



Meeting Minutes

Monday, July 6, 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, July 6, 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: Rachael R. Dorothy, Scott Myers, David Norstrom, Douglas K. Smith, Michael C. Troper, and Bonnie D. Michael

Member(s) Absent: Robert F. Chosy

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, Service and Engineering Director William Watterson, Chief of Police James Mosaic, and Chief of Fire Scott Highley

There were four visitors present.

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

VISITOR COMMENTS

Ms. Michael welcomed Alec Kapps to tonight's meeting. Kapps shared that he is a Delaware Hayes student and currently working on an AP Government assignment. He attended Evening Street Elementary School and McCord Middle School prior to moving to Delaware. He thought it would be good to see how Council works in Worthington.

Ms. Michael encouraged him to ask questions.

APPROVAL OF MINUTES

- **June 1, 2015 – Regular Meeting**

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

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. 23-2015

To Amend Section 1147.01 of the Codified Ordinances of the City of Worthington to Add Dog and Cat Day Care Center as a Conditional Use in the Restricted Light Industrial (I-1) Zoning District.

The foregoing Ordinance Title was read.

Mrs. Fox shared that she is filling in for Lee Brown this evening. She reported that staff received a request from a business called Pathways to Independence of Central Ohio who was interested in locating in a suite at 7020 Huntley Road for the purpose of operating a training and education facility for young adults with disabilities, which would require a Conditional Use as vocational instruction. Vocational instruction is already a Conditional Use in the I-1 district but as part of the business model a dog day care would be used to teach all aspects of running a business. Currently a dog and cat day care is neither a Permitted Use nor a Conditional Use in the I-1 zoning district. The I-1 currently allows veterinary care centers and animal hospitals as Permitted Uses. The only district that currently allows dog and cat day care centers, which is currently defined under our code as a Conditional Use is the C-2 district. So we have definitions of dog and cat day care centers, veterinary care centers, and animal hospitals but we just don't have a category as a Conditional Use for dog and cat day care centers in the I-1 district. The Municipal Planning Commission on May 28th reviewed this and unanimously recommended approval. Staff recommends approval because the use is not significantly different from other animal uses already allowed in the district and as a Conditional Use this could be reviewed for potential impact on the surrounding properties. We currently have restrictions on veterinary care centers and dog and cat day care centers with respect to noise and numbers of animals they can have in a 4,000 square foot facility. So staff feels that this use would be compatible with the existing uses that are already over there.

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 23-2015. The motion carried by the following vote:

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

No 0

Ordinance No. 23-2015 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 24-2015

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 Basins 6 and 8 Sanitary Sewer Repairs and all Related Expenses and Determining to Proceed with said Project. (Project No. 568-11)

The foregoing Ordinance Title was read.

Mr. Watterson shared that bids were opened on Friday, June 19th. A total of three bids were received. The low bid was from Insight Pipe Contracting LP for \$138,450.00. The Engineer's estimate for the work was \$143,390.00. The CIP budget for 2015 was \$150,000. Staff recommends the award to Insight Pipe Contracting and an appropriation of \$152,295.00, which includes the construction contract, related expenses and a 10% contingency.

MOTION

Mr. Myers made a motion to amend Ordinance No. 24-2015 in Section 1. to insert the amount of One Hundred Fifty Two Thousand Two Hundred Ninety Five Dollars (\$152,295.00) and in Section 2. to insert the firm of Insight Pipe Contracting, L.P. The motion was seconded by Mr. Smith.

The motion carried unanimously by a voice vote.

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 24-2015 (As Amended). The motion carried by the following vote:

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

No 0

Ordinance No. 24-2015 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 25-2015

Authorizing the City Manager to Execute a Lease Agreement with Worthington Lodge, LLC for Vehicular and Pedestrian Access from East New England Avenue to the Methodist Church Parking Lot.

The foregoing Ordinance Title was read.

Mrs. Fox shared that as members may recall, as part of the rezoning for the development on East New England Ave. by Worthington Lodge LLC, the developer was required to enter into an agreement with the City for access from East New England Ave. to the Methodist Church parking lot, substantially consistent with the access drive that is currently in existence there. Staff has negotiated a lease agreement. Members received copies of the "Exhibit" tonight but the lease agreement remains as previously provided. It requires the Worthington Lodge to repave that access drive when they are undergoing their development construction. They are also required to construct a sidewalk on the western side of that drive for pedestrian access, which includes lighting that is all consistent with their approval through MPC. The city then will lease that property co-terminusly with the lease that we have with the Methodist Church on substantially the

same terms. We will provide maintenance of the drive, the sidewalk and the lighting during the lease term. The owner will be responsible for snow and ice removal on the sidewalk. Consistent with the arrangement that we have with the church, the Lodge will pay their proportionate share, a nominal amount for maintenance consistent with the arrangement that we have with the church for maintenance. The initial lease term will expire in 2024 when the parking lot lease expires and will terminate only if the parking lot lease expires. We also indicate in the lease that if the Methodist Church lease is renewed then the city would have a right of renewal of this lease agreement.

Mrs. Fox shared that Showe closed on their purchase of the property on June 26th and they have filed easements with the church for access in and out of that access drive as we had required they do for their development. Those agreements have been executed and recorded and they are ready to proceed.

Ms. Dorothy asked if this is the last piece that council will see before they can start redevelopment. Mrs. Fox replied yes, as far as she knows.

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 25-2015. The motion carried by the following vote:

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

No 0

Ordinance No. 25-2015 was thereupon declared duly passed and is recorded in full in the appropriate record book.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 34-2015 Providing for Adoption of the Tax Budget for the Fiscal Year Beginning January 1, 2016.

Introduced by Mr. Norstrom.

MOTION Mr. Troper made a motion to adopt Resolution No. 34-2015. The motion was seconded by Ms. Dorothy.

Mr. Greeson shared that the tax budget is not like our annual budget but it is something that is required by the Ohio Revised Code and we have to submit it every year to the Franklin County Budget Commission. He asked Mrs. Roberts to comment.

Mrs. Roberts reported that this is an annual housekeeping item that is required by Section 5705.28 of the Ohio Revised Code. After approved by this Council it is required to be submitted to the County Auditor on or before July 20th of each year. We primarily use this budget as a planning document. It gets us in gear for the annual operating budget cycle, which is approved by this Council later in the year. This budget was

prepared with the preliminary estimates that were included in the 2015 Operating Budget that was approved and is in force. She would be happy to answer any question.

Mr. Myers asked if leisure time activities is Parks and Recreation. Mrs. Roberts replied in the affirmative.

There being no additional comments, the motion to adopt Resolution No. 34-2015 carried unanimously by a voice vote.

Ordinance No. 26-2015

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 for the Design Costs for the Central District Sanitary Sewer Repairs and all Related Expenses and Determining to Proceed with said Project. (Project No. 618-15)

Introduced by Mr. Myers.

Ordinance No. 27-2015

Approving a Plat Amendment to the Platted Front Building Setback Line for Lot #53 in Medick Estates Subdivision. A Property at 410 Tucker Drive (Aaron and Susan Bakshai)

Introduced by Mr. Smith.

Ordinance No. 28-2015

Amending Ordinance No. 40-2014 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund and Water Fund Unappropriated Balances.

Introduced by Mr. Norstrom.

Ordinance No. 29-2015

An Ordinance Authorizing the City Manager and Director of Finance to Enter into a Community Reinvestment Area Agreement with FC Bank to Grant FC Bank a Fifty Percent (50%) Tax Exemption for Real Property Improvements to be Made to the Property Located at 6600 North High Street, Parcel No. 100-002591-00 in the City of Worthington for a Period Not to Exceed Ten (10) Years.

Introduced by Mr. Troper.

Ordinance No. 30-2015

Approving a Grant as Part of the City's Economic Development Venture Program and Authorizing the City Manager to Enter into an Economic Development Grant Agreement for the Same.

Introduced by Ms. Dorothy.

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

Mr. Greeson commented that he would like to briefly comment on the State's biennium budget. Members may have had an opportunity to review legislative reports from the Ohio Municipal League that have gone out but if members haven't he will make sure that they receive those that summarize the State's biennium budget that was passed recently.

Mr. Greeson shared that members will recall that at our last Council meeting he asked for Council's authority to express our concern about the Senate's version of the budget, which was out at that time. After receiving the authority to do that, he sent some e-mails, made some phone calls, talked to members of our delegation, the Governor's office, and he convened a call with City Manager's from Upper Arlington, Dublin, Westerville, and Delaware with OML. We primarily interacted with Representative Duffey's office, Senator Hughes, and Senator Bacon. Representative Duffey made some contacts on our behalf and Senator Hughes wrote a letter sharing our concerns with the leadership but despite all of those efforts and the central Ohio communities and the Ohio Municipal League the biennium budget still includes some things that are detrimental to municipalities and Worthington. Most notably is a reallocation of portions of the Local Government Fund. The Local Government Fund wasn't cut per se but there are divided portions of the Local Government Fund, meaning income taxes that come into the State of Ohio are shared with local governments through the Local Government Fund and the divided portion goes by a formula to libraries, counties, townships, cities, schools, etc. (mostly general purpose local governments). The undivided portion is a portion of state income tax that goes to incorporated municipalities. That tradition dates back many decades to the creation of the state income tax. The concern at the time that if the state adopted a state income tax it would limit the ability of localities to be able to pass or increase their own so there was a pact created to share in that. So that is the origins of this undivided municipal portion of the Local Government Fund. The city receives about \$452,000 in Local Government Fund revenue. At one point that amount was over \$1M prior to the recession and other cuts that were made a few years ago. So it has been reduced by more than half already. Of the undivided portion that goes to incorporated municipalities, which is about \$126,000, we believe we will lose most of that amount. The budget take portions of that and allocates it first to townships, so dollars that previously went to incorporated municipalities are now going to the state's townships over two years. In addition to that there might be some that we get back related to law enforcement training. There are some specific policy objectives of the state that are

being funded out of that. So the exact impact we have is not clearly known but we will have less than our previous \$452,000.

Ms. Michael shared that in reading the newspaper it also stated that the state is giving a 5% increase to township trustees. That is being paid for out of state funds. Municipalities seem to be getting a short stick on this.

Mr. Greeson replied that in this case we are certainly losing money. He is not aware of any committee opportunities for testimony. Essentially it came out of the leadership of the Senate. It was incorporated at the final hour as the Senate version of the budget was adopted and went straight to conference committee and never was negotiated out during conference committee. So it was on the floor for most legislators to influence it so there was no opportunities for municipalities or the Ohio Municipal League to testify or to be a part of any deliberative conversation about the effect of this on Ohio municipal services.

Mr. Myers asked Mrs. Roberts if she remembers how much we budgeted in from the Local Government Fund for this year. He thought we had \$450,000 in our budget. Mrs. Roberts replied that we budgeted \$500,000.

Mr. Greeson shared that it was \$452,000 last year. Mrs. Roberts agreed. She added that it has been on a steady decline over the last two years.

Mr. Myers stated that the amount that they are cutting is just about the amount that we appropriated to pay for sewers tonight. Mrs. Roberts agreed.

Mr. Myers added that the Law Enforcement Trust Fund reallocation is basically a micromanaging at the state level of how the unencumbered money is to be spent. Mr. Greeson agreed. They will give us less money and tell us how to spend it. Mr. Myers added that it is for issues that doesn't necessarily pertain to Worthington but they are a matter of statewide interest and not necessarily municipal interest. Mr. Greeson agreed.

Ms. Dorothy commented that overall our revenue sources, it seems that we use to have more varied sources of revenue. She asked if it is correct that we are now much more reliant on our income tax. Mr. Greeson replied yes. He added that tangible personal property tax is being phased out. The estate tax has been eliminated. Now we will be down to less than half of the previous amounts of Local Government Funds.

Ms. Dorothy asked how many times we have increased our own income tax to make up for this or at least be more sustainable over the last ten years. Mr. Greeson replied that we have increased our income tax by ½% and we have increased our property tax millage rate by 2 mills within the last decade. He thinks the millage increase was in 2006.

Mr. Myers asked if the 6% income tax cut survived in this budget. Mrs. Roberts believes it did. Mr. Myers sees that as equating to about \$3.00 or \$4.00 per check, just like the last time. So it will just get passed down to the municipalities from the state.

Mr. Greeson stated that staff will get the details of that out but he just wanted to summarize what he thought were the main points of it.

Ms. Michael thinks as we move forward we really need to strengthen the Ohio Municipal League for working with other municipalities to start reversing this trend for future years. There is only so much tax money that cities can ask of the individuals and the state keeps cutting and cutting. This doesn't mean that municipalities can't push back in future years. State of Ohio, we are providing very high quality services to our populations and we need to get the state funds back. Mr. Greeson stated that staff agrees and we will be working on that.

Mr. Norstrom commented that the argument has been made and will be made that Ohio has too much government. The overhead embedded on local government in this state is higher than most states so he would suggest that we also push forward on eliminating or combining township and other local governments to reduce costs.

Mr. Myers shared that it is ironic because some of the people that were elected a few years ago, that was one of their priorities when they were elected and now we are seeing townships inflated while we are seeing the cuts.

Mr. Greeson thanked Ms. Michael for joining him in a valiant effort to get our point across. Ms. Michael acknowledged the effort as a last minute attempt. She was glad that they were able to reach all three of our area representatives. They all did what they could but unfortunately none of them serve on the conference committee and that is where the decisions were made. She added that Senator Hughes wrote a wonderful letter on our behalf. It wasn't just us but the other municipalities but it didn't get the result that we had hoped.

Mr. Norstrom commented that the Governor also had the option to line item veto. He did forty-two vetoes or something like that but he left this one go through so there is enough blame to go around.

Ms. Michael read the follow statement:

I would like to take a moment to reflect on the public dialog that began with the United Methodist Children's Home and Lifestyle Communities.

First, I want to thank the Municipal Planning Commission for hosting, staff for helping to organize and for each Council Member for attending this meeting last Monday night. We had a record breaking crowd. If we have another meeting in the future we probably should look at the High School auditorium because we had so many people it was difficult for everyone to see and hear. But anybody that wanted an opportunity to speak had the opportunity to speak. She thinks everybody had an opportunity to say what they felt.

Reflecting on the meeting, I discussed with Council leadership, Dr. Chosy, and our representative to the Municipal Planning Commission (MPC), Mr. Myers, whether there were any important next steps that should be taken in order to set the right tone and provide context for what is a continuous and critically important issue in our community.

That resulted in requesting staff to draft a letter from City Council to Lifestyle Communities, which attempts to do three key things:

- First, it articulates that we remain committed to the principles of the Comprehensive Plan and the established Municipal Planning Commission process, while also being mindful of our role as elected officials.
- Second, it stresses the importance of the site and the project and encourages Lifestyle to do what they said they will do, which is engage in a comprehensive community outreach program.
- Last, it recognizes that the Comprehensive Plan is not prescriptive, but a flexible document that requires interpretation, and urges Lifestyle to take into consideration the many issues raised by the community as it prepares studies, conceptual plans and other presentations.

This letter (copy attached) has been circulated for your review and I would like to facilitate a discussion about it.

Ms. Michael commented that Mr. Myers served on that committee. She asked if he wished to comment.

Mr. Myers shared that he thinks this was originally his idea. In large part it was because of comments that he heard and the tenor of many of the comments that he heard at the meeting. For him the letter was as much as anything a recommitment to the process and an acknowledgement that council understood what the citizens had to say and we would hope that the developer heard what the citizens had to say. He thought that it was very important that council not take a position on the subject as it is not before us. It needs to go through MPC first. He thinks that the process in the past has worked and it has for many decades. He looks at the Showe development. Though some people are not pleased with the ultimate results, the density of the project was reduced almost in half, rental units were eliminated in favor of "for sale" unit exclusively, materials were changed and significantly upgraded and setbacks were changed on the property, all as a result of public input. That is the way our process has worked and that is the way he hopes it continues to work. He trusts that Lifestyle is understanding of the goals that we have for this property.

Mr. Myers commented that he also thinks it is very important if we do issue a letter like this that it be unanimous and if we can't reach unanimity then that is okay. This is a very important issue and we may not reach seven votes and if that is the case he thinks they should just express their opinions and let the letter sit. He certainly cannot disagree with Mr. Norstrom's comments. He tried to address that in some of the drafting that he did.

Mr. Norstrom commented that council didn't send a letter to Showe development with their development did we? Mr. Myers agreed that council didn't send a letter.

Mr. Norstrom stated that for the record he would like to enter into the minutes excerpts from a column written by Jim Weiker in this past Sunday's Columbus Dispatch. The headline read: "Passions run deep over site in Worthington".

"But the most vitriolic comments were directed at the 350 apartments proposed for the site. (In addition to the apartments, the proposal calls for 21 custom homes, and 250 cottages and condominiums. It also includes office buildings and retail spaces.)"

A few residents didn't like the look of the buildings, others worried that the custom-home lots wouldn't attract buyers, and some fretted about the development's impact on schools.

Worthington residents unleashed a full-frontal assault on the apartments — and on the people who might live in them.

"Do we really need 350 new apartments in Worthington?" one resident asked to a resounding "No!" from the audience.

"I don't know why Worthington wants that type of resident here," said another.

Others spoke of fears of "ghettos," "Section 8 housing" and growing "police blotters."

Mr. Norstrom stated that this letter, as it is drafted, says that we want Lifestyle communities to listen to what our residents said. He has no desire for them to listen to those kinds of comments made by some residents in this community. Basically, this is an important development but having been on MPC/ARB for ten years and chairing it for seven, this is not an unusual process for something as controversial as this. From a point of view of council, if we want to individually express our opinions, he thinks that is appropriate but he thinks as Mr. Myers indicated, there is a process that has served us well for years and we don't interfere in that process. Council is the last step in that process. We do not tell MPC what to do otherwise it is not really the process as it was designed. We are the final body to hear it. As he said, he thinks all members could express their opinions on that development and he knows there are a number of them not only in the community but also on this council and there are on MPC but he thinks that this type of letter is inappropriate for the process and he cannot support it.

Mr. Smith commented that as he shared in his e-mail, Mr. Norstrom's thoughts are very thoughtful but he mostly disagrees with them. Even though there are some members of the community who did speak of potential dangers of an apartment complex, there also were some very well thought out comments.

Mr. Smith read the following e-mail that he sent to Council members on this topic:

I think it is very important that we stay ahead of this (UMCH) and let the community know we are keeping a pulse.

Even though it was an MPC meeting, we have authority over MPC. Not only would it be beneficial for the public to see this letter from Council, but it would also be important for MPC to see the letter to have more direction as it relates to the Comprehensive Plan. Often, knowing what direction NOT to go is the best way to find out the direction that you want to go.

Since this is a very large project with potential for large development, we need to be a little more proactive than the typical development.

Since the Comprehensive Plan is a guideline/framework, it is up to us to taper the plan into more directional action from a policy perspective. The Comprehensive Plan update has many potential interpretations, and it might behoove Council to start figuring out what is, and is not, acceptable. Thank you.

Mr. Smith shared that he is in favor of this letter.

Mr. Troper stated that he agrees with everyone's comments so far except that he is in support of the letter.

Ms. Dorothy shared that she can see both sides of what Mr. Norstrom was saying and what Mr. Myers thoughts were. She definitely wants to emphasize, as Ms. Michael noted, that all seven members of council were at the MPC meeting and we were listening to the citizens' concerns. We definitely want to emphasize continued dialog throughout this process and some of the information in this letter emphasized dialog. Mutual respect is something she would like to definitely emphasize during this whole process.

Mr. Myers shared that for him this letter was much bigger than just the specific UMCH property. In the going on sixteen years that he has served Worthington, he has never before been accused of being a Russian dictator or creating a fiefdom. He took that pretty personally. Does he find the people that made those comments and the comments that Mr. Norstrom quoted to be credible in any way, he doesn't. We'll never convince them to do anything but leave that a 42 acre park and as members heard tonight our budget keeps shrinking. But he felt, personally, like he needed to say something in return that let the people know we did listen. We are doing our job. We understand that we have to make the decision that is best for Worthington and that some times that won't be popular but that we are doing our jobs.

Mr. Myers commented that in the initial discussion, one of the sticking points came down to what he thinks is the last clause in the fourth paragraph, where it sights the comments that were made by the public and then it says "... are many of the issues you should incorporate into future discussions. . . ." He shared that that language was inserted to get

a vote. One person said “no”. They wanted to be firmer. They want to stake out a position. He thinks Mr. Norstrom was correct that that sentence probably does get ahead of MPC, which we shouldn’t be doing. But he thinks that it merely recites . . . in the beginning of the paragraph, what the public said and that as is the case with every other application that has come before MPC modifications are made based upon public comment.

Mr. Norstrom stated that council doesn’t have the minutes of that meeting so we can’t even totally say what we are supporting. Mr. Myers replied that he is only supporting the process. That is all that he wants to support.

Mr. Norstrom stated then we should change the letter. Mr. Myers replied that he is okay with that.

Mr. Norstrom commented that the interesting thing about this is that he doesn’t feel that council has enough information at this point in time to take a stance one way or the other except to say we believe in our process and they are pursuing it. They even said in the meeting that they plan to go out and continue to have a public process. So, is council saying that we are glad they came and presented something to MPC? We are glad they are going to have a public process and we look forward to watching it.

Ms. Michael thinks that with this particular meeting and with talking to quite a few people since the meeting, people have various concerns. There were also many people at the meeting that felt that Council didn’t hear them. She thinks that it is important and Dr. Chosy also felt that it was very important that Council send a message to the community that we hear them. What she really likes in the next to the last paragraph is that it states that: “The Comprehensive Plan provides a framework for development. There are numerous ways in which the expressed goals can be interpreted and translated to the site. We understand that your presentation represented an initial concept rather than a formal application or final proposal.”

Then it says: “Issues raised by the community such as creating abundant green space and parklands, effectively dealing with stormwater, cautiously managing the impact of traffic on adjacent neighborhoods, school capacity, the mix of housing types, amount of residential units and the sizes of the buildings are among the many issues you should incorporate into future discussions, studies and conceptual plans.”

Ms. Michael commented that the letter isn’t telling Lifestyle Communities how to do it but it is telling the community that Council is asking Lifestyle Communities to acknowledge and incorporate the concerns of the community. She thinks that the list is a pretty good list of the real issues that people mentioned.

Mr. Norstrom disagreed. He stated that school capacity is not an issue that Council needs to deal with. It is an issue that the school board needs to deal with and they have remained silent on this development so far. He thinks that the other issues that she identified, Lifestyle also identified. In his letter to the editor a few months ago he

addressed the issue of not hearing. There was a counter letter to his that said, well, we don't think you are hearing us because you are not doing what we are saying. As Mr. Myers just indicated, those are people that Council is not going to be able to change their minds until we agree with them. He is lacking so much information on this development at this point in time. When we met with the developers, when they presented their initial concept, they have indicated that the apartments could be one bedroom apartments, which doesn't encourage people with children. So they could have minimal impact. They could be apartments that are very acceptable to the transition housing in our senior citizens which is something council has talked about for years. Again, minimal impact to the schools. Does council know the impact of apartments on a community? Members haven't seen anything so far except that we can see our sister cities have been building apartments.

Mr. Norstrom shared that one of the other interesting paragraphs in the newspaper article stated that: "the idea that apartments attract crime and poverty while lowering property values doesn't hold up well. Some of the priciest neighborhoods in central Ohio – the Short North, Grandview Heights and Victorian Village – are full of apartments. And the last time I check, Lane Avenue in Upper Arlington hasn't become a war zone of crime since apartments opened there."

Mr. Norstrom commented that members heard what some citizenry think are the impact of apartments. Here is a professional sharing some contrary evidence. He hasn't seen evidence for city staff at this point in time and that is evidence that he thinks will come through the process. So for Council to make comments that we believe that what we heard in that meeting is factual and members support it and they should listen to it, is a false statement.

Ms. Michael doesn't think that is what she is hearing the Council members saying. Mr. Norstrom asked then why is Council writing this letter. We are writing the letter because we are saying that we don't think they are listening to the public. Ms. Michael clarified that members just want to make sure that they are listening to the public.

Mr. Norstrom asked Ms. Michael what makes her think that they aren't listening to the public. What makes her think that Council has to say, "Listen to the public". Mr. Myers replied why not. Mr. Norstrom replied because their developers and it interferes in our process and it telegraphs that we seem to be saying that we don't hear what you are saying. The developers also made a very good presentation and addressed many issues. We are not saying anything about what they said. So Council is going to take a position now and interfere in the process.

Mr. Myers reiterated that it was not his intention to take a position but to merely recite what comments were made. He asked Mr. Norstrom in all sincerity, what language leads him to the conclusion that Council is taking a position because if that language is there, that is not the intent. Mr. Norstrom replied that we are taking a position that we have never taken before. We have never interfered in the process so what is different this time. Mr. Smith indicated that it is the largest development that we have seen in the last fifteen

years. Yes, it is. He has a call into Dr. Goorey to find out, in his term on council, we know Colonial Hills was an issue when it first came in. We know that the creation of Rush Creek upset the community and resulted in the city getting an ARB. There have been large issues before this community before and we have handled them all well. Sometimes history, for example, had to prove that Rush Creek is one of the few neighborhoods, the total neighborhood is in the Historic District and recognized as an architectural treasure. He is not sure that what could happen across the street would receive an award like that in fifty years although it would be nice but by being very active and doing what we are doing, we are telling the developers that either we don't agree with them or we are telling them to really listen to the public because we think they are right.

Mr. Myers doesn't think that Council is saying either of those. He feels that something has led Mr. Norstrom to that conclusion and he doesn't buy that just because we have never done it this way before then we shouldn't now. He thinks that is a faulty premise. Mr. Norstrom understands that and he hates that kind of language.

Mr. Myers reiterated that all he wanted to do was recite the comments and say, this isn't your first rodeo. You will engage with the public and we trust that you will do that. But at least . . . a long time ago when his parents taught him how to engage in a conversation they always said that the first thing that you want to do is acknowledge the speaker. That gives you credibility, creates better dialog and creates better interaction. All he is trying to do with this letter is acknowledge the speaker because he thinks that by in large, there were some speakers that their language was inflated to say the least. He thinks there were comments there that were valid. He is not going to say at this point that Council supports the comments but he is also not going to belittle the comments that were made. All he is trying to do with this letter is acknowledge those comments. Now, if there is some language there and he will admit that the last sentence of the fourth paragraph could lead one to the conclusion . . .

Mr. Norstrom commented that given what Mr. Myers is saying, he could support the letter if members eliminate the fourth paragraph. Ms. Michael stated that Dr. Chosy wouldn't agree to that. Mr. Norstrom stated that they would be on opposite sides as they often are.

Mr. Myers stated that maybe they need to go back to the drawing board and see if there is a compromise between Mr. Norstrom and Dr. Chosy with that fourth paragraph that everyone can live with because he doesn't think that without Dr. Chosy here that he would feel comfortable removing it and voting on it without his input. He also is firmly committed, he doesn't think that he could vote on this letter tonight if we don't have seven votes. It is very important to him that council speak with one voice and if there is a way that we can resolve our differences . . . He added that we are in the process of resolving differences in a very professional and above board manner which is different then we have seen in the last few months. He thinks Council should pursue that goal.

Mr. Norstrom agreed. Especially if they could push to get the MPC minutes to them so that they can look at what was actually said instead of relying on their memories.

Ms. Michael commented that if members want to table this discussion for a short period of time because we only have two more meetings before the August recess. She feels strongly that if council is going to send a letter than it needs to be sent out sooner rather than later. She was looking at this as a basic letter to the community that Council would give to the newspaper to publish so that the whole community would be able to see where Council's thoughts were and that we have actually been hearing what the community has to say and have a letter out there so that people can know as a unit, here is where the community has been standing.

Mr. Norstrom shared that unfortunately he will not be present at the next meeting so Council will be in the same position that Dr. Chosy is right now. Mr. Myers added that he also will not be at the next meeting.

Mr. Norstrom commented that someone could probably say that if Council tried to pass this letter that he would oppose it.

Mr. Myers commented that he is also very hopeful that Council's discussion tonight will appear in next week's newspaper and will lay out some of the concerns that we have as Council and some of the approaches we have taken. We'll address the core issues that we are committed to the development plan and that just because we disagree does not mean we don't listen. So for that alone and the mental exercise on how we approach issues like this, he thinks this has been a very meaningful discussion tonight with or without a letter.

Ms. Michael stated that what she is hearing is have the minutes get out, revise the letter, and look at approving a letter two weeks from tonight when we should have everyone here. Mr. Myers shared that he will not be at the next two meetings but he trusts Mr. Norstrom will agree with everything that he wants to do because he always does.

Mr. Norstrom shared that honestly he doesn't think that there is that big of a push. We are not going to see anything before the MPC at least until September, if that early. The developer has things, such as a traffic study that needs to be done. They are clearly going to have to do some stormwater studies, so there is so much work that needs to be done. He is not sure when their next public process is going to be but given what Ms. Michael and Mr. Myers has said, if this appears in the paper then the concept behind the purpose of this letter will be telegraphed to the developer. Ms. Michael agreed. Mr. Myers added that more importantly to the people in Worthington. Mr. Norstrom and Ms. Michael agreed.

Ms. Michael thinks the community needs to hear that members were there, we listened and here are some of the concerns that we know residents have.

Mr. Norstrom stated that he doesn't doubt this community. They have elected each of us. They have supported us in the past, some members for twenty years. He has complete faith in this community and people who say that members don't listen to them are simply people who we will not agree with on the issues. They will make that point and they will possibly say that he should not be here or that some of the other members should not be here because you do not think the way they do. Members were literally threatened by some individuals in terms of going to get us off of council and things like that when we did not approve the pocket park. That is what citizens can do.

Mr. Troper stated that he is fine with sending the letter. He doesn't think that we will get seven votes tonight but he doesn't necessarily feel that it needs to be unanimous.

Ms. Dorothy commented that she would like to mirror Mr. Myers once again about how this is really a good act in active listening and showing that we are listening and the whole creating an atmosphere of trust is what she would go for. She thinks that the process of talking about this at Council is sufficient to accomplish that task though.

Ms. Michael asked if she thinks Council doesn't need to do a letter at all or wait a couple of weeks or what. She is trying to figure out where her thoughts are. Ms. Dorothy replied that she thinks tonight's talking about this is sufficient. If members can come to agreement then she would be happy to support the letter but she doesn't think that it is necessary after members have had this discussion.

Mr. Smith commented that he is kind of leaning with Mr. Troper. He would take it a step further. There is an itch out in the community and members are kind of calamine lotion with this letter. He thinks members could scratch that itch a little bit. He says that whoever wants to sign it sign it as part of Council and whoever doesn't, don't.

MOTION

Mr. Myers made a motion to send the letter. The motion was seconded by Mr. Troper.

There being no further comments, the motion to send the letter passed by a vote of four (4) "Yea" (Troper, Dorothy, Smith, Michael) to two (2) "Nay" (Myers, Norstrom).

Ms. Michael asked if those who opposed sending the letter wish to sign it. Mr. Norstrom replied no. He added that he wants to make sure that the letter states that, we the members signed below or if Ms. Michael signs on behalf of City Council, we do not want to say this letter represents all members of City Council.

Mr. Myers suggested that the letter be revised to state that we the majority of the members of City Council and it should be signed by the Council president.

Ms. Dorothy said she wouldn't support that amendment.

Mr. Smith commented that this is out of order. He suggested members have an e-mail dialog to edit before Mr. Norstrom and Mr. Myers leave for a time. Mr. Norstrom thinks what needs to be done needs to be done in public and not by e-mail. Mr. Smith replied as far as conversation and not final product. Mr. Norstrom agreed. He added that even the editing and why. He has nothing to hide. Mr. Smith stated that he was just throwing it out there for the sake of efficiency.

Mr. Myers asked Mr. Smith if he thinks that with further editing we could achieve a letter that he could live with that might be softened. Mr. Norstrom replied yes. Mr. Smith replied that he is okay with editing to some degree.

Mr. Norstrom pointed out that members just voted on this item. Mr. Myers pointed out that he could always move to reconsider.

MOTION Mr. Myers moved to reconsider. Ms. Dorothy seconded the motion to reconsider.

Mr. Smith stated that what he would rather have sooner rather than later. If Mr. Myers is gone for two weeks and then we are in recess. . . Mr. Myers commented that if he is not here and the subject comes up then his absence is a “yes” vote because it is not a vote and he will be stuck with whatever the other six members decide and that is the risk when you take a vacation.

The motion to allow the reconsideration carried by a vote of five (5) (Dorothy, Norstrom, Smith, Myers, Michael) to one (1) (Troper).

Members held a brief conversation about the motions and vote.

Mr. Myers asked Mrs. Fox for direction. Mrs. Fox shared that somebody who voted “yea” on the motion can submit a new motion to reconsider the vote.

MOTION Ms. Dorothy made a motion to reconsider the previous motion. The motion was seconded by Mr. Smith.

The motion to reconsider carried unanimously.

Mr. Myers asked for direction from Mrs. Fox concerning the motion. Mrs. Fox stated that the vote was to reconsider the motion. She added that the motion could be amended.

Mr. Smith commented that the motion could be to table.

MOTION Mr. Myers made a motion to table the conversation of the letter. The motion was seconded by Mr. Norstrom.

There being no additional comments, the motion to table passed unanimously.

Ms. Michael asked for direction on what happens next with the letter. Mr. Myers replied that he would like to see this come back up for conversation before the end of July.

Mr. Smith commented that Mr. Myers will be gone the next two weeks and Mr. Norstrom will be gone next week but not the following.

Ms. Michael commented that we will look at having this topic come back at the last meeting of the month. She understands that Mr. Norstrom wants to get the minutes of the MPC meeting.

Other Business

Mrs. Fox reported that petitions for charter amendments were filed with the Clerk's Office today. Staff will review those petition and have discussions with Franklin County Board of Elections and will report back to Council with our results.

Mr. Myers assumes that at this point it is too early to determine if we will be holding a special meeting at the end of the month. Mrs. Fox confirmed that she doesn't know the timing right now and won't know until talking with the Board of Elections.

Mr. Norstrom commented that there is a formal process that we have to follow under state law. He asked if that was correct. Mrs. Fox agreed that there was. She will keep Council informed.

Mr. Greeson thanked all of staff that was involved in a great July 4th weekend. He added that Ms. Dorothy very effectively ran the Rotary Family Picnic, which as usual was very additive to the whole experience.

REPORTS OF COUNCIL MEMBERS

Mr. Troper asked members to support the Shoot Out for Soldiers event which begins at 5:30 p.m. this Friday evening at Thomas Worthington High School.

Ms. Dorothy also thanked all that were involved with the Worthington fireworks and the Worthington Family Picnic. She called out the Worthington Police, Fire, members of the Parks and Recreation, the members of the Dublin-Worthington Rotary Club and all of the community sponsors. A special acknowledgement to our neighbor Andy Tilton who is moving his business to another part of Worthington. Tilton's was one of our major sponsor and she would especially like to thank him.

Ms. Michael also thanked staff and everyone involved in the 4th of July celebration.

OTHER

EXECUTIVE SESSION

MOTION Mr. Troper made a motion to meet in Executive Session to discuss pending litigation. The motion was seconded by Ms. Dorothy.

The motion carried by the following voice vote:

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

No 0

Council recessed at 8:38 p.m. from the Regular meeting session.

MOTION Mr. Myers made a motion to return to open session at 8:52 p.m. The motion was seconded by Mr. Norstrom.

The motion carried unanimously by a voice vote.

ADJOURNMENT

MOTION Mr. Smith made a motion to adjourn. The motion was seconded by Mr. Myers.

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 8:53 p.m.

/s/ D. Kay Thress

Clerk of Council

*APPROVED by the City Council, this
20th day of July, 2015.*

/s/ Bonnie D. Michael

Council President

DRAFT

Dear Lifestyle Communities,

We, the members of the Worthington City Council, appreciate the willingness of Lifestyle Communities to present conceptual plans in a recent public meeting on June 29, 2015. Each member of Council was in attendance and heard the comments and reactions from the community.

We remain committed to the principles outlined in the Comprehensive Plan and to the Municipal Planning Commission process. At the same time, we are mindful that Council has been elected to represent the interests of all Worthington citizens and that we must always endeavor to do what is best for the community.

The United Methodist Children's Home site is one of the best opportunities for redevelopment in all of Central Ohio and is vitally important to Worthington. We trust that you also appreciate the significance of this development to all Worthington citizens and will continue to engage in a comprehensive, inclusive community outreach process to listen and respond to the interests of Worthington citizens.

The Comprehensive Plan provides a framework for development. There are numerous ways in which the expressed goals can be interpreted and translated to the site. We understand that your presentation represented an initial concept rather than a formal application or final proposal. Issues raised by the community such as creating abundant green space and parklands, effectively dealing with stormwater, cautiously managing the impact of traffic on adjacent neighborhoods, school capacity, the mix of housing types, amount of residential units and the sizes of buildings are among the many issues you should incorporate into future discussions, studies and conceptual plans.

We trust that a proposal for this land that positively shapes the future of our community can be achieved through dialogue with the community, formal and informal neighborhood and community discussions, interaction with City planning personnel and eventually a thorough review by the Municipal Planning Commission.

Sincerely,

Worthington City Council