



Meeting Minutes

Monday, June 1, 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, June 1, 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, Director of Finance Molly Roberts, Service and Engineering Director William Watterson, Parks and Recreation Director Darren Hurley, Director of Planning and Building Lee Brown, and Chief of Fire Scott Highley

There were six visitors present.

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

VISITOR COMMENTS

No comments were shared.

APPROVAL OF MINUTES

- **April 20, 2015 – Regular Meeting**
- **May 4, 2015 – Special Meeting**
- **May 4, 2015 – Joint Meeting**

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. 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)

The foregoing Ordinance Title was read.

Mr. Greeson reported there being an amended ordinance at members' places this evening that includes both an amount as well as a successful contractor for the 2015 Street Improvement Program. He asked Mr. Watterson to provide the details.

Mr. Watterson shared that bids were opened Friday, May 29th for this project. The total number of bids received was four. The low bid was from Columbus Asphalt Paving Inc. in the amount of \$708,682.90. The project also includes work for the Olentangy bike detour on West Wilson Bridge Road. There are two additional work items related to that effort that were not included in the contract. Those items include the installation of a flashing beacon at the Olentangy fishing access for eastbound bicycle traffic and the clearing the honeysuckle from the fishing access to the west to improve the sight distance. Staff estimates that those costs will be approximately \$50,000. The contract bid plus those two items of \$50,000 and a 10% contingency, staff's recommendation is \$830,000.

When asked by Mr. Norstrom if the Engineer's estimate includes a 10% contingency or is that always extra, Mr. Watterson replied that the estimate does not include a contingency.

MOTION A motion was made by Mr. Norstrom to amend Ordinance No. 18-2015 in Section 1. to insert the sum of Eight Hundred Thirty Thousand Dollars (\$830,000) and in Section 2. to insert the firm of Columbus Asphalt Paving, Inc. The motion was seconded by Mr. Smith.

The motion to amend Ordinance No. 18-2015 carried unanimously by a voice vote.

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 18-2015 (As Amended). The motion carried by the following vote:

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

No 0

Ordinance No. 18-2015 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.

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).

The foregoing Ordinance Title was read.

Mr. Greeson shared that the Ohio Department of Transportation (ODOT) plans to resurface StRt 161 from Olentangy River Road to the City's east corporation limit, which is just west of the CSX railroad overpass. The work is planned for next year but they have already provided the needed paperwork in order to be prepared for that effort. The City is required to approve consent legislation, which includes committing to a share of the costs that are estimated at \$127,000.

When asked by Ms. Michael if the total cost of the project is known, Mr. Watterson replied that it is estimated at \$780,000.

Mr. Watterson shared that staff will do some patching to hopefully get us through the winter. We had hoped to have the state do this project sooner but that wasn't possible. The cost of patching is included in the 2015 Street Improvement Program.

Ms. Michael commented that she is happy to have this happening.

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 19-2015. The motion carried by the following vote:

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

No 0

Ordinance No. 19-2015 was thereupon declared duly passed and is recorded in full in the appropriate record book.

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.

The foregoing Ordinance Title was read.

Mr. Greeson shared that the type of tree was misidentified in the current legislation. The trees are Armstrong Red Maple and are located adjacent to the Kilbourne building. The root system of one of the trees is in the way of the construction that will provide the ADA access to the Kilbourne building. These trees have been determined to be unsuitable to that location given the size to which they will grow and the potential impact of the roots on the foundation of the building. This particular location falls on what staff believes is defined as Village Green because the Village Green Dr. right-of-way extends close to the building. Therefore this legislation requires a vote of six-seventh of council to authorize the removal of these trees.

Mrs. Fox shared several pictures of the trees in question and showed where the new entrance door will go to the building. She explained that members received an attachment "B" with their materials that shows in a highlighted area where the concrete is intended to be construct so that there can be sufficient access into that doorway.

MOTION Mr. Norstrom made a motion to change the title of Ordinance No. 20-2015 to "Armstrong Red Maple Trees" instead of "Silver Maple Trees." The motion was seconded by Mr. Smith.

The motion to amend Ordinance No. 20-2015 passed unanimously.

Mrs. Fox commented that at the last meeting there was a question of if these trees are removed would the city consider planting several other trees somewhere on the Village Green to replace the ones being removed. She doesn't think that would be a problem. Mr. Hurley agreed that it shouldn't be an issue to replace the trees on the Village Green site. Our arborist suggested that staff consult with the Arbor Committee to discuss whether there would be trees suitable to plant near to the location where these would be removed. If the recommendation is to not replant in that site then staff could find another location.

Dr. Chosy would like the legislation to be more specific. He would like it to say that two other trees will be planted.

MOTION Dr. Chosy made a motion to ensure that two trees will be planted on the Village Green to replace the two that are to be removed. The motion was seconded by Mr. Smith.

Ms. Michael asked if a guarantee of planting two additional trees on the Village Green would have an impact on the renovation of the building. Mr. Greeson didn't think so. The City will still need to submit a landscape plan for this building with the Architectural Review Board. He thinks the question in fulfilling this motion has to do with which of the four corners of the Village Green will the two trees be planted.

Dr. Chosy thinks the question is if we replant in this area, is it still considered part of the Village Green. Mrs. Fox explained that the property line for the building is just to the right of the trees and in between the buildings.

Dr. Chosy clarified that his motion doesn't specify that the trees have to be planted at the same location. Mr. Greeson stated that staff will get the Arbor Advisory Committees input and ultimately we will have to get approval for any landscape plan for this building that may include those or that may be done separately.

Dr. Chosy thinks the current language is too wishy-washy. He wants it to be specific that two trees will be planted on the Village Green.

Council members discussed the exact motion in greater detail.

Mrs. Fox suggested adding a new Section that would require the planting of two additional trees somewhere on the Village Green. Dr. Chosy agreed to the recommendation. The motion is as follows:

MOTION Dr. Chosy made a motion to add a new Section 3. that would require the planting of two additional trees somewhere on the Village Green. The motion was seconded by Mr. Smith.

The motion to amend Ordinance No. 20-2015 carried by a voice vote of Five (5) “aye” and One (1) “nay” (Troper).

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 20-2015 (As Amended). The motion carried by the following vote:

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

No 0

Ordinance No. 20-2015 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 27-2015 Authorizing an Amendment to the Final Development Plan for 7029 Huntley Road and Authorizing Variances (Stone City LLC).

Introduced by Mr. Troper.

MOTION Ms. Dorothy made a motion to adopt Resolution No. 27-2015. The motion was seconded by Dr. Chosy.

Mr. Brown shared that an Amendment to Development Plan is needed for 7029 Huntley Road that includes variances. This Amendment is for Stone City and is similar to a request from several weeks ago by Granite Guy. The request would allow Stone City to keep their two unpermitted signs, one near the storefront and one above the loading dock. The variances are for excess sign size and number of wall signs, which would allow Stone City to keep their two signs.

There being no additional comments, the motion to adopt Resolution No. 27-2015 carried unanimously by a voice vote.

Resolution No. 28-2015

Authorizing an Amendment to the Final Development Plan for 500 West Wilson Bridge Road and Authorizing Variance (Lynda Gildea).

Introduced by Mr. Smith.**MOTION**

Mr. Norstrom made a motion to adopt Resolution No. 28-2015. The motion was seconded by Mr. Troper.

Mr. Brown explained that this Amendment to Development Plan is for a seven acre property on West Wilson Bridge Road. The building was part of the Officescape development and was constructed in 1976. As part of the interchange improvements at I-270 and St.Rt. 315, there will be a need for the Ohio Department of Transportation to purchase additional property to accommodate the flyover ramps. This purchase will bring the setbacks below what is required by code.

Mr. Brown commented that the code requires setback of buildings along freeways to be 50 feet from a property line. The request will bring the building within 23 feet of right-of-way and the cooling tower within 10 feet. The flyover will be near the northwest corner of the building. This request went before Municipal Planning Commission on May 14th and they recommended approval.

Mr. Brown stated that he could answer any questions as could the applicant, who is present for this meeting.

Dr. Chosy asked if all of the greenery will disappear. Mr. Brown replied that it will partially be removed but the actual property line will be brought up.

Ms. Dorothy thinks the cooling tower would need that 50 setback for noise for their neighbors. It seems like the opposite is going to happen with this and they will get noisier traffic. She asked if ODOT proposing any sound mitigation. Mr. Brown replied no.

Linda Gildea, Regional Manager shared that sound mitigation was requested but it was denied.

Ms. Michael asked if the applicant favors the approval of this resolution. Ms. Gildea replied that she doesn't know if they have many options.

Mr. Norstrom shared that whatever council does will in no way influence ODOT from taking the property. All council is doing is agreeing which will allow the existing landowner to not have to move their cooling tower.

Ms. Dorothy commented that there are reasons that council creates laws and she thinks the law was enacted to be friendly to the neighbors. Cooling towers can be loud and now we are doing the exact opposite by letting the freeway be closer to their building. Mr. Norstrom replied that that isn't under council's control.

Dr. Chosy asked again about landscaping. Mr. Brown understands that when the new road is constructed there will be approximately 46 feet from the edge of the building to the actual pavement. There is not a lot of land but a little bit.

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

Resolution No. 29-2015 Authorizing Participation in Ohio Department of Transportation Cooperative Purchasing Program.

Introduced by Mr. Troper.

MOTION Ms. Dorothy made a motion to adopt Resolution No. 29-2015. The motion was seconded by Dr. Chosy.

Mr. Watterson commented that for many years the city has participated with the South West Ohio Purchasers for Government (SWOP4G) purchasing program for salt purchases. Last year the bid price for salt was \$112 a ton, which was considerably more than in previous years. More importantly we were limited to a maximum of 47 purchasing program to purchase salt. Last year the bid price for that salt was \$112 a ton, which was considerably more than we have been paying in previous years. More importantly we were limited to a maximum purchase of 475 tons, which prompted the need to buy some salt on the spot market to finish the year. Some of those purchases ranged as high as \$140 a ton. ODOT has a cooperative purchasing program similar to SWOP4G. This ordinance would permit the city to participate in that program as well. By using both programs staff anticipates that salt will be available and we will be able to take advantage of lower prices.

There is an ordinance for introduction later in the evening that will appropriate additional funding for salt and chemical purchases. There is currently only 600 tons of rock salt on hand. The appropriation should be sufficient to fill the salt dome. The de-icing chemical supply has been depleted. He is recommending a purchase of 4,000 gallons of those chemicals which should last into early 2016.

Dr. Chosy asked if there is more flexibility in terms of lower prices and buying availability. Mr. Watterson clarified that partnering with ODOT will provide an alternative source. It remains to be seen whether the ODOT price will be cheaper or more expensive than the SWOP4G price.

Mr. Norstrom commented that if there is a salt shortage both of the sources would be impacted potentially.

There being no additional comments, the motion to adopt Resolution No. 29-2015 carried unanimously by a voice vote.

Ordinance No. 21-2015

Enacting Section 1180.08 of the Codified Ordinances of the City of Worthington to Regulate the Growth of Running Bamboo.

Introduced by Mr. Smith.

Ordinance No. 22-2015

Amending Ordinance No. 40-2014 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund Unappropriated Balance for Salt and Ice Control and the Economic Development Fund Unappropriated Balance for Economic Development Incentive Program Funding.

Introduced by Mr. Norstrom.

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 OFFICIALSPolicy Item(s)

- **Authorization to Advertise for Bids – Basins 6 & 8 Sewer Lining**

Mr. Watterson shared that the Southeast Sewer Shed Study and Master Plan, which was done several years ago identified a source of inflow and infiltration through cracks and openings in some of the sanitary sewers in the Colonial Hills area. The map attached to the memo identifies the worst of those areas. Staff recommends lining those sewers. The Capital Improvements Plan (CIP) included \$150,000 for that project this year. We recommend that council approve advertising for public bids for the sewer lining project that has an engineer's estimate of \$143,640. With an approved bid, staff hopes to recommend a contract award at the July 6th meeting and perform the work by the end of October.

At Dr. Chosy's request, Mr. Watterson explained the process for lining the sewer pipes.

MOTION

A motion was made by Mr. Troper to authorize staff to advertise for bid of the Basins 6 & 8 sewer lining project. The motion was seconded by Ms. Dorothy.

The motion carried unanimously.

REPORTS OF COUNCIL MEMBERS

Mr. Smith asked about the Crandall traffic study. Mr. Greeson shared that staff included a memo in council packets a couple of weeks ago that included a Stealth Data Report that tracks speed as well as a memorandum from Mr. Watterson that talked about a traffic control device manual's discussion about stop signs to inform this conversation. He added that he also shared that information with one of the resident's recently who inquired about the same thing. He suspects that it has been widely distributed in the area. If members have questions about that information he will schedule it for discussion. He doesn't think at this point that the data supports a stop sign. Mr. Watterson agreed that the Stealth Stats and the stop sign data doesn't support a stop sign.

Mr. Smith commented that you are not required to have that analysis. Mr. Greeson agreed that he doesn't think it is a requirement.

Mr. Norstrom stated that staff does not recommend doing anything so yes he has a problem with installing a stop sign.

Mr. Greeson commented that staff may hold some type of neighborhood meeting to discuss the issue in greater detail.

Ms. Dorothy commented that she would like to see a stop sign installed and then study the results. Mr. Greeson replied that he would be glad to do that.

Mr. Greeson also noted that staff has received a variety of questions and comments both pro and con on the sidewalk and we have found it challenging to get the questions answered and unsure that they are being distributed to interested parties, which is one of the reasons we may hold some kind of neighborhood meeting or something like that in order to uniformly answer people's questions.

Mr. Norstrom commented that the process question is whether the current ordinance is an effective one and because we had never built a sidewalk using it, it doesn't sound like it is very effective. Mr. Greeson agreed. He added that people have questions about how they might utilize it as well.

Mr. Norstrom asked if the utilization is in terms of Crandall or as an ordinance. Mr. Greeson replied yes. Staff has received many different questions on this that runs the gambit.

Mr. Norstrom believes there are two different issues. Crandall is one issue and getting an ordinance that works is the second issue. An ordinance that works means that the city receives applications for sidewalks.

Ms. Michael thanked staff and everybody who worked on the Memorial Day parade. It was well done.

OTHER**EXECUTIVE SESSION**

MOTION Dr. Chosy made a motion to meet in Executive Session to discuss Board and Commission appointments, Employee Compensation and pending litigation. The motion was seconded by Mr. Smith.

The motion carried by the following voice vote:

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

No 0

Council recessed at 8:12 p.m. from the Regular meeting session.

Council returned to open session at 9:07 p.m.

MOTION Mr. Troper made the following motion to appoint members to the Bike and Pedestrian Advisory Board:

One Year Appointment

Douglas Knight
Lawrence Creed
Ann Horton

Two Year Appointment

Amy Cooper
Kelly Whalen
Michael Bates

Three Year Appointment

Eugenia Martin
John Rist
Emma Lindholm

The motion was seconded by Mr. Smith.

The motion carried by a vote of five (5) to zero (0) with Ms. Dorothy in abstention.

ADJOURNMENT

The motion carried unanimously by a voice vote.

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

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 9:10 p.m.

/s/ D. Kay Thress
Clerk of Council

*APPROVED by the City Council, this
6th day of July, 2015.*

/s/ Bonnie D. Michael
Council President