City Council Meeting Agenda

Monday, May 2, 2016 ~ 7:30 P.M.

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

Bonnie D. Michael, President
Scott Myers, President Pro-Tem
Rachael Dorothy
Douglas C. Foust
David M. Norstrom
Douglas Smith
Michael C. Troper

Matthew H. Greeson, City Manager
D. Kay Thress, Clerk of Council

If you have questions regarding this agenda please contact the Clerk of Council at 614-786-7347. This agenda and amendments that may be made to it can be found at www.worthington.org
CALL TO ORDER

Roll Call

Pledge of Allegiance

VISITOR COMMENTS

APPROVAL OF MINUTES

1) March 21, 2016 – Regular Meeting
2) April 4, 2016 – Regular Meeting
3) April 11, 2016 – Committee of the Whole Meeting

PUBLIC HEARINGS ON LEGISLATION

4) Ordinance No. 14-2016

Amending Ordinance No. 44-2015 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay for the Central District Sanitary Sewer Repairs at Proprietors Road and SR 161 and all Related Expenses and Determining to Proceed with said Project. (Project No. 618-15)

Introduced April 18, 2016
P.H. May 2, 2016

5) Ordinance No. 15-2016

Amending Ordinance No. 44-2015 (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 Tennis and Basketball Court Resurfacing Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 629-16)

Introduced April 18, 2016
P.H. May 2, 2016
6) **Ordinance No. 16-2016**

Amending Section 1177.08(a) of the Codified Ordinances of the City of Worthington to Include a Member of City Council as a Person Who May Appeal a Decision of the Board of Architectural Review.

Introduced April 18, 2016
P.H. May 2, 2016

**NEW LEGISLATION TO BE INTRODUCED**

7) **Resolution No. 20-2016**

Authorizing the Ohio Department of Transportation to Proceed with the State Route 161 Resurfacing Project (ODOT Project FRA-161-8.67, PID 96305).

8) **Ordinance No. 17-2016**

Approving an Agreement with the City of Columbus and United Dairy Farmers, Inc. to Provide for the Provision of Municipal Services, the Jurisdiction for Enforcement of Municipal Building and Zoning Regulations and the Sharing of Income Taxes and Personal Property Taxes for the Redevelopment of the 1.446± Acres at 2204 West

9) **Ordinance No. 18-2016**

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.

**REPORTS OF CITY OFFICIALS**

Policy Item(s)

10) Liquor Permit – Old Worthington Partners Event

**REPORTS OF COUNCIL MEMBERS**

**OTHER**

**EXECUTIVE SESSION**

**ADJOURNMENT**
City Manager Report to City Council for the Meeting of Monday, May 2, 2016

APPROVAL OF MINUTES

1) March 21, 2016 – Regular Meeting
2) April 4, 2016 – Regular Meeting
3) April 11, 2016 – Committee of the Whole Meeting

Recommendation: Approval of Minutes as Presented

PUBLIC HEARINGS ON LEGISLATION

4) Ordinance No. 14-2016 – Appropriation – New Sewer Manhole – Granville Road & Proprietors Road

This Ordinance appropriates funds for the installation of a new manhole at the intersection of Granville Road and Proprietors Road as was recommended in the Central District Sanitary Sewer Study. The funds will come from the Central District Sewer Improvements Project in this year’s Capital Improvement Plan. The cost is estimated to be less than $45,000 thus does not require formal bids. The detailed plans for the project are still being finalized, thus staff has not yet solicited quotes for the work. Staff requests the Ordinance be tabled until quotes can be received and evaluated.

Recommendation: Motion to Table the Ordinance

5) Ordinance No. 15-2016 – Appropriation – Tennis & Basketball Court Resurfacing

This Ordinance appropriates funds identified in this year’s Capital Improvements Plan for crack filling and resurfacing of tennis courts at Wilson Hill Park, Linworth Park and the Olentangy Parklands and basketball courts at Indianola and Linworth Parks. The attached memorandum from the Director of Parks & Recreation provides additional information. The Ordinance was introduced with blanks pending the results of the bid process. Bids will be opened on April 29th and the results will be reported at the public hearing. The Ordinance needs to be amended to include the name of the firm and the amount.

Recommendation: Approval of Ordinance as Amended
6) Ordinance No. 16-2016 – Code Change – Appeal of Architectural Review Board Decisions

This Ordinance amends Section 1177.08 (a) of the Codified Ordinances to permit city council members to appeal decisions of the Architectural Review Board (ARB) regardless of whether they are aggrieved parties. City Council Member Norstrom has requested this change to the current Code which allows only aggrieved parties to appeal a decision of the ARB. Other board and commission decisions may be appealed by a City Council member whether aggrieved or not, such as Municipal Planning Commission decisions regarding Conditional Use Permits and Amendments to Development Plans.

NEW LEGISLATION TO BE INTRODUCED

7) Resolution No. 20-2016 – SR-161 Resurfacing

This Resolution authorizes the Ohio Department of Transportation to proceed with the resurfacing of SR-161 from Olentangy River Road to the City’s eastern boundary. This project is planned to occur this year. The City Council has previously consented to this project and appropriated the funds for the City’s share of $127,000.

Recommendation: Introduction and Approval of Resolution as Presented

8) Ordinance No. 17-2016 – Service Agreement for United Dairy Farmers Property

United Dairy Farmers is in the process of redeveloping their property at the corner of SR-161 and Linworth Road. They have acquired the former bank property immediately to the east of their existing site. Their existing site is in the City of Columbus, while the newly acquired parcel is in the City of Worthington. Their redeveloped site will have the building partially in Columbus and partially in Worthington. As a result, we need to enter into an agreement with the City of Columbus and the property owner regarding the provision of services to this property. This Ordinance approves the service agreement. More information, including a description of the services to be provided by each city and the apportionment of tax revenue, is included in the attached memorandum from the Law Director.


9) Ordinance No. 18-2016 – Venture Grant – Wheels Up

Wheels Up is a private aviation company that sells flight hours on aircraft via guaranteed access to type-specific, fleet specific aircrafts without the requirement to purchase a fractional ownership interest. Since 2014, they have grown from six employees to 22 with plans to grow another 38 jobs over the next five years. They are currently located in Worthington at 450 West Wilson Bridge Road and need to move to a new location that can accommodate their growth.
In order to encourage the expansion to occur in Worthington, staff is recommending a Venture Grant in the amount of $58,000 payable in four installments. The first installment of $22,000 would be payable upon either the signing of the lease or the issuance of a Certificate of Occupancy for the property at 350 E. Wilson Bridge Road. The three subsequent installments of $12,000 each would be payable upon the subsequent completion of each of three 12-month periods after issuance of the Certificate of Occupancy. As part of the grant agreement, Wheels Up agrees to more than $3 million in total annual payroll within five years of the Certificate of Occupancy.

A memorandum from the Economic Development Manager with additional information is attached.

**Recommendation:** Introduction for Public Hearing on May 16, 2016

**REPORTS OF CITY OFFICIALS**

**Policy Item(s)**

10) Liquor Permit – Old Worthington Partnership Event

The Old Worthington Partnership (OWP) is creating a new event for the evening of June 25, 2016 called Picnic with the Partnership. This is a community event and fundraiser for OWP’s not for profit initiatives that support downtown. It is intended to bring the community together to celebrate downtown and dine together. The event will offer residents the opportunity to dine at tables on High Street, requiring the closing of a portion of the street during the event. City staff has been working with OWP on the logistics of the event. As part of the event, OWP is seeking an F2 permit from the State of Ohio, Division of Liquor Control, to serve beer and wine. The permit application requires the signature of the City, including the City Manager and Police Chief. Staff is requesting that the City Council authorize these documents to be signed. OWP staff will be available to overview the event at the City Council meeting.

**Recommendation:** Approval of a Motion to Allow Signature on the Liquor Permit Application of the Old Worthington Partnership for Picnic with the Partnership on June 25, 2016

**EXECUTIVE SESSION**

I respectfully request an executive session to discuss Board & Commission appointments.
Meeting Minutes

Monday, March 21, 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, March 21, 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, Director of Finance Molly Roberts, Director of Building and Planning Lee Brown, Director of Public Service and Engineering Dan Whited, Director of Parks and Recreation Darren Hurley, Chief of Fire Scott Highley and Chief of Police James Mosic

There were twenty visitors present.

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

VISITOR COMMENTS – There were no visitor comments

SPECIAL PRESENTATION

Metropolitan Transportation Plan (MTP) Update and Presentation

Mr. Greeson shared that Worthington is a member of the Mid Ohio Regional Planning Commission (MORPC) who serves as a Council of Governments as well as our Metropolitan Planning Organization (MPO). In their MPO role, MORPC is required to do long range transportation planning for the entire central Ohio region. They are currently in the process of updating that long range plan (MTP). As part of their outreach to their members and to the community at-large they are presenting before various bodies. This evening Maria Schaper and Nick Gill with MORPC’s staff are going to overview the MTP. He added that as part of this transportation oriented night, we will also have the Ohio Department of Transportation (ODOT) speak to Council about Worthington’s participation in a SR 161 corridor study. He invited Ms. Schaper forward to talk about the Metropolitan Transportation Plan.

Ms. Schaper shared that she is a Transportation Planner with MORPC and as mentioned, she is here to talk a little bit about the 2016 – 2040 Metropolitan Transportation Plan.
WHO IS MORPC?

Regional Data & Mapping
Policy
• State
• Federal
• Local
• Advocacy

Planning
• * Land Use
• * Econ Dev
• * Environment

Energy
• Sustainability
• Air Quality
• Home Weatherization

Transportation
• * Multi-modal Options
• * Forecasting
• * Project Capitalization

WHAT ARE WE ASKING OF YOU?

• Review and comment
  o Draft MTP
  o Active Transportation Plan content and tools
  o Comment period ends April 15, 2016

• Contact:
  o mtp@morpc.org
  o Bernice Cage for hard copies or translated materials (614-233-4157)

• Information:
  o Morpc.org/mtp
  o Morpc.org/atp

WHAT IS THE 2016-2040 METROPOLITAN TRANSPORTATION PLAN?

• Plan that sets the regional transportation priorities
• Long-range (20+ years), fiscally constrained, prioritizes strategies and projects, examines impacts to air quality
• Formal document submitted to ODOT and Federal Highway on a 4-year cycle
The 2016 Metropolitan Transportation Plan only includes communities within the official MPO boundary.

**WHY IS IT IMPORTANT?**

- 2016 - 2040 Growth
- Existing transportation network:
  - Over 2,000 miles of highways
  - 9,700 vehicle miles traveled per capita
  - Over 1 million service hrs of transit
  - 580 miles of bikeways

- Transportation projects must be in MTP to be eligible for Federal funding

**PLAN DEVELOPMENT TIMELINE**

- Public involvement & participation

**ADOPTED GOALS OF THE MTP**

Through transportation:

- Reduce per capita energy consumption and promote alternative fuel resources to increase affordability and resilience at regional energy supplies
- Protect natural resources and mitigate infrastructure vulnerabilities to maintain a healthy ecosystem and community
- Position Central Ohio to attract and retain economic opportunity to prosper as a region and compete globally
- Create sustainable neighborhoods to improve residents’ quality of life
- Increase regional collaboration and deploy innovative transportation solutions to maximize the return on public expenditures
- Use public investments to benefit the health, safety, and welfare of people
COORDINATION

- Your plans and documents along with

- COTA

ACTIVE TRANSPORTATION PLAN

- Goal: People can safely and easily walk, bike, and use transit.
- Focuses on 12 corridors
- Collaborative and cross-jurisdictional
- Tools:
  - Story Map  - morpc.org/atp
  - Cost Estimator

Ms. Schaper shared that this is an interactive map. It is one that MORPC is interested in received feedback on.
Ms. Dorothy asked what kind of data do you have on the plan that residents would be digging deeper into. Ms. Schaper replied that there is crash data, a sidewalk inventory, location of recent projects, etc.

Mrs. Schraper shared that last summer MORPC reviewed local plans to identify candidate projects. Through the process they collected over 1,000 candidate projects. Because the plan is fiscally constrained, not all of those projects could be included in the plan. They developed a set of evaluation criteria that helped them determine which projects will best help the region to advance the established goals. Through that evaluation process they narrowed the projects down to a set of draft projects that will be included in the plan. These projects are financially feasible and will help advance the regional goals. She invited members to visit the interactive webmap. The roadway map for Worthington is below.
Ms. Schraper shared that the bright colors (reds, oranges, yellows and greens) highlight the projects that are currently included in the draft plan. The candidate projects that did not move forward into the draft are shown in the grayer/duller colors.

Ms. Schraper added that there is a project map and listing for the entire MPO region in the handout that she left for members. Again, these projects have been identified as a need in the region and are financially feasible looking out to the year 2040. Because they are future projects, the descriptions are kept general in nature. The projects will be implemented sometime down the road once the project sponsor receives a funding source. At that time they will go through a more detail design process. She shared that one example of a candidate project that does not yet have funding is the SR 161 corridor. That corridor has been identified as a regional priority through this MPT process but many more steps still need to be taken before the specifics of that project could be identified and eventually implemented.

Ms. Schraper shared that one mode that was missing from the previous map is transit (map below). She noted that the MPT does not specifically identify locally and express bus service changes into the future since COTA does services changes three times a year. But during the MPT process we were able to identify high capacity transit corridors that have been identified for further study. The specific modes for these corridors will not be identified but high capacity transit could include bus rapid transit like the CMAX line on Cleveland Ave., it could be light rail, streetcar, commuter rail, etc. There were seventeen corridors identified in the draft plan as needing further study. These are also viewable on the interactive webmap.
NEXT STEPS

- Comment period ends April 15, 2016
- Incorporate comments received
- Plan adoption May 2016

Ms. Dorothy asked what will be done with the comments that are received. Ms. Schraper replied that they will work to incorporate them. We will look to determine if what is being viewed on the map is in line with the transportation priorities. If something is missing or if something is on there that shouldn’t be the public can let them know and they will take a look at how they can make changes to best reflect local needs based on financial feasibility and their planning process.

Ms. Dorothy asked how responses would be handled. Ms. Schraper replied that if she is contacted she will respond as to whether it can be included.

Ms. Dorothy thinks they have done a good job of publicizing the transportation map. She wondered at the number of comments and how they were being addressed. Ms. Schraper replied that they have actually received hundreds of comments on the webmap. Some are just of support and they don’t necessarily respond to the commenter. If there is a specific issue or concern they try to respond. If someone were to e-mail her directly or call then she would definitely respond as soon as possible.

Mr. Greeson directed the conversation to the Worthington specific maps. In viewing the High Capacity Transit Corridors Identified For Further Study slide, the primary corridor here that is in the long range plan in Worthington for some kind of enhancement although it has probably not been identified yet is the High St. corridor. The COTA NEXTGEN initiative may better identify what will be done there. He thinks it is advantageous for council to see that as a potential transit enhancement area between now and twenty years from now.

Ms. Schraper shared that because high capacity trains are fiscally constrained, at this point we can’t say that any of those corridors are more likely to be built than the others. So instead of closing the door to all of them, we wanted to leave the door open for further planning purposes. Mr. Greeson added that being on the lists makes the projects eligible for federal funding.

Mr. Norstrom shared that thirty years ago that map identified the same corridor and talked about high capacity transit. Mr. Greeson noted that it is a long range plan.

Mr. Greeson directed members to the Draft Roadway, Bike & Pedestrian Projects slide and commented that they may want to consider changing the “grayed” out area of High St, Wilson Bridge, Huntley to Schrock, which connects up with Schrock Road bike lane system to a brighter green. The reason for the change is because the red area to the right is our already funded federal project that we are in the middle of. We are going to have to put bike and pedestrian improvements in that intersection redo which will happen in
2019. We will be in a better position at that time than we are today to make connections west to High St. and south to Schrock Road. From a process standpoint he doesn’t know whether that would be appropriate to change that to a brighter green.

Ms. Michael asked the location of Mr. Greeson’s request. Mr. Greeson replied that it is coming from High St. east to the new intersection and eventually connecting on down to Schrock Rd. on Huntley where there is a bike lane system. It essentially gives you a bicycle facility from Olentangy Trail to Westerville.

When Mr. Greeson asked if that would be one example of a comment, Ms. Schraper replied yes.

Mr. Greeson further explained that the two yellow triangles located along SR-161 are conceptual intersection improvements and the red line is some kind of widening at Linworth on SR-161, which will be talked about in a little bit. But it shows up here because it makes the project eligible for federal funding. Ms. Schraper agreed.

Mr. Foust asked for distinction between what is meant by the bright green versus the grayish green color. Ms. Schraper explained that the grayish green are the projects that did not move forward into the draft plan as currently identified. The focus for bicycle and pedestrian projects is on the twelve active transportation corridors as well as the Central Ohio proposed Greenways. So when they are doing the financial forecasts, there will be some money in the plan identified for other bicycle/pedestrian improvements not necessarily as regional in nature. So we can talk about how to best incorporate that specific project to see how it fits in with the financial balance and to see how we can best incorporate it. We can use either one of those mechanisms.

Ms. Dorothy asked if the Worthington Bike and Pedestrian Committee has commented on any of these projects or is it something we can do before April 15th. Mr. Hurley replied that they are aware of the processes. We have participated in the central Ohio Greenways groups and given them our feedback but we will make sure they also have seen the larger MORPC effort.

When asked by Ms. Michael if there is anything in Worthington that is located in the twelve corridors, Ms. Schraper replied yes at SR-161 and High St.

**WHAT ARE WE ASKING OF YOU?**

- Review and comment
  - Draft MTP
  - Active Transportation Plan content and tools
  - Comment period ends April 15, 2016
- Contact:
  - mtp@morpc.org
  - Bernice Cage for hard copies (614-233-4157)
- Information:
  - Morpc.org/mtp
Ms. Michael and Mr. Greeson thanked Ms. Schraper for the presentation.

Presentation Regarding Proposal to Study the State Route 161 Corridor

Mr. Greeson shared that the SR-161 corridor has been an area of concern for a long time primarily from the standpoint of traffic congestion but also community character, safety and bicycle/pedestrian limitations. There has been a couple of times in the last few years where City Council has taken action to express this as a priority. He believes the last time was in 2012 when we adopted a Resolution that requested ODOT to look carefully at the congested Linworth intersection, with particularly interest in turn lanes. In 2013 we adopted a resolution and in 2014 we participated in a base line traffic analysis with a number of partner entities that included the City of Columbus, ODOT, MORPC, Perry Township, Franklin County and the City of Worthington. The funding partners in that initial study were Perry Township, Columbus and the City of Worthington. We contracted with MORPC at that point to study and collect current traffic counts as well as project out based on how the area was going to grow, what congestion was going to look like in the future. That study was completed. It essentially showed we are congested now and congestion will increase in the future. There are some primary culprits that cause that congestion and a potential for improving the corridor. The next phase is how to move forward with our partners. Staff is proposing that the city participate in a more comprehensive study to the tune of about $150,000, which we budgeted for in our Capital Improvements Plan that council adopted in late 2015 for 2016. There are a number of folks here tonight that are going to help overview what this study would entail. It would be administered by the Ohio Department of Transportation District 6 and Thom Slack is here tonight to share the presentation. Also present is the assistant transportation director of MORPC, Nick Gill, who may also weigh in. Our other partners, Columbus and Perry Township couldn’t be with us tonight as they also have meetings this evening but they are aware of our discussion. He invited Mr. Slack to comment.
Mr. Slack thanked Council for that opportunity to speak with them this evening on another traffic issue concerning Worthington. This is a corridor that many jurisdictions share some responsibility for. They are eager to get moving on finding a fix here. He introduced Faye Taylor, who will be the ODOT project manager for the study.

Corridor History

**Previous Studies:**

- 1995 Study, FRA-161-5.77: Woolpert studied the corridor for ODOT and generated much of the studies and documentation required to complete an environmental document for corridor improvements.
- 2015 ODOT In-house Preliminary Engineering: Includes typical sections for various roadway configurations and schematic level plan views.
- 2014 MORPC SR 161 Traffic Study: Includes detailed traffic analysis and forecasts for the corridor.
- 2012-2014 City of Columbus Multi-use path study. Relevant information is environmental document.
- Connect Columbus: Conceptual ideas for Linworth area.
- Various site-specific traffic studies performed by businesses or developers.

**Study Goals**

- Developed in conversation with stakeholders
- Congestion Relief
- Reduce travel time along corridor
- Improve travel time reliability (make it predictable)
- Safety
  - Reduce crashes overall

*Mr. Slack shared that in the last three years there were 178 crashes between Sawmill and Olentangy River Road with 56% being rear-end crashes and attributed to congestion.*

- Provide safe accommodations for bikes and pedestrians

*Mr. Slack noted there being an absence of bicycle and pedestrian facilities in this corridor. He added that there is definitely the need and definitely a pent-up demand.*

**Study Approach**

- **The corridor will be studied as a complete unit**, as opposed to piecemeal studies that looked at small areas or specific issues.
- **The study will recommend solutions that will improve performance across the whole corridor.** This will allow for phased projects to be eligible for federal funding.
- Phased construction and context sensitive solutions will be recommended.
  - The right solutions implemented for locations along this corridor of varying attributes.
  - Smaller, more easily funded projects will be built and sponsored by stakeholder agencies.

**Example Solutions**

**Context sensitive – the right fix for the right location**

- Signal timing improvements
  - Add SB left turn lane and eliminate split phase signal at Linworth
- Additional/Fewer signals
- Intersection turn lane additions
• Add EB Lane from Sawmill to Sawmill Place Blvd.
• Left turn lanes at McVey, Maplebrook, Nicholas
• Bike lanes/shared use paths
• Center two way left turn lanes
• Additional lanes

Mr. Slack commented that another issue with the railroad is determining the appropriate time for those changes to be made.

Next Steps

• Legislation to be presented to Council in April
• Study scheduled to begin this Summer
• Study findings in 2017

Ms. Michael thanked Mr. Slack for having a context sensitive approach and be looking at the entire area from Sawmill Road to Olentangy River Road.

Ms. Dorothy wanted to get a better understanding on what the study will do for Worthington. This is still just a study and not a detail design. We are still trying to determine all the variables involved and make sure we have a level of service for all modes of transportation and not just for cars. Mr. Slack agreed. He shared that they will be looking for recommendations for the full corridor that will have recommended alternatives included. They want a decent level of detail that includes the environmental footprint to know how much space those would take up, in order to get environmental clearance for the entire corridor and be able to move forward with a federally funded project for the different phases along the way. We actually want to get to the formal approval of a recommendation for the alternative. Ms. Dorothy agreed with Ms. Michael in that we definitely want something that is optimized for all modes of transportation and context substantive for this environmental.

Mr. Norstrom asked about public participation during this study. Mr. Slack replied that they will be working both directly and indirectly so they will have stakeholder groups that
will reach out to elected and staff officials for all of the partners as well as the city of Dublin because of their involvement at the Sawmill Rd. signal. They will also have at least one but maybe two public workshops. They are working through the details at this time and are certainly open for any informal forms as well. They may also meet with resident groups, business associations, etc.

When asked by Mr. Foust if those proposals or recommendations would also include a good estimate of level of funding for each, Mr. Slack replied absolutely.

When asked by Ms. Michael the cost of the study, Mr. Slack replied that the study is budgeted at $600,000. ODOT will be administering the study and bear the overhead associated with the study’s administration but all of the partners involved will have an equal voice at the table.

Mr. Greeson shared that the projected study budget is $600,000. The breakdown is as follows:

- Worthington $150,000 (also includes consent legislation)
- Columbus $270,000
- ODOT $120,000 plus administration of the project
- MORPC $30,000
- Perry Twp. $30,000

Mr. Troper asked how the shares were determined and if the project goes forward how will the cost share be determined. Mr. Slack thinks construction costs will depend on where construction takes place. If construction will need to be done in Worthington, he thinks most of those projects will go through the MORPC attributable funding requests and follow those application guidelines. The financial part would be a local 20% match, whether entirely born by that applicant or shared in some way with the other stakeholders. We first need to get some costs associated with the individual improvements and then have some serious discussion about how and when that funding can become available. Mr. Greeson added that he expects it to be a long term implementation strategy.

Ms. Michael noted that Dublin was mentioned regarding the Sawmill interchange. She asked if there is any chance in bringing them along as a funding partner. Mr. Slack replied that they didn’t bring them in on the study because their corporate boundary begins at Sawmill Rd. and they don’t necessarily see any improvements at that intersection. If improvements were needed in that intersection then that would be something they would certainly take up. We would certainly look for their support in any MORPC applications as those move forward. There is a lot of discussion with regional impacts and the more people we can get to endorse the project the better.

Mr. Myers commented that the purpose of this study is to arrive at alternatives. Mr. Slack clarified that it’s for recommendations. It is to narrow alternatives and concepts down to a plan. Mr. Myers stated that sometime in 2017 the city can expect that there
will be presented to council ODOT’s recommendation. At that time you will ask us to give it a thumbs up or a thumbs down. Mr. Slack agreed.

Mr. Greeson commented that procedurally, tonight this is essentially a little bit of a workshop effort in that no action is being requested of council this evening. We wanted to have these folks come in and answer questions. Legislation will be introduced at the first meeting in April with a public hearing at the third meeting (April 18th). This gives members an opportunity to not only hear Mr. Slack and Mr. Gill but also take any testimony that members would want from the public. That opportunity would be provided again on the 18th.

Gail Caldwell, 6476 Strathaven Ct. W.
Ms. Caldwell commented that she just wanted to verify what she heard tonight about what ODOT is considering. MORPC completed the comprehensive study. The next step is to consider all of the options in the executive summary and come up with something that council can consider as a real action plan for going forward. Since she writes the newsletter, she wants to make sure that she has the information correct. Mr. Greeson agreed that the information she relayed is correct. The process will be to come up with alternatives that the public would have an opportunity to review and select an alternative. It will likely be a series of projects that help address the goals outlined.

Ms. Caldwell commented that the first opportunity for that would be in 2017 when they complete their study. Mr. Slack replied that they will be working through a more detailed schedule for public outreach as they initiate the study this summer. So that may come at the end of 2016 or at the beginning of 2017 but as they get six months into the study he thinks they will be reaching out to the public with something a little more finite to get some comments on.

Mr. Myers asked what the best way is for someone who wants to be included in the process to make sure they are included (get on an e-mail list, or mailing list or whatever). Mr. Slack thinks they can make use of any of their contacts with the city or with him. As they get their study team on board they will have an information public lead who will be coordinating all of those outreach activities. They hope to work with city staff to get that publicized as well.

Mr. Greeson added that staff will try to be a force multiplier for that person and get information out and point people where they can sign up. Certainly anybody that contacts us, we will make sure that the public outreach folks receive that information.

Danny Straab, 6336 Westbrook Place
Mr. Straab shared that for the last 27 years he has lived just off of the corner of Linworth and SR-161. Mr. Slack had mentioned earlier that he is very interested in incorporating public input and he would just like to mention that he is Mr. Public here tonight. For the last twenty five years he has lived as close to that intersection as almost anybody. He really wanted to thank a few people tonight. He thanked Mr. Greeson because he called him this past week. They have had several conversations about the SR-161 corridor and
he wanted to be sure that he was aware of this evenings meeting. He thanked Mr. Norstrom who asked no fewer than three questions during the presentation tonight about public input. He also wanted to thank City Council and the other shareholders for taking on quite a task. But to invest $150,000, he feels like he has waited awhile for this. He knows that Ms. Michael has been through the neighborhood as have a few others and he grabs them and bend their ear furiously about SR-161. He does that for a few reasons.

1) Most importantly safety – It is not a safe situation on that corridor. There are children that cross SR-161 at Linworth Rd. from their subdivision all the way down to Indian Hills to the park. He mentioned that since they have lived in Worthington, the positive improvements over there far outweigh anything negative. They have a park and a dog park. They have the schools and the services of Worthington, they couldn’t be more thankful. The one negative is the infrastructure. It is a mess. First and foremost, it is not safe.

2) It was mentioned about the character of the area. People are concerned about the gateways to Worthington. They are the western gateway to Worthington. He asked if anybody has mentioned that at a meeting before. If you are coming from Dublin or points west and enter Worthington, you are driving into Worthington through Linworth and SR-161. He asked council what they want the character of that area to look like and feel like. He thinks that is really important.

3) Traffic – Anybody that comes through that area doesn’t have to be told about the traffic situation there.

Mr. Straab shared that he is at tonight’s meeting first and foremost to applaud Council. He is their number cheerleader and he wants to be on the public input group because he’s only shared a little tonight and he has a lot more to say. He thanked Council for their time.

Council thanked Mr. Slack for the presentation.

APPROVAL OF MINUTES

- February 8, 2016 – Committee of the Whole Meeting
- February 16, 2016 – Regular Meeting

MOTION

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

Ms. Dorothy shared that she identified a small clerical error that she already mentioned by e-mail that needs to be incorporated.

The motion to approve the minutes as presented carried unanimously.
NEW LEGISLATION TO BE INTRODUCED

Resolution No. 14-2016  Approving an Agreement and Permit for and between Citynet, a Delaware Limited Liability Company, to Operate and Maintain a Telecommunications System Within the City of Worthington Pursuant to and Subject to the Provisions of Chapter 949 of the Codified Ordinances of the City of Worthington.

Introduced by Mr. Myers.

MOTION  Mr. Smith made a motion to adopt Resolution No. 14-2016. The motion was seconded by Mr. Norstrom.

Mr. Greeson shared that this is a renewal of a telecommunications and utility permit. It is a standard process and permit and staff recommends approval.

There being no additional comments, the motion to adopt Resolution No. 14-2016 carried unanimously by a voice vote.

Resolution No. 15-2016  Authorizing the Award of Re-emergent Corridor Assistance Program Funds to Help Improve Facility Exterior Facade and Streetscape Along Certain of the City’s Commercial Corridors (6320 Huntley Road).

Introduced by Mr. Foust.

MOTION  Mr. Troper made a motion to adopt Resolution No. 15-2016. The motion was seconded by Ms. Dorothy.

Mr. Greeson invited Mr. McCorkle to present this application and the CIC’s recommendation.

Mr. McCorkle thanked Council for their time and shared that he is the new Economic Development Manager for the city of Worthington. He shared the following presentation.

A Recap of ReCAP

Re-Emergent Corridor Assistance Program (ReCAP)

• Funding to building owners or commercial tenants to improve their facades & surrounding streetscapes
• Focus on commercial corridor: Huntley, Proprietors & Schrock Roads
  – Commercial properties must be located within ReCAP Program Area
• Commercial building exterior enhancements, prospective in nature
Exterior front façade
- Side building elevations if on corner lot
  - Paid on a match basis, $1:$1 with private funds

**Eligibility**
- Building owners and tenants (w/property owner’s approval)
- Building in ReCAP Program Area
- Applicant in full compliance with all income and real estate tax obligations
- All project work must abide by MPC approvals & building permit processes
- **NO Interior Improvements**
- 50 – 50 Grant-Loan Financing
  - Partially fund well-designed exteriors
  - Maximum award = lesser of 50% of the lowest contractor’s bid for work under the project or $25,000
  - Cash paid up-front, 50-50 loan-grant
    - Up to $12,500 one-time grant
    - Up to $12,500 loaned at 0%, 3-year term
- Applications reviewed by City staff and recommended by CIC
- Approved by City Council

*Mr. McCorkle shared that for 2016 there is a $75,000 appropriation for this program. This is for three funding rounds if needed so it is first come, first serve. This first funding round was due February 26th, the second round is due April 29th and a third and final round if necessary is due August 26th.*

ReCAP Application 10

6320 Huntley Road – Columbus Service Supply Corp. (Melinda Frye)
Ms. Frye is a tenant in this building and the building owner is Margaret Buehler. The proposed application is for improvements to 6320 Huntley Rd. Ms. Frye has been a small business owner in the city of Worthington for nearly 55 years. She is a member of the Worthington Chamber of Commerce and makes monthly ongoing charitable contributions to the Worthington Resource Pantry. He shared that Ms. Frye’s son Jason and daughter-in-law Jessica who have been running point on this project are in attendance and he thanked them for attending tonight’s meeting.

Mr. McCorkle shared that this application was originally submitted in 2015 but there were not sufficient funds to fund the entire request so it is coming before members again. It has been to the CIC twice for recommendation for approval.
Proposed Improvements

Scope of Work

- Neighborhood Design Center-recommended updates:
  - Demolish existing entry awning & install flower boxes
  - Install new wood entry pergola & cut-out sign
  - Tree planting & new exterior lighting
  - New monument sign
- Timeline: One year completion
- Total estimated costs: $49,286
• Request ReCAP assistance: $24,643

Mr. McCorkle reported that the CIC met on March 11th and reviewed the proposed improvements to 6320 Huntley Rd. The CIC Board recommended approval and funding. The application was scored by both City Staff and the CIC and recommended for funding. Staff recommends that the City Council approve $24,643 in ReCAP assistance to Melinda Frye pursuant to the program guidelines and procedures.

Mr. Troper commented that they are the tenant and they plan to pay the loan back over three years. He asked if they have a lease for these three years. Mr. McCorkle reported that they did.

Ms. Dorothy asked Mr. McCorkle if he has been tracking the vacancy rates along this corridor and the rent rates. Mr. McCorkle replied that he is aware of the current vacancy rates but will need to do a refresher on them. He added that one of the suggestions that came out of the CIC meeting was actually taking property values of the existing properties and taking a look at whether the property values within this program have increased so we will be looking at whether there is a return on investment of the dollars themselves. Vacancy rates will also be included in that endeavor.

Mr. Norstrom added that one of the other topics that was discussed was rental rates because it appears to still be very cheap property along that corridor. Mr. McCorkle agreed. The plan is to monitor the rental rates and the vacancy rates. Mr. Myers noted that the purpose of the program was to increase both of those.

Mr. Myers asked Mr. Frye what kind of business they have. Mr. Frye replied that they are a light industrial company. They distribute supplies around the Columbus area. They are family owned and operated. He is third generation. This is where they want to be and appreciate everything the city has done for them to date. For over 50 years they have tried to take good care of the building but it could use a sprucing up.

Ms. Dorothy thinks in general this program is something that we want to invest some time and money in and hopefully it does pay dividends with lower vacancy rates and higher rents but just the fact that we can help local business stay and grow in Worthington is phenomenal and definitely something that she wants to see prioritized. She thinks council members would be open to hearing about other programs that staff thinks would be worth trying out. On the face of this program it seems to be doing well and she hopes it does pan out over the long term of keeping and growing businesses here in Worthington.

Ms. Michael recalls seeing this application previously and she is glad they came back and were persistent enough to come through so council could help them.

There being no additional comments, the motion to adopt Resolution No. 15-2016 carried unanimously by a voice vote.
REPORTS OF CITY OFFICIALS

Information Item(s)

- Door to Door Solicitation

Mr. Greeson shared that he will turn this important topic over to Mrs. Fox and possibly Mrs. Thress to talk about, as we head into the season where our request for solicitation permits increases quite a bit.

Mrs. Fox shared that it has been about ten years since the door to door solicitation ordinance has been reviewed but this season Mrs. Thress has been working very hard to develop two different permit applications that we have for solicitation, one for the door to door and one for the roadway solicitation. She has the ability in chapter 713 to prepare that application with information that she deems necessary. The ordinance also allows her to set the fee for those people who come in to apply. We wanted to let council know that at least for this season the door to door solicitation application has been changed to increase the fee. Typically applicants come in to solicit for a business or a group so it is currently $20.00 for the first person and a dollar for each applicant after that. That permit is good for a year but all expire on December 31st. We have looked at many of the other ordinances around central Ohio and have developed a sliding scale of fees. The new rates are $10.00 for a week, $25.00 for a month and $50.00 for the year. Those rates are pretty much in line with most of the other central Ohio communities that have these ordinances. We also spend a great deal of time in having her paralegal look through public records for background information on all of these applicants. This application requires the applicants to bring in their own background check that would be good for the prior 90 days. While we feel that this will save us administrative time the reality of it is that most of these businesses are not just going door to door in Worthington. They are doing this in multiple communities that require background checks. We are asking for a background check that looks at not only Ohio background but national background. Applicants can get those background checks in a variety of places in Franklin County.

Mr. Troper asked if these are BCI and FBI background checks. Mrs. Fox replied yes. It is called a BFBI check. There is a company down on High St. that does that kind of check as well as the Sheriff’s Department and several other different businesses. Those are the two primary changes that this application is making other than just formatting.

Mrs. Fox shared that the Roadway Solicitation doesn’t have any major changes as the previously requested information is still required. But we know that there has been some comments about making changes to the Solicitation code section and we intend to look at our ordinance as there are a few things that need to be clarified. She mentioned that the Police Chief has asked for a couple of clarifications particularly as they relate to the No Solicitation Signs that people are able to put on their front doors and how that translates into an enforcement measure if people continually disregard those signs. So we will be looking at that. She would be interested in hearing if any council members have any
particular parts of this ordinance that they would like to address. This concept of door to door solicitation has received a great deal of case law attention, not only locally but nationally with the U.S. Supreme Court so the law is constantly evolving and she just wanted to take another look at it to make sure we are in sync with all of that.

Mr. Troper asked about the background checks and how the new language differs from what is currently required. Mrs. Fox replied that staff was just doing public records checks and they were somewhat thorough but this is a little bit different and probably a little more comprehensive.

When asked by Mr. Foust the cost of a background check, Mrs. Fox replied that they run around $60 to $66. If they are soliciting in other communities many may already have one and often times the business will pay for those.

Mr. Myers asked if we have the authority to deny a permit based on a background check. Mr. Fox replied that our code allows the Safety Director to deny a permit for violations of what is called “crimes of moral turpitude”. Mr. Myers commented that she will want to take a look at that. Both the courts and the general assembly have pretty recently taken shots at that term. It has been called into question over the last couple of years. Mrs. Fox added that it is sometimes difficult with some of the instances that we have encountered. There has been a few occurrences and actually for the first time we have had a couple of appeals and applicants have come in and asked that it be reconsidered so we have sat down with them and had that discussion. So we will take a new look at that.

Mrs. Michael concluded that staff is looking at revising that code section. Mrs. Fox agreed but we wanted to make sure that we got the updated application and the new fee process in place before the new season kicked in.

REPORTS OF COUNCIL MEMBERS

Mr. Norstrom commented that he would like to know when the last time various fees were reviewed and then consider doing it at the appropriate time going into the budget process for next year. Mr. Greeson replied that is actually one of the goals that came out of the retreat session and he will share that report once he gets his hands on it.

EXECUTIVE SESSION

MOTION

Ms. Dorothy made a motion to meet in Executive Session to discuss Board and Commission appointments (appointment of personnel) and sale of real property. The motion was seconded by Mr. Myers.

The motion carried by the following voice vote:

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

No 0
Council recessed at 8:50 p.m. from the Regular meeting session.

**MOTION**
Mr. Troper made a motion to return to open session at 9:30 p.m. The motion was seconded by Ms. Dorothy.

The motion carried unanimously by a voice vote.

**ADJOURNMENT**

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

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 9:30 p.m.

____________________________________
Clerk of Council

*APPROVED by the City Council, this 2nd day of May, 2016.*

____________________________________
Council President
Meeting Minutes

Monday, April 4, 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, April 4, 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, Assistant City Manager Robyn Stewart, Director of Finance Molly Roberts, Director of Public Service and Engineering Dan Whited, Director of Parks and Recreation Darren Hurley, Chief of Fire Scott Highley and Chief of Police James Mosic

There were thirty-five visitors present.

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

VISITOR COMMENTS – There were no visitor comments

SPECIAL PRESENTATION

Good Neighbor Award

Resolution No. 16-2016 To Congratulate Joanna Saul on Her Recognition as a Recipient of the 2015 Good Neighbor Award From the Worthington Community Relations Commission.

Introduced by Mr. Myers.

MOTION Ms. Dorothy made a motion to adopt Resolution No. 16-2016. The motion was seconded by Mr. Troper.

The motion to adopt Resolution No. 16-2016 carried unanimously.

Mr. Greeson shared that the Good Neighbor Award is a great opportunity to honor the good work of one of our citizens. He invited Jack Miner, Chair of the Community Relations Commission to come forward to make the presentation to this year’s winner.

Mr. Miner shared that the Commission received many great nominees this year. It is his honor to acknowledge someone who is not just a good citizen but someone who has really changed the city through neighborhood walk. He invited Ms. Saul to join him at the
podium where he read Resolution No. 16-2016 in its entirety before presenting Ms. Saul with a certified copy.

Mr. Miner also introduced Kerrianne Wolf, the resident who nominated Ms. Saul.

Ms. Saul thanked City Council and the CRC for the recognition. She added that more than recognizing her, she thanked council for recognizing walkability in Worthington. It is such an important goal. Every time she goes for a walk she sees something new to love about Worthington. She hopes that Walk Worthington will aid all residents to love and appreciate the great neighborhoods that we have.

Ms. Michael and Ms. Dorothy both shared their appreciation for all that Ms. Saul has done in the community.

Mr. Miner added that another part of this award is a monetary donation to a charity in her name. He thanked council for the opportunity to share.

President Michael acknowledged a Scout from Troop 123 who was present as a requirement of his Citizenship in the Community badge. She encouraged him to ask questions.

Resolution No. 17-2016
Expressing the Appreciation and Best Wishes of the Worthington City Council to Mikel Coulter For His Outstanding Service to the Community.

Introduced by Mr. Foust.

MOTION
Mr. Norstrom made a motion to adopt Resolution No. 17-2016. The motion was seconded by Mr. Smith.

The motion to adopt Resolution No. 17-2016 carried unanimously.

Ms. Michael joined Mr. Miner at the podium where they jointly invited Mr. Coulter to join them. Ms. Michael read Resolution No. 17-2016 in its entirety and presented Mr. Coulter with a certified copy.

Mr. Coulter shared that he didn’t realize that he had served that long. With the time that he has spent on the Community Relations Commission and has seen it change over the years he felt that when he gave up the chair it was time for a transition. He knows that Mr. Miner will do a great job leading and the CRC will continue to do great things.

APPROVAL OF MINUTES

- March 7, 2016 – Regular Meeting
- March 14, 2016 – Committee of the Whole Meeting
MOTION Mr. Myers made a motion to approve the aforementioned minutes as presented. The motion was seconded by Ms. Dorothy.

The motion to approve the minutes as presented carried unanimously.

NEW LEGISLATION TO BE INTRODUCED

Ms. Michael explained to the members of the audience that the introduction of legislation is an opportunity to set the item for public hearing. She invited residents to contact Mr. Greeson if they have anything to share or if they needed information prior to the hearing.

Ordinance No. 10-2016 Amending Ordinance No. 44-2015 (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 Heischman Park Playground Replacement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 627-16)

Introduced by Mr. Troper.

Ordinance No. 11-2016 Amending Ordinance No. 44-2015 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the Worthington Station TIF Fund and Worthington Place TIF Fund Unappropriated Balances.

Introduced by Mr. Foust.

Ordinance No. 12-2016 Amending Section 1107.01, Section 1141.01 and Section 1141.06 and Enacting Chapter 1181 of the Codified Ordinances of the City of Worthington to Facilitate Redevelopment and Reinvestment of the Wilson Bridge Corridor.

Introduced by Mr. Norstrom.

Ordinance No. 13-2016 Authorizing the City of Worthington to Participate with Other Central Ohio Jurisdictions in the Funding for a Study of the State Route 161 Corridor and Amending Ordinance No. 44-2015 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost Thereof.

Introduced by Mr. Smith.
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

Information Item(s)

• Update of Parks Master Plan

Mr. Greeson shared that Parks Director Darren Hurley will share the update on our Park Planning Process that his Department as well as our Parks and Recreation Commission has been working on. The review is done periodically to ensure that planning is going in the right direction. The intent of this evening’s update is to check in with council and obtain feedback as to the direction we are heading. He invited Mr. Hurley to present the information update.

Mr. Hurley shared that he is excited to bring the Park Planning Process and update to council this evening. First he wanted to acknowledge Rob Wendling with the Parks and Recreation Commission who has volunteered to join us this evening and represent the Parks Commission.

Park Planning Process
City Council Update

DARREN HURLEY, PARKS & RECREATION DIRECTOR

Park Planning

Reviving the tabled Vision 2020 Planning Process!

Mr. Hurley shared that the Vision 2020 plan began an effort to look at our parks comprehensively and provide a plan for our existing parks and determining ways to keep them up to date, modern and look to revive and expand the amenities in those parks when possible. Members may recall that one of the big discussion points during that process was the dog park. The good news is that resulted in a very nice Godown Dog Park but in effect it also served to take the momentum from the plan itself and shift it over to the establishment of the dog park. So the plan ended up being tabled because once the dog
park process got started we had two successive retirements of our parks directors before he arrived in 2010 so they just decided to table the planning process for the time being. So that is where we are today.

Recently the Parks Commission discussed taking the planning process back up.

Who?

PARKS AND RECREATION COMMISSION
- 9 Member Advisory Commission
- Mixture of those involved in Vision 2020 and those appointed after

What Approach to Take?

1. Considered desired outcome
2. Evaluated resources available
3. Assessed timing and feel of process

Process Overview

Determined internal, staff facilitated process using the expertise of the Commission was the best approach.

Process – 3 Broad Steps

1. Education/Research
2. Identifying Needs
3. Park by Park Planning

Mr. Hurley shared that because we will not be expanding the number of new parks in Worthington we wanted to really pay attention to our existing parks and what the needs are there.

Education/Research

1. Park Inventory and Benchmarking
2. Park by Park Analysis re: Maintenance
3. Park Trends

Benchmarking

International City/County Managers’ Association’s (ICMA) Center for Performance Measurement
1. Developed Park Acreage per 1,000
2. Number of Athletic Fields per 1,000
3. Similar Comparisons – Playgrounds, Tennis Courts, Trails, etc.

Mr. Hurley shared that not surprising, Worthington doesn’t have glaring deficiencies when it comes to park acreage per resident or how many amenities of various types that we have. We fared well in the benchmarking component as far as how we stacked up with other communities.

**Maintenance Analysis**

Presentation from Parks Manager to educate members on challenges currently in place.

**Overall Themes Serving as Challenges to Meet Expectations**

- **Structure/Infrastructure**
  - Lack of or Failing Irrigation/Drainage
  - Branding and Related Upkeep of Existing 28 signs
  - Fencing Replacement/Repair
  - Bleacher Pads/Overall Surfacing Challenges
- **Amenities**
  - Play Structure Repair and Replacement Schedule
  - Aging Buildings
- **Flora/Fauna**
  - Invasive Species Control
  - Ash Tree Removal
  - Whitetail Deer
- **Equipment**
  - Outdated/Under-Purpose Items

Mr. Hurley shared that sometimes staff finds itself to be reactive to infrastructure items instead of proactive.

**Park Trends**

What trends are out there that we may want to consider in planning process?
When asked by Ms. Michael what Geocache is, Mr. Hurley replied that it is similar to a scavenger hunt. It uses GIS coordinate and little boxes are hidden in many public places and people go out on a hunt to try to find them. Staff has developed a policy for having them placed in our parks and under what conditions they can be placed.

Identifying Needs

1) Playground Discussion
2) Resident Survey
3) Brainstorm Needs/Wish Lists
Playground Challenges

How to maintain 14 playgrounds given the current funding levels, life span, and community standards?

Mr. Hurley shared that the current cost associated with playground replacements for an average playground is around $150,000. The All Children’s Playground was a little higher while the Heischman Park Playground will be a little less. If we anticipate that a playground will last between 20 to 25 years, we need to replace a playground almost every other year and we are not doing that. Over time we will begin to have challenges with keeping those playgrounds replaced.

Ms. Dorothy asked if he knows what the overall maintenance budget is including or excluding that replacement cost for our parks. Mr. Hurley replied that if he understands her question correctly it has to do with the Park CIP expenditures. One thing needed before recommendations to council can be made at the end of this planning process is to do a historical analysis of what over a ten or eleven year period have we been able to fund annually when it comes to park improvements. We took a look back for eleven years and have averaged just under $90,000 a year in what we call park infrastructure improvements. That is items out in the parks. If you replaced a playground every other year, which 28 playgrounds would be pushing us that would be $75,000 a year on average just in playgrounds. That leaves $15,000 a year to address everything else that we might need or want to replace. If nothing changed and we had the same average over the next ten years that would be the lens that we would be looking through.

Mr. Norstrom asked how much of the $90,000 has gone for playground replacement. Mr. Hurley replied about 80 to 85% of that has been playground equipment. We worked in some tennis courts here and there but there haven’t been large replacements.

Mr. Norstrom concluded that 80% would be $72,000, which is close to the numbers you are giving us. He asked if he can infer then that we are doing well in terms of funding. Mr. Hurley replied that he thinks the idea is that we haven’t been adding any really nice new amenities for the community or taking care of some of our bigger ticket items like some of our restroom facilities, shelter houses, and things like that. We have been putting almost all of our available funding towards playgrounds.

Mr. Norstrom stated that the $150,000 that he is talking about then would basically keep us going. But now you are saying there are other things like restrooms, etc. Mr. Hurley thinks the framing that they we trying to accomplish with the Commission was to say that if we continue, down the road we will really not be able to put much else on the playgrounds.

Ms. Dorothy commented that this is CIP for infrastructure. We have other budgeted money for maintaining other grounds maintenance and programs. Mr. Hurley agreed that this is only speaking for capital improvements. So this doesn’t include our staff painting a building or maybe replace siding on a building that could be deemed more of
an operational expense. We obviously do a lot of that in an effort to maintain our facilities. Programming would be separate. This is big ticket items such as court repaving, if we wanted to build something new, etc. He just wants to educate council that this is the discussion of the Commission and the basis for any recommendations that will come forward.

Ms. Michael asked if the $90,000 is in addition to every couple of years rebuilding a playground or is it included in there. Mr. Hurley replied that it is the average that includes everything including playgrounds. We have not been replacing playgrounds every other year. Some playgrounds were last redone in the early 90s with Heischman being the oldest, which we are getting ready to address. So we are right at the end of that 25 year window for those playgrounds.

Mr. Hurley acknowledged all of that as a big discussion point. He added that with that has comes some philosophical thought processes in terms of; is there a need for fourteen - $150,000 playgrounds or are some of these trends like natural play relevant. We looked at a map that showed the location of all of our playgrounds as well as the school playgrounds. We questioned what is the standard that we want in the community in terms of everyone being able to walk to a playground, push a stroller to a playground, etc. They were able to identify and are in the process of identifying some playgrounds that might be able to be done either a little differently or with a unique approach that would still keep us within the standard we want for our residents in terms of accessibility for play. Members can think of some like Heischman in relationship to McCord Park. Selby and Indianola Park are also close together so those are a few of the ones that they may end up making recommendations that would help us along that path.

Resident Survey

1. Build off of 2008 Survey
2. Community Feedback from General Park Users
   - Navigate Special Interest
3. Create Community Engagement
Mr. Hurley shared that the survey done in the parks produced 273 responses. While it wasn’t a huge response it did provide some initial information and a way for us to compare how we were doing compared to the original survey in 2008.

The following is an example of one of the survey questions:

**Survey Results**

**Most Important Amenities:**
1. Bike/Recreation Paths 146
2. Nature Areas 127
3. Drinking Fountains 109

**Least Important Amenities:**
1. Basketball Courts 106
2. Tennis Courts 101
3. Athlete Fields 79
Mr. Hurley shared that they also indicated in the survey which park they visit most often. We felt like although the number sampling wasn’t as large as we had hoped for, the spread around the community was good because there was good representation from every park. So we know that we were getting some sampling throughout the community and not just specific parks for specific reasons (soccer, baseball, etc.).

Mr. Hurley added that they do have other plans for additional feedback that he will share a little later.

Wish Lists/Ideas

1. Commission Members Ideas Captured
2. Added Staff Input
3. Incorporated Survey Responses

Park by Park Planning

1. Wish Lists Ranked by Park
2. Park by Park Subjective Discussions
3. Final Listing of Projects by Park in Priority Order

Mr. Hurley shared that the finished document will eventually be presented to council and will show park by park, these are the projects that they think are the most important.

Other Key Steps

Mr. Hurley shared that the Other Key Steps are yet to be taken or are in the process of being taken.

1. Historical Financing Reference

Mr. Hurley stated that they want to be realistic with the items that are recommended/suggested to council so time has been spent talking about where we’ve been and where we might expect to be with funding.

2. Operating Budget Impact Evaluation
3. Additional Public Feedback – Open Houses

Mr. Hurley shared that an effort for additional public feedback will be forthcoming through a vehicle of open houses. They will list all of the draft parks improvement recommendations of the Commission on line and share public information about open houses so they could come, view all of the recommendations, and provide feedback. Then the Commission will take that feedback and make changes as needed.

Ms. Michael asked if the open houses will be held at the various parks. Mr. Hurley replied that they are still determining the best approach to take. Whatever is decided
they will make sure to get the information out to the public. They will also have a component on line where they can review the plans and provide feedback. The approach for the open houses is to give them something to react to and critique and provide additional feedback of things staff might not have thought of.

4. Alignment with Other Planning Documents

Ms. Dorothy asked what the timeline is for this process. Mr. Hurley replied that the Parks Commission is drawing to an end as far as what they can do without public feedback. They feel like they are close to having their park by park recommendations drafted. They wanted to get feedback from council tonight to make sure they were on the right track as far as council was concerned. They think the best time to have public feedback is in the early summer when people are active and out using the parks. Their goal would be to do that and then depending on the feedback and whether it takes them in a different direction, they would anticipate being able to incorporate that later this summer and be back to council yet this year.

Mr. Smith commented that an audience member last time mentioned wetlands potentially at the West Wilson Bridge Road parkland. He thought that was an interesting concept. He asked what the process would be to determine whether that was possible and then incorporate it into the plan. Mr. Hurley replied that he doesn’t know the answer on how to work that one out because there is the challenge of some of the land located on private property although he does have experience with wetlands. He thinks it could be considered a resource if it were accessible. He knows there is a lot of interest in the parklands with river access and capitalizing on the great natural resource that is down there. He thinks the options of that would fit into that conversation.

Proposed Outline of Final Plan

I. Introduction
II. Background
III. Methodology
IV. Current Conditions
V. Current Park Information
VI. Benchmarking Information
VII. Park Trends
VIII. Survey Results/Public Feedback
IX. Playground Challenges
X. Park Maintenance
XI. Park by Park Vision
XII. Most Critical Improvements
XIII. Overall Recommended Park Improvement Projects
XIV. Funding Options
XV. Conclusions
Much of the outline has been completed. The important part will be some of the items towards the end such as Park by Park Vision and determining the overall Most Critical Improvements that they want to recommend to Council for consideration.

Ms. Michael stated that when looking at the Most Critical Improvements are you just looking at improvements or does it also include land acquisition in the case of the wetlands. Mr. Hurley replied that currently it is drafted as a Park by Park component that includes a vision and recommendation by Park and then there is an Other section that includes projects that they would like to see but that are not tied to a particular park. He added that the big focus of the Commission has really been more on replacing, improving, and maintaining what we have as opposed to adding new things. There have been a few items that we don’t have that have come up but not many. The Commission wants to make sure that what we have is well maintained, is being replaced in a timely way and keeps to the Worthington standard.

Mr. Hurley stated that he is looking to see if members have any questions or feedback on this outline. If there are steps that they have not heard but that they think are important to take, the Commission and staff would welcome those comments.

Ms. Dorothy asked if there has been any thought in partnering with Columbus for the Rush Run Nature Preserve to see if there is any way to assist with that the piece of property that is located in Worthington behind the Walnut Grove Cemetery but owned by the city of Columbus. Mr. Hurley replied that the topic has not come up as of yet but if members would like for him to pass that along it can be added to the discussion.

Ms. Dorothy also reminded everyone of a clean-up day at the Moses Wright Park on April 23rd. Mr. Hurley confirmed that to be the date. The event includes Sustainable Worthington folks and will run from 9:00 a.m. to noon. Ms. Dorothy added that the city of Worthington provides the tools and equipment but they are in great need of workers.

Mr. Troper asked how residents are being contacted to obtain their thoughts and comments on possible renovations at Heischman Park. Mr. Hurley shared that they like to come with some ideas that people can react to so staff is in the process of putting together three or four proposals for playgrounds to have at a public meeting. We typically work with our GIS staff at Engineering to just draw a circle in the neighborhood and we direct mail an invitation to a public meeting to the residents who live around a neighborhood park like that. We will also send out a general public announcement through our typical sources. We will invite them in to review the playgrounds and provide feedback. That information will be processed and a final design assembled that will then be shared with the Parks Commission and City Council.

Mr. Norstrom asked how much interaction has there been with the school district when considering the new design because obviously they have tennis courts and basketball courts. When we consider parks or facilities within the city clearly there is some overlap. Mr. Hurley agreed. He thinks an example of that was playgrounds but we want to look beyond because as you know the topic of baseball fields there is sometimes the feeling
that we don’t have enough but the reality is that there are many baseball fields on school facilities so we have to balance what we have versus what the community has access to. That has been a part of our discussions. Mr. Norstrom found it interesting that he mentioned baseball fields because he is not sure that 20 years ago we would have considered soccer fields important. So if we are looking 20 years out, he thinks what he would be looking at from the Parks Commission is some strategic discussion on the direction we are going. In other words, we can try to be everything to everybody or we can make a decision that policy wise “this” is what we are going to emphasize. For example, it could be trails, it could be walkability, it could be sports facilities but he thinks what he is looking for from the Commission is a direction to go. That means at times it may be contrary to what some citizens think but it is overall better for the community given the direction we feel this community should be going. For example, if we were to emphasize physical activity, such as walking and hiking and things like that and a good mix of what those things are. He added that baseball is not necessarily a sport that is thriving in the 21st century.

Mr. Hurley commented that if he is hearing correctly, some direction in terms of our emphasis, because he thinks as a community a well-planned parks system can do many things for many people but he hears what he is saying. When decisions have to be made, what would the priority be?

Mr. Myers thinks Mr. Hurley eluded to this but he is assuming there will be or there has been some discussion as to whether we need to consider repurposing some parks. It would seem to him that a great deal of our budget is spent on playgrounds. We see the results of the survey and it almost seems like there is an age demographic in play here and can we target those neighborhoods that may have a higher concentration of children and therefore playgrounds may be more appropriate. He is assuming that will be in the discussion. Mr. Hurley agreed. One thing that has come up and is still be reviewed is the idea that some parks may need to be looked at comprehensively, i.e. McCord Park, which we have kind of bounced to the out years of the CIP just because we couldn’t settle on an amount and a plan. So instead of going piece by piece do you do a full look at a park like McCord? Mr. Myers interjected Indianola and Selby. Both of those playgrounds are used extensively but is there a way we can repurpose one or the other. Mr. Hurley agreed that definitely in terms of playgrounds but even in terms of parks overall there has been a very close look at a couple of parks where we need to take a comprehensive look before we start going one project at a time versus other parks where we are not dramatically changing the purpose of this park. He added that most of this is just about having a planned, pro-active approach so that we are not coming to council when things are past the point of needing fixed. While we may not always be able to accomplish them we are at least communicating to Council ahead of time what the needs are and when we think they will occur and we need to have a plan of how to address them.

Mr. Myers added that he believes that at the ASA Regionals, 4 years ago at Berliner Park brought in about $19,000,000 to the city of Columbus. That was just softball.
Mr. Norstrom added that he will be looking for information on what the national move is in terms of parks and recreation and what is coming up. Splash pads is not something we would have talked about ten or fifteen years ago so what does the parks and recreation field see as the future. Geocache was provided as an example earlier and there may be other things. We were one of the first to put a skate park in and he doesn’t even know if it is still highly used. Mr. Hurley assured him that it was.

Ms. Michael commented that when talking about some repurposing, she is hopes they will look at the sustainable movement. She understands that the community garden is completely filled. Do we look at having some of our parks include some additional community gardens or includes edible plants? The changes might not even be the repurposing of an entire area and might not be that expansive to add but may be able to bring in a more diverse variety of people.

Ms. Michael added that she hopes there will be some opportunity for public/private sources of funding along with some ideas for grants. Other communities have a Parks and Recreation Foundation. She doesn’t know if that is something that is needed or desired but those are just some of the funding things that she hopes people are looking at. She is also aware of a local push for a wetland area and maybe there is some public/private partnership that could be done. Mr. Hurley thanked her for the comments.

Steven Rosandich, 140 Caren Ave.

Mr. Rosandich thinks the comment about re-using some of the space for a public garden is very appropriate. He suggested adding cross-fit along the trails or any place where there is space as it is becoming very popular. It only needs a little space where people can stop and do specific exercises. It doesn’t have to change the use of the park but rather just adds a little something along the side.

Mr. Rosandich stated that the last comment about partnering with in the neighborhood, there are many businesses that could turn around and try to take over a whole park and want to change the name. There may be smaller businesses that want to take on the responsibility of a park. We recognized some scouts earlier. We might want to see if any are interested in helping with the parks. Ms. Michael shared that the scouts have done a wonderful job over the years in helping us. They have completed some beautiful park improvement projects many times. She is sure that will continue. Mr. Hurley shared that many of the pavers and benches along the trail have been Eagle Scout projects.

Mr. Smith shared that council received a notification from a resident last week about safety on the bike trails, specific to dogs and how they interact with bicycles. Hopefully we as Council and a staff can talk a little more about that from an ordinance perspective but from a Park’s planning perspective how to integrate more safety and awareness about dog and bike safety. Mr. Hurley reported that one of the Bike and Pedestrian’s projects is planning and assessing the trail. If the trail would ever connect us to Highbanks to the north of us, we would definitely see an increase the volume of users. There is all kinds of data out there about what happens if you add lanes or widen the trail and there are pros and cons to all of that. He added that the resident did attend the Bike
and Pedestrian meeting last week so they did hear his feedback directly but there are many things along the trail that are going to need discussed in the short term.

**Austin Mitchell, family recently moved from Pittsburgh**

Mr. Mitchell shared that he and his family recently moved to Worthington from Pittsburgh. They enjoyed Schenley Park while there that was located in the heart of the Oakland neighborhood in Pittsburgh. The park had several different food stands and restaurants that served beer. It sort of reminded them of the time they spend in Europe where they actually had beer gardens inside of parks, which is something that really brought people out on a Saturday afternoon. It was always pretty civil and a lot of fun. He doesn’t know what the local laws are but that is something to consider.

Mr. Hurley thanked council for the opportunity to share. They will be getting information out to the public about the open houses. The Parks Commission meets every third Tuesday at 6:00 p.m. at the Community Center and they will continue to work on this process at those meetings and setting up public forums soon.

**REPORTS OF COUNCIL MEMBERS**

Mr. Troper shared that he noticed that 5/3 Bank has a 2% interest rate on a five year CD. He wondered if staff considered investing in that kind of rate to increase our rate of return. Mrs. Roberts reported that they look at the market as our CDs mature and they ladder our CDs with other instruments to meet our portfolio needs. So yes she does look at CD rates on a continual basis. As things mature we roll those into CDs that are offering a more attractive rate.

Ms. Dorothy thanked Mr. Hurley for all of the hard work he has been doing with Parks and Recreation and Bike and Pedestrian. She believes the Bike and Pedestrian gave Council a preliminary outline of what they wanted to do so hopefully members can talk about that at a council meeting soon.

Mr. Greeson asked if member want that as an agenda item. After conferring with member’s Ms. Michael asked that it be included as an Agenda item for a Committee meeting.

Mr. Smith commented that he thinks next week he is on the agenda regarding the topic of potential sidewalk ordinance changes. He asked if that was still a go. Mr. Greeson replied that they will talk about two resident generated proposals and that is still a go. The public has been notified to that affect. Mr. Smith commented that if any council members have any questions for him prior to the meeting feel free to reach out.

Ms. Michael mentioned that she attended another meeting of the Central Ohio Mayors and Managers Association along with Mr. Greeson. She thinks it will be an interesting group because as they get more organized they plan to talk about different types of legislation that the local municipalities in central Ohio are looking at. She would like to share those ideas with the council members. She added that they received a great
presentation on current legislation being considered in the state house. There was a piece that they asked for comments on and that is whether our council feels it is a good or bad idea for the legislature to allow municipalities to increase the costs of license plates and giving the fees to the municipalities for maintenance of roads and streets in that municipal area. If members have any thoughts, she would like to hear it. Mr. Greeson added that staff can put some information together on that issue. The fees haven’t been adjusted since the 1980s and the question is not whether Council wants to do it but whether members want the authority to do it sometime in the future.

Mr. Greeson added that the meeting also included our new Ohio Municipal League director, Kent Scarrett. Mr. Scarrett has been a long time Municipal League staffer and replaces Worthington resident, now retired Executive Director Sue Cave, who is serving on our Charter Review Commission as its chair.

Ms. Michael shared additional information for the benefit of the audience about the Central Ohio Mayors and Managers Association.

EXECUTIVE SESSION

ADJOURNMENT

MOTION Mr. Foust 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 8:35 p.m.

____________________________________
Clerk of Council

APPROVED by the City Council, this 2nd day of May, 2016.

_______________________________
Council President
Meeting Minutes

Monday, April 11, 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
W. Scott Myers, President Pro-Tempore
   Rachael Dorothy
   Douglas C. Foust
   David M. Norstrom
   Douglas Smith
   Michael C. Troper

Matthew H. Greeson, City Manager
D. Kay Thress, Clerk of Council
CALL TO ORDER – Roll Call, Pledge of Allegiance

Worthington City Council met in Regular Session on Monday, April 11, 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.

Ms. Michael appointed Tanya Maria Word as Temporary Clerk of Council for this evening’s meeting.


Member(s) Absent:

Also present: Deputy Clerk of Council Tanya M. Word, City Manager, Matt Greeson, Assistant City Manager, Robyn Stewart, Director of Law Pamela Fox, Director of Finance Molly Roberts, City Engineer Daniel Whited, Parks and Recreation Director Darren Hurley, Director of Planning and Building Lee Brown, and Chief of Fire Scott Highley.

There were 26 visitors present.

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

REPORTS OF CITY OFFICIALS

Discussion Item(s)

(1) Proposed Code Changes Related to Sidewalk Construction

Mr. Greeson stated we are having a discussion this evening regarding potential changes to the sidewalk portion of our code in particular the portion of the code that deals with how citizens can petition sidewalks to be constructed and the relevant portions that the city may pay. We are not considering specific legislation this evening, so there is nothing that the City Council is going to vote on this evening. This is a committee of the whole meeting so the council will discuss some of the ideas presented and then provide direction to staff on whether or not we should draft legislation that would be introduced and heard in a public hearing at a future date.

There are really three changes in concept here (1) one set of changes is being proposed by Councilmember Doug Smith as part of this legislative process; (2) proposals by residents.
At this time I’m going to turn it over to Councilmember Smith and let him overview his suggestions for changes to the code and then afterwards he turn it back over to staff to overview the remainder.

Councilmember Smith commented to reiterate this are simply concepts that would address the entire city and the Ordinance that currently exists which we have to take a look at, which is kind of the process that we’ve gone through the past almost a year and a half or so when some residents came to me and addressed a need for a potential sidewalk to be installed at Crandall Drive and furthermore this past election cycle going door-to-door talking with neighbors in other neighborhoods addressing similar needs for sidewalks on their particular streets; so I had to look at it from a city-wide basis and so we ask ourselves how did we get here, well...

- the current Ordinance has never been used. We know that there is a petition process already in place, it’s a little general I think in my opinion and therefore even though council has for the xxx number of years, at least six if not more very strong stance in promoting mobility and multi-transportation including sidewalks and multi-use paths. Nobody has used this current petition process outlined in our current Ordinance.
- the current Ordinance doesn’t give any specific process or sample documents, so it’s a little confusing. Currently it’s up to the residents or the neighborhood that has an interest in proposing the sidewalks and circulating the petition to kind of make their own wording which as we know can be dangerous in some ways, so we want to make sure we streamline that and have a process that’s systematic and consistent with all neighborhoods not just one particular neighborhood.
- the current Ordinance does not address specific costs at any point, and so I saw that as a problem because one of the bigger questions I hear around town with this Crandall project is what is it going to cost me; and there’s really no answer to that. There’s some ideas of what it might cost, but nobody’s really said here’s a good estimate, here’s what it will cost you, here’s a maximum even of what it will cost you; and so I think to be fair to the citizens who will be assessed, even those who don’t approve of sidewalks, if they get a sidewalk petition on their block or their street in front of their property and they required at that point to build and be assessed the cost of a sidewalk, I think it’s only fair that we say upfront how much it’s going to cost them at most.
- the current Ordinance does not prevent sidewalks to nowhere. We know from past discussions that there could be a block that once a sidewalk in a continuous block that does not want a sidewalk and therefore leading to a sidewalk that goes nowhere, which we want to prevent and I know members of any mobility committee would want to prevent that as well.

Mr. Smith presented a proposed concept that if my fellow council colleagues like this concept we can work with our Law Director to build and create some language that makes sense for an Ordinance in the future. Mr. Smith presented a PowerPoint presentation which contained (a) Proposed Code Revisions – Petitions for Sidewalks; (b) Picture of a Block and Picture of a Neighborhood Zone; (c) Add a Pre-Petition Process;
(d) Sample Letter of intent for somebody who wants to have a block project; (e) Sample Letter of Intent for somebody who wants to have neighborhood zone; (f) Petition Process; (g) Sample Petition Template.

We see the definition of block in the current Ordinance and it is a pretty good definition and it makes sense for what it is, but it’s lacking, so it’s a system where blocks from one street to another street are very clearly defined and systematic, but again it does not prevent the sidewalk to nowhere; and so how do we prevent the sidewalk to nowhere. Well we introduce this “Neighborhood Zone”; in the neighborhood zone, systematically means from two sides of the street, so both sides of the street from a two four-way intersections or a four-way intersection and a point at which the street begins or ends, so it dead-ends into a four-way intersection

The top map is the current code definition, in the current Ordinance definition Crandall would have to be divided at least from High Street to Ridgedale; Crandall would have to be divided into three blocks even though they’re contiguous, they would still have to be by definition three separate blocks, so one on the north, one over here, and one over here on the south side of the street. Another example that’s not Crandall to give you an idea is over by the library which is right there and then there’s Franklin Avenue, Morning Street, and 161 on the south-end; a block by definition in this context would be from Franklin to 161 touching Morning Street on the east side. In the new definition the block would still remain a block from Franklin to 161 touching Morning Street, but the neighborhood zone for a situation like Crandall would actually take all three blocks separated and combine them into one neighborhood zone and so we see that it makes it a little bit more consistent from four-way intersection to in this case a dead-end or where the street begins or ends right there on Worthington-Galena/High Street.

So after we determine that a neighborhood zone is an appropriate definition in addition to the block definition that already exists, then we have to figure out how do we make this a systematic approach and petition process; well Mrs. Fox and I sat down and we thought about how about a “Pre-Petition” process not to get too bureaucratic or governmental here, but I thought this might be appropriate to have a “Pre-Petition process and this could determine whether the project is going to be a block project or neighborhood zone project. The petitioner who would be interested whether it’s a neighborhood group or one resident even could determine whether or not if it’s going to be a block project or a neighborhood zone project at that point. At that point if the project consists of either a block or a neighborhood zone, either way that would write a letter of intent to the city and that letter of intent if it’s a block project then one owner in addition to the person who is writing the letter of intent for a total of two people on that block would have to sign that letter of intent. If it’s a neighborhood zone project which would be much larger in most cases, the petitioner would have to get 10% of the property owners on that neighborhood zone to sign their letter of intent and so once the letter of intent is submitted to the city, the City Engineer will be required to provide a City Engineer’s estimate for the project and that estimate for the project will have a 12-month
shelf life and that 12-month shelf life after the City Engineer gets back with the petitioner that shelf life begins.

Looking at the sample letter of intent for somebody who wants to have a block project, they’re basically saying Dear City Engineer, this is a letter requesting a City Engineer’s estimate for the East side of Morning Street from xxx Morning Street to xxx Morning Street. This block includes 7 parcels; so I used the example from before with the Franklin to 161, that’s just example, it has 7 parcels on it, the letter of intent is going to help the city, it’s going to help the petitioner realize how many actual parcels are on that block and as you can see down below (it’s two people) and it’s a block project so you have the petitioner’s signature and you have somebody else who lives in that block also signing.

Now looking at the sample letter of the neighborhood zone, it’s the same exact format except the difference is it identifies this project as a neighborhood zone and instead of 7 parcels if we go back to Crandall I counted up 30 parcels and so it’s the same concept, but 10% of that zone would have to sign this letter of intent; so 10% of 30 is 3, we have three signatures and that letter of intent goes directly to the city, the City Engineer then provides that estimate back to the petitioners and at that point they can begin the petition process.

I previously mentioned that the shelf life of the City Engineer’s estimate is 12 months, so essentially the petitioners have 12 months to create a formal petition and either circulate that petition to get the 51% of the homeowners on that zone or block or not; and after that 12 months it’s a done deal one way or the other we have a definitive answer whether or not that project is going to move forward or it’s going to get killed. So the petition must include a description of the zone as already stated or whether it’s a block. I believe the city is required to verify the signatures on the petition to make sure there is no fraud going on.

Looking at the sample petition, you see up at the top right, the petitioner identifies the petition as a “block” petition or a “neighborhood zone” petition; down below you have how many parcels are on that neighborhood zone or block and then you have the street names and the street address numbers of all the properties that are included in the block or the neighborhood zone. Down here you have first full paragraph where there is a dollar sign and a line is a place where the petitioner can include the engineer’s estimate for the project cost and that will help anyone who is reading this document to say “this is a petition for a sidewalk on my property, I need to be more informed.” “I need to know who else is involved”, which is covered by the street names and addresses and how much is the project going to cost which is covered by the City Engineer’s estimate in the blank space. At that point they can sign their name identifying that they agree with moving forward with the project or they don’t have to sign their name which obviously means they don’t want the project to move forward. This is just a sample documentation that can be tweaked once we figure out which direction we’re going with all of this.

Mr. Smith passed out sheets with graphical designs of the proposed process.
Other considerations to consider are:

- to extend the current 5-year assessment period for residents to 10-year assessment period so that they have up to 10 years to pay off any sidewalk assessment on their property.
- whether or not we allow projects to be paid equally by all property owners or currently what’s required is a lineal foot assessment equation and simply the difference would be that if a project is $500,000 for example and there are 50 properties on that zone, everybody pays an equal share no matter how big their lot is. The other direction is what it currently is which is lineal foot for your property and you just pay based on the equation of lineal feet.

I will now turn it over to Mrs. Fox.

Mrs. Fox explained that we’ve talked a few different times about those concepts which were proposed by the residents awhile back; again I don’t really have any legal evaluation of extending the five to ten years that’s more of a financial consideration for the City. In looking at whether the city can pay more than 50%, I think that’s the request that’s out there right now by the neighbors as I understand Mr. Smith’s presentation, that would remain at a 50% and it wouldn’t be any additional cost that the city would bear under his scenario would be that amount that would exceed the Engineer’s estimate as I understand it, but that 50% would remain. I think we’ve seen in past history of the City the differences in the percentages that we’ve paid for assessment projects, we’ve all probably gotten copies of that historical information and I believe that the city has a lot of options when it comes to sidewalks they can go through this petition process, they can go through either of the state processes (one is a petition and one is just a straight assessment process) or the city can pay for the sidewalks outright, so in my opinion, the at least 50 or more than 50 comes into play when the city makes a determination what the priority is for sidewalks in this community.

I have not really given a lot of thought because I’ve just seen it tonight about the lineal foot versus equally, but I think I’ve addressed that issue in the past; when we talk about Crandall Drive, I believe we’re talking about lots that are fairly equal in size, but when we use an assessment measurement for irregularly shaped lots or some lots that maybe much larger than other lots then I believe that the lineal foot assessment is a much fairer assessment and we are obligated to come up with some kind of a method that is fair to the property owners; my advice is to stick with the lineal foot assessment, but I’m certainly happy to talk about that in more detail if you wish.

Mr. Greeson commented I think both of these proposals put a little bit more of the cost and risk of cost inflation on to the city in order to answer the cost question that maybe an impediment to resident supporting or not supporting sidewalks and really that’s the policy judgement that you have to make; do you want to bear more of the risk and the cost when sidewalks are desired as opposed to one of the other methodologies that Mrs. Fox described. Just a couple of things to think about, and if we start drafting legislation I want to work with Councilmembers and Councilmember Smith and others to think
through this. A year is a fairly long time with a commodity based product like this, so it likely will fluctuate in terms of cost; so the tendency of staff will probably be to design more, so the more you have designed as opposed to estimating, the more you have designed the confidence you may have in the estimate; so we may think about bearing more cost up front when this occurs.

I would expect that the complexity of these projects could be different in terms of number of trees, terrain, whether there is ADA accessibility issues and things like that, so we would need to think a little bit about whether 30 days is realistic, particularly if in some cases we’re not designing it in house, we’re hiring a consultant to do it; obviously if it’s just a couple of lots something with no trees and no acreage then it would be a different story, so that would be a consideration that I think would require more discussion that timeline.

I think the current Ordinance (this is a hypothetical) both the current Ordinance and the Ordinance with changes always have the potential of displacing something in the CIP, so in the case of a project like Crandall Drive that the previous City Engineer estimated in the half million range that would if petitioned likely cause us to have to consider moving something else in the CIP, the petition process in other words causes the project to jump the list of other city priorities which maybe fine because sidewalks are a priority of this community, mobility, walkability, but it’s something that should be considered in your dialogue.

Questions/Comments of Council:

Mr. Foust asked just for clarification when we talk about the 10% and or the 51% are we in fact talking about mailboxes versus bellybuttons, so if you have a man and wife who own a home, have you thought about where you figure in is this owner’s only, do renters figure into this. Mr. Smith replied it is based on the deed, whoever is on the property deed. Mrs. Fox explained we had this conversation before you were a member of council, so the current definition of an owner means all of the owners of the lot as recorded in the record; so if there is a man and wife that jointly own the lot and one says yes and the other says no, it’s a no. If there are three people and all three of them say yes, it’s a yes; you have to have all of them say yes to be considered. One parcel = one vote.

Mr. Foust asked what do you do about absentee homeowners, someone who may live out of state and have a very different perception of what they want to invest in this property they own locally versus local residents. Mr. Smith replied that would be a discussion based on property rights and ownership; if they’re on the deed and they’re the only one they get to choose what they want to do with their property whether it’s a yes vote or no vote.

Mr. Foust commented to Mrs. Fox about lineal footage, as one who has owned a home on a corner lot, as one who today owns a property on a pie-shaped lot and for me the street frontage is the crust; I’m sympathetic to that corner lot owner. Mr. Smith replied I think the reason that came up in discussion was for that reason exactly and Crandall Drive is a
good instigator of all that; generally they’re the same size lots except for a few that are much larger and it just seemed pretty unfair to stick those folks with a bigger tab for the same project. Mr. Foust commented I get that, but this is Crandall and I’m thinking about other neighborhoods. Mr. Smith replied it does apply to other neighborhoods. Mrs. Fox commented this petition and assessment method is rooted in the Ohio Constitution and the Ohio Statues and there are a few different methods of assessment that are set forth in the statute, one based on tax value which is often challenged because tax values can often be challenged; a portion may be based on benefits which is a very subjective type of way of viewing the assessment and then the front footage so that’s why the front footage assessment because it all has to be done in a fair way is the most common method used because that is the easiest way to apportion value.

Mr. Myers asked this in no way impacts are ability under Revised Code 729. Mrs. Fox replied I do not believe it impact are ability. Mr. Myers asked which means we can go out and force people to build sidewalks at any time and they pay the full bill. Mrs. Fox replied yes. Mr. Myers asked and we’ve never done that either. Mrs. Fox replied no.

Mr. Myers asked in the petition process and I’ll use for my example Crandall Drive, our specs say five feet from the curb, and that council can grant variances to that; there are some properties that I saw on Crandall that could absorb that five feet and some that couldn’t; where it is our ability to grant variances in this process because it seems to me to be a very shallow process. Mrs. Fox commented I would think that it would have to come somewhere between the LOI process (the first indication that they might be interested in it) and maybe at the point when the Engineer is taking a look at what the cost might be; certainly by the time council would decide or not decide to proceed with the project. Mrs. Fox went on to explain that a variance is a variance from a code provision so it would have to be done by Ordinance. Mr. Myers commented I’m trying to see how we have to coordinate the fact that we have to grant a variance for a project that’s not done or estimated and I also looked at spots on Crandall where we have utility issues, we have fire hydrant issues that we’ve got to work around, we’ve got several trees that I could see that would have to be removed. Mr. Greeson chimed in that the likelihood that we would have to do more extensive design, so for our Engineer or Consulting Engineer or however we approach it to have some greater level of confidence in the estimate they would have to do more extensive design and build in contingencies. Mr. Myers asked which under our current Ordinance we pay for any way; even at the 50% assessment we’re still paying a great deal more than 50% because we’re doing the design work, the bidding work, the equalization work, we’re paying the interest. Mr. Greeson chimed in the difference in the current is in that’s caused by 50% + 1 as opposed to whatever number is arrived at. Mr. Myers commented I think the ultimate petition would still be 50%, it’s just the process of spending money would start with a much much smaller amount and I think the money at least from what I saw on Crandall is going to be more than maybe we thought originally. Mr. Greeson commented you could design a project or do some level of engineering for a project and never get significant signatures to move on. Mr. Myers commented it is critical that we do the design properly because if we don’t, we pay the extra and that’s an absolute….correct. Mrs. Fox replied under that scenario unless you decide to abort the project because of the costs of all
involved. Mr. Myers stated from what Mr. Smith said, once we receive the petitions that we had definitive answer...we had to go forward. Mrs. Fox commented when you get 51% of the petitions after the engineers estimate has been provided, the city can either decide to pay the additional costs if there is any additional cost or not go forward with the project. Mr. Myers commented so we do have a backdoor if the override is great. Mrs. Fox replied yes. Mr. Myers asked but if it hits the engineers estimate or is less than the estimate, we have to go forward. Mrs. Fox replied that is correct, that is the way this code provision is written as well.

Mr. Myers asked how does publically owned land work under our current Ordinance; asked does the city get a vote. Mrs. Fox replied if you’re an owner you get to say “yes” or “no” to the sidewalk. Mr. Myers asked if we were to abort the project subject to referendum...correct. Mrs. Fox replied I don’t think it would be because you’re just administering an existing code provision, so I don’t that not going forward with the project is a legislative decision because if you give yourself the ability to do it or not do it in the code itself, I think that you’re just administering your code. Ms. Michael commented now vice-versa if somebody comes forward and says if after we have 51%, some neighbors say we don’t want it to go forward, asked do they have the right at that point to bring it under a referendum. Mrs. Fox replied I think the legislative act is in the passing of this Ordinance, that’s what is subject to referendum, not how the city implements the Ordinance. Mr. Myers commented I’m going to assume Mr. Smith you prepared the sample documents. Mr. Smith replied I did. Mr. Myers asked so they haven’t been reviewed by council. Mr. Smith replied no they have not. Mr. Myers said because we’re not doing this pursuant to state statute.

Mr. Myers asked whenever you have a petition process at least at the state level, there is a review of the petition language before it’s circulated; does any type of safeguard exist here, because as I read (and Mr. Smith I understand you’re not a lawyer), there are some issues that I have with this that I might drafted a little bit differently. Mrs. Fox replied I agree with you, we have never had a formal petition for this code provision, but I do agree with Mr. Smith that if we are going to be making some change(s) to this then having a formal petition is probably a good idea. Mr. Myers asked that would be pre-approved by you. Mrs. Fox replied yes.

Mr. Myers asked is there an expectation of when the project would be initiated under the petition process. I’m concerned about budget, because if this were zoned, it could be very large and it could have substantial impact to the CIP to the point where what happens if we have to put it off until the next year and defray sewer work or something like that to pay for it. Mr. Smith replied the only consideration is that the residents have to do the petition within a certain time frame and in this case I put 12 months that can be changed, but at that point it would just go to code and I believe there is no code that forces us to deal with it in any timeframe. Mr. Myers commented I do agree with Mr. Greeson that 12 months seems to be a long time to hold a price. Mr. Smith replied or maybe it’s a longer letter of intent/city engineer process to get the estimate and have a shorter window for the petitioners. Mr. Greeson commented I wasn’t commenting on the length, just the effect of the length. Mr. Myers asked for clarification. Mr. Greeson remarked it’s a policy
judgement of whether or not you want to bear the risk in fluctuation of cost and for how long. Mr. Myers replied and that’s the point I question, is that it does shift some of the risk onto us. Mr. Smith commented in theory to make it definitive, you could have a part of the code that says “Council shall move forward with the project or abort the project within two years of the petition being submitted” that way you have some finality there. Mr. Myers commented that always raises the issue when you put deadlines, is it deemed if you don’t act....is non action acquiescence; I try to avoid deem clauses.

Ms. Dorothy commented I am for multimodal transportation including sidewalks and bikes being able to move from one place to another in Worthington in a safe manner. Unfortunately throughout Worthington we have quite a few places that have no sidewalks and this is an issue that we had been looking at addressing since I see that we had a comprehensive sidewalk study in 1997 and about all the sidewalks that we did not have and the current state of our sidewalks at that time; and at that time we had put a cost estimate to what it would take to repair our existing sidewalks and what it would take to install new sidewalks and we looked at the cost and we then came up with a five-year plan just to repair our existing sidewalks because it was cost prohibitive to install new sidewalks, but then at the same time we had put in language for petitions; and at that time in 1995 it was for 60% of the homeowners which then no one came for a petition, we dropped it to 51% we still don’t have anyone coming up with a petition, so I could see where we still need to tweak this if we want to have by the law where individual group or people in their neighborhood feels that they have big enough safety concerns that they are willing to invest some of their own money with the help of our government to look at this. I think it something that we should be looking at, but it is also something that we also have to be very sensitive to what the overall cost is for a whole community; so it is a big balancing act. I do appreciate Mr. Smith for all the work that he put into this trying to make this a viable option; it’s already been tweaked once and it still hasn’t been used yet.

Mr. Troper asked just for clarification on the “Neighborhood Zone” concept we would be installing sidewalks on both sides. Mr. Smith replied as my concept reads that is correct (that could be up for negotiation). Mr. Troper asked you talk about an estimate in one month from the City Engineer, is that feasible in your plan to get an estimate in a month. Mr. Smith replied maybe we build out a little more time for the City Engineer whatever is appropriate to get the right design and the right cost estimate; 30 days can just be a placeholder for the conversation this evening.

Mr. Norstrom commented I’m very concerned about the extra effort that could be imposed on staff just imagine if we had five requests for sidewalks in a short period of time; I think if we’re going to do this, I think we need to have a window for applications for sidewalks so that it can be part of the capital budget; again think about it if we have five different neighborhoods that want to come in for sidewalks and it’s a million dollar project; also there is no lead way in terms of what is being proposed here, the issue that we constantly face is balancing what is being done to the whole community versus what is being done to part of the community. The way this is structure here there are “shall” in here that I don’t think are appropriate, that’s what council does, we make those balancing decisions; I think if a petition were to come before us and we can approve it,
but can we put it in the capital budget in a way that is appropriate for other projects in that capital budget. The extra work put on staff, if you think through the logic of what’s being proposed Mr. Whited would be best if he did extremely high estimates on anything so that the city wouldn’t be paying anything extra for him and if the estimate turned out to be high, the residents if they had signed the petition would be more than glad to have a lower cost. We’ve already indicated that 12 months is too long to keep any kind of estimate open. I would also suggest that we follow what we do with other projects is we get an estimate for the project and as long as the bid is within 10% of the estimate we move forward with it; if it’s more than 10% we reject it. I think that’s an appropriate process to follow for this.

One other things that we have talked about and Mrs. Dorothy talked about it earlier was having the Bike and Ped Committee identify where priority sidewalks should be and I think that’s a process that is separate from this process; for example if that process identifies high priority sidewalks and the petition comes in from the neighborhood and says we want a sidewalk and it’s not a high priority sidewalk in terms of the Bike and Ped Committee, which takes precedence; I think those are some of the other issues we would have to deal with.

Ms. Michael thanked Mr. Smith and Mrs. Fox for the hard work in putting this together. I was on city council when we did the 60% and it went down to 51%; I also was on council when we did the Evening Street sidewalks where a lot of residents did not want to have a sidewalk on Evening Street and for children’s safety the sidewalk was done on the east side of Evening Street so that we could reduce the conflict of kids crossing at 161 and cars turning right; and so for children’s safety it was done and it was a 50% assessment to the people who received sidewalks, it was linear footage and the city picked up the extraordinary costs that had to do with sewers, trees, that was the only time in at least 20 years that there’s been a sidewalk assessment program besides having people fix their own sidewalks. Back then when we looked at how many dollars’ worth of sidewalks were not in existence that should be or could be in existence in the city it was over $10 million dollars and back in those days we had a lot more money than we have today for the Capital Improvement Budget and so a $10 million onetime hit we can’t do because we do have other mandates like sewers, we have other projects that are going to be coming forward, we also have to take care of our own existing buildings which comes out our Capital Improvement Plan and this includes our city vehicles (police cars, fire trucks) and so I agree with people up here who have been saying that it’s nice to work with something to work in this direction, but also you must have some safeguard in there that when in the Capital Improvement Budget something needs to come through because the Capital Improvement Budget is not just the sidewalks, but it includes so many things that we have legal responsibility to take care of; we have to maintain the Community Center, we have to take care of our streets and existing sidewalks, we have vehicles that we have to purchase, we have sewers that we have to redo, so everything has to fit into the budget in some place.

Mr. Greeson asked does Council have any feedback on the other two changes; one was really just a clarification in the code proposed by residents that we have the option to pay
more than 50% should the council desire; I think you already have that under statutory processes, but I think there’s a clarification; and then the second one is extending the repayment from the current schedule of five years to 10 years; is there any feedback on that.

Mr. Troper remarked I’m in favor of the payback. Mr. Myers commented so long as we have the opportunity to vote on it at the time; it’s not set one way or the other because that could depend on interest rates at the time; right now a 10 year repayment plan isn’t a big deal, it could be in five years that a 10 year repayment plan is a significant expense because we’re going to be financing and although part of the assessment process can include interest on that debt. Mr. Smith asked Mr. Myers you would enable one group of citizens who want a sidewalk project to go forward to be assessed on a five year term and in a few years later another group could be assessed on a 10 year term, is that what I’m hearing you say. Mr. Myers replied is what I’m saying is I want the flexibility to be able to decide that based upon the conditions of the city at the time.

Mr. Foust commented take the typical literal footage on a Crandall Drive property, asked what would be the financial impact on the homeowner; has anyone run those numbers. Mr. Myers replied I don’t think anyone has. Mr. Smith commented it was based on Mr. Watterson’s estimate. Mr. Smith asked the visitors in the audience, your yards are about 100 feet; so $75.00 per foot. Mr. Foust asked what is the annual impact on a homeowner, I don’t have any idea what we’re talking about here. Mrs. Fox commented the current code talks about not more than five annual installments, I think that’s the way the state code reads as well up to 10 years. Mr. Myers commented I would not have problem with changing that to not more than 10 years. The 1997 study put sidewalks throughout Worthington was $14 million, just a little under $15 million. I just quickly Googled retail price for a concrete sidewalk in the front of your house, Google spits out $150.00 per square foot. I have no idea if there is any creditability to that number or not, probably not because it’s Google. Mr. Greeson replied we’ll take care of it.

Ms. Michael commented one of the other thoughts is that going down Crandall it would make sense for the sidewalks to be much closer to the street than others and when I had talked with Mr. Watterson and I was told sorry you can’t do that and you brought up the variance, and I just hope that we can set something up so that sidewalks can be designed to go in there; you go to Colonial Hills and you have sidewalks contiguous to the street and you have other areas they were talking about having it so far back that it would be going through the middle of people’s yards. Mr. Norstrom commented Colonial Hills was put in prior to the ADA, those sidewalks could not be put in the way they are now simply because of the grade changes in every driveway would violate the requirements of the ADA and that’s one of the reasons sidewalks are much more expensive to put in now and even if we could get a variance, I’m not sure we would want to have a variance simply because of the additional cost of us putting in and of the driveway potentially even having to change its slope, so there’s some real issues relative to this.
Visitor Comments:

**Patricia Farmer, 348 Crandall Drive, Worthington, OH.** Mrs. Farmer stated we first addressed City, but it is time to address you, Mr. Smith, as you have spearheaded this issue and continue to push for it, even though we who oppose sidewalks are the absolute majority.

Proponents do not have and never have had the majority to bring this before Council, who we strongly feel should not have furthered this discussion to appease a small majority.

On the front page of This Week newspaper, you are quoted as saying “you have been working with Crandall residents on this issue.” How many residents is that? Those reading this who live elsewhere would assume you are talking about all Crandall residents.

Mrs. Farmer asked how many residents have you been working with on Crandall Drive. Mr. Smith responded I’m trying to take in consideration from all residents, so everybody in the audience. Mrs. Farmer replied no that is not correct; those reading this newspaper article who live elsewhere would assume that you’re talking about all Crandall residents.

Not one time, Mr. Smith, have any of us who oppose sidewalks been invited to your meetings. I and others have gone door-to-door on Crandall and Ridgedale, more than once, finding not one resident who was invited or even knew about your meetings; so we can assume those meetings were private? Mr. Smith replied Mr. Kirk brought up some months ago and I addressed him at that point early on as I would have met with any resident under any concern meet with some folks on the Crandall Drive prospect of having a sidewalk to help them understand the process and walk through the process understanding Crandall’s position both for and against going to the same meetings that you have been at. Mrs. Farmer commented not one of us who oppose this project have ever been to one of your meetings. Mr. Smith replied when I say my meetings I mean the meetings held here at City Hall. Mrs. Farmer commented I’m not talking about that, I’m talking about your private meetings. Mr. Smith commented other than that, there were no other private meetings.

You said, in the news article, that you and your group are making headway, advocating for sidewalks for about a year and a half now. But in fact, I was first approached nearly three (3) years ago. Then a year or so later, proponents of sidewalks came door-to-door with false and incomplete information.

You also said that from the conversations you’ve had, we assume with your minority group, that these are positive steps with good feedback. Once again, you have ignored the majority who vehemently oppose sidewalks.

This a middle-class neighborhood, where most have lived here for many years, investing in our properties, saving money for projects, taking pride in our neighborhood. Between
you and your minority group, you don’t mind that most of us cannot afford the cost of sidewalks we do not want and losing trees.

Do you understand that some homeowners will lose ½ their frontages and the rest will lose 1/3? Your project, decided in private will cost you nothing, as you don’t live on Crandall Drive. So exactly what is this all about? Mr. Smith explained that the proposal tonight was based on city-wide feedback including Crandall residents and just to clarify this information that was distributed tonight, the people who are proponents of sidewalks had not seen this other than a couple of people I e-mailed the same day I e-mailed a couple of the opponents of the Crandall sidewalks just to kind of give everybody a heads up that this was coming tonight so they could be in attendance. So keeping that in mind and understanding that this concept is for city-wide Ordinance change that affects more than just the Crandall residents; and offering it up to Council to discuss this further to see what’s in the best interest of the entire city and you’ve heard some of the thoughts this evening; so hopefully we can take all the thoughts including the opposition of sidewalks into consideration as we move forward.

Mr. Norstrom explained that we are not dealing with Crandall Drive tonight but the overall issue of improving sidewalks in the city and I’m sure whatever we adopt, some residents of Crandall Drive may try and at that point and time we would have a discussion on Crandall itself.

Barbra Patrick, 334 Crandall Drive, Worthington, OH. Mrs. Patrick explained that the April 7, 2016 Worthington News had a front page article, which appears to be an interview with Worthington City Councilman Doug Smith. I wish to address a few of the comments in that article directly to Mr. Smith. Mr. Smith, you stated that you have been working with Crandall residents to “address the problem.” I would like to ask you to define “the problem” and also who is “the group” that you have been working with to develop a proposal to present to City Council concerning a system for changing the way to add sidewalks on Crandall Drive. According to you, two of the concepts you are going to present to Council are from “the group”. I would like to state to my knowledge, “the group” is a very small number of people who want sidewalks and definitely nowhere near a majority of residents on the street, the current code calls for at least 51% approval of the residents to approach the city for installation of sidewalks. I find it rather perverse that when a group discovers they do not have the majority when a group discovers they do not have the majority necessary to approach the city council regarding their desire for sidewalks, that they now are attempting to change the current code to find another way to achieve their goal.

This seems to me to be a blatant way to ignore the majority of residents’ opinion that they do not want sidewalks, the concept of “majority rules” or the “democratic way” is not respected! Why should a minority group be able to steam roll over the majority of residents who have lived here for many years, just because “the group” and you Mr. Smith have decided that we should all have sidewalks. By what right should you and your “group” be able to decide for the rest of us. By hook or by crook what the rest of us should have, whether we want it or not, are your opinions the only ones that count.
In the newspaper article you state that “from the conversations you have had, those solutions are positive steps” I’ve gotten good feedback from it;” good feedback from who. It seems to those of who absolutely do not want sidewalks that there is a deep divide on this issue and manipulating the code to get you way is not appropriate.

I’m a little confused about your new proposal about the 10%, wonder if you could clarify that for me; you said the Letter of Intent would only require 10% to sign the letter to send to the City. Mr. Smith replied that is correct and that would be for the neighborhood zone option versus the block option. Mrs. Patrick asked does that give them an advantage by only requiring 10% instead of the current 51%. Mr. Smith replied no because they would still have to go through the petition process to collect the 51%; the letter of intent is simply to get the engineer to start to get a cost estimate for the project. Mrs. Patrick said okay, so we still have to have a majority. So since we already know of our knowledge that we are a clear majority against this project, asked how is this going to change. Mr. Smith commented the process allows for what I will call the end solution; so for a year and a half and from what some folks are saying multiple years 3-4 years or so, we’ve been going back and forth about this in the community and specifically Crandall, but whether it’s Crandall or any neighborhood this process will allow some definitive answer saying if they have a petition and they don’t get the 51% in the time frame, then we know the answer, the majority doesn’t want a sidewalk; that’s what this process allows.

Ms. Michael commented either way it’s 51% in order for something to go through; it’s going to require 51% of the people either in the block or in the zone to approve it for it to go through. Mr. Norstrom commented this raises an interesting question, asked is 10% the right number; to put the extra burden on staff to make the estimate. Ms. Dorothy commented I was wondering if we should raise it, I don’t want to have our staff be running around if we don’t think there is a substantial number of proponents. Ms. Michael chimed in I think 10% is a little low.

Greg Stange, 1104 Morning Street, Worthington, OH 43085, Mr. Stange commented Ms. Dorothy and Mr. Smith you are both talking about like as an overall goal to have more sidewalks and you’re talking about this is the way to do it.; asked how many petitions do you expect to get a year, what percentage would you expect to be approved because you’re talking about large budget items. Then what keeps it from going on literally forever. When you got one year and it done, what keeps people from signing something the next day, plus how much are you budgeting for all of the engineering per year; how much are you planning on sidewalks per year; this is a large amount of money. Mr. Smith replied some of those concerns have been addressed and I think Mr. Norstrom brought up a few of the points as well as Mr. Myers. That is something we are going to have to discuss as a Council.

Mr. Stange asked what points were addressed. Mr. Smith replied the prioritization of if five petitions come in at once how do we handle that. We have a Bike and Pedestrian committee and that committee can potentially tell us what the priorities. Mr. Stange commented I’m not talking about the priorities, I’m talking about you get five petitions at one time; none of them are on the priority list or all of them are on the priority list, that
doesn’t even come into play; you just get five petitions. Mr. Greeson responded we’re kind of in that position already. Mr. Stange asked so how many are you planning on getting per year. Mr. Greeson replied we haven’t had any in 20. Mr. Stange replied you didn’t have a bike committee 20 years ago. Mr. Norstrom commented the questions you’re asking are good questions, but Mr. Smith came up with some ideas and as you’ve heard from several council members including me have some concerns about those ideas that were presented, so they’re just ideas at this point and time. We’ve talked about a couple of the things that you just addressed, now the one thing we haven’t addressed and you raised it is how often can a community come in for sidewalks; and I don’t know what the answer is to that, but that will be one of our discussion items. Mr. Myers commented as I read the current code, it says “as often as they would like.” Mr. Norstrom commented that is what the current code says.

Jay Sizemore, 353 Crandall Drive, Worthington, OH 43085. Mr. Sizemore asked are there projects that could explore getting close to sidewalks like the lines that are made in Worthington Hills alongside the curbs to kind of designate an area where the kids and families can walk without having a sidewalk; what was that project; is that a part of the scope that we could study. The other thing I was wondering is the bike or the sidewalk along 161 leading to Linworth seems to be pretty recent since the ADA and it also seems to be pretty close to the road, so I didn’t know if we had precedence in that scenario; not sure if it’s different because it’s a state route, but I just wanted to bring that up; searching for solutions, that’s all I wanted to bring up.

Mr. Troper commented I would like to hear everyone’s response regarding the 5-10 year. Ms. Michael replied I believe I’ve been hearing no more than 10. Mr. Norstrom commented to Mrs. Fox that the current Ordinance has been totally ineffective and we do need a new Ordinance and we’ve talked about this now for months or probably a year; and we took it upon ourselves to say let’s figure something out. I think we want to continue to work on this, I guess my question is, what direction do you need from us. Mrs. Fox replied I am more than happy to try to come up with some code language that addressed all of the discussion that we’ve had tonight if that’s what Council wants to do, or if you want to bring this back again or wrap it up tonight and ask me to start preparing some language...I’m happy to do that. I would probably have some sections that would have some areas of alternative language just because there’s been a couple of different ideas floating around here on certain provisions, but I would be happy to make an attempt. Mr. Myers commented I would love to see how this could possibly be drafted and I also disagree with the characterization that this statute merely because it’s ineffective, I would submit that it’s very effective. It’s as democratic as democratic statute we have; from what I’ve heard tonight there are a substantial amount of people who don’t want sidewalks that’s why the petition process has not been used because no one can get 51%, so maybe this has been a very effective statute; so while I am more than willing to consider other alternatives, I am not willing to say this is an ineffective Ordinance as it’s currently written just because no one has come forward...maybe there’s a reason for that.
John Hamilton, 187 Crandall Drive, Worthington, OH 43085. Mr. Hamilton stated Worthington is part of the US City of Trees and you’re going to take down a bunch of trees; I’ve taken the liberty of planning two trees, your Parks and Recreation pays half the price and I appreciate it. This is the second meeting I’ve been to; I had no notice of meetings going on. I had one woman say to me that she likes to run, she wants sidewalks. I said to her, we’ve got a wonderful Parks and Recreation facility, I have a daughter that walks, runs, hikes, bikes, and she’s got 10 miles of a sidewalk, but she runs in the street and uses the Parks and Recreation areas. I learned at the last meeting last year when I happened to be here that the city is in favor of putting in sidewalks; and at that time I understood that you had to get 59% of the people in order to get sidewalks put in. I understand that you’ve since changed it to 51%. Me personally I wouldn’t stand for taking that 8 points down, you’re citizens, you work both sides of the road; half of that would have made more sense to me… I would have went half way on that.

The cost of putting in sidewalks is inhibiting. Two years my wife fell, concussion and bleeding on the brain….eventually clear up, I thank the good Lord for that. I retired early, I had a small pension, I have had (1) 2% COLA increase back in 2003 and that’s it. If it weren’t for social security we’d be in trouble and no COLA on that. Last year our health, my wife takes 10 pills - $110.00 short of $10,000, we don’t have that kind of money. We can’t afford sidewalks….we don’t want sidewalks. I pray to God that you think this over; you’ve got better things to do with that money.

Ms. Dorothy commented I would like to state for the record I am for the safety of all residents. I’m not necessarily for sidewalks… I’m for safety of all residents and all modes of transportation. Safety is the priority. Second, it was in 2002 that the change in our code happened from 60% to 51%, it wasn’t in the last two years for the petition.

Mr. Troper commented I think the other piece as someone mentioned is how much does this cost or other issues, but I think unless the City decides that we’re going to pay more than 50% if we make sidewalks a priority and say we’re going to pay 60% of the cost of sidewalks; if we leave it at 50%, I don’t think anything is going to happen; we’re never going to get sidewalks anywhere; if we move it up to 60% or some higher amount then we’ll get sidewalks; we need to just prioritize if we want sidewalks or do not want sidewalks. Mr. Myers explained that the reason we have some of the sidewalks that we have now in this is because we’re getting those sidewalks for free; when someone comes in and redevelops a property, MPC requires they put a sidewalk in front of the house, that way when the person buys the house they know they’ve got a sidewalk, it’s included in the purchase price, developer bears the cost whatever it happens to be; that’s why we have these little chunks of sidewalks and that has always been MPC’s approach; every chance they get to get a builder to put a sidewalk in, they do it. Mr. Norstrom commented they’re not a sidewalk to nowhere; they’re a sidewalk to someplace that has not been built yet.

Mr. Greeson commented if it’s helpful to the council, I’ll pair back what we heard that might get reflected in follow up staff work. We heard:
A formal petition is helpful and that we may do some more work with what Mr. Smith has done.

The idea of considering establishing a window for submitting such applications was raised.

The idea of what we do if it comes in 10% over the estimate was raised.

The 10 year repayment window was discussed. There was concerned expressed about interest rates.

There was a request for maybe a scenario of what a sidewalk would cost in current dollars and how that might get apportioned on an average Worthington lot.

There was discussion that 10% maybe too low a trigger for the development of cost estimate by the City Engineer.

There was discussion about higher level of support needed to be indicated.

There was discussion that the frequency of applications from a particular neighborhood might be limited by how often.

These are the things we heard and we can seek to address. Ms. Dorothy commented I think we mentioned about:

If we had an ordinate number of petitions, is there any trigger that we would have a cutoff based on what our CIP budget was or something that we can afford. The whole thing is that we have never been able to afford sidewalks everywhere in Worthington.

Mr. Norstrom commented that I mentioned the issue of “shall”s being used in this Ordinance rather than “shoulds.”

Mr. Foust commented I have two things: (1) it does seem to me like there is an issue of who we are as a city; it’s a bigger broader discussion I think, but I would love to hear some of the history (Matt maybe some time you educate me offline); I think about the different neighborhoods in Worthington whether it was Worthington Estates or Kilbourne Village or whatever through time; asked how did we end with communities that were built from day one where the sidewalks were laid in before the first house ever got built it seems versus neighborhoods where we just didn’t do that...do we want to prevent that for the future. What happens if some real big piece of property gets developed some day (hypothetically) Ms. Michael commented all the new places are putting sidewalks in. Mr. Foust commented I want to know how we got to where we are.

(2) Financial Reports

Mr. Greeson asked Mrs. Roberts to provide an overview of the report and indicated that staff is requesting a motion from the City Council acknowledging the report.

Mrs. Roberts presented the following:

Fund balances for all accounts increased from $20,899,925 to $22,815,737 for the month of March with revenues exceeding expenditures by $1,915,813.
Year to date fund balances for all accounts decreased from $21,263,095 on January 1, 2016 to $22,815,737 as of March 31, 2016 with expenditures exceeding revenue by $1,552,643.

Expenditures for all funds tracked at 91.45% of anticipated expenditure levels.

Year to date revenues for all funds are below 2015 revenues by $1,781,328 and above year to date estimates by $1,373,623.

The General Fund balance decreased from $10,632,523 to $11,574,014 for the month of March with expenditures exceeding revenues by $941,491.

The year to date General Fund Balance decreased from $11,250,077 on January 1, 2016 to $11,574,014 with expenditures exceeding revenues by $323,937.

General Fund expenditures tracked at 87% of anticipated expenditure levels.

Total General Fund revenues area above estimates by $325,286 or 5.07%.

March 2016 income tax collections are above year to date 2015 collections by $238,888 or 4.42% and above estimates by $162,392 or 2.96%.

Mr. Norstrom asked regarding the tracking of expenses 87% is low. Mrs. Roberts replied it is low, but it is also relatively early in the season.

MOTION

Councilmember Myers made a motion to accept the March 2016 Monthly Financial Report and the Department of Finance 2016 1st Quarter Report as presented this evening. The motion was seconded by Councilmember Norstrom.

The motion carried unanimously by a voice vote.

REPORTS OF CITY OFFICIALS

REPORTS OF COUNCIL MEMBERS

SCOTT MYERS – asked is there a possibility to have a calculator app downloaded onto the iPads. Mr. Greeson commented we can look into that.
ADJOURNMENT

MOTION  Councilmember Foust made a motion to adjourn. The motion was seconded by Councilmember Norstrom.

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 9:05 P.M.

____________________________________
Temporary Clerk of Council

APPROVED by the City Council, this 2nd day of May, 2016.

____________________________________
Council President
ORDINANCE NO. 14-2016

Amending Ordinance No. 44-2015 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay for the Central District Sanitary Sewer Repairs at Proprietors Road and SR 161 and all Related Expenses and Determining to Proceed with said Project. (Project No. 618-15)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8170.533346 the sum of ____________________ to pay for the Central District Sanitary Sewer Repair costs at Proprietors Road and SR 161 and all related expenses (Project 618-15).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with firm of ____________________ for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed ______________

______________________________
President of Council

Attest: ____________________ P.H. May 2, 2016

Introduced April 18, 2016

Clerk of Council
ORDINANCE NO. 15-2016

Amending Ordinance No. 44-2015 (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 Tennis and Basketball Court Resurfacing Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 629-16)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.4010.533358 the sum of ________________ to pay the cost of the Tennis and Basketball Court Resurfacing Project and all related expenses (Project 629-16).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with firm of ______________________________ for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed ________________

President of Council

Attest: Introduced April 18, 2016

P.H. May 2, 2016

Clerk of Council
MEMORANDUM

TO: Matthew H. Greeson, City Manager
FROM: Darren Hurley, Parks & Recreation Director
DATE: April 29, 2016
SUBJECT: Tennis and Basketball Court Resurfacing Project

The 2016 CIP Program included $137,500 dedicated to Tennis Court and Basketball Court Resurfacing. These funds are being allocated to perform an asphalt overlay to completely repair the deteriorating tennis courts at Indianola Park and to perform crack filling and resurfacing of the tennis courts at Wilson Hill Park, Linworth Park, and the Olentangy Parklands along with the basketball courts at Indianola Park and Linworth Park.

Legislation to appropriate the funds for the project was introduced at the April 18 City Council Meeting and staff were given permission to bid. The bids will be opened April 29. We will be seeking Council approval of the funding and permission to proceed with the project at that meeting. Staff are planning to review the bid results and provide a recommendation on the funding and winning bidder to be added as an amendment to the ordinance prior to approval.

If I can provide further information or answer any questions please let me know.
ORDINANCE NO. 16-2016

Amending Section 1177.08(a) of the Codified Ordinances of the City of Worthington to Include a Member of City Council as a Person Who May Appeal a Decision of the Board of Architectural Review.

WHEREAS, Section 1177.08 of the Codified Ordinances of the City establishes the process for the appeal of a decision of the Board of Architectural Review to City Council; and,

WHEREAS, that section as currently written provides for the ability of a member of City Council to appeal an ARB decision only as an aggrieved party; and,

WHEREAS, other board and commission decisions may be appealed by a City Council member whether or not aggrieved.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That Section 1177.08(a) of the Codified Ordinances of the City of Worthington be and the same hereby is amended to read as follows:

1177.08 APPEALS.
The Board of Architectural Review shall decide all applications for architectural review not later than thirty days after the first hearing thereon.

(a) Any person, firm or corporation, or any officer, department, board or agency of the City who has been aggrieved by any decision of the Board involving an application for architectural review approval, or any member of Council whether or not aggrieved, may appeal such decision to Council by filing notice of intent to appeal with the City Clerk within ten days from the date of the decision, setting forth the facts of the case.

SECTION 2. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed ___________________

President of Council

Attest:

___________________________ P.H. May 2, 2016
Clerk of Council

Introduced April 18, 2016
RESOLUTION NO. 20-2016

Authorizing the Ohio Department of Transportation
to Proceed with the State Route 161 Resurfacing
Project (ODOT Project FRA-161-8.67, PID 96305).

WHEREAS, on January 19, 2016 City Council passed Ordinance No. 02-2016
providing for an appropriation from the Capital Improvement Fund in the amount of
$127,000 to pay the City’s share of costs for the State Route 161 Pavement Surface
Improvement project and all related expenses, for the resurfacing of State Route 161 from
Olentangy River Road to the City’s eastern corporation line (the “Project”); and,

WHEREAS, Ordinance No. 02-2016 also authorized and directed the City
Manager to enter into an agreement with ODOT for the provision of the services; and,

WHEREAS, the City now desires the Director of Transportation to proceed with
the Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of
Worthington, County of Franklin, State of Ohio:

SECTION 1. The City hereby requests the Director of Transportation to proceed
with ODOT Project FRA-161-8.67, PID 96305 and directs the Finance Director to pay
into escrow the City’s share from the funds previously appropriated for that purpose by
Ordinance No. 02-2016, pursuant to an escrow agreement provided by ODOT.

SECTION 2. The City Clerk shall deliver to the Director of Transportation a
certified copy of this Resolution and Ordinance No. 02-2016, evidencing the City’s
authority to participate in the Project.

SECTION 3. That the Clerk of Council be instructed to record this Resolution in
the appropriate record book.

Adopted

________________________________________
President of Council

Attest:

________________________________________
Clerk of Council
ORDINANCE NO. 17-2016

Approving an Agreement with the City of Columbus and United Dairy Farmers, Inc. to Provide for the Provision of Municipal Services, the Jurisdiction for Enforcement of Municipal Building and Zoning Regulations and the Sharing of Income Taxes and Personal Property Taxes for the Redevelopment of the 1.446± Acres at 2204 West Dublin-Granville Road.

WHEREAS, United Dairy Farmers, Inc. (the “Company”) is the owner of a 0.634± acre parcel (PIN: 610-217753) in the City of Columbus and a 0.812± acre parcel (PIN: 100-006096) in the City of Worthington; and,

WHEREAS, a United Dairy Farmers convenience store and gas pumps are currently located entirely on the Columbus parcel but are proposed to be demolished and reconstructed upon both parcels; and,

WHEREAS, the City of Worthington and the City of Columbus deem it necessary and advisable to reach an agreement regarding the enforcement of each municipality’s building and zoning regulations, the sharing of income tax and personal property tax and the provision of municipal services;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Worthington, County of Franklin, State of Ohio:

SECTION 1. That the City Manager hereby is authorized and directed to execute the Agreement Regarding Municipal Services for 2204 West Dublin-Granville Road, in substantially the form attached to this Ordinance as Exhibit “A”, upon the approval of the Director of Law.

SECTION 2. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____________

President of Council

Attest:

____________________________

Clerk of Council
AGREEMENT REGARDING MUNICIPAL SERVICES FOR
2204 WEST DUBLIN-GRANVILLE ROAD

THIS AGREEMENT REGARDING MUNICIPAL SERVICES FOR 2204 WEST DUBLIN-GRANVILLE ROAD is entered into and shall be effective on this ______ day of ____________, 2016, by and among the City of Columbus, an Ohio municipal corporation ("Columbus"), the City of Worthington, an Ohio municipal corporation ("Worthington") and United Dairy Farmers, Inc., an Ohio corporation ("Company").

WITNESSETH

WHEREAS, Company is the owner of a 1.446± acre parcel of land, the legal description of which is attached hereto as Exhibit A (the "Property"), 0.634± acre of which is in the City of Columbus (the "Columbus Parcel") and 0.812± acre of which is in the City of Worthington (the "Worthington Parcel");

WHEREAS, Company desires to construct a convenience store with gasoline pumps and canopy on the Property, portions of which will be located on the Columbus Parcel and portions of which will be located on the Worthington Parcel;

WHEREAS, Columbus, Worthington and Company desire to reach agreement relative to providing municipal services to the Property, the jurisdiction for the enforcement of regulations and the sharing of income taxes, personal property taxes and municipal fees generated from the Property;

NOW THEREFORE, in consideration of the mutual covenants and provisions set forth herein, the parties agree as follows:

A. Building and Fire Regulations

1. Worthington shall be responsible for providing building plan review, issuing building permits and performing building and fire inspections in compliance with the Ohio Building Code and the State Fire Code for the entire Property. Fees charged for performing such building duties shall be those charged by Worthington for similar buildings constructed in the City of Worthington. No building permit for any building constructed on the Property, all or any part of which is located on the Columbus Parcel, shall be issued by Worthington until Columbus has first issued a certificate of zoning clearance for said building in compliance with Columbus City Codes Section 3305.01. The certificate of zoning clearance authorizes the use of the Columbus Parcel and the portion of the building constructed thereon. Worthington shall, as part of its building plan review and approval and its inspection of the construction of the buildings on the Property, in addition to enforcing Worthington’s codes, require Company’s compliance with the certificate of zoning clearance issued by Columbus.
2. Company shall apply for building permits and pay permit and inspection fees to Worthington. Company shall deliver copies of site plans and building plans approved by Worthington to the Columbus Department of Building and Zoning services.

B. **Zoning Codes**

1. Worthington shall enforce the Worthington Zoning Code for the Worthington Parcel based solely on that portion of any buildings constructed in Worthington.

2. Columbus shall enforce the Columbus Zoning Code on the Columbus Parcel based solely on that portion of any buildings constructed in Columbus.

3. Company shall submit site plans accurately depicting the location of any building constructed on the Property, delineating the Columbus/Worthington municipal boundary and calculating the square footage of that portion of the retail store building to be constructed on the Columbus Parcel and the Worthington Parcel, respectively.

C. **Utilities.** Sanitary sewer and water rates for the Property shall be charged in accordance with Rule and Regulation No. 90-5 of the Division of Water, Columbus Department of Public Utilities.

D. **Income Tax.** Company shall withhold income tax from its employees, based on Columbus' tax rates. All taxes withheld shall be paid to Columbus.

E. **Personal Property Tax**

Columbus and Worthington shall share personal property taxes, if any, generated from the Property in proportion to the square footage of the building located in each jurisdiction.

F. **Public Area Payment**

Company shall pay to: 1) Columbus the parkland fee set forth in Columbus City Codes Section 3318.13 attributable to the Columbus Parcel and 2) Worthington the Public Area Payment in accordance with Section 1175.11 of the Worthington Planning and Zoning Code, based on the square footage of the building area built on the Worthington Parcel.

G. **Successors and Assigns**

This Agreement shall inure to the benefit of and be binding on all parties and their respective successors and assigns.

H. **Public Record**
Company shall cause an affidavit to be filed of record with the Franklin County Recorder, which affidavit shall have attached thereto this Agreement and shall refer to the ordinances or resolutions passed or adopted by the respective City Council of Worthington and Columbus authorizing the execution of this Agreement. Said affidavit shall state that any amendment to the Agreement shall be in writing executed by each party, with both Worthington’s and Columbus’ execution thereof first authorized by its respective City Council.

[Signatures on Following Page]
CITY OF COLUMBUS
by: ____________________________
its: __________________________
Date: ________________________
per authority granted in
Ordinance No. _____________,
passed ____________, ______

CITY OF WORTHINGTON
by: ____________________________
its: __________________________
Date: ________________________
per authority granted in
Ordinance/Resolution No. ___________,
passed ____________, ______

UNITED DAIRY FARMERS, INC.
by: ____________________________
its: __________________________
Date: ________________________

Approved as to Form By:
Columbus City Attorney

Worthington City Attorney

115.41/Agreements Municipal Services/Agreement Regarding Municipal Services CLEAN (4-26-16)
United Dairy Farmers, Inc. is undergoing a redevelopment of its convenience store and a relocation of its gas pumps located at 2204 West Dublin-Granville Road. In December of 2014, UDF purchased the First Merit Bank parcel immediately to the east with plans to demolish the existing convenience store structure and rebuild it upon the two parcels. The existing structure currently sits on a parcel that is entirely within the City of Columbus. The bank parcel is a Worthington parcel. The new structure will straddle the parcels, and therefore be in two different municipal corporations. As a result, it is necessary for each city and the property owner to approve an agreement that addresses how inspections, fees, taxes and zoning will be treated by Columbus and Worthington.

There are a few other situations in Worthington where structures and/or parcel lines straddle Columbus and Worthington, but we are aware of only one other time when an agreement with Columbus has been executed. The warehouse at 6150 Huntley Road, constructed around 2002 covers both cities and an agreement exists for that location. Other areas include the shopping center at Huntley and East Dublin-Granville Road where a portion of the tenant spaces are in Worthington, with the parking lot and the remaining spaces in Columbus, and the Sharon Square shopping center at Selby and South High.

The proposed agreement that has been reached for the UDF site gives responsibility for building and fire regulations to Worthington. Because municipalities are not able to contract away their zoning regulations, the site owner has to meet zoning approval (e.g., use approval) of both jurisdictions. The City of Columbus has issued a certificate of zoning clearance, and UDF received rezoning approval by Worthington City Council in October of 2014. Property tax generated, if any, will be apportioned according to the number of square feet of
the building located in each jurisdiction and because the parcels will remain separate, each one will generate its own real property tax. Columbus will collect the income tax generated on the site. In the past we have apportioned income tax revenue based on the building square footage, but the formula for doing so is complicated and would have to be coordinated between Columbus and RITA. Taking into consideration the relatively limited projected payroll numbers at this location, our Finance Department has agreed to forego the income tax revenue and cede it to Columbus.

The agreement attached to the ordinance will have to be approved by the city councils of both cities. The attorney for UDF will shepherd it through the processes. If you have any questions about this, please do not hesitate to contact me.
ORDINANCE NO. 18-2016

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.

WHEREAS, this City Council has established an Economic Development Venture Grant Program in order to assist in creating job and employment opportunities within the City; and,

WHEREAS, this City Council created an Economic Development Fund (the “Fund”) to provide incentives to businesses wishing to remain, locate or expand within the City; and,

WHEREAS, Wheels Up Partners LLC (the “Company”) desires to lease office space at 350 West Wilson Bridge Road for a period of no less than five (5) years (the “Project”); and,

WHEREAS, the Company, a private aviation business, delivers guaranteed access to type-specific, fleet-specific aircrafts without the cost and burden of purchasing a fractional ownership interest; and,

WHEREAS, the Company, operationally headquartered in New York, New York, has committed to expand their business and workforce in the City of Worthington; and,

WHEREAS, the City seeks to assist the Company in the costs borne under the Project and accommodate an expansion of its operations in the City of Worthington; and,

WHEREAS, as structured, this Venture Grant Project meets the criteria for a grant of funds established in the City Economic Development Incentive Policy;

NOW THEREFORE; BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is approved a grant to the Company in the amount of Fifty Eight Thousand Dollars ($58,000.00), to be paid in four (4) installments, in the form of one (1) up-front payment of $22,000 upon the full execution of the lease for 350 W. Wilson Bridge Road or the issuance of a Certificate of Occupancy, and three (3) subsequent annual installments of $12,000 each upon the City’s confirmation that annual payroll commitments have been met.
ORDINANCE NO. 18-2016

SECTION 2. That the City Manager is hereby authorized and directed to enter into an Agreement with the Company substantially in the form in EXHIBIT A, attached hereto and made a part hereof, establishing the conditions of the grant, with such changes as may be approved by the City Manager and Director of Law and not adverse to the City.

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington Ohio.

Passed ________________

______________________________
President of Council

Attest:

______________________________
Clerk of Council
ECONOMIC DEVELOPMENT GRANT AGREEMENT

THIS ECONOMIC DEVELOPMENT GRANT AGREEMENT (the "Agreement") is made and entered into this ___ day of __________________, 2016 (the "Effective Date"), by and between the City of Worthington, an Ohio municipal corporation with primary offices at 6550 North High Street, Worthington, Ohio 43085 (the "City") and Wheels Up Partners LLC, a Delaware limited liability company with primary offices at 220 West 42nd Street, 9th Floor, New York, New York 10036 (the "Company"). The City and the Company are collectively referred to herein as the "Parties".

RECITALS

WHEREAS, pursuant to Ordinance No. 44-2002 (As Amended), Ordinance No. 37-2004, and Ordinance No. 57-2006 (As Amended) (the “Approval Ordinances”), and consistent with the goal of encouraging the development and maintenance of commercial and industrial businesses within the City and to provide for the creation of jobs and employment opportunities, the City has adopted an Economic Development Incentive Policy (the “Policy”); and

WHEREAS, as authorized in Article VIII, Section 13 of the Ohio Constitution and in accordance with the guidelines established under the Policy, the City has offered to provide the Company an economic development incentive grant to encourage the Company to locate certain of its corporate and administrative offices into commercial office space located within the City (the “Project”); and

WHEREAS, the Company has accepted the City’s offer to provide an economic development incentive grant and has agreed to enter into this Agreement, which sets forth the Company’s respective rights and obligations concerning the payment of such grant.

NOW THEREFORE, the Parties covenant, agree and obligate themselves as follows:

Section 1. Terms of the Grant. The City shall provide to the Company an economic development incentive grant in amounts set forth in this section (the “Grant”), which the Company shall use to expand its existing operations. The Company will be located at 350 West Wilson Bridge Road (the “Premises”) and conduct operations therein. Payments under this Section shall be made to the Company provided that a Certificate of Occupancy (the “CO”) has been issued for the Premises or that the lease for 350 W. Wilson Bridge Road has been signed, and that this Agreement has been fully executed by both Parties. By accepting the Grant, the Company agrees to meet certain objectives as set forth in Section 3 below (the “Grant Objectives”).

The Grant shall be payable to the Company pursuant to the following: one (1) one-time payment of Twenty Two Thousand dollars ($22,000.00) (the “Initial Grant Amount”) due and payable to the Company upon full execution of the lease for 350 W. Wilson Bridge Road or the issuance of the CO for the Premises (the “Occupancy Date”); thereafter, subject to the City’s Annual Review under Section 4 of this Agreement to determine if the Company has met the Grant Objectives, upon the subsequent completion of each of three 12-month periods following the Occupancy Date, and until such time as the City has remitted to the Company under this Section
1 a total amount of Fifty Eight Thousand dollars ($58,000.00) (inclusive of the Initial Grant Amount) (the “Total Grant Amount”), the City will pay to the Company Twelve Thousand dollars ($12,000.00) (each of which constitutes an “Annual Installment Amount”). The term of this Agreement shall commence on the Effective Date and end on the later of (i) five (5) years after such Effective Date or (ii) the date on which the City has caused to remit to the Company the Total Grant Amount (the “Term”).

Section 2. City's Obligation to Make Payments Not Debt: Payments Limited to Nontax Revenues. Notwithstanding anything to the contrary herein, the obligations of the City pursuant to this Agreement shall not be a general obligation debt or bonded indebtedness, or a pledge of the general credit or taxes levied by the City, and the Company shall have no right to have excises or taxes levied by the City, the State or any other political subdivision of the State for the performance of any obligations of the City herein. Consistent with Section 13 of Article VIII, Ohio Constitution, any payments required to be made by the City pursuant to this Section 2 shall be payable solely from the City's nontax revenues. Further, the obligation of the City to make the payments pursuant to this Agreement shall be in accordance with the Approval Ordinances and subject to certification by the Director of Finance of the City as to the availability of such non-tax revenues.

Section 3. Grant Objectives. In consideration of the City’s agreement to provide the Grant to the Company, the Company agrees to meet and maintain the following Grant Objectives:

(a) The Company shall lease property at 350 West Wilson Bridge Road to facilitate the relocation and expansion of its operations; and

(b) Throughout the Term of this Agreement and during each successive 12-month period therein, the Company shall cause to be paid amounts at least equal to the amounts set forth below, which actual amounts shall solely be used to authorize payment of the Annual Installment Amounts due, if any (the “Eligible Payroll”):

(i) At the end of the first 12-month period following the Occupancy Date, the Eligible Payroll shall equal or exceed One Million Five Hundred Thousand dollars ($1,500,000.00); and

(ii) At the end of the second 12-month period following the Occupancy Date, the Eligible Payroll shall equal or exceed One Million Eight Hundred Thousand dollars ($1,800,000.00); and

(iii) At the end of the third 12-month period following the Occupancy Date, the Eligible Payroll shall equal or exceed Two Million Two Hundred Eighty Thousand dollars ($2,280,000.00); and

(iv) At the end of the fourth 12-month period following the Occupancy Date, the Eligible Payroll shall equal or exceed Two Million Seven Hundred Sixty Thousand dollars ($2,760,000.00); and
(v) At the end of the fifth 12-month period following the Occupancy Date, the Eligible Payroll shall equal or exceed Three Million Two Hundred Forty Thousand dollars ($3,240,000.00); and

(c) For purposes of this Agreement, Eligible Payroll remitted by the Company shall be equal to the total wages paid to the City by the Company which are subject to City withholding.

Section 4. Annual Review of Grant Objectives; Actions by City. The Company shall make annual reports, in such detail as may reasonably be requested by the City, as to the actual progress of the Company with respect to the Project and the terms of this Agreement. Information requested by the City may include the number of jobs retained, the number of any new jobs created, the amount of payroll attributable to such retained and new jobs, and such other information related to carrying out this Agreement as the City reasonably requires. Prior to remitting the Annual Installment Amount for the respective period, the City shall review the information supplied by the Company to determine whether it is satisfying the Grant Objectives (the “Annual Review”).

In the event the City determines in its Annual Review that the Company has met the Grant Objectives during the respective period, the City shall remit to the Company the Annual Installment Amount for that period. If, however, the City determines in its Annual Review that the Company did not otherwise meet the Grant Objectives for the respective period, the Annual Installment Amount shall not be remitted to the Company for that period.

In the event that the City determines at any Annual Review during the Term that the Company has not met the requirement under Section 3 of this Agreement to achieve the Eligible Payroll Amounts, then the City shall have the right to require the Company to repay such portion of the Total Grant Amount previously remitted by the City under this Agreement. Such repayment by the Company shall be paid within sixty (60) days following the date the City notifies the Company of its determination hereunder and the amount of the repayment requested. The City’s failure to notify the Company at any point in time that a repayment is required shall not constitute a waiver of the City’s right to do so.

Section 5. Miscellaneous.

(a) Notices. Except as otherwise specifically set forth in this Agreement, all notices, demands, requests, consents or approvals given, required or permitted to be given hereunder shall be in writing and shall be deemed sufficiently given if actually received or if hand-delivered or sent by a recognized, overnight delivery service or by certified mail, postage prepaid and return receipt requested, addressed to the other party at the address set forth in this Agreement or any addendum to or counterpart of this Agreement, or to such other address as the recipient shall have previously notified the sender of in writing, and shall be deemed received upon actual receipt, unless sent by certified mail, in which event such notice shall be deemed to have been received when the return receipt is signed or refused. For purposes of this Agreement, Notices shall be addressed to:

(i) If to the City:
(b) **Extent of Provisions: No Personal Liability.** All rights, remedies, representations, warranties, covenants, agreements and obligations of the City under this Agreement shall be effective to the extent authorized and permitted by applicable law. No representation, warranty, covenant, agreement, obligation, or stipulation contained in this Agreement shall be deemed to constitute a representation, warranty, covenant, agreement, obligation or stipulation of any present or future official, member, officer, agent or employee of the City or the Company in other than his or her official capacity. No official executing or approving the City's or the Company’s participation in this Agreement shall be liable personally under this Agreement or be subject to any personal liability or accountability by reason of the issuance thereof.

(c) **Successors.** This Agreement shall be binding upon and inure to the benefit of the Company and its successors and assigns.

(d) **Amendments.** This Agreement may only be amended by a written instrument executed by both Parties.

(e) **Executed Counterparts.** This Agreement may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute but one and the same agreement. It shall not be necessary in proving this Agreement to produce or account for more than one of those counterparts.
(f) **Severability.** In case any section or provision of this Agreement, or any covenant, agreement, obligation or action, or part thereof, made, assumed, entered into or taken, or any application thereof, is held to be illegal or invalid for any reason:

(i) that illegality or invalidity shall not affect the remainder hereof or thereof, any other section or provision hereof, or any other covenant, agreement, obligation or action, or part thereof, made, assumed, entered into, or taken, all of which shall be construed and enforced as if the illegal or invalid portion were not contained herein or therein;

(ii) the illegality or invalidity of any application hereof or thereof shall not affect any legal and valid application hereof or thereof; and

(iii) each section, provision, covenant, agreement, obligation or action, or part thereof shall be deemed to be effective, operative, made, assumed, entered into or taken in the manner and to the fullest extent permitted by law.

(g) **Captions.** The captions and headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of the Agreement.

(h) **Governing Law and Choice of Forum.** This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio or applicable federal law. All claims, counterclaims, disputes and other matters in question between the City, its agents and employees, and the Company, its employees and agents, arising out of or relating to this Agreement or its breach will be decided in a court of competent jurisdiction within Franklin County, Ohio.

IN WITNESS WHEREOF, the City and the Company have caused this Agreement to be executed in their respective names by their duly authorized representatives, all as of the Effective Date defined above.

WHEELS UP PARTNERS LLC

By____________________________________

(Name)    (Title)
THE CITY OF WORTHINGTON

By

Matthew H. Greeson, City Manager

Approved as to form:

____________________________
Pamela A. Fox
City of Worthington
Director of Law
MEMORANDUM

TO: Matt Greeson
FROM: David McCorkle
DATE: May 2, 2016
SUBJECT: Venture Grant – Wheels Up Partners LLC Expansion

This agenda item proposes a Venture Grant to assist Wheels Up Partners LLC in the expansion of their operations and signing of a new lease at 350 W. Wilson Bridge Road.

Staff Recommendation:

Staff recommends adoption of an ordinance authorizing the City Manager to enter into a Venture Grant agreement, as described below, to assist Wheels Up’s expansion in Worthington.

Background:

In 2001 Kenny Dichter and his partners introduced Marquis Jet, which revolutionized the private aviation industry with its introduction of the first ever 25-hour fractional jet card. The concept is selling a set number of flight hours on an aircraft via guaranteed access to type-specific, fleet-specific aircrafts without the cost and burden of purchasing a fractional ownership interest. In 2010, after more than $4 billion of jet card sales, Marquis Jet was sold to NetJets, a Berkshire Hathaway company. In 2014, Mr. Dichter recruited a team of NetJets executives and started Wheels Up, a similar model but with lower costs and membership-based programming.

In the last 20 months, Wheels Up has gone from 30 flights per day to 80. Their fleet of King Air planes has also more than doubled over that same timeframe. Each plane holds eight to nine passengers. Wheels Up offers better economics and more choices with a range of products, evolving to meet the needs of the private aviation consumer.

Wheels Up has had a presence in Worthington since their inception in 2014. Their Worthington location, located at 450 W. Wilson Bridge Road, has grown from 6 employees to 22 over that time period. Wheels Up is not done growing. They have identified the building at 350 W. Wilson Bridge Road to accommodate their future expansion efforts. However, they have also noted the
expansion could occur at one of their other locations out of state, namely New York, New York or Bridgeport, Connecticut, or within a neighboring community in central Ohio. Losing Wheels Up would involve not only the approximately 38 new jobs associated with the expansion, but also 22 existing jobs that are already located in Worthington. Staff is recommending a Venture Grant to encourage the expansion to occur in Worthington.

Under the Venture Grant agreement, Wheels Up will cause more than $3 million in total annual payroll to be paid to persons working in the renovated facility within five years of the start of the Project.

**Venture Grant – Terms & Benefits:**

The proposed expansion by Wheels Up involving a five (5) year payroll commitment at 350 W. Wilson Bridge Road is recommended for a Venture Grant payable in four (4) installments. The first installment of Twenty Two Thousand Dollars ($22,000) is payable upon the full execution of the lease for 350 W. Wilson Bridge Road or the issuance of a Certificate of Occupancy. The three subsequent installments, each equaling Twelve Thousand Dollars ($12,000), are payable upon the subsequent completion of each of three 12-month periods following the issuance of the Certificate of Occupancy.

Each annual payment will be conditioned on Wheels Up meeting the payroll commitments for the respective period. Wheels Up’s failure to meet its commitments in a given year will result in the City not remitting the annual installment amount for that period. In this instance, the City would also have the right to require the company to repay a portion of the grant previously remitted.