked them to remember that it is private land. We don't have total, absolute, or complete control. So please don't say those things in writing or verbal that members are a bunch of jerks because we are not.

Ms. Michael thanked everyone. She shared that staff will be making a concerted effort to find more avenues in which we can have improved communication, especially as we get

information. If we don't have anything to share then there is not much we can do. When we do have information then it is our duty to get it out to the public and to give the community of Worthington the opportunity to be able to share their views, thoughts, and ideas. We work towards a perfect compromise. Residents' views and input are important as are your thoughts and ideas. She encouraged them to continue to bring things forward and thanked them for attending.

APPROVAL OF MINUTES

- **April 6, 2015 – Regular Meeting**
- **April 13, 2015 – Committee of the Whole**

MOTION Mr. Troper made a motion to approve the aforementioned minutes as presented. The motion was seconded by Ms. Dorothy.

There being no additions or corrections, the motion to approve the minutes as presented carried unanimously by a voice vote.

PUBLIC HEARINGS ON LEGISLATION

President Michael declared public hearings and voting on legislation previously introduced to be in order.

Ordinance No. 12-2015 Vacating Street Right-of-Way on the West Side of Linworth Road.

The foregoing Ordinance Title was read.

Mr. Greeson shared that council may recall that they tabled an ordinance that was a request to vacate right-of-way on Linworth Road. A motion is needed to remove the ordinance from the table.

MOTION A motion was made by Mr. Norstrom to removed Ordinance No. 12-2015 from the table. The motion was seconded by Ms. Dorothy.

The motion to remove Ordinance No. 12-2015 carried unanimously by a voice vote.

Mrs. Fox shared that at the public hearing on April 6th we had a discussion about this vacation petition. As members will recall, this is a petition to vacate the right-of-way that was established in 1888 by plat for street purposes that is currently in front of what has become five different homes along Linworth Road and north of StRt 161. At the last meeting there was a drawing that was prepared by the County, the City is working in conjunction of the County on this petition that showed the vacation of enough right-of-way to take the house that currently is located at the northern most lot out of the right-of-way. It was about a ten foot strip of land in front of that house. The petitioner that owns that home was not in agreement with that small amount of right-of-way being vacated.

Council asked if staff would go back to that particular owner and see if we could work out some other arrangement if they tabled the ordinance. Staff did meet with Mr. Zollars (MRZ Investments, the property owner), and his attorney Mr. Hrabcak as well as a County representative. Members have a revised drawing that shows an extended area of proposed vacated right-of-way. She displayed two drawing for council to review. The first is the area being proposed to be vacated while the second shows where those lines fall now within the proximity of the houses along that area.

The first shows the line that run parallel to Linworth Rd. at measure 50 feet from the center line, which is the distance that the County has established for the Linworth Rd. right-of-way. It is actually 100 foot right-of-way (50 feet on either side of the center line). That newly drawn line is about twice as wide as what was originally proposed and runs parallel with the center line of Linworth Road all the way down to the third house. The other two properties were not part of the original proposed vacation and they are not part of this proposed vacation either. But that line is then parallel to Linworth Road until it connects to that original right-of-way line that begins to travel a little bit southeast.

Ms. Michael asked if the two lines on the drawings showed the difference between the earlier proposal and the new one. Mrs. Fox replied no. She explained that the earlier proposal was only a ten foot strip that was right in front of the house all the way to the left of the screen. That amount was not acceptable to Mr. Zollars so this new triangle is the new proposed area to be vacated.

Dr. Chosy commented that at the point of the triangle there is another line that is not particularly visible. He asked if that is the current one. Mrs. Fox replied yes. The line that runs slightly through that house to the north is the original right-of-way line.

Dr. Chosy asked for clarification on what is 50 feet from the center line. Mrs. Fox replied that the center line is the yellow line and then straight west down to that first dark line is fifty feet. Dr. Chosy commented that it is less than fifty feet to the south. Mrs. Fox agreed. She added that is why there is no proposal to vacate any of that. She explained that fifty feet from the center line is the County's proposed right-of-way for Linworth Road and they will also agree to recommend that this amount of right-of-way be vacated even though it is less than fifty fee to the south. There isn't anything in this petition that the property owners can do about that.

Mr. Greeson added that members will hear a term called Thoroughfare Plan and this is consistent with the County's Thoroughfare Plan. Mrs. Fox agreed.

Dr. Chosy asked how the fifty feet was determined. Mrs. Fox replied that when they re-did the plat they measured the fifty feet directly west and the remainder (or triangle) is what staff would recommend to be vacated.

Mrs. Fox explained that as part of this agreement MRZ Investments, which is fairly typical when there is right-of-way vacation, has agreed to allow the city and/or the

County to retain an easement through that area for drainage and utilities. Our City Engineer believes that with the city maintaining that type of an easement through that area it address his concerns that any future improvements that may be made at Linworth Road and StRt 161 or any major construction that could occur in the future would allow for this particular route to be used for storm water drainage down to the creek which is farther to the north.

Mrs. Fox commented that the easement is also part of the amended ordinance. She has spoken with the two property owners farther to the south about this new drawing. She was not able to reach the property owner in the middle but left a voice message. She didn't have a phone number for the Alexander's but she sent everybody a detailed letter to let them know what the newly revised drawings showed and invited anybody to give her a call if they wanted to talk. She has received no calls from anybody.

Mr. Norstrom complimented staff. He commented that when this item came before council the first time it was clear that there was just lack of discussion amongst the parties. That has now taken place and he thinks it is a great compromise.

MOTION A motion was made by Mr. Norstrom to amend Ordinance No. 12-2015 to include the new drawing (Exhibit A) of the vacation and to reserve an easement for utilities and drainage. The motion was seconded by Dr. Chosy.

The motion to amend Ordinance No. 12-2015 carried unanimously by a voice vote.

Mr. Smith asked Mr. Hracak if his clients have been appeased.

Mr. Hracak shared that he is counsel for MRZ. He thanked Mrs. Fox, Mr. Greeson and Mr. Brown for their time, attention and courtesy throughout this entire process. They have done a magnificent job and we thank them for that. He wants council to know that they are well served by these individuals and you need to know that.

Mr. Hracak commented that his law firm has been in Worthington for twenty years and we have enjoyed this community. He has been remised that he hasn't sat through these meetings often. He thanked council members and city leaders for all that they do. He applauds them. Just having witnessed what he has in the two meetings that he has attended because of this matter the words Hercules, colossal, and even titanic for the task that you all undertake is amazing. Just as a community participant and having my business here, he thanked them for what they do and bless them for doing it. He thanked them for their service. He is sure he doesn't just speak for himself but for many Worthington residents and business owners.

Dr. Chosy asked about how his client feels about the amendments. Mr. Hracak replied that he is satisfied. This is exactly what we had talked about. They talked at some length about this with Mr. Greeson, Mrs. Fox, and Mr. Brown and they were receptive as was Mr. Zollars.

Ms. Dorothy thanked staff and Mr. Zollars and his representative for working this out. She is glad we have a compromise that everyone agreed to.

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 12-2015 (As Amended). The motion carried by the following vote:

Yes 6 Troper, Norstrom, Dorothy, Smith, Chosy, Michael

No 0

Ordinance No. 12-2015 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 16-2015

Approving the Provisions of a Collective Bargaining Agreement Between the City of Worthington, Ohio and the International Association of Firefighters Local #3498 and Authorizing the City Manager to Execute Same on Behalf of the City.

The foregoing Ordinance Title was read.

Mrs. Stewart shared that she was joined on the negotiating team by Mrs. Fox, Mrs. Roberts, Chief Highley and Ms. Trego our personnel director as well as Dan Guttman who represents us for personnel issues. She placed a red lined version of the agreement at council members' places this evening that shows the language changes from our most recent three year agreement with the International Association of Firefighters for what is being proposed for adoption. She noted that staff is still waiting on the final review by the attorneys so there could be some slight tweaking of words here and there but the substance should not change. Staff is asking members to approve an amended ordinance tonight that gives authorization to sign an agreement that is substantially like what is presented this evening but since we don't have all of the final sign-offs by the attorneys we wanted to have it be "substantially like" this language rather than "exactly like" it in case there was a word tweak here or there.

Bullet points of the changes:

- Remove reference to Battalion Chiefs throughout (two places where it will remain)
- Update effective dates of the contract
- Adds updated language around use of the city's e-mail and information technologies systems by the union and indicated that those needed to comply with the city's rules and regulations around those systems
- Clarifies that grievances do not have the option to go through the Personnel Appeals Board since they have the option of a grievance procedure that ultimately leads towards arbitration.

- Updates language around time limits and provides for those to be extended via e-mail when grievances are occurring. It indicates that if any time limits are not met within the procedure the grievance goes to the next step in the process
- Adds language around labor relations meetings regarding the subject of health and safety matters that will occur quarterly
- Adds some clarification to the substance abuse and testing section. Adds language to allow for the implementation of random testing of the members at the city's option
- Clarifies language around our personnel files and makes that section consistent with the public records law in terms of requests of personnel related records
- Changes language around the retention of items that are removed from personnel records. They are moved to an out-of-date file
- Adds a new section on promotions and implements the promotional process when a vacancy is declared and intended to be filed by the city
- Removes two sections in the contract that no longer apply to the current members
 - Maintenance differential since that function no longer exists
 - Language that applied to the transition from Sharon Township into the city. It applied to a member who has retired
- Clarifies that call-in pay, court pay, and civil leave apply to matters not related to personal matters
- Substitutes Veteran's Day for Columbus Day in the holiday section
- Adds language around the conversion of sick leave to annual leave to clarify that you have to be within the annual cap on annual leave
- For wages:
 - Provides for a \$2,500 lump sum to members upon ratification of the contract
 - In December 2015 there is a 3% increase in base wages
 - January 2016 there is a 2½% increase
 - January 2017 there is a 2% increase
- Paramedic deferential moves from 4% to 4 ½% in 2017
- Annual Service Credit amount come in line with those provided to other city employees
- Life insurance comes in line with what is provided to other city employees

Ms. Michael echoed her thanks, appreciation and services of the negotiating team. She has gone through negotiations several times from the council's perspective and we really appreciate when we can work together and come up with a compromise that works so well. She thanked the team for their excellent effort.

When asked by Ms. Michael for assistance with the amendment Mrs. Fox suggested that it: Should allow for the changes to be made that aren't inconsistent with the ordinance and not material adverse to the city. They are the tweaks that Mrs. Stewart talked about in case the wording changes slightly.

MOTION Mr. Troper made a motion to amend Ordinance No. 16-2015 as recommended by Mrs. Fox. The motion was seconded by Ms. Dorothy.

The motion to amend Ordinance No. 16-2015 carried unanimously.

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 16-2015 (As Amended). The motion carried by the following vote:

Yes 6 Norstrom, Dorothy, Smith, Chosy, Troper, Michael

No 0

Ordinance No. 16-2015 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 17-2015 Amending Ordinance No. 40-2014 (As Amended) to Adjust the Annual Budget by Providing for An Appropriation from the General Fund Unappropriated Balance for Sewer Fund Obligations.

The foregoing Ordinance Title was read.

Mr. Greeson explained that the ordinance is a transfer of funds from the general fund to the sewer fund to deal with timing issues of when we receive our revenues from the city of Columbus. It is a cash flow management transfer.

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 17-2015. The motion carried by the following vote:

Yes 6 Dorothy, Smith, Chosy, Troper, Norstrom, Michael

No 0

Ordinance No. 17-2015 was thereupon declared duly passed and is recorded in full in the appropriate record book.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 26-2015 Authorizing the Award of Re-Emergent Corridor Assistance Program Funds to Help Improve Facility Exterior Facade and Streetscape Along Certain of the City's Commercial Corridors (1028 Proprietors Road).

Introduced by Dr. Chosy.

MOTION Mr. Smith made a motion to adopt Resolution No. 26-2015. The motion was seconded by Mr. Norstrom.

Mr. Greeson shared that staff is excited about this project. It is another really good ReCAP application for council's consideration. Members have a little bit different tasks this evening than you have had in the past. He asked Mr. Harris to overview what we need members to do this evening.

Mr. Harris commented that this is the seventh ReCAP application under the program. Tonight we are actually joined by the principles for MAC Construction, Lori and Walt McHenry. He will briefly overview the project and then run through the application scoring recommendation, which is usually done at the CIC level but given that the CIC has an active contract with MAC Construction for the Kilbourne Building we are bringing it directly to council.

Mr. Harris briefly explained the ReCAP process and showed a slide that highlighted the various sites that council has approved to date. He shared the following information regarding this application.

- Property located at 1028 Proprietors Road
- MAC Construction purchased the property in 2012 and moved their business operations previously located at Lewis Center back home to Worthington since the principles in the family-owned business are longtime Worthington residents
- They used Neighborhood Design Center to help with the proposed changes
- Showed a slide of the existing exterior conditions of two buildings on site (one is office and one is warehouse)
- Showed a slide of the proposed exterior changes that include:
 - Twelve suspended awnings
 - Painting the exteriors of both buildings
 - Installing new architectural finishes and masonry (stone veneers)
 - New aluminum storefront door and side light
 - New landscaping beds and plantings throughout
 - New signage and street numbers
- Completion date of September 2015
- Total estimated costs: \$54,509.00
- Request ReCAP assistance: \$25,000 (which is the maximum allowed)

Mr. Harris briefly went through the application scoring process. An application must receive a minimum score of 52 points in order to be recommended for approval under the program. Mr. Harris added that he is recommending a score of 90 points for this application. The application is evaluated on:

Current Physical Condition / Exterior Appearance (up to 20 points)

Mr. Harris recommends a score of 15 points

Score of Work (20 points)

Mr. Harris recommends a score of 20 points

Applicant's Project Viability & Demonstrated Ability to Repay (20 points)

Mr. Harris recommends a score of 15 points

Applicant's Demonstrated Commitment to Worthington Business Community (10 points)

Mr. Harris recommends a score of 10 points

Overall Quality of Application (30 points)

Mr. Harris recommends a score of 30 points. He shared that Council charged them last year to do more than just painting and window caulking and he thinks this is a good illustration of that effort.

Dr. Chosy asked the maximum number of points for any given application. Mr. Harris replied 100. Dr. Chosy commented that picking the number of points is totally subjective. Mr. Harris explained when the scoring rubric was designed they looked at the best way to spread the points around and they actually weighted them according to what would be a passing score versus what would not. The application must receive at least a 52 in order to pass.

Dr. Chosy asked how that score was selected as a passing score. Mr. Harris shared that he actually used a score sheet like this in his former life at the State so he actually obtained a copy because it worked pretty well there. He took some of the rubric elements and applied them to the scoring sheet. The elements helped frame the information. It is not just 52 points out of nowhere but it is spread out over the six project elements on a rubric that had some pretty good experience in other areas.

Dr. Chosy asked the value of the point system. It is so subjective, why bother. It is either a good project or it isn't. Mr. Harris thinks there is always an element. You want the ability to say in relation to what is this a good project or not. He thinks that this rubric is attempting to get at, in relation to what. So 90 point on this application versus a project we saw last year which really was just painting and window caulking and received a lower score all be it a passing score. We are trying to derive at what are the comparable qualities of these applications.

Mr. Norstrom asked Mr. Harris if he is the only one that scores the applications or are their multiple scorers. Mr. Harris replied usually him. Mr. Norstrom shared that he is using the word "we" and he is trying to figure out who that is. So the CIC would be receiving the same presentation that council is this evening. Mr. Harris agreed.

Mr. Greeson confirmed that staff looks at them.

Mr. Norstrom commented that he doesn't understand the impropriety or the conflict of interest in this case. Mrs. Fox replied because MAC has a contract with the CIC, she didn't want there to be any concern that the CIC might be looking at them more or less favorably and maybe not be looking at them with quite an objective eye as we like to see in these applications. We offered that they just skip this process because this is the process that the CIC goes through with all of the scoring to make recommendation to council.

Mr. Norstrom pointed out that the same person is scoring the applications. Mrs. Fox replied that now we have a different body that can ask all of these questions about where the scoring comes from, which she never knew by the way so members are asking him some questions that the CIC has never asked so that is a good thing.

Mr. Smith confirmed that the CIC goes through this process and they can change the score and they have. Mr. Norstrom stated that he understands that.

Dr. Chosy commented that if the score falls below 52 then it doesn't get approved. He asked if that is what he is hearing. Mr. Norstrom replied that it doesn't even get submitted to council. Mr. Harris stated that he hasn't seen that yet but he probably wouldn't even present such as application to the CIC. If that were the case he would probably just contact the applicant to say that the application is not appropriate.

There being no additional comments, the motion to adopt Resolution No. 26-2015 carried unanimously by a voice vote.

Ordinance No. 18-2015

Amending Ordinance No. 40-2014 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the 2015 Street Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 616-15)

Introduced by Mr. Troper.

Ordinance No. 19-2015

An Ordinance Enacted by the City of Worthington, Franklin County, Ohio, in the Matter of the Stated Described Project, (FRA-161-8.67, PID 96305).

Introduced by Ms. Dorothy.

Mrs. Fox shared that this ordinance pertains to the resurfacing of StRt 161.

Ordinance No. 20-2015

Approving the Removal of Two Silver Maple Trees from the Northeast Quadrant of the Village Green and the Construction of a Concrete Entranceway to the Elevator Planned for the James Kilbourne Memorial Library Building.

Introduced by Dr. Chosy.

Mrs. Stewart shared that this item is a request to remove trees related to the Village Green, which requires a six/seventh vote of city council. She understands that Mr. Myers will not be present at the June 1st meeting so she wanted to make sure that the remaining members of council plan to be in attendance on that date.

Dr. Chosy commented that he will need some more information on this item. Mrs. Fox explained that members received two pictures at their places this evening. The first one is somewhat of a guess as the hash mark in front of the window is where she anticipates another concrete slab will be located for the entranceway into that elevator which will be right at that window. She understands the construction drawings may have been delivered while we were here or may be delivered tomorrow morning so when this ordinance comes to council the next time we will have this attachment "A" showing the two trees and attachment "B" showing where that concrete section is intended to go.

Mrs. Fox shared that the second page just shows the location of the property line in relation to the building and the Village Green Drive. The property line actually hugs the building pretty closely on that side of the building so she just wanted to provide those drawings for members' reference.

Mr. Greeson shared that these trees are silver maples and construction activity will impact the root system of one of them.

Mr. Norstrom commented that we will be planting some trees in that location after these trees are removed. Mr. Greeson thinks the ARB has asked the city to come back with our landscape plan.

Dr. Chosy commented that is the point he would make in that there should be trees to replace these on the green. He doesn't think they need to be planted in the same location.

Mr. Norstrom suggested we try to keep it next to the building to provide shade.

The Clerk was instructed to give notice of a public hearing on said ordinances in accordance with the provisions of the City Charter.

REPORTS OF CITY OFFICIALS

Policy Item(s)

- **Confirmation of TIRC Appointment**

Mr. Greeson shared that the TIRC (Tax Incentive Review Council) is a body that meets once a year. It is a statutory body that is made up of representatives from the various taxing entities that are impacted by abatements and tax increment financing so it has representatives from the townships, the county, the schools and the city and the county auditor's office (whose representative chairs the meetings). We have two appointments, Parker MacDonell and Tom Dietrich. Mr. Dietrich has stepped down. The statutory procedure authorizes him to make the appointment but it requires council's concurrence. Worthington resident Matt Gregory is interested in serving. Mr. Gregory lives on Abbot Ave. He is an experienced commercial broker and familiar with economic development issues. He has expressed an interest in getting involved and this was an avenue to do so. Mr. Greeson shared that he met with him and recommends that council concur with his appointment of Mr. Gregory to the TIRC.

Mr. Norstrom asked if this is the gentleman who advised council recently. Mr. Greeson replied no. He works for the same company (NAI Ohio Equities) and his principal and the president of that company, Mike Simpson has provided some advice to staff on the Kilbourne leasing.

MOTION A motion was made by Dr. Chosy to confirm Matt Gregory as one of the City's representatives to the Worthington's Tax Incentive Review Council. The motion was seconded by Mr. Smith.

The motion carried unanimously.

REPORTS OF COUNCIL MEMBERS

Mr. Smith shared that he is hearing feedback on the microphones. Mrs. Stewart commented that staff and the contractor are still working on the settings of the system.

Ms. Dorothy thanked everyone for getting the city ready for the Memorial Day celebration. She hopes to see everyone at Walnut Grove Cemetery if they are in town on Monday.

OTHER

EXECUTIVE SESSION

MOTION Mr. Troper made a motion to meet in Executive Session to discuss economic development incentives, particularly negotiations tied to the Kilbourne building. The motion was seconded by Ms. Dorothy.

The motion carried by the following voice vote:

Yes 6 Smith, Chosy, Norstrom, Troper, Dorothy, Michael

No 0

Council recessed at 9:30 p.m. from the Regular meeting session.

Council returned to open session at 9:50 p.m.

MOTION Mr. Smith made a motion to authorize the City Manager to sign a letter of intent to initiate negotiations for a lease for the Kilbourne Memorial Library Building. The motion was seconded by Ms. Dorothy.

The motion carried unanimously by a voice vote.**ADJOURNMENT**

MOTION Mr. Norstrom made a motion to adjourn. The motion was seconded by Dr. Chosy.

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned.

/s// D. Kay Thress
Clerk of Council

*APPROVED by the City Council, this
15th day of June, 2015.*

/s/ Bonnie D. Michael
Council President