



Meeting Minutes

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

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, May 2, 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 7:50 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 Planning and Building Lee Brown, Director of Parks and Recreation Darren Hurley, and Chief of Fire Scott Highley

There were four visitors present.

President Michael reported it wasn't necessary to recite the Pledge of Allegiance again since it was recited during the Joint Meeting of City Council and the Sharon Township Trustees.

VISITOR COMMENTS – There were no visitor comments

APPROVAL OF MINUTES

- March 21, 2016 – Regular Meeting
- April 4, 2016 – Regular Meeting
- April 11, 2016 – Committee of the Whole Meeting

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

The motion to approve the minutes as presented carried unanimously.

PUBLIC HEARINGS ON LEGISLATION

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

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)

The foregoing Ordinance Title was read.

President Michael reported that staff requests this ordinance be tabled because more detailed plans are needed.

MOTION Mr. Myers made a motion to table Ordinance No. 14-2016. The motion was seconded by Ms. Dorothy.

The motion to table Ordinance No. 14-2016 carried unanimously.

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)

The foregoing Ordinance Title was read.

Mr. Hurley reported that the project went out for bid and bids were opened this past Friday. One bid was received and was more than 10% over the engineers estimate. Therefore the bid can't be accepted and the project will need to be re-bid. Staff requests that the ordinance be tabled until the project can be re-bid.

Mr. Norstrom asked if the bid was analyzed to determine why the difference between our estimate and what the bid that came in at. Mr. Hurley shared that staff is working on the analysis. He added that he had a brief conversation with one of the packet holders today and received some feedback. He traded messages with the gentleman who actually submitted the bid so he has a little more research to do. The estimates were based on estimates that we received so at this point it is a little unclear as to the difference but they will continue to look at the issue.

Mr. Norstrom asked if we have the ability to modify the request that would allow staff to accept the bid but at a lower scope that is within budget. Mr. Hurley stated that he didn't believe so.

MOTION Mr. Troper made a motion to table Ordinance No. 15-2016. The motion was seconded by Mr. Foust.

The motion to table Ordinance No. 15-2016 carried unanimously.

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.

The foregoing Ordinance Title was read.

Mr. Greeson shared that this Code change was a request from a Council member. It came on the heels of an Architectural Review Board decision that allowed solar panels on a roof in Old Worthington. A Council member had an interest in appealing that decision but it was in question about whether that was possible since the current Codified Ordinances do not expressly provide that as a right of a Council member. Currently an appeal would have to be from an aggrieved party. There are other appeal provisions in the Code. This change would actually make the Codified Ordinances related to Architectural Review issues consistent with other sections of the Planning and Zoning Code where Council members are a party to file an appeal. He believes those sections apply to Amendment to Development Plans and Conditional Uses.

Mr. Brown agreed. He added that what is proposed tonight would actually make everything in the Codified Ordinances at least consistent with other sections. From the standpoint of staff and back to Council's comments, it made sense to have everything consistent throughout the Code.

Mr. Norstrom shared that he thinks this is very important for members. As we learned earlier members do not have the ability to request an appeal and he thinks as Council they should have that ability if they think an issue is important enough. He added that he and Mr. Myers discussed the topic and he agrees with the suggestion that Mr. Myers intends to make on the topic.

Mr. Myers commented that he argued before against the aggrieved provision as it didn't make a much sense to him and he didn't particularly agree with it but it was the Code. If we look at what MPC and ARB are, it makes no sense that Council has certain areas that we do not have direct oversight and appeal rights from. As this country and this democracy works, all powers are in the hands of the people and some of those powers are delegated to Council. We in turn delegate some of our more specific authority to our Boards and Commissions but they are merely acting on Council's behalf. If Council can't oversee all of their decisions that to him seems to be an inappropriate delegation of authority. He fully supports this change.

Mr. Myers shared that he wished to propose one slight modification to the language that Ms. Fox has drafted. The very last clause of subsection (a) of 1177.08 states: ". . . setting forth the facts of the case."

He would suggest that the language be changed to: "identifying the application appealed and the basis for the appeal." The change would allow members to know what specific

case is being appealed and the reason the appeal is being requested. That way, prior to discussing the appeal, Council would have a little better idea of the specifics of the complaint.

MOTION Mr. Myers made a motion to modify the last part of the last sentence in 1177.08(a) to read: “identifying the application appealed and the basis for the appeal.” The motion was seconded by Mr. Norstrom.

The motion passed unanimously by a voice vote.

When asked by Ms. Dorothy if he had spoken to Mrs. Fox about the modification, Mr. Myers replied that he had not been able to talk with her as she was unavailable.

Mr. Greeson and Mr. Norstrom believe the language mirrors the other provisions of the Codified Ordinances. Mr. Myers clarified that the language is very standard for appellate law.

Mr. Norstrom shared that the reason he supports the amendment is because he thinks the facts of the case does mirror language and facts is a word that is used in that section frequently. He believes the basis for the appeal is an important element that we want to reflect in this amendment.

There being no additional comments, the Clerk called the roll on the passage of Ordinance No. 16-2016 (As Amended). The motion carried by the following vote:

Yes 6 Foust, Troper, Norstrom, Smith, Myers and Michael

No 1 Dorothy

Ordinance No. 16-2016 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.

Mr. Greeson suggested moving the Policy Item concerning the Old Worthington Partnership up on the agenda before moving into New Legislation.

REPORTS OF CITY OFFICIALS

Policy Item(s)

- Liquor Permit – Old Worthington Partners Event

Mr. Greeson shared that the Old Worthington Partnership is doing many exciting things. They are planning an event for June 25th, which is Picnic with the Partnership. It would involve closing High St. for an evening event where the community has an opportunity to dine together. The item they would like to discuss this evening is that as part of that

event, the Partnership would like the opportunity to provide beer and wine to participants, which would require an F-2 permit from the Division of Liquor Control from the State of Ohio. The event would be similar to the Taste of Worthington event. Because the event will be held on City property, we will have to sign off on it. The application to the State of Ohio requires two signatures, his and the Chief of Police. The two don't have specific authority in the Administrative Rules so they are asking for City Council's permission to sign the application. He asked the Executive Director of the Old Worthington Partnership, Nina Parini to come forward and share about the event.

Ms. Parini commented that Mr. Greeson did a great job explaining the event. It came from the fact that they turned over the administration for the Arts Festival to the McConnell Arts Center so the Board made a decision to come up with a new event that celebrates everything that we stand for, which is to celebrate the businesses in Old Worthington. There have been a number of social media posts and public interests around a big community table event so they would like to try it in Worthington. They would like to close down High St. because that is the heart of our community, between the shops in Old Worthington. They are going to put up a long table and hope for about three hundred people. House Wine and Candle Lab have agreed to partner with them and agreed to close their parking lot and help with the event. It has a great deal of attention on social media and she thinks everyone in the community is really excited about it. She appreciates Council's support.

Mr. Norstrom shared that he serves on this board. What Nina didn't say is that they are really hoping that it doesn't rain. He asked her to introduce the other board members who are present. Ms. Parini introduced Natalie Moore, who is the chair for the planning committee for their event and Andrew Saneholtz, current chair of the Board.

Ms. Michael asked what will happen if it rains. Ms. Parini thinks they will come up with an alternate plan so they can serve the food that will be ordered. So they are looking for a space to do that. It is a picnic so folks will bring their own but it will be prepaid and they are planning on rain or shine.

Ms. Dorothy asked what part of High St. will be closed. Ms. Parini shared that they are meeting with the City departments later this week to solidify those plans but likely from South St. to SR-161. They may allow some traffic access Short St. but that is currently the plan.

Ms. Dorothy commented that it is to celebrate downtown but they are partnering with all of our local businesses. Ms. Parini agreed that they were. The table will hold candles from Candle Lab and the flowers will be worked on by Madison House. The restaurants are participating with prepackaged picnic meals. The shops will be opened and the sidewalks will all be accessible.

Ms. Dorothy asked if they were asking those who live in Worthington to bike and walk downtown to the event. Ms. Parini replied that they will.

When asked by Ms. Michael about the bike corral Ms. Parini replied that it starts this weekend and they hope it will take off and everyone will just start biking. Mr. Greeson added that he and his Pelotonia team will be staffing that this weekend. He encouraged members to bike to the Green on the Green this weekend.

Ms. Parini shared that they hope to have an interactive parking map by the time the event comes around so that people can access parking information. They will do a lot with signage and communicating in advance since people will have registered for the event. Ms. Dorothy shared that they might want to remind them that if they park at the MAC they can go check out the MAC but it is also a very short distance to walk or ride. She and Mr. Troper have been talking about if people only recognized that it is about a five to ten minute walk it really isn't that far and they might then actually choose that mode of transportation more.

MOTION

Mr. Norstrom made a motion to allow the City Manager and the Chief of Police to sign a liquor permit request of the Old Worthington Partnership. The motion was seconded by Mr. Foust.

There being no additional comments, the motion carried by a voice vote.

NEW LEGISLATION TO BE INTRODUCED**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).

Introduced by Mr. Smith.

MOTION

Mr. Myers made a motion to adopt Resolution No. 20-2016. The motion was seconded by Ms. Dorothy.

Mr. Greeson shared that the consent legislation and appropriation have already been done for this project. This is the final piece of legislation that was requested by the Ohio Department of Transportation prior to moving forward on the project.

The motion to adopt Resolution No. 20-2016 carried unanimously.

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 Rd.

Introduced by Mr. Troper.**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.

Introduced by Mr. Foust.

Mr. Greeson shared that the Venture Grant identified in Ordinance No. 18-2016 is for a business at 350 West Wilson Bridge Road and not 350 East Wilson Bridge Road as stated in the Manager's Memo.

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 COUNCIL MEMBERS

Mr. Norstrom shared that he attended his first COTA Board meeting last week and the big news coming out of it in the paper was that there is an app now that displays real time movement on buses. He feels of greater importance is the fact that the Board has placed on the November ballot the ten year renewal of a quarter percent sales tax. He may asked this group to endorse that issue at some time. COTA is moving very effectively forward.

Mr. Greeson reported that Mr. Norstrom's comments about COTA reminded him of an item that he would like to share with Council. Staff has been meeting with COTA to find alternatives for a turnaround and exploring options related to that. One of the areas that was identified as a possible location was Emerson Ave., which is behind the Natalie's Pizza location. Staff and several COTA representatives met with a large majority of residents on Emerson and some from Sharon Springs. The proposal met with similar reactions to those shared by residents on Hartford. Their concerns were about the narrowness of that street. Many of the residents have shared driveways so that particular turnaround option would have required limiting parking to one side of the street. The bottom line is that even if we chose that option or came back to consider Hartford or pursue another one, it would require more conversation and some more in-depth evaluation to answer all of the questions that were raised. He thinks at this point we need to be cognizant of the fact that COTA has many of these that they need to implement the system review and they have timelines for accomplishing that. The City needs to be respectful of those timelines and also not rush into it. Therefore, he would recommend that Council allow him to accept the turnaround of the bus in 2017 at Giant Eagle at Busch Blvd. as we continue to evaluate and continue to look for options for turnarounds but do it in a more deliberative pace.

Mr. Foust shared that he is disappointed but not surprised at the Emerson residents' reactions. He asked if COTA has discussed going the other quarter mile down High St. and use the COTA turnaround. Mr. Greeson replied one of the challenges with the

existing turnaround is that they want to connect to the "2" and stay close to the intersection at High and SR-161. When they looked at the Emerson option it took them from 45 minutes to 60 minute service. Further south would take them over the hour, which they don't want to do. That turn would also have them turning left where there isn't a light so there would be an additional time delay in turning against traffic.

Mr. Foust stated that it is fifteen minutes from the proposed library location on down to Emerson. Mr. Greeson replied yes. Mr. Norstrom added that they have to allow for a five to fifteen minute layover. Mr. Greeson explained that it would more than likely be a scheduled sixty minute service at Emerson. They have to build some time into that to allow the driver to layover. That doesn't necessarily mean that it takes them fifteen minutes to get down High St. They typically add the time in fifteen minute increments so if you are not forty-five you are sixty on the schedule.

Mr. Greeson commented that his inclination is to tell them to move on and we will keep working to hopefully find a way to turn it around for the next planning cycle, which would probably be later in 2017.

Ms. Michael asked how people would get from Worthington to Giant Eagle. Mr. Greeson replied they wouldn't have bus service since we haven't been able to identify an option.

Mr. Myers shared that he would not be at Council next week as he will be out of town.

Ms. Dorothy thanked Mr. Whited for sharing the street improvement program. They have the ride along at 3:15 p.m. on Friday and she is looking forward to that.

Ms. Dorothy shared that given that Council is going to go into Executive Session she would like to relay a message that Dr. Paul Dorothy in that would like to withdraw his application to the Bike and Pedestrian Committee.

Mr. Troper shared that he enjoyed the presentation today at the Rec Center on the proposed Heischman Park renovations.

Ms. Michael shared the following:

- 1) Reminded members that if they want to be in the Memorial Day Parade they will need to sign up on the American Legion website. She will work with the Legion to make sure they are all together towards the beginning of the parade.
- 2) Reminder that COMMA (Central Ohio's Mayors and Managers Association) will have their meeting at the MAC on June 3rd.
- 3) There are two more sessions of Live Government this month.
- 4) Several members met with Mr. Greeson and Mrs. Stewart about revising the look of the Council Agenda and materials. The changes are an effort to make the materials easier for not only Council to work through but also the public.
- 5) She asked staff to share wishes for a speedy recovery from a recent surgery to Mrs. Fox.

EXECUTIVE SESSION

MOTION Mr. Smith made a motion to meet in Executive Session to discuss Board and Commission appointments and personnel appointment and compensation. The motion was seconded by Mr. Foust.

The motion carried by the following voice vote:

Yes	7	Troper, Norstrom, Dorothy, Myers, Smith, Foust, Michael
No	0	

Council recessed at 8:23 p.m. from the Regular meeting session.

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

The motion carried unanimously by a voice vote.

MOTION Mr. Foust made a motion to appoint Matt Erickson to fill the vacant seat on the Bike and Pedestrian Advisory Board and reappoint Lawrence Creed, Ann Horton and Douglas Knight to new three year terms. The motion was seconded by Mr. Smith.

The motion carried unanimously by a voice vote.

MOTION Mr. Dorothy made a motion to appoint Christy DeWees to the WIFA Board. The motion was seconded by Mr. Myers.

The motion carried unanimously by a voice vote.

Resolution No. 21-2016 Authorizing the City Manager to Provide Certain Benefits to John V. Bailot Following his Appointment as Assistant Fire Chief.

Introduced by Mr. Troper.

MOTION Mr. Smith made a motion to adopt Resolution No. 21-2016. The motion was seconded by Mr. Norstrom.

The motion to adopt Resolution No. 21-2016 carried unanimously.

ADJOURNMENT

MOTION Mr. Foust 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 8:57 p.m.

/s/ D. Kay Thress
Clerk of Council

*APPROVED by the City Council, this
6th day of June, 2016.*

/s/ Bonnie D. Michael
President of Council