



Meeting Minutes

Monday, February 1, 2016 ~ 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
Scott Myers, President Pro-Tempore
Rachael Dorothy
Douglas C. Foust
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, February 1, 2016, 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, Douglas Foust, Scott Myers, David Norstrom, Douglas K. Smith, Michael C. Troper and Bonnie D. Michael

Member(s) Absent:

Also present: Clerk of Council D. Kay Thress, City Manager Matthew Greeson, Director of Law Pamela Fox, Assistant City Manager Robyn Stewart, Director of Finance Molly Roberts, Director of Building and Planning Lee Brown, and Chief of Police James Mosaic

There were eleven visitors present.

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

VISITOR COMMENTS

President Michael acknowledged two Boy Scouts from Troop 117 who were present and working on their Communications merit badge. She encouraged them to asked questions.

APPROVAL OF MINUTES

- **January 4, 2016 – Regular Meeting**

MOTION Mr. Foust made a motion to approve the aforementioned minutes as presented. The motion was seconded by Mr. Norstrom.

Mr. Norstrom requested that “Tuscan” as found on page 14, be changed to “Tucson”.

The motion to approve the minutes as corrected carried unanimously.

President Michael commented on the need to revise the order of Agenda items this evening. She asked that Resolution No. 08-2016 be moved to this place on the agenda and that it be introduced.

Resolution No. 08-2016

Confirming the Appointment of Daniel W. Whited to the Positions of Director of Service and Engineering and City Engineer and Authorizing Certain Benefits.

Introduced by Mr. Smith.

MOTION Mr. Myers made a motion to adopt Resolution No. 08-2016. The motion was seconded by Ms. Dorothy.

Mr. Greeson commented that our long time City Engineer and Service and Engineering Director Bill Watterson retired recently. In preparation for that staff entered into an extensive national search for the most qualified person to replace him. That process included advertisement in many national trade publications as well as many interview panels, interaction with staff, and many diligent conversations with perspective candidates. He is very pleased to report what he believes is the most qualified candidate near home in Delaware, Ohio in Dan Whited, who is present this evening. Dan has served the city of Delaware in recent years in a variety of capacities. He has decades of experience serving in leadership roles with well-known engineering firms both in our region and nationally. He is eminently qualified for the position as defined by city council. He shared that members had a brief opportunity to interact with Mr. Whited before this meeting. Mr. Greeson asked that members confirm his appointment of Mr. Whited to the position of Service and Engineering Director.

Ms. Michael asked if any members had any questions or comments.

There being none, the motion to adopt Resolution No. 08-2016 carried unanimously by a voice vote.

Ms. Michael congratulated Mr. Whited and welcomed him to the city. Mr. Whited thanked members and told them that he is looking forward to starting work next Monday.

PUBLIC HEARINGS ON LEGISLATION

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

Ordinance No. 05-2016

Approving the Subdivision of Property at 918 High Street and Authorizing Variances (Plank Law Firm/MK&K Realty Inc.)

The foregoing Ordinance Title was read.

Mr. Brown shared that this request is from MK&K Realty/Don Plank for a subdivision with variances associated with it for 918 High St. There are currently three separate parcels of record for what is known as the CVS site. CVS has a lease agreement for the northern portion of the site with MK&K still being the underlying property owner. A preliminary plan and a final plat did go before the Municipal Planning Commission for approval. What will be the resultant of the proposed final plat will be the creation of two lots of record. The northern lot (lot #1) is actually the leased area and identified in the CVS lease agreement for the site. The southern portion does have a cross access

agreement and a parking agreement for both parcels that was also approved by the Board of Zoning Appeals and will continue forward with this proposal.

The southern parcel will have a resultant acres of 1.29 acres in size while the northern parcel will be 0.844 acres in size. The minimum lot size in the C-2 zoning district, which is our community shopping center district is 1 acre so a variance is associated with this request.

Variances include:

- 1) Parking on the site – There is a parking agreement in place that goes across both parcels and across access agreement.
- 2) Lot Coverage – The city’s lot coverage requirement in the C-2 District for just the building is 25%. The portion in this request is 35%.
- 3) Side Yard Set Back – Code requires 40 but the setback for the CVS building is 0’ and sits directly against the proposed property line.
- 4) Acreage – Lot 1 is 0.844 acres and C-2 district requires 1 acre in size.

Mr. Brown shared that the parcels are subject to a develop plan. A previous plan is in place and can be amended in the future. The lots are in the Architecture Review District so any amendments or modifications will still be required to appear before the Architectural Review Board and the Municipal Planning Commission.

Mr. Brown reported that existing infrastructure on the site related to storm water would continue to be maintained by the property owner. In the future, each property owner would be responsible for maintenance for their portion of the storm water on the site.

This application was heard by the Municipal Planning Commission on December 10, 2015 and they recommended approval. The applicant is in the audience to answer questions.

Ms. Dorothy commented that currently there is just one owner. She asked about his comment related to storm water and each property owner being responsible for the maintenance. Mr. Brown agreed that there is currently one owner. He shared that MK&K is the sole owner of all three parcels however when we create a parcel it can be transferred in the future. It is just setting things up so that if the parcel is sold in the future the new owner will be responsible for the storm water.

Donald Plank, Attorney for the subdivider MK&K

Mr. Plank commented that in addition to creating two lots, the plat also creates a couple of easements. It creates a five foot easement just south of the CVS building for a sidewalk, utilities, and some overhang from the CVS building into the next lot. But the plat creates that easement and also for access going east and west between the parking lot and High St. It also creates a cross storm water and utility easement for everywhere there is a parking lot. The cross easement for parking and maneuvering have already been recorded in the lease. We are taking three lots and turning them into two lots and

all of the variances that we are asking for are consistent with the development plan that is in place.

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 05-2016. The motion carried by the following vote:

Yes 7 Foust, Troper, Norstrom, Dorothy, Smith, Myers and Michael

No 0

Ordinance No. 05-2016 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 06-2016 An Ordinance to Revise the Codified Ordinances by Adopting Current Replacement Pages.

The foregoing Ordinance Title was read.

Mr. Greeson shared that this process is done annually to reflect changes in law, the code and in this case the charter. He asked Mrs. Fox to overview this item.

Mrs. Fox commented that this is the annual code update. Members can see in this ordinance that these changes are consistent with the state law changes that have been put in place. They are summarized on the exhibit that provides a brief summary of what each of these changes are. They are all associated with the criminal code of Worthington and the state of Ohio. Staff had our prosecutor review the changes and she agreed that they were consistent with the state law changes.

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 06-2016. The motion carried by the following vote:

Yes 7 Troper, Norstrom, Dorothy, Smith, Myers, Foust and Michael

No 0

Ordinance No. 06-2016 was thereupon declared duly passed and is recorded in full in the appropriate record book.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 06-2016 Authorizing an Amendment to the Final Development Plan for 300 East Wilson Bridge Road and Authorizing Variances (Advance Sign Group/MedVet).

Introduced by Mr. Troper.

MOTION Mr. Foust made a motion to adopt Resolution No. 06-2016. The motion was seconded by Mr. Norstrom.

Mr. Brown shared that this request is for an amendment to development plan with variances associated with it for 300 East Wilson Bridge Road/MedVet. MedVet joined our community in 2002 when they purchased the 250 East Wilson Bridge Road property. They have since made numerous improvements and upgrades to that property. The request today is actually related to their sign package. Staff believes that in 2008 MedVet was approved for some additional signage for wall signs. At that point in time they received variances for the square footage that is greater than what code allows. One of the requested variances is the number of letters and styles for freestanding sign. This was not caught when they went through with the previous approval however they are still in compliance with their sizes that were approved in the past.

Before members tonight are four different styles of letters and sizes. This request went before Municipal Planning Commission on January 14, 2016 and they recommend approval as does staff. The applicant is in the audience this evening.

Ms. Dorothy commented that this request is not to change any existing signage but rather to grant variances for what is currently in place. Mr. Brown replied that the oversight was caught when they made application for a new sign. This is the current sign in front of their facility and they wish to modify it as depicted on the screen. Members will notice several changes to the sign: the paw print, "24 HR Emergency" is outlined and the new sign is a darker shade of blue. When staff looked to determine if variances had been granted previously we noticed that there were variances for size however the different letter styles and sizes were not caught so we wanted to legitimize everything that they are doing and bring them into compliance.

There being no additional comments, the motion to adopt Resolution No. 06-2016 carried unanimously by a voice vote.

Resolution No. 07-2016 Authorizing Amendments to the Policy & Procedures of the City's Re-emergent Corridor Assistance Program.

Introduced by Mr. Smith.

MOTION Mr. Myers made a motion to adopt Resolution No. 07-2016. The motion was seconded by Ms. Dorothy.

Mr. Greeson shared that the ReCAP program is a façade program that is part grant and part loan to eligible businesses in the Huntley Road/Proprietors, and parts of Worthington-Galena and Schrock Roads and is an area on the eastern portion of the Worthington community. This program was established in an effort to revitalize and maintain the vibrancy and vitality of that important economic corridor. This program

has been in place for a couple of years and several grant/loans have been issued in cooperation and really administered by the Community Improvement Corporation. Staff has set about reviewing our regulations related to this program and make some changes to the program in an effort to ensure its effectiveness. He asked Mrs. Stewart to overview the changes, which were reviewed with the Community Improvement Corporation(CIC) and they recommended approval.

Mrs. Stewart shared that this resolution adopts revised policy and procedures for the ReCAP program. Since Mr. Greeson did a good job highlighting the intent and the focus of that program, she will share the proposed changes. Members received a red-line copy of the document in the agenda packet and she would be happy to address questions about specific changes.

Mrs. Stewart reported that in general the changes are as follows:

- 1) Establish review deadlines for the applications. Previous applications were considered on a first come, first serve basis. The revision change establishes three times during the year when any applications submitted prior to that date will be bundled and reviewed as a whole by the CIC Board who would then make recommendation to the City Council. The three times include one in late February, one in late April and one in late August, which are in advance of the regularly scheduled meetings for the CIC Board. Applications will likely come before Council a few weeks after those timelines.
- 2) Inclusion of summary information about the projects funded in 2014 and 2015. Since we now have two years of experience with the program we are able to point to specific projects as opposed to what we were thinking the program would involve.
- 3) Since 2014 we have incorporated design services from the Neighborhood Design Center. We offer those services to applicants to encourage them to think about impactful ways that the money could be utilized to enhance the exterior of the commercial properties so references to those services have been added.
- 4) Added a statement in the Policy and Procedures regarding what happens in the instance that the applicant wants to perform the work themselves. We have had two instances where that was the case. These guidelines were included in the Application materials for the program but not in the Policy and Procedures document so they have been moved from the Application to this document.
- 5) Addition of requirement to submit copies of paid invoices at the time the project is closed out so we can have a record that the money was spent on the items that were proposed in the application.
- 6) Awning replacement was not previously an eligible expense. New awnings were included as an eligible expense but the replacement of existing awnings was not included. We are proposing a modification. If the new awnings are an updated design style and replacing a more outdated awnings to create a major visual enhancement then those are an eligible cost, however simple replacement of existing awnings with the same style and materials will still not be an eligible

- expense. We are really looking for something that improves the aesthetics of the building in that situation.
- 7) The selection criteria portion of the document more closely mirrors the scoring sheet that is utilized for the program. While the concept and the basic idea around the criteria is the same, this actually uses the wording that is listed on the scoring sheet.
 - 8) Throughout the document the narrative about the program was refined.

Mrs. Stewart added that also included in Council's packet was a summary sheet about the projects funded to date as well as some PowerPoint slides that visually show the projects. She stated that she was not planning on going over those unless members had any questions but they are good documents that members can use to visually see what has happened with the program to date.

Mrs. Stewart reported that the CIC Board did review this document and recommended approval of these changes.

Ms. Dorothy asked if the PowerPoint was available because she thinks the before and after pictures were pretty impressive. She thinks it would be very beneficial for everyone that is present to see.

Ms. Dorothy then commented that this program has been in existence as a pilot program since 2014. She asked if that was correct. Mrs. Stewart agreed that it has been in place for two years.

Ms. Dorothy stated that as a pilot program it is not necessarily ongoing ad infinitum because as our policy notes it is an effort to drive new growth along Huntley Road and intended to spur investment in older properties. She asked what kind of tracking is being done to determine what kind of growth is occurring in this area. Obviously we can see the investment when we are able to see the before and after photos.

Mrs. Stewart went through the slides and showed numerous properties that have taken advantage of this program over the last two years.

Mrs. Stewart commented that the photos show the documentation that staff has done thus far. We do have plans to try to look at occupancy and rent rates in the corridor because there is some information on that from before the program began but we have not yet had the opportunity to run that analysis.

Ms. Dorothy thinks those are numbers that members would be keenly interested in with this pilot program to see if it is working or not. She thinks, as we go through some of these slides just the enhancement of the site lines is greatly improved. The proof would be if we are getting job growth and spurring investment in this area. Mrs. Stewart agreed. She added that staff hasn't had the opportunity to preform that analysis yet since we have been short staffed in the economic development area.

Ms. Dorothy said she understands that that situation will be changing before long. Mrs. Stewart agreed.

Ms. Dorothy stated that she would also be looking to see when we might be wrapping up this pilot program in this area or if we would be continuing it or extending it. She recalls that the intent of the program was not to continue forever. She asked if that was correct. Mrs. Stewart replied that she doesn't recall that it was necessarily going to be a program that was just in place for a short period of time. She doesn't know that a timeline was affixed to the program. The discussion was about beginning the program in the corridors on the eastern part of the city. There has been some discussion with the CIC Board about potentially looking at other areas in the future. At this point, in 2016 there has still been quite a bit of interest in these corridors so when the Board discussed it they felt like there might be some additional impact that could occur but in future years it might be something that we would want to consider in other areas. There are several members of the CIC Board here this evening. She invited them to comment.

Mr. Norstrom shared that he agrees with the comments from Ms. Dorothy however the issue on development, he is not sure we can measure development in this short period of time that we have had this program. Since this was not an original program in Worthington he would be interested in finding out the impact in other places. His impression is that the impact is over multi years and not necessarily seen within the first couple of years that we have had this program in place.

Mr. Smith commented that there has been some tangible outcomes that Mr. Harris identified to the CIC Board in previous months and that of retention of certain businesses and expansion. Mr. Harris mentioned that several businesses would anecdotally but he is not sure how we prove that yet. They could expand their operations because they would not have to spend money on getting a better looking facility and could instead focus on expansion.

Mr. Myers stated that he is assuming since Mrs. Stewart referenced 2016 at various places in the Policy and Procedure document that she intends to come back every year with this. Mrs. Stewart replied yes, especially if there is content changes like occurred this year. If after a review by the CIC Board they want to continue the exact same policy and procedures for 2017 then she doesn't know if that will result in a need to come back in front of city council or not. But certainly they would touch base with at least the CIC Board and if the City Council would like then they could do so with Council as well before issuing the 2017 guidelines. Mr. Myers commented that it is titled 2016 and particularly references the 2016 budget and the deadlines for submission as in 2016.

Mr. Myers understood that originally the efforts and the assistance from the Design Center came about as part of a grant that the city received from AEP. Mrs. Stewart agreed that there was a grant from AEP that offset the funding for that service. Mr. Myers commented that the city is still offering that service free of charge. He asked who is picking up the tab for that. Mrs. Stewart reported there being no grant money left as it was incorporated in the city's budget.

Mr. Greeson shared that the grant money came about because of some of the comments of City Council who were interested. Because of the scale of these projects many didn't necessarily involve an architect. Council thought design assistance would be helpful for those who wanted to improve their buildings, get quotes from contractors and improve the quality of their application. That is where we sought out the Neighborhood Design Center's assistance.

Mr. Myers commented that in the new language, in Section 4. Selection Criteria, the last bullet is Commitment to the Worthington community. He asked how that translates into the scoring of the applications. Mrs. Stewart referred to her scoring sheet in an effort to answer Mr. Myers' question. She stated that there is a possibility of 100 points.

Mr. Norstrom asked that the score sheet be displayed on the overhead.

Mrs. Stewart commented that the top half indicates the areas that are to be considered in this category. We are looking at whether the applicant is a current or previous member of one or more of Worthington areas business associations or charitable groups. Are they connected in the business or charitable organization in the community? Have they operated in Worthington for some time or have they supplied other evidence that sufficiently demonstrates that they have made a commitment in the Worthington community. Then those translate to the criteria down below which if they have not adequately demonstrated that commitment then they receive zero points. They could receive 5 points for a nominal commitment, 7 points for preferred commitment and 10 points for extraordinary commitment. So out of a total of 100 points on an application the most they can receive in this category is 10 points.

Mr. Myers said he would appreciate it if they could track this specific category for him for a while and report back to him. He is a little concerned that it may, as he has seen in some of the other places where we have tried to incorporate a Worthington aspect to it, he is concerned that: 1) it might work to the disadvantage of a new business and 2) he certainly doesn't want to direct anyone towards charitable contributions. If we have a new business that has no connection to Worthington but they are significant, we would like to have them. They would make a significant presence and he would hate for this or if someone would choose to not engage in charitable works, he doesn't want this to impact that. He would appreciate knowing how this section is playing out.

Mrs. Stewart commented that members can see the score sheets of the previous applicants and see how they scored.

Mr. Smith commented that to Mr. Myers' point anecdotally but in a subjective way even but he knows from the two years that he has been on the CIC Board, since this program started they have made that commitment to Worthington really based on two pieces of information and that is 1) Does the owner or manager or somebody on the application live in Worthington and 2) Do they own the building.

Ms. Michael added that they have also looked at things like whether or not they are a member of the Worthington Chamber of Commerce, which many new businesses will join something like that. So it is just looking at little things like that.

Mr. Troper asked what are the minimum number of points that are needed to be approved. Mrs. Stewart replied that previously it was a minimum of 52 points. The CIC Board just adopted changes to the scoring sheet and the application materials and that point threshold was changed to 65 points. All but one of the previous projects that were funded were at that the 65 point level or above.

Ms. Michael shared that this has been a program that has been very successful and as members can see from the examples it seems to be working well. She appreciates the CIC reviewing the program and finding ways to improve it and update the procedures so that this can be a little more efficiently run for the future.

Mr. Greeson noted that each of the applicants have twenty four months to complete their improvements. So some may not yet be completed. He added that the AEP grant was originally for \$10,000 and that is approximately the same amount that we are spending on design services each year. That allows them to assist almost every applicant that shows interest.

Ms. Michael commented that the design work has made a big difference. Mr. Greeson agreed. It has improved the quality of the applications and some of the outcomes of the projects. He thinks it has been well received.

Mr. Foust asked if there is a mechanism in place such that a new business wishing to start in this corridor is made aware of this program. Mrs. Stewart shared that when the program was first initiated our previous Economic Development Manager went out and talked with a number of businesses, building owners and so forth. He actually drove along the corridor and saw properties that could probably use some investment and targeted them for some communication. The Neighborhood Design Center has also been in conversations with a number of businesses. Many of the new inquiries are because they have seen some of the investments of previous projects or they have talked to property owners about the investment they made and found out that they were able to do that through the program. So it is also spreading through word of mouth.

Mr. Foust shared that his question was prompted because while walking his dog tonight a neighbor stopped him who is anticipating a new business, a new kind of business and he is thinking of something in the Huntley Road area. He was just wondering if there is a way to make sure that someone who is contemplating those kinds of thoughts and working with the economic development group, if we could somehow foster that type of education. Mr. Greeson agreed. He doesn't think that a new business would necessarily be looked upon negatively in this as long as they are demonstrating a commitment to the community. Often it is the building owner. They may have owned it for a significant period of time and shown that they are interested in improving.

Ms. Michael added that it could be a new owner. Mr. Greeson agreed. He thinks that what we are trying to avoid is issuing grants and loans to large investment groups that are out of state and might not show or demonstrated long term commitment to the community and just may be looking to flip the property.

There being no additional comments, the motion to adopt Resolution No. 07-2016 carried unanimously by a voice vote.

Ordinance No. 07-2016

Amending Ordinance No. 44-2015 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund Unappropriated Balance.

Introduced by Mr. Troper.

The Clerk was instructed to give notice of a public hearing on said ordinance(s) in accordance with the provisions of the City Charter unless otherwise directed.

REPORTS OF CITY OFFICIALS

Mr. Greeson shared that he will be absent at the next City Council meeting attending the National Association of Regional Council's meeting and representing MORPC as a member of their Executive Committee. Mrs. Stewart will be acting City Manager in his absence and at the Council meeting.

REPORTS OF COUNCIL MEMBERS

Mr. Smith shared comments that he said may be premature but they have a technology taskforce and have some ideas about how to streamline the meeting process and for taking minutes using a voice activation system like Dragon.

Mr. Norstrom shared that he had an opportunity this week to view the school board meeting and the fact that they have two cameras in their board room that capture and record. He was able to go on the website of the school board the day after their meeting and was able to observe their meeting and gather some information that he needed. He thinks we need to do that in this room.

Mr. Norstrom further stated that the information he needed concerned the MAC board. He reported that in that meeting it was indicated that the MAC board did not want to extend the lease beyond one additional year for the school to use the classrooms at the MAC for kindergarten. Last Tuesday at its board meeting the MAC unanimously approved a resolution to say that the school and the school board can use those classrooms as long as they need them to resolve the current issues they have. He thinks the way that the school board understood what the MAC was doing was not exactly correct and that has been corrected.

Mr. Myers stated that he wanted to publically thank Mr. Norstrom for bringing that to the board's attention. He appreciates that. Ms. Michael added that she was glad to hear that this issue has been resolved.

EXECUTIVE SESSION

At Ms. Michael request, Mrs. Fox summarized Executive Session for the benefit of the Boy Scouts.

MOTION Ms. Dorothy made a motion to meet in Executive Session to discuss Board and Commission appointments. The motion was seconded by Mr. Troper.

The motion carried by the following voice vote:

Yes	4	Myers, Dorothy, Troper, Michael
No	2	Norstrom, Foust
Abstain	1	Smith

Council recessed at 8:15 p.m. from the Regular meeting session.

MOTION Mr. Myers made a motion to return to open session at 8:28 p.m. The motion was seconded by Mr. Norstrom.

The motion carried unanimously by a voice vote.

ADJOURNMENT

MOTION Mr. Myers 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 8:28 p.m.

/s/ D. Kay Thress
Clerk of Council

*APPROVED by the City Council, this
7th day of March, 2016.*

/s/ Bonnie D. Michael
Council President