City Council Meeting Agenda

Tuesday, January 3, 2017 ~ 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

APPEALS

1) Determination on whether the Council elects to hold a public hearing on the appeal of an Architectural Review Board application for solar panels at 661 Evening St.

NEW LEGISLATION TO BE INTRODUCED

2) Resolution No. 01-2017

Authorizing the City Manager to Execute a Cleaning Contract for the Community Center.

3) Ordinance No. 01-2017

Amending Certain Sections of the Codified Ordinances of the City to Allow for Electronic Notification to the Public of the Dates of Public Meetings, of Vacancies in Personnel Positions in the City, of a Water Conservation Emergency, and of Applications Heard Pursuant to Part 11 of the Codified Ordinances.

4) Ordinance No. 02-2017

Amending Chapter 111 of the Codified Ordinances of the City to Establish Procedures for the Purchase of Supplies, Materials and Equipment and the Construction of Public Improvements.

REPORTS OF CITY OFFICIALS

Policy Item(s)

5) Liquor Permit – Transfer from Shahzad LLC (dba Worthington Marathon) to Manas 99 LLC (dba Worthington Marathon)
Discussion Item(s)

6) City Council Retreat Dates

REPORTS OF COUNCIL MEMBERS

OTHER

EXECUTIVE SESSION

ADJOURNMENT
City Manager Report to City Council for the Meeting of Tuesday, January 3, 2017

APPEALS

1) Appeal – Architectural Review Board Action – 661 Evening Street

An appeal of the Architectural Review Board’s action regarding 661 Evening Street has been received. According to the Codified Ordinances of the City, the City Council may elect to hold a public hearing on the appeal or reject the application for appeal without a hearing. If Council decides to hold a public hearing, the hearing must be held within 60 days of the date on which the Board made its decision. The decision by City Council as to whether to hold the public hearing is made by motion and is decided by a majority vote.

Attached are (a) a memorandum from the Director of Planning & Building summarizing the appeal, (b) the appeal letter; (c) the application submitted, (d) excerpts from the staff memorandum to the members of the Architectural Review Board and Municipal Planning Commission for the meeting on December 8, 2016 regarding this item, (e) presentation slides with images of the property in question, (f) excerpts from the minutes from the December 8, 2016 meeting of the Architectural Review Board and Municipal Planning Commission regarding this item, and (g) public comments we have received regarding this appeal.

City Council can utilize the following motion when determining whether to hold a public hearing on the appeal. The motion is stated in the positive and can be approved or disapproved by Council.

Motion to elect to hold a public hearing on the appeal.

NEW LEGISLATION

2) Resolution No. 01-2017 – Community Center Cleaning Contract

On November 14th, City Council authorized staff to bid the Community Center cleaning contract. Bids were opened on December 9th and staff is recommending the contract be
awarded to Cummins Facility Services. Additional information is provided in the attached memorandum from the Director of Parks & Recreation.

**Recommendation**: Introduction and Approval of Resolution as Presented

3) **Ordinance No. 01-2017 – Code Change – Public Notice Procedures**

This Ordinance changes sections of the City’s Codified Ordinances to allow for electronic notification of the public of the dates of public meetings, vacancies in personnel positions, a water conservation emergency and agenda items in front of the Municipal Planning Commission, Architectural Review Board and Board of Zoning Appeals. City Council discussed the change to electronic notification instead of publication in a newspaper of general circulation in December. At that time, staff indicated certain notifications could only be changed by ordinance since they are dictated in the City’s Codified Ordinances. This Ordinance makes those changes. Additional information is included in the attached memorandum from the Law Director.

**Recommendation**: Introduction for Public Hearing on January 17, 2017

4) **Ordinance No. 02-2017 – Code Change – Purchasing Procedures**

This Ordinance modifies Chapter 111 of the City’s Codified Ordinances to incorporate purchasing procedures now allowed under the City’s Charter. The recent Charter amendments allow the City to purchase supplies, materials and equipment, or construct public improvements by any means authorized by the State of Ohio for public entities. This Code change incorporates various means, such as design-build, construction manager, construction manager at risk and reverse auction. Additional information is included in the attached memorandum from the Law Director. Also attached is the existing Code for these three sections of Chapter 111.

**Recommendation**: Introduction for Public Hearing on January 17, 2017

**REPORTS OF CITY OFFICIALS**

Policy Item(s)

5) **Liquor Permit Transfer – Worthington Marathon, 911 High Street**

This is a request for a liquor permit transfer for the Worthington Marathon at 911 High Street. It is transferring from Manas 99 LLC DBA Worthington Marathon to Shahzad LLC DBA Worthington Marathon. The request relates to a C1 permit which is for beer only in original sealed container for carry out only and C2 which is for wine and mixed beverages in sealed containers for carry out. City Council is requested to make a motion regarding whether to object to the permit. The transfer request is attached.

**Recommendation**: Approval of a Motion to NOT request a hearing for the transfer of the Liquor Permit
Discussion Item(s)

6) City Council Retreat

There has been discussion about a City Council retreat. If City Council members bring their calendars, we can discuss potential dates.

EXECUTIVE SESSION
The application for solar panels at 661 Evening Street was reviewed and approved by the Architectural Review Board by a four-to-three vote on December 8, 2016. An appeal of the approval was filed on December 19, 2016 by Council Member Douglas C. Foust of 276 Highgate Avenue, Worthington, Ohio 43085.

Council may elect to hold a public hearing on the appeal, or reject the appeal by not scheduling a public hearing (See Section 1177.08 of the Codified Ordinances).

The appellant filed the appeal for the following reasons:
- The placement of visible solar panels on the front of a home in the Architectural District is inconsistent with established City Design Guidelines and therefore merit further review. (See attached letter)

Attached to this memo are:
- Architectural Review application for 661 Evening Street
- ARB Staff Memo
- PowerPoint Presentation
- Draft Minutes of the December 8, 2016 ARB Meeting
- Appeal of the decision of the ARB
December 19, 2016

To the Attention of the Worthington City Clerk;

I would like to Appeal the decision by the ARB to permit installation of solar panels for 661 Evening Street, Application #AR-129-16 to City Council. I believe the solar panels as approved may be inconsistent with established City Design Guidelines and therefore merit further review.

Sincerely,

[Signature]

Douglas C. Foust
276 Highgate Avenue

[Stamp: Received 12/19/16 @ 4:39 PM]
City of Worthington
ARCHITECTURAL REVIEW BOARD
Certificate of Appropriateness
Application

1. Property Location
   661 Evening St, Worthington OH 43085

2. Present/Proposed Use
   Residential, single family dwelling

3. Zoning District

4. Applicant
   Allen Eiger and Joanne Dole
   Address
   661 Evening St, Worthington OH 43085
   Phone Number(s)
   614-330-5331 or 614-374-5729

5. Property Owner
   Allen Eiger and Joanne Dole
   Address
   661 Evening St, Worthington OH 43085
   Phone Number(s)
   614-330-5331 or 614-374-5729

6. Project Description
   Installation of 17 Solar Panels

7. Project Details:
   a) Design
      see attachment
   b) Color
      see attachment
   c) Size
      each panel is 38" x 76"
   d) Approximate Cost
      $15,000
      Expected Completion Date
      March 30, 2017

PLEASE READ THE FOLLOWING STATEMENT AND SIGN YOUR NAME:
The information contained in this application and in all attachments is true and correct to the best of my knowledge. I further acknowledge that I have familiarized myself with all applicable sections of the Worthington Codified Ordinances and will comply with all applicable regulations.

[Signatures]
Applicant (Signature)  Date
Property Owner (Signature)  Date
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City, State</th>
</tr>
</thead>
<tbody>
<tr>
<td>David &amp; Kathleen Griffin</td>
<td>669 Evening St.</td>
<td>Worthington, OH 43085</td>
</tr>
<tr>
<td>John Moe</td>
<td>678 Evening St.</td>
<td>Worthington, OH 43085</td>
</tr>
<tr>
<td>Pamela Smith</td>
<td>672 Evening St.</td>
<td>Worthington, OH 43085</td>
</tr>
<tr>
<td>Steven &amp; Akiko Pullen</td>
<td>653 Evening St.</td>
<td>Worthington, OH 43085</td>
</tr>
<tr>
<td>Martha Lopeman</td>
<td>652 Sinsbury Dr. E.</td>
<td>Worthington, OH 43085</td>
</tr>
<tr>
<td>Aaron McGreevy</td>
<td>660 Sinsbury Dr. E.</td>
<td>Worthington, OH 43085</td>
</tr>
</tbody>
</table>
PLACEMENT OF SOLAR PANELS

While deciding where to place our solar panels, we had three criteria as our guidelines:

1. Minimizing visibility from the Historic District
2. Awareness of the AEP's need to provide a stable and reliable grid and meet the power demand during peak demand hours during late afternoon
3. Maximizing efficiency and productivity of the solar panels

To meet the #1 objective, we chose to place **no** panels on the East-facing (Evening St) roof. The majority of panels being placed on the backside of the house (West roof) will ensure this.

To achieve the #2 objective, we decided to place most of our panels (12) on the West roof. Those panels will **not** be visible from the Historic District. Typically utility electricity demand loads peak in late afternoon and early evening, due to the use of lights, appliances, heating and air-conditioning systems, water heaters, etc., in homes after work and school. That's also the time of day when West facing panels will be receiving good solar exposure.

However, going with ONLY with West-facing panels will not reach the top of their design efficiency and productivity, and won't meet our capacity goal of 5kW array (without significantly increasing the number of panels and making the project cost-prohibitive for us). So to help meet the #3 goal, we decided to place 5 panels on the small South-facing roof section over the garage. These 5 panels will significantly raise the overall efficiency and productivity of the entire array, increasing the weighted-average of every panel. Those panels will have limited visibility from Evening Street, but only from a small angle from the Southern direction (please see the photo below).

This placement of panels is a good balanced approach which is a win-win-win with respect to our three goals, making the project feasible for us in terms of power production capacity and cost. Even with this placement (ensuring minimal visibility), the solar system produces extremely well and will ensure that over 350,000 pounds of CO2 are not emitted into the atmosphere. Also, given the CO2 absorption qualities of trees, installing this solar system is the equivalent of planting over 17,000 trees over the life of the system.
661 Evening St.

100-002816  04/09/2014
661 Evening Street, Solar Panels project

The image below is from Google Sunroof Project (with the red arrow added by us). This project uses satellite images and computes solar exposure of roofs. The lighter the color, the better the solar exposure of the roof.

As can be seen, the small South facing section where the red arrow points is the best part of our roof for solar panels. Utilizing this section will drastically improve the efficiency of our entire array, also allowing us to send more power to the grid when we generate more than we consume.
5.44kW Solar Project

661 Evening Street, Worthington, Ohio 43085

The proposed Solar System consists of the following:

- 17 Canadian Solar 320 Watt solar panels. These will be installed on the left and backsides of the roof.
- 1 SolarEdge Inverter mounted in the basement.
- Iron Ridge rails and Flashed L-Feet

A plot plan of the system is provided below.
Some sample installations are provided below.

Specification Sheets are attached. The system is engineered for local maximum 90 MPH winds. All work is performed according to NEC 2014.

Bob Sisco
bsisco@ohiopowersolutions.com
740-506-0906
MEMORANDUM

TO: Members of the Architectural Review Board
    Members of the Municipal Planning Commission

FROM: Lynda Bitar, Planning Coordinator

DATE: December 2, 2016

SUBJECT: Staff Memo for the Meeting of December 8, 2016

B. Architectural Review Board

2. New


Findings of Fact & Conclusions

Background & Request:
This ranch style house was built in 1955 and is not a contributing structure in the Worthington Historic District. The homeowner would like to add solar panels to the roof.

Project Details:
1. The owner is proposing the addition of 17 solar panels – 12 on the rear of the gabled roof and 5 on the south side of the front gable above the garage. The number and placement of panels would achieve the efficiency and productivity goals of the homeowners.
2. The panels would be black, placed on the slope of the gray roof sitting several inches above the roof shingles.

Land Use Plans:
Worthington Design Guidelines and Architectural District Ordinance
In 2011, Sustainable Features were added as a review element in the Architectural Review District to encourage sustainable design and building practices, while preserving the character and integrity of the Architectural Review District. It is recommended to place solar panels in a location that minimizes the visual impact as seen from the right-of-way and surrounding
properties. Generally, panels should be located on roofs in the following manner: the rear 50% of the roof of the main building; the rear inside quadrant of the roof of a main building on a corner lot; or on accessory structures in the rear yard. On sloped roofs, place panels flush along the roof unless visibility is decreased with other placement.

**Staff Analysis and Recommendation:**
Ideally all of the panels needed for this project would be placed on the rear of the house. If it is necessary to place 5 panels on the front to make the project viable, placement on the south side of the east-west gable should have the least visual impact of any location on the front of the house. Panels that have the lowest possible profile above the roof should be used. Sustainable practices were meant to be encouraged in the District, and not every property is in a position to have solar panels placed in a location that minimizes visual impact.

**Motion:**
THAT THE REQUEST BY ALLEN EIGER AND JOANNE DOLE FOR A CERTIFICATE OF APPROPRIATENESS TO ADD SOLAR PANELS AT 661 EVENING ST., AS PER CASE NO. AR 129-16, DRAWINGS NO. AR 129-16, DATED NOVEMBER 7, 2016, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.
5.44kW Solar Project
661 Evening Street, Worthington, Ohio 43085

The proposed Solar System consists of the following:

- 27 Canadian Solar 220 Watt solar panels. These will be installed on the left and back sides of the roof.
- 1 SolarEdge Inverter mounted in the basement.
- Iron Ridge rails and flashed I-Beams.

A plot plan of the system is provided below.

Specification Sheets are attached. The system is engineered for local maximum 90 MPH winds. All work is performed according to NEC 2014.
The image below is from Google Sunroof Project (with the red arrow added by us). This project uses satellite images and computes solar exposure of roofs. The better the color, the better the solar exposure of the roof.

As can be seen, the south facing section where the red arrow points is the best part of our roof for solar panels. Utilizing this section will drastically improve the efficiency of our solar array, also allowing us to send more power to the grid when we generate more than we consume.
The regular meeting of the Worthington Architectural Review Board and the Worthington Municipal Planning Commission was called to order at 7:00 p.m. with the following members present: Michael Coulter, Chair; James Sauer, Vice-Chair; Kathy Holcombe, Secretary; Thomas Reis; Edwin Hofmann; Amy Lloyd; and Doug Foust. Also present were: Scott Myers, Worthington City Council Representative to the Municipal Planning Commission; Lee Brown, Director of Planning & Building; Lynda Bitar, Planning Coordinator and Clerk of the Municipal Planning Commission; and Melissa Cohan, Paralegal.

A. Call to Order – 7:00 p.m.

1. Roll Call

2. Pledge of Allegiance

3. Approval of minutes of the November 10, 2016 meeting.

Mr. Reis moved to approve the minutes and Mr. Sauer seconded the motion. All Board members voted, “Aye.” The minutes were approved.

4. Affirmation/swearing in of witnesses – Members of the audience were sworn in by Mrs. Bitar.

C. Architectural Review Board


Findings of Fact & Conclusions

Mrs. Bitar reviewed the following from the staff memo:

Background & Request:
This ranch style house was built in 1955 and is not a contributing structure in the Worthington Historic District. The homeowner would like to add solar panels to the roof.

Project Details:
1. The owner is proposing the addition of 17 solar panels – 12 on the rear of the gabled roof and 5 on the south side of the front gable above the garage. The number and placement of panels would achieve the efficiency and productivity goals of the homeowners.
2. The panels would be black, placed on the slope of the gray roof sitting several inches above the roof shingles.

Land Use Plans:
Worthington Design Guidelines and Architectural District Ordinance
In 2011, Sustainable Features were added as a review element in the Architectural Review District to encourage sustainable design and building practices, while preserving the character and integrity of the Architectural Review District. It is recommended to place solar panels in a location that minimizes the visual impact as seen from the right-of-way and surrounding properties. Generally, panels should be located on roofs in the following manner: the rear 50% of the roof of the main building; the rear inside quadrant of the roof of a main building on a corner lot; or on accessory structures in the rear yard. On sloped roofs, place panels flush along the roof unless visibility is decreased with other placement.

Staff Analysis and Recommendation:
Ideally all of the panels needed for this project would be placed on the rear of the house. If it is necessary to place 5 panels on the front to make the project viable, placement on the south side of the east-west gable should have the least visual impact of any location on the front of the house. Panels that have the lowest possible profile above the roof should be used. Sustainable practices were meant to be encouraged in the District, and not every property is in a position to have solar panels placed in a location that minimizes visual impact.

Discussion:
Mrs. Bitar swore in additional people that arrived for the meeting. Mr. Coulter asked if the applicant was present. Ms. Joanne Dole, of 661 Evening St., Worthington, Ohio, said she is the property owner and looks forward to adding solar panels to her home. She said when the Worthington Solar Co-op started she attended the meeting and decided to use the contractor that was selected by the Co-op. The solar contractor was present at the meeting to help answer any technical questions. Mrs. Dole said she would like to have five of the panels on the south side of her home to get the maximum solar production. Mr. Foust said the Board members have looked at various types of technologies and improved products throughout Worthington to fit in through the historical district such as sky lights, and the Board came up with design guidelines to place the sky lights on the back portion of the roof on the homes whenever possible, and the same with satellite dishes. He said the Board also has strict requirements of air conditioners and those also need to be placed in the back or the sides of homes. Mr. Foust explained the Board has also supported the use of a newer material called Hardi-plank, instead of aluminum or vinyl siding, because of its durability. The Board has also been very restrictive about plastic fencing and they have been very careful as to where that can occur. He said he puts solar panels in that same category. Mr. Foust said he does not know of anyone within the community that is opposed to the idea of solar panels in general or clean energy but over time they have come up with some good compromises. He feels this is a good time to set some guidelines for solar panels in the
historical district. Mr. Foust said he would like to see all of the panels on the rear of the home. He said the ARB Board members are charged with representing the Architectural Review Board Guidelines to the community. He said there might be room for compromise. He would like to see all seventeen solar panels placed on the rear of the home, but he realizes that may not be the most productive place for the panels. As an alternative spot, he suggested placing the solar panels on the flat roof part of the home.

Mr. Coulter said he would like to take the opposite view. He asked Mrs. Bitar to show the photographs of the home down the street that recently had solar panels approved. Mr. Coulter said he could understand Mr. Foust’s viewpoint if the house was one of the contributing properties but this is not an older home. He said driving down the street you really cannot tell there are solar panels on the roof. Mr. Coulter said the new technology for solar panels are thinner, smaller and much more powerful than the older panels. He explained that he lives across the street from this house and he does not have a problem with the addition of solar panels. Mr. Coulter said he would like to know if panels were not able to be placed on the south side of the home, would the panels on the back side of the home produce enough power to equal the power as if placed on the south side of the home. Mr. Robert Cisco, of 3100 St. Rt. 187, London, Ohio, said he is the owner of Ohio Power Solutions. Mr. Coulter asked if the southern panels were moved to the western side of the house, would they generate the same amount of energy. Mr. Cisco said there could be a reduction as much as 16 percent for the output of energy. Mr. Hofmann asked if there would be any energy reduction if the panels were placed on the flat portion of the roof. Mr. Cisco said he was not sure if the carport area could handle the weight of the panels. Mr. Hofmann said he is concerned about setting a precedent in the district. Mr. Sauer suggested approving this application and see what the roof looks like after completion. If the Board members disagree with the structure they could develop guidelines of how to move forward with other homes which might want solar panels. Mr. Foust agreed with Mr. Sauer about setting up some guidelines.

Mr. Brown interjected that there were some guidelines adopted in 2011 that dealt directly with solar panels, it recommended to place solar panels in a location that minimizes the visual impact as seen from the right-of-way and surrounding properties.

Mrs. Lloyd said she did not have a problem with the five panels being placed on the south façade because she did not feel the panels will be very visible.

Mrs. Holcombe said she does not want to see a precedent set and mentioned she did not vote in favor of the previous home on Evening St. being approved for solar panels on the front of a home. She preferred the panels to be placed on the back of the home. Mr. Reis agreed the panels would look best on the back of the applicant’s home. Mr. Foust asked how much of an impact the panels will have on the electric bill and Mr. Cisco said possibly an 88% reduction on the electric bill. He said residential investors of the solar paneling system usually recoup their investment within about 8-years. Mr. Coulter asked if there was anyone present that wanted to speak either for or against this application and a few people raised their hands.
Mr. Bill McDonald, of 631 Seabury Dr., Worthington, Ohio, said he was excited to talk about solar energy because he and his wife just installed solar panels on their house. He said they have a 5.7 kilowatt system on three roof tops, two of which face south. Mr. McDonald said the south facing roof panels are very important for energy efficiency. He said he empathizes with the views from Mr. Foust and the others with their roles as ARB members because the precedent is set. The Board already approved a house on Evening St. that has east facing panels, and there are several letters of support. Mr. McDonald urged the Board members to support his neighbor’s application to have south facing solar panels.

Mrs. Marybeth McDonald, of 631 Seabury Dr., Worthington, Ohio, is also in support of her neighbor’s solar panels. She felt the panels will only be marginally visible from the street.

Ms. Joanne Leussing, of 613 Evening St., Worthington, Ohio, said she is the home owner with the solar panels facing Evening St. She is in support of her neighbor’s solar panel project, and said she has never received a negative complaint about her solar panels from any of her neighbors. Ms. Leussing said she likes to address climate change with renewable energy. She was happy to address questions at the past 4th of July event about how she liked her panels. Ms. Leussing said her electric bill has also been greatly reduced. She reiterated her support for her neighbor’s project and urged the Board to approve the application. Mr. Hofmann asked Ms. Leussing if her home is a contributing home and she said no, her home was built in 1958.

Ty Wait, of 324 Weydon Rd., Worthington, Ohio, said he is also in support of the solar panel project.

Motion:
Mr. Reis moved:

THAT THE REQUEST BY ALLEN EIGER AND JOANNE DOLE FOR A CERTIFICATE OF APPROPRIATENESS TO ADD SOLAR PANELS AT 661 EVENING ST., AS PER CASE NO. AR 129-16, DRAWINGS NO. AR 129-16, DATED NOVEMBER 7, 2016, BE APPROVED BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

Mr. Sauer seconded the motion. Mrs. Bitar called the roll. Mr. Coulter, aye; Mr. Sauer, aye; Mrs. Holcombe, nay; Mr. Reis, aye; Mr. Hofmann, nay; Mrs. Lloyd, aye; and Mr. Foust, nay. The motion was approved.
We support the installation of solar panels at the home of Joanne Dole. The more solar power in our neighborhoods, the better.
Dear Clerk Thress:

I am wholeheartedly in support of the installation of solar panels at the home of Joanne Dole as presented to and approved by the ARB. Since none of the panels will directly face Evening Street, and those on the garage roof will face south, which is away from traffic coming off of High Street, I feel they pose practically no threat of being visually objectionable. I also feel that as we continue to adopt the use of renewable energy in the community we will have increasing claim to joining the ranks of communities across the country which are taking such steps.

I would urge that council not proceed with the appeal of the ARB's approval of the solar panels. Since these would not be the first, nor the second, solar panels on Evening Street such action would seem to send a confusing and controversial message.

Thank you.

-Ty Wait / 324 Weydon Rd / Worthington

Information from ESET Endpoint Antivirus, version of virus signature database 14650 (20161222)

The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
To the City of Worthington,

I would like to express my strong support for Joanne Dole and Allen Eiger, who wish to install solar panels on their house on Evening Street. Based on the plans, these solar panels would not be intrusive or jarring to the eye, despite Councilman Foust's claims. Yet more importantly, supporting these solar panels would be a testament to Worthington's commitment to sustainability. Communities across the country are gravitating towards clean energy and it would be shameful if Worthington were to fall behind. Additionally, if Councilman Foust and others are concerned about aesthetics, they should consider that climate change affects not only the health, but also the beauty of the environment as well. Inhibiting clean energy is therefore not a legacy anyone should be proud of and I urge this city to show strong support for this request, as well as future clean energy projects.

Thank you for your time. Sincerely,
Kathryn Lang
Worthington voter

Information from ESET Endpoint Antivirus, version of virus signature database 14650 (20161222)

The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
Hello,

As a Worthington resident for most of my life, I would like to express my support for the ARB decision to allow solar panels on Joanne Dole and Alien Eiger's house on Evening St. Please inform Councilman Foust of my position.

Thank you,

Ruth Lang
27 year resident of Worthington
I urge Council to reject the appeal of the ARB decision to allow solar panels on the home of Joanne Dole and Allen Eiger.

City of Worthington design guidelines encourage energy conservation. Climate change is the foremost problem the planet faces for present and future generations, creating immense challenges if not addressed. Solar energy is one important means of conserving energy to address climate change and should be encouraged. Solar panels must be located where the sun shines. It should be noted that panels for the Dole-Eiger home will not face the street.

My 13 solar panels have generated 3,310 kWh since February 23, 32016, 83% of my usual annual power usage. My total electric bill this year is nearly one-half of previous years, with greater saving anticipated next year. I have not heard a single objection to the panels from neighbors. On the contrary, many people walking by have expressed interest, asking how the panels perform.

Joanne Leussing
613 Evening St.
Worthington, OH 43085
To the City Clerk:

My husband and I live in the historic corridor (181 E. Granville Rd.) and we have no objections to the proposed solar panels on the Dole residence at 661 Evening Street. We think it is a step in the right direction, and perhaps one day we as a community will support burying the hideous power lines in the historic district.

On a very positive note, we are more than pleased with the newly paved E. Granville Rd. The process was speedy and painless -- for us, anyway! Thank you for what I'm sure was a tremendous amount of careful planning on your part.

Jill K. Welch and Scott Potter

Jill K. Welch, Ph. D.
279 Hagerty Hall
The Ohio State University
welch.112@osu.edu
614.292.8620

Information from ESET Endpoint Antivirus, version of virus signature database 14677 (20161228)

The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
From: Jeffrey Drake <liferiders2001@yahoo.com>
Sent: Saturday, December 24, 2016 3:03 PM
To: Thress, D. Kay
Subject: I support rooftop solar panels at 661 Evening Street

Worthington City Council:

I strongly support solar power and rooftop solar panels in Worthington, including in the historic district. Solar energy is progress in the right direction, and I am opposed in general to the government interfering not only with homeowner’s rights, but also with progress in clean energy.

I understand that the approval of a solar roof at 661 Evening Street is being appealed by a council member. I have looked at the plans for the location of the solar panels and find nothing even slightly objectionable about their solar roof, including aesthetics. The house is certainly not a historic home; it's a bread-and-butter late ‘60s or early 1970s home whose appearance would not be harmed by solar panels.

I see no reason to trample on the rights of the homeowner by impeding their right to improve their property, lower their energy expenses, and choose to produce their own clean energy. Surely this is an improvement over using coal-produced energy that adds to global warming and creates coal ash that contains serious toxins and environmental hazards in its own right. Worthington wants residents to move here who are good, responsible citizens. Let's keep the neighborhood attractive to such residents by approving roof-top solar power in general, and this project specifically.

I ask the city council to approve the roof-top solar project at 661 Evening Street. I strongly support it.

Thank you,

Jeffrey E. Drake
544 Riley Ave.
Worthington Estates

Information from ESET Endpoint Antivirus, version of virus signature database 14677 (20161228)

The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
Dear Worthington City Council,

I live at 674 Hartford Street in the Old Worthington area.

In Old Worthington, we no longer burn wood or coal to heat our homes. We have moved with the times to sources of fuel that produce less smoke and soot. Our air is cleaner now as a result.

Old Worthington and the city of Worthington need to move with the times. Solar panels are part of the move to the future. Their use should be encouraged and not limited by personal opinions on whether they look good. Solar panels should be placed where they can receive the sun most efficiently, even if the panels can be seen from the street.

Why doesn't Worthington try to become the most green and energy efficient city is Ohio? Solar panels would be part of that effort and would enhance the favorable reputation as a progressive community that Worthington enjoys.

Sincerely,

Walt Kobalka
674 Hartford Street
Worthington, OH 43085
614-582-8542

__________ Information from ESET Endpoint Antivirus, version of virus signature database 14677 (20161228)

__________

The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
Dear Clerk Thress:

I wholeheartedly support the installation of solar panels at the home of Joanne Dole as presented to and approved by the ARB. I feel that sustainability is important to Worthington and solar panels are an important step to be sustainable. Keep the village feel of Worthington but also look toward the future.

I would urge that council not proceed with the appeal of the ARB's approval of the solar panels. Thank you.

Jutta Wait
324 Weydon Rd
Worthington, OH 43085
tjwait@pobox.com

Information from ESET Endpoint Antivirus, version of virus signature database 14677 (20161228)

The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
I am a Worthington resident (631 Seabury) and I want to voice my strong support for the request of Joanne Dole and Allen Eiger to proceed with solar panels on their home. I think Worthington should support sustainable energy. The panels proposed would be minimally noticeable from the street.
Marybeth Mcdonald

Sent from my iPhone

http://www.eset.com
From: David M. Scott <dscott@bmdllc.com>
Sent: Monday, December 26, 2016 5:05 PM
To: Thress, D. Kay
Subject: Solar Panels – 661 Evening St. (Allen Eiger & Joanne Dole) AR 129-16

Dear Ms. Thress and Distinguished City Council Members:

I write to express my unequivocal support for affirming the Worthington Architectural Review Board’s approval of solar panels for the home at 661 Evening St.

For over 12 years we lived at 920 Evening St. (we only recently moved across the river), and my two daughters still attend Evening St. Elementary and KMS, respectively. Worthington’s proud history of pioneer spirit and self-sufficiency is entirely consistent with embracing sensible alternative energy installations. Evening Street Elementary already has solar panels to the north and south of the subject house, most of the requested panels will be on the West side (not visible from Evening St or the historic district), and 5 panels will be on the South side (not facing directly onto Evening St.)

Our community will continue to thrive, and to attract new generations, if we balance tradition with modernity. The ARB demonstrated its wisdom in balancing these interests to approve the panels, and City Council should do likewise.

Respectfully,

David M. Scott
6077 Olengangy River Rd.
Worthington, Ohio 43085

Managing Partner- Columbus Office
Brennan Manna & Diamond, LLC
250 Civic Center Drive
Suite 300
Columbus, Ohio 43215
Direct Dial: (614) 246-7514
Cell: (614) 570-9079
Fax: (614) 246-7515
dscott@bmdllc.com I www.bmdllc.com

Notice: The information contained in this electronic mail transmission is intended by Brennan, Manna & Diamond, LLC for the use of the named individual or entity to which it is directed and may contain information that is privileged or otherwise confidential. It is not intended for transmission to, or receipt by, anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It should not be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying or forwarding it, and notify the sender of the error by reply email or by calling Brennan, Manna & Diamond, LLC at 1-330-253-5060, so that our address record can be corrected.

Notice: The information contained in this electronic mail transmission is intended by Brennan, Manna & Diamond, LLC for the use of the named individual or entity to which it is directed and may contain information that is privileged or otherwise confidential. It is not intended for transmission to, or receipt by, anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It should not be copied
I am writing today to express my support for residential solar panels and their approval by the Worthington City Council. I hope that Council prioritizes clean energy and makes a commitment to solar panels and all other renewable energy resources available to both the City and its private citizens. The City should be offering residents a rebate instead of making them jump through hoops to get approval when personally financing such a project. It is appalling that the look of solar panels is in any way a reason to deny their request. They could put up a wind turbine in their front yard and I would be in support of it! I am thankful that people who care about the earth live in my community!
Please continue to support your citizens who are moving us towards progress and a cleaner, safer future.
Sincerely,
Emily Chalfant
Regarding the Foust appeal of the ARB approval of solar panel installation on Evening Street:

We are in favor of solar panels even within the historic district of Worthington when approved by ARB. Advances must be made in our sustainability and the ARB has reviewed and approved this installation as acceptable. Solar panels are less unsightly than the ubiquitous power poles and numerous lines strung across our view.

Corinne and Tony Konecny  
196 E Granville Rd  
Worthington, OH 43085  
614.546.9969

The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
Please do not hear the appeal of the installation of solar panels on Joanne Dole's house on Evening Street. The panels are flat and black, and as such, highly unobtrusive on a roof! For many of us, the cost of such an installation is prohibitive, so we must do all we can to support the trailblazers who are willing to proceed with the use of solar power to preserve our beautiful planet. I feel great joy when I see solar panels on a home, and that City of Worthington should be proud that more and more residents are choosing this clean energy. Please allow installation to proceed.

Thank you

Mechteld Mitchin
Dear City Council,

As a Worthington resident and supporter of renewable energy and energy independence, I was disappointed to hear that an ARB approved installation of solar panels at the Dole residence on Evening St. is being appealed by one of your council members, on aesthetic grounds. It is my understanding that the installation will not be visible from the street. Furthermore, there are already multiple installations of panels on that street, within the historic district, and based on recent home values skyrocketing in the neighborhood, this has had no effect on the perceived value of a home on Evening St.

As a community, these panels will reduce our dependence on non-renewable energy sources. Rejecting such an installation would set a bad precedent restricting other Worthington residents from making similar beneficial additions to their homes, regardless of the visibility.

As the argument of diminished aesthetics of the neighborhood seems spurious at best, I implore you to reject the appeal and honor the approval of the ARB.

With best regards,
Chris Tonra
327 Lambourne Ave.
I support solar panels in ALL of Worthington, including Old Worthington.

Amy Cummings
6850 Ravine Circle
Worthington, Ohio
43085.
The purpose of my email is to express to Council my support of the solar panels at 661 Evening Street. While I have a great appreciation for maintaining the preservation of historical buildings (I am a 4th generation Worthington resident!), I strongly feel that we no longer can afford the luxury of choosing aesthetics over the environment. As an administrator of the Sustainable Worthington Facebook group, I see how much these same values are held throughout this community.

The owners did make sure to minimize the visibility of the solar panels from the Historic District by choosing not to place panels on the East-facing (Evening St) roof. The majority of panels being placed on the backside of the house (West roof). I see this as a win-win for the environment and the historical district!

Thank you very much for your time!

Melissa Gayhart

__________ Information from ESET Endpoint Antivirus, version of virus signature database 14682 (20161229)
__________

The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
Hello,
Just a quick email note to say that I support solar panels being installed at 661 Evening Street. I drive past this home daily. I appreciate all local efforts, both city driven and personally driven, to create a more sustainable Worthington.

Thank you.

Sarah Kuhnell
359 Pinney Dr.

Sent from my iPhone

Information from ESET Endpoint Antivirus, version of virus signature database 14682 (20161229)

The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
I support solar panels being installed at 661 Evening Street. And furthermore, I would like to see green energy being used in any and all Worthington structures whose owners choose to do so.

Worthington Resident,
Nicole

The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
I am in favor of solar panels being installed at 651 evening street.

Thank you,
Lori Smith
Haymore avenue resident
I support solar panels being installed at 661 Evening Street and all of Worthington.

Thank you,
Cristine Stoner
230 Crandall Dr
Worthington resident

http://www.eset.com
I am writing to express my support for the application for solar panels on 661 Evening Street, as well as any other home in Worthington that would like to add them.

I am very disappointed that Worthington is throwing up roadblocks to environmental conservation rather than attempting to be a leader in the movement toward sustainability.

Sincerely,
Amber Decker
5830 Granby Street
Worthington OH 43085
614-306-9813
Dear Worthington City Council members,

I am writing in support of the installation of solar panels at the home of Joanne Dole and Allen Eiger. Their mid-20th century home is not an integral part of the historic district and the placement of the panels will not affect the look or feel of any of the properties in the historic district. Furthermore, their plans will reduce fossil fuel use and the environmental impacts caused by such use, thereby creating a more sustainable environment for the greater Worthington community, including the older properties the city wishes to preserve.

Thank you for your consideration to the long-term sustainability of the Worthington community.

Steve Herminghausen
I am writing to ask City Council members to support the ARB decision approving the installment of solar panels on the home of Joanne Dole and Alan Eiger.

Kind regards,
Jennifer Lyon

__________________________
Information from ESET Endpoint Antivirus, version of virus signature database 14684 (20161229)

__________________________
The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
Dear Worthington City Council Members,

We are writing in support of the installation of solar panels on the roof of the house at 661 Evening St. We applaud the owners’ efforts to use a renewable energy source and would welcome the efforts of other Worthington residents and businesses to do the same. Having seen a similar installation at another house on Evening St., we have no objection to the appearance. Please allow this project to go forward.

Sincerely,

Richard and Susan Petrick
6519 Evening St.
614-431-8963
rpetrick@columbus.rr.com

Information from ESET Endpoint Antivirus, version of virus signature database 14683 (20161229)

The message was checked by ESET Endpoint Antivirus.

http://www.eset.com
Hello, I would like to express my support for solar panels at 661 Evening Street. The homeowner should be able to do what they want to with their property. They are showing environmental leadership by demonstrating to the rest of Worthington what a sustainable future could look like. Thank you.

Katie Weyrauch
Colonial Hills
I would like to express my wholehearted support for the solar installation planned at 661 Evening St.

Regardless of what the Council thinks about solar panels, Worthington should not be interfering with its own residents' right to pursue home/lifestyle improvement projects, provided those projects do not impose an undue harm upon others. As solar panels would not generate any additional noise, waste, exhaust, etc., it is hard to imagine the harm this causes upon others.

Regarding the appearance of solar panels, which some residents may dislike, aesthetic distaste is NOT a harm. If the Council wishes to begin deeming it as such, without citing specifics here, I promise I can call several recent "traditional" improvements into question. Bottom line, it is not the job of the Council to restrict the home/lifestyle choices of our wonderful city's residents unless in defense of the rights of other residents.

And though I don't feel it is particularly relevant, I live on the same block as the address in question, and have views of their home from my yard, as well as passing the home frequently during our family's walk to school (note: a school which has installed solar panels).

Please continue to protect the freedom of your residents in the face of the personal design tastes of a few squeaky wheels.

Respectfully,

Ryan Johnson

--
Ryan Johnson, PhD
ryan.johnson1549@gmail.com | (614) 202-5845
170 Sinsbury Dr N
Worthington, OH 43085
Solar panels are coming! Actually they are already here doing what we need in the arena of conservation and intelligent use of energy. Please approve solar panels for 661 Evening Street. Worthington can become a conservation leader with wise approval and local action pertaining to approval of solar panels. Thank you.

Janet MacKenzie and Dick Yoerger
208 E. Dublin Granville Road, Worthington.
RESOLUTION NO. 01-2017

Authorizing the City Manager to Execute a Cleaning Contract for the Community Center.

WHEREAS, the contract for custodial services at the Community Center expires on January 31, 2017; and,

WHEREAS, bids were solicited seeking the lowest and best responsible bidder for those services, which were opened on December 9, 2016.

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

SECTION 1. That the City Manager is hereby authorized to enter into a contract with Cummins Facility Services for the provision of custodial services at the Community Center.

SECTION 2. The contract shall be for custodial services for the period of February 1, 2017 through January 31, 2018, with such renewal options as may be provided for therein and exercised upon approval by motion of City Council.

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

Adopted

President of Council

Attest

Clerk of Council
MEMORANDUM

TO: Matthew H. Greeson, City Manager
FROM: Darren Hurley, Parks & Recreation Director
DATE: December 28, 2016
SUBJECT: Community Center Custodial Services Bid Award Recommendation

Bids were opened on December 9, 2016 for Custodial Services at the Community Center. The winning bidder was Cummins Facility Services. Their bid was for $8,311.64 per month. The contract would run from February 1, 2017 through January 31, 2018. We have sufficient funds allocated in our 2017 operating budget to fund the 2017 portion of the contract.

I have prepared legislation to authorize you to award the bid and enter into a contract with Cummins Facility Services for Monday’s City Council Meeting. If I can provide additional information, please let me know.
Amending Certain Sections of the Codified Ordinances of the City to Allow for Electronic Notification to the Public of the Dates of Public Meetings, of Vacancies in Personnel Positions in the City, of a Water Conservation Emergency, and of Applications Heard Pursuant to Part 11 of the Codified Ordinances.

WHEREAS, City Council has decided to provide notice of public hearings on ordinances and budget estimates by electronic means, rather than by publication in a newspaper of general circulation, in accordance with the authority granted in the City Charter; and,

WHEREAS, consistent with the change the City Council has made, a review has been conducted of the Codified Ordinances to determine whether other departments of the City are required to publish notices in a newspaper of general circulation; and,

WHEREAS, the Personnel Director is required by ordinance to publish notices of vacancies in personnel positions in the newspaper; and,

WHEREAS, when the City Council determines by resolution that an emergency exists requiring the conservation of the water supply of the City, notice of the passage of such resolution is required to be published once in a newspaper of general circulation; and,

WHEREAS, the Planning and Building Department places notices in the newspaper with a description of the agenda items of each meeting of the Municipal Planning Commission, the Architectural Review Board and the Board of Zoning Appeals; and,

WHEREAS, both the Personnel Director and the Planning and Building Department provide for alternate means of communicating those notices to the public.

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

SECTION 1. That Section 109.05 of the Codified Ordinances of the City of Worthington be and hereby are amended to read as follows:

109.05 NOTICE OF REGULAR MEETINGS.

The Clerk shall post a statement on the City’s website of the time and place of regular and organizational meetings of each municipal body for each calendar year not later than two days preceding the day of the first regular or organizational meeting of the calendar year of that municipal body. The Clerk shall also post the statement in not less than four of the
ORDINANCE NO. 01-2017

most public places in the Municipality as determined by City Council. If
the time or place of regular or organizational meetings is changed on either
a temporary or permanent basis, a statement of the time and place of such
changed regular meetings shall be posted on the City’s website and in each
of the four places where the original notice was posted at least twenty-four
hours before the time of the first changed regular meeting.

SECTION 2. That Section 109.06 of the Codified Ordinances of the City of
Worthington be and hereby are amended to read as follows:

109.06 NOTICE OF SPECIAL MEETINGS.
Except in the case of an emergency special meeting as hereinafter
provided, the Clerk shall post a statement of the time, place and purposes of
special meetings no later than twenty-four hours before the time of such
special meeting on the City’s website and in each of the four public places
determined in Section 109.05.

SECTION 3. That Section 139.07 of the Codified Ordinances of the City of
Worthington be and hereby is amended to read as follows:

139.07 RECRUITMENT AND SELECTION.
Original appointments to vacancies occurring shall be based on
merit as determined by competitive examinations. Requirements as to
applicant qualifications shall be provided by rule established by the
Personnel Director. The Personnel Director shall determine the time and
place of examinations and shall post an advertisement for applications on
the City’s website and in such other media as the Director shall determine
expedient. The Director shall prescribe the form of the application and
shall conduct such investigation as the Director deems necessary as to the
truth of the statements made therein and as to the qualifications of the
applicant. The Director shall have authority to exclude from the
examination any applicant whose application discloses that he or she does
not possess the minimum qualifications established in the classification
plan for the position sought. The Director may also require all applicants
to be fingerprinted. Examinations shall be in such form as will fairly test
the abilities and aptitudes of the candidates to perform the duties of the
position sought. The Director shall determine the nature of the
examination and the weight to be attributed to each part and shall grade or
shall cause the examinations to be graded.

SECTION 4. That Section 925.02 of the Codified Ordinances of the City of
Worthington be and hereby is amended to read as follows:
ORDINANCE NO. 01-2017

925.02 WATER CONSERVATION EMERGENCY; RESTRICTIONS.
Whenever Council shall determine by resolution, on recommendation of the Director of Service and Engineering, that an emergency exists requiring the conservation of the water supply of the City, such resolution shall be posted on the City’s website and notice thereof shall be communicated to the general public by any other media that the Director deems expedient. No person shall thereafter use water from the public water supply for the washing of vehicles, sprinkling of lawns or other vegetation or for any purpose other than normal housekeeping purposes except under such restrictions as may be established in such resolution.

SECTION 5. That Section 1127.03(b) of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

1127.03 CONDITIONAL USE PERMITS.
(b) Hearings. The Commission shall fix a reasonable time for the hearing of an application for a conditional use permit and give the public notice thereof at least seven days prior to the hearing by posting a description of the application on the City’s website. The property that is the subject of the application shall be posted with a placard stating the date and location of the hearing. At this hearing, any party may appear in person or by attorney.

SECTION 6. That Section 1129.03 of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

1129.03 HEARINGS.
The Board of Zoning Appeals shall fix a reasonable time for the hearing of an appeal and give the public notice thereof at least fourteen days prior to the hearing by posting a description of the appeal on the City’s website. The property that is the subject of the appeal is to be posted with a placard stating the date, time and location of the hearing. At this hearing, any party may appear in person or by attorney.

SECTION 7. That Section 1145.02(e) of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

1145.02 PROCEDURE FOR CHANGE IN ZONING DISTRICTS.
(e) Public Hearing by Council. The report of the Commission shall be made within thirty days after the first regular Commission meeting following introduction of the ordinance by Council, and shall include a recommendation either:
ORDINANCE NO. 01-2017

(1) That the proposed amendment be adopted as submitted, or
(2) That the proposed amendment be revised in a specified manner and adopted, or
(3) That the proposed amendment be rejected.

If the Commission makes no report within thirty days, Council may proceed without such report. Upon receipt of the report of the Commission, Council shall fix a date for a public hearing on the amendment. Such hearing may be held on but not before the fourteenth day following the fixing of the date or on any day thereafter. Notice of the public hearing shall be published in the same manner as notices are published for public hearings on Council ordinances. If the amendment involves the zoning or rezoning of property, the notice of the public hearing shall be posted on the property to be zoned, or rezoned, at least ten days prior to the date of the City Council public hearing. During the period between the fixing of the date of the hearing and the date of the hearing, the text of the proposed amendment, together with any maps or diagrams referred to therein, shall be kept on file in the office of the Planning and Building Department for public examination during regular office hours. The availability of such materials shall be indicated in the published notice of the hearing.

SECTION 8. That Section 1174.08(b)(2) of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

1174.08 PUD PROCEDURES.

(b) Preliminary Plan

(2) City Council. Upon receipt of the recommendation of the Municipal Planning Commission, the requested PUD shall be set forth in Ordinance form and shall thereafter be introduced in writing at a meeting of the City Council, and the City Council shall fix a date for a public hearing. Such hearing may be held on but not before the fourteenth day following the fixing of the date or on any day thereafter. Notice of the public hearing shall be published in the same manner as notices are published for public hearings on Council ordinances. Notice of the hearing date and time shall be posted on the property to be considered for the PUD at least ten days prior to the hearing. During the period between the fixing of the date of the hearing and the date of the hearing, the Preliminary Plan shall be kept on file in the office of the Planning and Building Department for public examination during regular office hours. The availability of such materials shall be indicated in the published notice of the hearing.
ORDINANCE NO. 01-2017

After receiving from the Municipal Planning Commission the recommendations for the proposed PUD and after holding the above public hearing, the City Council shall consider such recommendations and vote on the passage of the proposed PUD Ordinance. The City Council may, by a majority of all its members, adopt or reject the proposed Ordinance, with or without change.

SECTION 9. That Section 1177.03(c) of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

1177.03 APPLICATION AND NOTICE.

(c) Upon receipt of an application for a certificate of appropriateness, which is accompanied by the material required by the provisions of subsection (b) hereof, the Director of Planning and Building shall place the application on the agenda for the Board at its next regular meeting following ten days from the date the application is filed. The Director of Planning and Building shall further cause a public notice of the scheduled hearing date of the application together with a general description of the nature of the application to be posted on the City’s website at least ten days prior to the hearing, and post a placard on the property that is the subject of the application stating the date and location of the hearing within that same time period. The applicant shall be notified by mail of the date of the hearing. At the hearing, any party may appear in person or by attorney.

SECTION 10. 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:

________________________________
Clerk of Council
To: Matthew H. Greeson

From: Pam Fox

Date: December 22, 2016

Subject: Public Notices

On December 19, 2016, City Council decided that all notices of public hearings on ordinances and budget estimates would be published in the public notice section of the City’s website. Staff was also directed to promote the availability of these notices on the City’s website quarterly via press release and/or newspaper ad, and through the City’s various communication vehicles, including the City’s website News Flash, Neighborhood Network and social media.

In our review of the Codified Ordinances, several circumstances exist where the City is required to publish notices in a newspaper of general circulation, but where Staff believes an effective means of notification can be made in these instances consistent with Council’s decision to move toward electronic notice.

Planning & Zoning Code
There are five (5) references found in the Planning & Zoning Code that require a public notice in a newspaper of general circulation in the City. Staff would like to amend the Code to remove the reference to a newspaper of general circulation throughout the Planning & Zoning Code. Staff would continue to utilize all other forms of communication discussed to publish meeting agendas and materials for all items that are to be discussed at the Architectural Review Board, Municipal Planning Commission and Board of Zoning Appeals meetings. Placing placards at the property that is the subject of the application will remain in all sections, as will the requirement that owners of properties within a certain distance of the applicant’s property receive a notice of the hearing in the mail.

The proposed amendments to the Planning & Zoning Code would save the Planning & Building Department approximately $7,000/year in advertising fees. A recent ad for the January 5, 2017 BZA meeting is attached as an example of the cost associated with advertising. The fee to publish the notice for these two agenda items is $128.73. The following Notice of Public Hearing
Chapter 109 – Notice of Public Meetings
Chapter 109 requires the City Clerk to publish a notice in the newspaper informing the public of the time and place of the regular and organizational meetings of each municipal body for the calendar year at least two days before the first meeting. Our City Clerk prepares that notice and causes it to be published in the Dispatch at the beginning of every year. If the date of the meeting changes, a notice of the change is required to be published. Also, all special meetings are required to be noticed in the newspaper. Because some municipal bodies (defined in the Code as City Council, MPC, BZA, ARB, the Community Relations Commission, the Parks and Rec Commission, the Assessment Equalization Board, WIFA, the Fire and Emergency Medical Services Advisory Board, the Fire Prevention Appeals Board, and the Personnel Appeals Board) meet as-needed, each of those meetings get noticed in the paper just prior to the meeting. Notice of all regular meetings and special meetings are also required to be posted in City Hall.

The proposed ordinance allows for notices to be published on the City’s website and maintains the requirement that these notices are also posted. The ability to comply with our Code requirement in a timely manner is significantly enhanced if the notice can be published on the website, particularly if meeting dates change with little notice. However, the ordinance expands the places where the notices are required to be posted to include each of those areas where we post notice of the passage of ordinances (City Hall, the Library, the Griswold Center and the Community Center) to provide for a broader distribution of the printed meeting information. Because of the current Code requirement, for 2017 the newspaper publication will be need to made, at least for those municipal bodies that meet early in the year. If Council passes the proposed ordinance, then the beginning-of-the-year notice for 2018 can be made consistent with the ordinance.

Notice of Examinations
Section 139.07 requires the Personnel Director to publish a notice of the time and place of competitive examinations in the newspaper, which currently is done. The Personnel Director also publishes this information on the City website and in other places as may be beneficial to attract a wider audience. She does not believe that eliminating the newspaper notice requirement places the City at any less of an advantage. Since that section hasn’t been updated for some time, we propose to make a couple of changes to modernize the references to the City’s employment practices.
Notice of Water Conservation Emergency
Although this little known and used Section 925.02 requires Council to pass a resolution when it is determined that a water conservation emergency exists, and requires the resolution to be published in a newspaper of general circulation, there can be no doubt that an electronic notification would be much more effective and timely.
ORDINANCE NO. 02-2017

Amending Chapter 111 of the Codified Ordinances of the City to Establish Procedures for the Purchase of Supplies, Materials and Equipment and the Construction of Public Improvements.

WHEREAS, Chapter 111 of the Codified Ordinances of the City provides for procedures by which the City makes purchases and disposes of equipment; and,

WHEREAS, on November 8, 2016 the electorate of the City voted to amend Section 4.11 of the City Charter that addresses the manner in which certain City purchases must be made; and,

WHEREAS, the single requirement for competitive bidding was amended to allow for purchase by any method authorized for public entities by the Ohio Revised Code, as Council determines by ordinance; and,

WHEREAS, the establishment of rules and regulations for the purchase of City supplies, materials and equipment and the construction of public improvements safeguards the public expenditures for these items and provides a fair and equitable system in the selection of vendors who do business with the City; and,

WHEREAS, it is necessary to modify Chapter 111 to incorporate alternative methods for purchasing, and to establish the procedures and threshold amount relative to such methods.

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

SECTION 1. That Section 111.03 of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

111.03 PURCHASING THRESHOLD.
(a) Whenever the probable cost of supplies, materials and equipment or the construction of public improvements for the municipality is equal to or greater than fifty thousand dollars ($50,000), one of the purchasing methods described in Section 111.04 may be initiated.
(b) Purchases for supplies, materials and equipment or the construction of public improvements below the threshold established in Section 111.03(a) may be made in accordance with rules and regulations determined by the City Manager.
ORDINANCE NO. 02-2017

SECTION 2. That Section 111.04 of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

111.04 FORMAL PURCHASING METHODS.
When the purchasing threshold meets or exceeds the amount established in Section 111.03, the City Manager may authorize one of the following formal purchasing methods in accordance with the procedures described herein:

(a) Competitive bidding. Specifications shall be prepared for the supplies, materials, equipment or the construction of a public improvement and the City shall advertise for the solicitation of bids at least two weeks prior to bid opening in one of the following ways:

(1) By publication in a newspaper of general circulation once a week for two consecutive weeks; or
(2) By posting notification on the City’s website and, to the extent available, in media of trade organizations appropriate for the purpose; or
(3) By means of an abbreviated publication prescribed in Ohio Revised Code Section 7.16; or
(4) In the manner exercised by an internet-based bidding information service should the City determine to use such service for the purchase.

When formal competitive bidding is employed, the bids shall be opened and tabulated publicly by the Finance Director, or designee, at the time and place specified in the advertisement for bids. The City Manager shall then award the contract to the lowest and best responsible bidder, unless it is determined that the public interest would be better served by rejecting all bids and either ordering a new advertisement or abandoning the purchase. The City Manager shall be responsible for establishing such other rules and regulations which may be necessary to carry out the purpose of this subsection and which would serve the best interest of the City, including without limitation rules and regulations governing the receipt of bids that exceed the Engineer’s estimate and action to be taken by the City when no bids are received.

As an alternative to in-person bid submissions and openings, the City may select an internet based bidding information service as the vehicle for submitting and processing sealed bids managed by the City.
(b) Design-build. The purchase of supplies, materials and equipment or the construction of public improvements may be obtained through the design-build process in accordance with the procedures established in the Ohio Revised Code, or pursuant to such other procedures as may be established from time to time by the City Manager. The purchase of computer software that is custom-built, in whole or in part, to certain City specifications shall be considered to be an equipment purchase that may be made by means of the design-build process.

(c) Construction Manager or Construction Manager At-Risk. The purchase of supplies, materials and equipment or the construction of public improvements may be obtained through the construction manager or the construction manager at-risk process in accordance with the procedures established in the Ohio Revised Code, or pursuant to such other procedures as may be established from time to time by the City Manager.

(d) Reverse Auction. The City may utilize a reverse auction purchasing process in which offerors submit proposals in competing to sell supplies, materials and equipment or services in an open environment via the internet. The procedures established in Ohio Revised Code Section 9.314 or such procedures established by the City Manager shall be used.

(e) Other State of Ohio Authorized Methods. In addition to any of the methods described in subsections (a) through (d) of this section, the City may obtain supplies, materials and equipment and the construction of public improvements by any other method authorized by the State of Ohio for public entities.

SECTION 3. That Section 111.05 of the Codified Ordinances of the City of Worthington be and hereby is amended to read as follows:

111.05 EXCEPTIONS TO FORMAL PURCHASING

Purchases of any amount may be made without going through the formal purchasing process under the following circumstances:

(a) Cooperative Purchasing; Shared Services. The City Manager shall have the authority to purchase supplies, materials or equipment and obtain services for which funds have been appropriated through cooperative purchasing programs, whereby the City shall be eligible, as a member or otherwise, to join a group of governmental entities and share the benefits and advantages of volume purchasing and reduced administrative costs, to include without limitation state contract
ORDINANCE NO. 02-2017

purchasing pursuant to Ohio Revised Code Section 125.04, joint purchasing and shared services provisions of Ohio Revised Code Section 9.48 and any other similar program whether operated by a public or private entity.

(b) Purchases from Other Political Subdivisions. The City Manager shall have the authority to make purchases of supplies, materials and equipment on invitation from another political subdivision that has undertaken a bidding process and whose successful bidder agrees to provide such supplies, materials or equipment upon equivalent terms, conditions and specifications.

(c) Used Equipment. Used supplies, materials and equipment from any source may be but are not required to be purchased pursuant to formal purchasing methods.

(d) Professional Service Selection. The selection of professional services that usually require education, training, skill or expertise of an advanced, specialized or peculiar nature including without limitation, such services as those performed by attorneys, architects, engineers, accountants, physicians, technology specialists, insurance brokers/agents and third-party administrators may be but are not required to be made by formal purchasing methods. The City Manager may prescribe rules and regulations for the selection of professional services.

SECTION 4. 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 ________________

[Signature]
President of Council

Attest:

[Signature]
Clerk of Council
To: Matthew H. Greeson

From: Pam Fox

Date: December 23, 2016

Subject: Purchasing Procedures

As a result of the citizens’ approval of the Charter amendments, the City now has the ability to purchase supplies, materials and equipment or the construction of public improvements by any of the means that are authorized by the State of Ohio for public entities. Currently, our Code provides for those purchases to be made only by competitive bidding, based on the former language of Section 4.11 of the Charter.

The proposed ordinance recommends changes to Section 111 of the City Code. The formal purchasing bidding threshold of $50,000 authorized by City Council a few years ago is maintained. In addition to formal competitive bidding, certain other state-authorized methods are specifically enumerated, with a final ‘catch-all’ provision that refers back to the Ohio Revised Code. These methods include design-build, construction manager or construction manager-at-risk and reverse auction. Design-build and construction manager delivery systems were authorized by Ohio Revised Code in 2013.

Included in the section describing formal competitive bidding are options for advertisement of those bids to include publication in a newspaper of general circulation, notification on the City’s website and if available in media of trade organizations appropriate for the purpose, or by means of the abbreviated publication process authorized in ORC Section 7.16. This section also authorizes the City to use the services of an internet based bidding information entity rather than proceeding with in-person bid submissions and openings. If used, another option available for advertisement is the method established by that online bidding service.

In a design-build arrangement, the City would contract with one entity, a design-builder, to provide both architectural/engineering design and construction. The process for the selection is established in the ORC and utilizes a Request for Proposals (RFP) or Request for Qualifications (RFQ) system of selection. The primary advantage of this type of system is that the City holds a
single entity responsible for a project, and presumably should be able to work with the parties involved in a more collaborative manner. These types of projects may also be completed in a shorter amount of time because the process allows for the overlap of design and construction activities (allowing the ordering of materials and site work to begin prior to completion of design) and there is enhanced communication between the designer and the contractor. There also may be specific types of projects that are more responsive to the design-build project when the City looks to achieve specific outcomes or guarantees from a vendor. Under the traditional design-bid-build, the contractor builds to the design. Under design-build, the City can utilize more performance-based language and is less likely to need to mediate between the designer and the builder since the contractor is responsible for both the design and the construction.

The construction manager/construction manager-at-risk method may be used when the City seeks to engage the services of a construction manager where outside design services exist or are not needed but where it would be more expedient for the City to have someone on board to manage the project. Like the design-builder, the construction manager is selected based on qualifications. The construction manager can advise the City during the design phase and acts as the general contractor during the construction phase. Construction managers and construction managers-at-risk (those who hold the subcontracts) may be skilled at evaluating a project and offering suggestions to the architect for value engineering. A construction manager-at-risk delivery system may include a guaranteed maximum price. To succeed on this type of contract, the construction manager will assemble subcontractors with whom it is familiar and with whom it has previous good experience, which often can result in a better product.

Reverse auctions are internet-based and have been available to political subdivisions for many years. They are primarily used for the purchase of supplies and equipment. The process is established in Section 9.314 of the ORC. To purchase items by reverse auction the City would solicit proposals through a request, stating the relative importance of the price and other evaluation factors and vendors would ‘bid’ on the sale of those items. The City is permitted to conduct discussions with responsible vendors who submit proposals (so long as discussions are done in a fair and equitable manner), and then awards a contract to the vendor who the City determines to have the most advantageous offer, taking into account the factors established by the City.

The ordinance also establishes circumstances when one of the enumerated formal purchasing methods is not required, even if the amount exceeds the threshold. These include state contract purchases, cooperative purchases (e.g., salt purchases through SWOP4G, park equipment through U.S. Communities), shared service contracts with other political subdivisions, piggy-back purchases from other municipal competitively-bid contracts, professional services, and used equipment.

The City’s ability to use one of the outlined formal purchasing methods provides better flexibility for a variety of projects that we may have. The methods in Section 111.04 of the proposed ordinance are those most widely used by municipalities. Should the City determine that another state-authorized method exists now or in the future, we will be able to take advantage of a wider range of tools to best fit our needs.
111.03 PROCESSING OF REQUISITIONS; COMPETITIVE BIDDING AMOUNT.
Whenever the Director of Finance receives a requisition where the probable cost of supplies, materials and equipment or the construction of public improvements for the municipality is equal to or greater than fifty thousand dollars ($50,000.00) the Director of Finance shall institute the formal bidding procedure set forth in this chapter. The acquisition of professional services and the purchase of used equipment may be obtained by competitive bidding.

111.04 FORMAL BIDDING; NOTICE AND EXPENDITURE.
Whenever it is determined that formal bidding is necessary because of the amount involved, the Director of Finance shall prepare or cause to be prepared specifications for the articles or services required and shall advertise the requirements of the City, once each week for two consecutive weeks in a newspaper of general circulation in the City, or in professional or trade magazines appropriate for the purpose, inviting suppliers to tender bids in writing for the furnishing of such requirements, such bids to be opened and tabulated publicly at a time and place specified in such published notice. The annual appropriation ordinance shall be sufficient authority for the expenditure without the passage of any supplementary or specific ordinance by Council. If, however, the contemplated purchase was not included in the annual budget and appropriation, a supplementary appropriation ordinance shall be required.

111.05 BID OPENING AND TABULATION; AWARD OF CONTRACT.
Where formal bidding is employed, the bids shall be opened and tabulated publicly by the Finance Director, at the time and place specified in the advertisement for bids. The tabulation shall be referred to the City Manager for his information and comment. Such investigation of the responsibility of the bidders as he shall deem necessary shall be made under his direction and he shall then award the contract to the lowest and best responsible bidder, unless he determines that the public interest would be better served by rejecting all bids and ordering a new advertisement, in which case he may so order. Before any contract is signed, it shall be submitted to the Director of Finance for encumbrance and certification, and approved as to form by the Director of Law.
NOTICE TO LEGISLATIVE AUTHORITY

TO

MANAS 99 LLC
DBA WORTHINGTON MARATHON
911 HIGH ST
WORTHINGTON OH 43085

C1 C2
PERMIT CLASSES
25 297 B F17578
RECEIPT NO.

TRF 5470217
PERMIT NUMBER
02 01 2016
ISSUE DATE
12 13 2016
FILING DATE
FROM 12/15/2016

SHAHZAD LLC
DBA WORTHINGTON MARATHON
911 HIGH ST
WORTHINGTON OH 43085

C1 C2
PERMIT CLASSES
25 297
RECEIPT NO.

TRF 8022892
PERMIT NUMBER
02 01 2016
ISSUE DATE
12 13 2016
FILING DATE

MAILED 12/15/2016
RESPONSES MUST BE POSTMARKED NO LATER THAN 01/17/2017

IMPORTANT NOTICE
PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES
B TRFO 5470217
TRANSACTION & NUMBER
(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD
☐ IN OUR COUNTY SEAT.
☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐
DID YOU MARK A BOX? ☐ IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) (Title): ☐ Clerk of County Commissioner (Date)
☐ Clerk of City Council
☐ Township Fiscal Officer

CLERK OF WORTHINGTON CITY COUNCIL
KAY THRESS
6550 NORTH HIGH STREET
WORTHINGTON OHIO 43085

DLC 4052
REV. 03/09