City Council Meeting Agenda

Monday, March 6, 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

APPROVAL OF MINUTES

1) February 13, 2017 – Committee of the Whole Meeting
2) February 22, 2017 – Regular Meeting

PUBLIC HEARINGS ON LEGISLATION

3) Ordinance No. 04-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Design Costs of the Community Center South Roof Replacement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 650-17)

Introduced February 21, 2017
Public Hearing March 6, 2017

4) Ordinance No. 05-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Railroad Crossing Preliminary Engineering and Design Costs of the NE Gateway Intersection Improvement Project and all Related Expenses with said Project. (Project No. 602-14)

Introduced February 21, 2017
Public Hearing March 6, 2017
5) **Ordinance No. 06-2017**

Amending Ordinance No. 45-2016 (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 Perry Park Field 3 Improvement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 649-17)

Introduced February 21, 2017
Public Hearing March 6, 2017

6) **Ordinance No. 07-2017**

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the FEMA Fund and Law Enforcement CED Fund Unappropriated Balances.

Introduced February 21, 2017
Public Hearing March 6, 2017

**NEW LEGISLATION TO BE INTRODUCED**

7) **Ordinance No. 08-2017**

Approving the Subdivision Without Plat of Property at 128 Highland Avenue and Authorizing a Variance (John Hitzemann)

**REPORTS OF CITY OFFICIALS**

**REPORTS OF COUNCIL MEMBERS**

**OTHER**

**EXECUTIVE SESSION**

**ADJOURNMENT**
City Manager Report to City Council for the Meeting of Monday, March 6, 2017

APPROVAL OF MINUTES

1) February 13, 2017 – Committee of the Whole Meeting
2) February 22, 2017 – Regular Meeting

PUBLIC HEARINGS ON LEGISLATION

3) Ordinance No. 04-2017 – Appropriation – Design Costs for Community Center South Roof Replacement Project

The Ordinance appropriates $125,000 to pay the design costs of the Community Center South Roof Replacement Project and authorizes the City Manager to enter into an agreement with GPD Group for the provision of the services. This project is included in the 2017 Capital Improvements Program. It will replace the rubber membrane roof above both gymnasiums and the sloped shingle roofing along the peaks at the south end of the Community Center. The design will also include an evaluation of solar panels on the roof. The existing roof is over 20 years old and is leaking. Staff conducted a qualifications based process and evaluated proposals from multiple firms. Staff recommends the selection of GPD Group for the work. Additional information is included in the attached memorandum from the Director of Service & Engineering.

Recommendation: Approval of the Ordinance as Presented

4) Ordinance No. 05-2017 – Appropriation – Railroad Crossing Preliminary Engineering & Design for Northeast Gateway Project

The City is in the midst of the design for the Northeast Gateway project at the intersection of Wilson Bridge, Worthington Galena and Huntley Roads. This project includes roadway modifications and the extension of bicycle and pedestrian facilities across the railroad tracks at Wilson Bridge Road and Huntley Road. The changes must be reviewed and approved by CSX and Norfolk Southern railroads. The railroads require the City to pay the cost of the plan review. This Ordinance appropriates the funds needed for the review by the railroads. Additional information is included in the attached memorandum from the Director of Service & Engineering.

Recommendation: Approval of the Ordinance as Presented
5) Ordinance No. 06-2017 – Appropriation – Perry Park Field 3 Improvements

This Ordinance appropriates funds to pay the cost of improvements to Perry Park Field 3. This project is included in the 2017 Capital Improvements Program. It is the third of three projects to improve the ball diamonds at Perry Park, including laser grading of the infield, drainage and irrigation improvements, and a new backstop and dugouts. Additional information is included in the attached memorandum from the Director of Parks and Recreation.

**Recommendation:** Approval of the Ordinance as Presented

6) Ordinance No. 07-2017 – Appropriation – FEMA & Law Enforcement Trust Funds

The City has received grant funds from two sources, the Federal Emergency Management Agency (FEMA) and law enforcement training funds from the State of Ohio. These funds need to be appropriated before they can be utilized for the designated purpose. Additional information is included in the attached memorandum from the Director of Finance.

**Recommendation:** Approval of the Ordinance as Presented

NEW LEGISLATION TO BE INTRODUCED

7) Ordinance No. 08-2017 – Subdivision Without Plat – 128 Highland Avenue

The property owner at 128 Highland Avenue seeks to subdivide the property into two separate lots to construct a second single family house on the property. The applicant will construct sidewalks along Highland Avenue but is requesting a variance from the requirement to construct sidewalks along the Westview Drive right-of-way which is unimproved (there is no street in the right-of-way). The Municipal Planning Commission (MPC) and staff recommend approval of the application. The MPC placed the following conditions on its approval, (1) a variance be obtained from the City Council so the sidewalk would not have to be constructed along the Westview Drive right-of-way, (2) a public area payment of $500 be made to the City for the Special Parks Fund, and (3) installation of street trees and survey stakes. Additional information is included in the attached memorandum from the Director of Planning & Building. Also attached are the application materials and the MPC meeting minutes. The Ordinance, as prepared, approves the Subdivision Without Plat and grants the variance for the sidewalk along the public right-of-way of Westview Drive.

**Recommendation:** Introduction for Public Hearing on March 20, 2017

EXECUTIVE SESSION
Meeting Minutes

Monday, February 13, 2017 ~ 7:30 P.M.

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

City Council

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

D. Kay Thress, Clerk of Council
CALL TO ORDER – Roll Call, Pledge of Allegiance

Worthington City Council met in Regular Session on Monday, February 13, 2017, in the John P. Coleman Council Chambers of the Louis J. R. Goorey Worthington Municipal Building, 6550 North High Street, Worthington, Ohio. President Michael called the meeting to order at or about 7:30 P.M.

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

Members Present: Rachael R. Dorothy, Douglas Foust, Scott Myers, Douglas K. Smith, Michael C. Troper and Bonnie D. Michael

Member(s) Absent: David Norstrom

Also present: Temporary Clerk of Council Tanya Maria Word, Director of Law Pamela Fox, Assistant City Manager Robyn Stewart, Director of Public Service and Engineering Dan Whited, Director of Planning and Building Lee Brown, Chief of Fire Scott Highley and Chief of Police Jerry Strait.

There were 13 visitors present.

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

SPECIAL PRESENTATION

Research on Solar Panels in Historic or Architectural Review Districts

Ms. Michael explained this agenda item is scheduled to hear and discuss the research City staff has completed regarding the placement of solar panels in historic or architectural review districts.

Following the schedule determined by City Council last week, this section will focus on the research and answer questions about it. It is not intended to be a public hearing in which public comments are received.

There is an opportunity for people in the audience to submit written questions on 3x5 cards. If you have a question regarding the research, please write it on a card and submit it.

This topic will be discussed again at the City Council meeting on March 13th at which time there will be an opportunity for public comment.

Mrs. Stewart explained that the tonight’s discussion on the topic regarding solar panels in the historic and architectural review district is to go over the research that staff has
conducted; we’ve reached out to a number of other communities to gather information about how they handle solar panels in architectural or historical areas and so Mr. Brown is prepared to provide an overview of that research and also prepared to answer any questions that you may have regarding the research that has been conducted. I will now turn the remainder of the discussion over to Mr. Brown.

Mr. Brown stated as Mrs. Stewart explained we’re here this evening to look at solar panels. Staff reached out to a multiple of a variety of jurisdictions (30+ jurisdictions) and did phone interviews with some of these to see how they regulate solar panels in their historic districts and/or citywide. Before you, what I thought I would start off with is the following presentation:
The core of the district is actually Old Worthington the original 1803 plat of Worthington with High Street and 161 which are in our architectural review district; this is for commercial and residential development. We are celebrating our 50 years of architectural review district, it was established in 1967, again it’s for any new construction or exterior modification or change to an existing structure in that district requires ARB approval.
Worthington Design Guidelines

History:

- Any new construction and/or exterior modification or change to an existing structure in the Architectural Review District requires ARB approval to ensure compliance with the Worthington Design Guidelines.
  - Residential and commercial

Sustainability:

- City Council adopted Resolution #14-2010 (03.01.2010) incorporating sustainable design and building practices in the Design Guidelines with the goal to preserve the character and integrity of the Architectural Review District.
Solar Panel – Current Guidelines:
• 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.
• With flat roofs, keep panels at least 5’ from the edge of the roof, or place at the edge if a building parapet exists that will screen the panels.
• Solar panels at another location on a building or site may be acceptable if their placement does not have an adverse effect on the architecture of the building, or the character of the site or Architectural Review District.

Solar Panels – Discussion:

Current Regulations:
• Architectural Review District
  • ARB approval required
    • Recommended placement on the rear of the structure – residential & commercial
• Outside the Architectural Review District - Citywide
  • Permitted
    • No requirement on the placement – residential & commercial
Solar Panels – Discussion:

Discussion:

• Placement of solar panels in the Architectural Review District, focusing on the Worthington Historic District.

• General consensus amongst all City Council members supporting the use of solar panels throughout the City and in the Worthington Historic District.

Solar Panels – Discussion:

Location:

• Overall support for solar panels being located on the rear of structures in the Historic District.

Issue:

• Placement of solar panels on the front and side of structures.

Research:

• Solar regulations in Design Guidelines and/or Planning & Zoning Code – Jurisdictions
All of these jurisdictions in their design guidelines prohibit solar panels on the front of their structures; the two with asterisks (Fort Worth, TX and New Orleans, LA) actually prohibit them on the front of their structures, but do allow for a formula that does allow them on the sides of structures under certain circumstances and towards the rear of the structure; so those were the two that were kind of a different twist on solar panel placement on the front and sides.
This group makes no direct reference of design guidelines for solar panel placement, but in talking with the jurisdictions they do a case by case review. In talking with the Delaware planner, the preference of their board and staff is to have it to the rear of the structure. I spoke with Randy Black of the City of Columbus who handles all their historic districts from German Village to the Short North to Italian Village, they have no actual direct reference in their guidelines; however, their preference is to have them to the rear of the structure and similar with Granville, OH who also prefer to the rear of the structure and on accessory structures (detached garage or a barn); however with those three they’re not directly referenced in their design guidelines.

The final three Shaker Heights, OH, Cleveland Heights, OH and Hamilton, OH are the three additional that make no direct reference, but also handle it in their Planning and Zoning Code.
This grouping lists the ones that handle it in their Planning & Zoning Code which would be more of a city-wide and would require to deviate from the requirement of having them on the front of the structures and would require a Board of Zoning Appeals action, so Bexley, OH, Cleveland Heights, OH, Bedford, OH, Rock Island, IL, Gun Plain Township, MI, Glendale, OH, Hudson, OH and Springsboro, OH all within their Planning & Zoning code regulate the placement of solar panels to the side and rear structures, not on the front of structures, so to deviate from the Planning & Zoning code at least in these jurisdictions requires you to go before a board to request a variance to deviate from that requirement.

The ones with an asterisk is kind of a two-step process require Architectural Review Board approval in addition to their Board of Zoning Appeals approval. A local one that actually kind of shock me that has no reference in their design guidelines or in their Planning & Zoning code is actually the City of Upper Arlington has no regulation on the placement of solar panels in their districts. Mr. Troper asked did you talk with anyone in Upper Arlington. Mr. Brown replied I’m friends with two of the planners and they’ve only had one residential case and there was no discussion.

Again a lot of the jurisdictions all do it as a case-by-case in review of the process.
Solar Panels – Discussion:

- Ohio History Connection (formerly the Ohio Historical Society) and the National Park Service recommendation on the placement of solar panels:
  - Placement of solar panels should not negatively impact the historic character of a property and should not be visible from the public right-of-way.

Solar Panel – Discussion:

Language:
- The current language found in the Worthington Design Guidelines seems similar to what you will find in other jurisdictions solar regulations as to the placement of the panels.
Solar Panels – Discussion:

Solar Panel Regulations:

- Consistent theme in permitting some type of latitude or wiggle room in their review.
- There does not appear to be a one size fits all regulation for solar panel placement.

Solar Panel – Discussion:

Key Issue:

- Location of solar panels on the **front** and **side** of structures.
- Almost all of the jurisdictions that regulate the placement of solar panels in an area that is subject to Design Guidelines do not permit their location on the **front** and **sides** of structures.
- Some jurisdictions referenced their location on the **side** of structures **towards the rear** of the structure, however the consensus was to not have them directly located on the front of the structure.
Solar Panel – Discussion:

Key Issue:

• Location of solar panels on the **front** and **side** of structures.

• Almost all of the jurisdictions that regulate the placement of solar panels in an area that is subject to Design Guidelines **do not permit** their location on the **front** and **sides** of structures.

• Some jurisdictions referenced their location on the **side** of structures **towards the rear** of the structure, however the consensus was to not have them directly located on the front of the structure.

Solar Panels – Discussion:

**Next Steps:**

• **February 13th City Council Committee of the Whole meeting**
  – Present research findings related to how solar panels are regulated in the Worthington community in comparison to other cities in Ohio and the U.S.
  – Answer Council questions related to the findings.
  – Informational meeting.

• **Week of February 20th or February 27th**
  – Meet with interested parties to gather feedback, answer questions and discuss issues or concerns.

• **March 13th City Council Committee of the Whole meeting – Public Input**
  – Public will have the opportunity to provide comments and input.

• **March 21st City Council meeting**
  – City Council will discuss the findings of the research and the information collected through public input.

• **April 3rd Worthington City Council meeting**
  – If changes to the Design Guidelines or Ordinances are warranted, draft legislation will be provided to City Council for consideration.
Questions from Council Members:

Ms. Dorothy asked if we had looked at all about the functionality of the solar system; I thought our code with that fifth bullet point gave some latitude to be able to implement a solar system that actually functions well. It actually looks like Ashville, NC does that; it says that “Solar energy collectors shall be located inconspicuously as possible while still allowing for reasonable use. Every effort should be made to limit impact to historic character defining features.” It does allow the functionality to be put in this solar collectors….that’s what I’m worried about, is that we’ll have half the district that won’t be able to have functional solar panels if they want to in the future.

Mr. Foust stated as far as the schedule, I have a trip out of town that cannot be moved on the night of the public discussion; I don’t know the opportunities are for a different night, but I would like to be a part of the discussion and hear the public input. Ms. Michael asked is okay if we move everything down a week. Mr. Myers commented I agree with the President, it has been our intention to give ourselves plenty of time to do this; I think that’s a very significant meeting and I would like to see everybody here, so I certainly would not be opposed to moving everything down a week; that still gives us plenty of time and we’re still ahead of the game.

Mr. Myers commented one thing I noticed that is pretty consistent (maybe not) and I don’t know if it’s by design or not, and it would seem to me if they were drafting design guidelines, it would be different than if you were drafting code...a lot of places where they use the word “should” and that would be more appropriate in a design guideline. The word should is not typically a word that you would see in an Ordinance and I just want to point out that there is some legal significance to the choice of word “should” vs. “shall”. Shall of course is mandatory and you don’t have a choice, should is directory and it says you should do this, but you’re not required to do this. When you’re reading through, I see places where it says “shall”; I think Ms. Dorothy pointed out Ashville uses in their design guidelines the word shall, then I look at other places where they say “solar panels should not be visible.” So there is a distinction when you look at the research between those two words. I just want to point that out because it seems like at times they’re used interchangeably, but there is a legal distinction between the two words.

Mr. Myers stated during the discussion on the last application, the word “contributing property” came up on several different occasions, asked can you explain what is meant by contributing property and whether we address that term in our code or guidelines. Mr. Brown replied in the current Worthington Design Guidelines the only place that the contributing properties or contributing structures comes up is when we made application to recognize historic district, that was the only those properties or structures did not meet that 50 year requirement for age, so with that there is no other reference to contributing property. Mr. Myers replied so our code and design guidelines make no distinction between a contributing and a non-contributing property. Mr. Brown replied that is correct, it’s the district.
Mr. Foust commented I think one of the reasons why we ended up with these split discussions on ARB and such, might be that the language feels a little bit like saying to your teenage son or daughter “your curfew is midnight, but 1:00 or 2:00 I can live with that.” It’s that continuation, it’s like you’ve got a fairly clear statement and then you got this O by the way, but if….I’m wondering how that came to be. Ms. Michael replied I think it was pretty much us leaving the door open in case there were circumstances that ARB and the City Council thought that it would fit and it would be acceptable; it left the door open so that there could be discussion and discretion in the decision making. Mr. Troper asked do you remember what those circumstances were at the time. Ms. Michael replied I don’t remember there being specific circumstances, it was a general consensus leaving the opportunity in case there would be an opportunity of having that application that didn’t fit right. Mr. Myers commented as I remember Evening Street was not up yet, but we were talking to the contractor and that was back at the time when solar was sort of in its infancy and there was a secondary market for the tax credits and there was of these different financial vehicles to get panels done more in a commercial context, so it was in it’s infancy. We didn’t have an application, we didn’t have a residential panel, shortly thereafter I think we had a hot water application on the back, but I don’t think it ever got built; so the first thinking was to encourage the development of solar in Worthington, we thought it was progressive and it was fitting with Worthington’s character. The second thing for me was it didn’t really have a lot to do with solar panels, it had to do with more of my philosophy of Boards and Commissions, and I’ve argued this when we’ve had appeals come up; I believe that certain defers should be given towards boards and commissions because we appoint them as our experts in certain subject matters and so until they abuse that discretion and we have an appeal to correct that; that we should vest them with certain discretion to review it on a case by case basis; and I would say that with solar panels, solar shingles, fences….that’s just my general philosophy of government and the boards and commissions process. Our Architectural Review Board does have five Architects on it and we have your brother and while he is not an Architect, he certainly is an Architectural Historian; we have people who really know what they’re talking about and so I think that was my thinking when I first proposed this; it was more in line with my general concept of how this city government ought to work and that the appeal would then correct any abuse of discretion that we saw.

I think Mr. Foust is right, we have a couple of 4-3 votes at ARB and then we come to Council and have a very similar vote which is why I think we’re engaged in this conversation right now because we need to hash this out and come to a consensus. Ms. Michael commented I think we have divided philosophies, in the community I think everybody is pro-energy efficiency, but then there’s also a large group that feels like energy efficiency is fine, but we should not do that at the expense of removing the historic character of the historic district; so know we go the two philosophies and I’m not sure where the twain shall meet.

Mr. Brown commented that one of the things we did when we were reaching out to some of the jurisdictions was to find out with technology changing so rapidly with solar as Mr. Myers mentioned from 6 or 7 years ago til today and what’s to what’s coming online in the next 4-5 years, the majority of the jurisdictions that I looked at and had kind of that
philosophical discussion would you allow for solar panels on the front if it meant XYZ and a lot of the jurisdictions mentioned they’ve had a couple approval for solar panels on the front of the house where it looks like standing seaming metal, examples would be like slate tile or terra cotta tile, so that change in technology, it also looks like dimensional shingles, so there’s that change that’s rapidly coming with technology that some of the jurisdictions are looking at “okay as long as you’re not going to change the character of the roof line or unique pattern design like maybe a slate roof; maybe these are options we would allow you to do if it’s located on the sides or the front of the structure as long as it didn’t take away from the character of the structure itself. So that’s at least in the discussion with some of the communities they are looking towards that direction while still maintaining the character of the historic districts.

Ms. Dorothy stated we do know the functionality of these systems rely on what direction they are facing the sun and how much solar energy they gain depending on the placement of them on the roof and what direction they face and the angle and we do know that and we don’t seem to put much emphasis on that, but I think we’re doing a disservice to just about half of the ARB by not putting that characteristic in these guidelines to allow for people to have functioning systems. We did just update our requirements for condensing units for air conditioners because we had so many BZA appeals to put condensing units on the side of houses because they function much efficiently with the shorter condensing line prongs and now it’s in our guidelines that we approved in 2015 to make it more efficient to be allowed in the sideyard instead of the front. Mr. Myers replied when we get to the point where we’re discussing actual language that will be a valid and legitimate point to bring up; and as you pointed out I thought there were two or three who actually addressed the functionality as one of the conditions for possibly putting panels in the back; I thought it was a code provision which said if you’re going to put them on the back, it doesn’t even have to go to Architectural Review Board, staff can approval panels on the back, which is another route to go; if you want to put them where they can’t be seen, staff can handle that, it doesn’t even have to go to ARB. There is a lot of language we can consider when the time comes.

Ms. Michael stated I do have two questions from a resident in the audience regarding solar panels:

(1) Would solar panels jeopardize our status as a historic district or the National Registry of Historic Places? Mr. Brown replied we did reach out to Ohio History Connection as part of this review process and we need to ask ourselves is this the character and look we want for the district; however it’s not going to jeopardize our status as a historic district. If we start demolishing structures that’s when they would come in and we would probably have an issue with losing our historic district status; but at least with adding solar panels, if they were to the front or sides we would not lose our historic district status.

(2) Is Council open to receiving information about Ordinances and additional communities. Ms. Michael commented yes if there are communities people want to provide additional information about, by all means yes do so; provide the
information to Mr. Brown and he will make sure Council receives the information.

Mr. Foust indicated I’m still pondering Ms. Dorothy’s comment and it’s a great one, “what do you do about those houses where they’re placed or faced in such a way that it just doesn’t lend itself” and we’re going to have these two kind of competing factors of trying to honor one versus the other; I don’t know how they’re going to co-exist; and to your point I would love to add a third bay onto the garage of my house, but the piece of property I bought doesn’t allow for that. Whether your house has a pitch that runs east, west, north or south, it kind is what it is; I’m not sure how we’re going to be able to accommodate 100% of the homes in the area.

Mr. Smith stated I didn’t get a lot of time to research on cities outside of what staff provided, but looking at other states like Massachusetts which is fairly solar friendly and other east-coast states; I didn’t see any specific wording or language that would give any clear direction; I’m not convinced I dug deep enough yet, so I’m going to look into that a little bit more, specifically more on the east-coast; what I’m interested in finding is maybe like zones in a sense like what Ms. Dorothy was just talking about (i.e. if there are all front facing houses on the south side, you do this, and all east facing houses, you do this.)

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 05-2017

Expressing the City of Worthington’s Opposition to the Micro Wireless Facility Provisions of Senate Bill 331 and Agreeing to Work in Cooperation with Other Ohio Municipalities to Challenge the Restriction on the City’s Constitutional Home Rule Authority.

Introduced by Councilmember Troper

MOTION

Councilmember Dorothy made a motion to adopt Resolution No. 05-2017. The motion was seconded by Councilmember Myers.

Mrs. Stewart expressed that this item was discussed extensively at last week’s meeting, and this Resolution was prepared at the request of City Council at that meeting and brought back, so hopefully it reflects your discussion and your intent. I will invite Mrs. Fox to offer any comment(s) she may have since she is the one who prepared the Resolution. Mrs. Fox replied I have no further comments, but I’m happy to answer any questions Council members may have.

Mr. Myers asked when we had the presentation there were a couple of different theories including one home rule, statewide impact because it exempted out counties and townships which is the home rule argument; I don’t know if it would be appropriate to add this, but you speak in Section 1 of the Resolution “with other Ohio municipalities
that stand ready to challenge such provisions as a violation of municipal home rule authority, subject to an acceptable method......”; would it be appropriate to add into this “and such other claims as may be appropriate.” Mrs. Fox replied I think we can do that. Mr. Myers stated I want to make sure that we are not excluding ourselves because our Resolution is too narrow. This addition will go immediately after the word “authority” in Section 1.

MOTION TO AMEND

Mr. Myers made a motion to amend Resolution 05-2017 in Section 1, to include the following verbiage: “and such other claims as my be appropriate.” The motion was seconded by Ms. Dorothy.

The motion carried unanimously.

There being no additional comments, the motion to adopt Resolution No. 05-2017 (AS AMENDED) carried unanimously by a voice vote.

REPORTS OF CITY OFFICIALS

Information Item(s)

Mrs. Roberts presented the following 2016 Year End Financial Summary:
2016 All Funds Summary

1/1/2016 Beginning Fund Balances: $21,263,095

Total Actual Revenue: $38,582,789

Total Actual Expenditures: $36,620,260

12/31/2016 Year End Fund Balances:
$23,225,624

2016 Financial Report Summary for All Funds

• Revenues exceeded expenditures by $1,962,529 or 5.36%.
• 2016 revenues totaled $38,582,789 which was $1,275,906 (3.42%) above estimates.
• Expenditures tracked at 87% of total appropriations and prior year encumbrances.
• Expenditures for 2016 for all funds totaled $36,620,260.
Ms. Dorothy asked what is our policy for the percentage that we want for reserves. Mrs. Roberts replied I believe it is 25% general fund carryover from the previous year.
2016 General Fund Summary

1/1/2016 Beginning Fund Balance: $11,250,077

Total Actual Revenue: $26,434,268

Total Actual Expenditures: $26,056,152

2016 Year End Fund Balance: $11,628,193

2016 Financial Report
General Fund Summary

• General Fund revenues exceeded expenditures by $378,116 or 1.43%.
• 2016 revenues were above 2015 revenues by $905,242 or 3.55%.
• 2016 revenues were above estimates by $53,422 or .20%.
• Expenditures tracked at 92.69% of appropriations.
2016 General Fund Revenue

General Fund Revenue | Budgeted Revenue | Actual Collections
---------------------|-----------------|------------------
Municipal Income Tax | $19,255,146      | $19,907,180      
Property Tax         | $2,710,000       | $2,584,732       
Local Government     | $350,000         | $394,126         
Inheritance Tax      | $-               | $187             
Interest Income      | $85,000          | $137,675         
Fines & Forfeitures  | $260,000         | $159,183         
Township Fire Service| $475,000         | $450,323         
Parks & Recreation Revenue | $1,430,000 | $1,200,583 
EMS Transport        | $600,000         | $544,514         
All Other Revenue    | $1,215,700       | $1,055,836       

$26,380,846 | $26,434,268
2016 General Fund Expenditures

<table>
<thead>
<tr>
<th>General Fund Expenditures</th>
<th>Budgeted Expenditures</th>
<th>Actual Expenses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning &amp; Building</td>
<td>$736,711</td>
<td>$692,505</td>
</tr>
<tr>
<td>General Government</td>
<td>$7,530,801</td>
<td>$7,315,648</td>
</tr>
<tr>
<td>Fire Operations</td>
<td>$6,415,662</td>
<td>$6,039,328</td>
</tr>
<tr>
<td>Parks &amp; Recreation</td>
<td>$4,599,743</td>
<td>$4,483,496</td>
</tr>
<tr>
<td>Police Operations</td>
<td>$5,882,100</td>
<td>$5,313,514</td>
</tr>
<tr>
<td>Service/Engineering Department</td>
<td>$2,531,055</td>
<td>$2,211,661</td>
</tr>
</tbody>
</table>

$27,556,073 $26,056,153

General Fund Expenditures

City of Worthington
Budget vs Actual Expenditures
2007 - 2016
Mr. Myers asked Mrs. Roberts to explain why 2016 was so tight. Mrs. Roberts replied we were just slightly above revenues to expenditures for the year by about $378,000 which it just shows a little closer in gap, this slide on is on a per capita basis and we’re using the 2010 census as our per capita number. Mr. Myers stated so again in 2016 we spent more of our revenue than we have in years past. Mrs. Roberts explained our revenue still exceeded expenditures, but we were closer. Mr. Myers asked is there a reason for that or any one thing you can point to. Mrs. Roberts replied there isn’t any one thing I can point to, we did make some end of year fund transfers to the water fund, the Economic Development fund and the Sewer fund to supplement those fund balances because they were in a position where they were not self-sufficient, so we made some end of year transfers that were appropriated through Council.

Ms. Dorothy remarked it also looks like our expenses go up linearly, but we have some dips in revenue which could be attributed to some things going away. Mrs. Roberts replied to refresh your memory, in 2014 we reverted back to the 80/20 split in the income tax, the period from 2009 – 2013, we supplemented the general fund by the 6.4% reduced out of the CIP.
Mr. Myers asked Mrs. Roberts do you expect this trend to continue into 2017. Mrs. Roberts replied the 2017 budget is pretty tight, so I would expect to see it continue at the same level.

Mr. Foust commented I would have thought a reassessment which is about every 10 years by the County Auditor as far as property value, I would have somehow expected a bump in here somewhere along the way. Mrs. Roberts commented the way the Property Tax
State Codes are written, it’s kind of complex, they perceive the leveling out, so as some properties increase in value and others don’t, the effective mileage rate comes into play.
2016 Financial Trends

City of Worthington Financial Trend Profile #8

Long-Term Debt as % of Assessed Valuation

Income Tax Revenue

Income Tax Revenue

% of Total GF Revenue
Mr. Myers asked if anyone is working on a localized projection for what might happen if the legislature actually pass the tax centralization legislation. Mrs. Roberts replied I know R.I.T.A. (Regional Income Tax Agency) is working on a comprehensive review of the budget bill and they hope to release something later this week. Mr. Myers commented I’ve seen some of that information and I was just wondering if there was any way we could find out how much the General Assembly is going to take from us this time from the City of Worthington specific.

Ms. Michael complemented Mrs. Roberts and the Finance department on putting together a fabulous memo specifically on central collection. Excellent report, the people I met with today were extremely impressed with the memo. Mrs. Roberts commented I have to commend my Finance Assistant Scott Barter, he did the heavy lifting on that report. Ms. Michael asked Mrs. Roberts to please give him our expression of gratitude, job well done.

**Financial Report**

Mrs. Stewart asked Mrs. Roberts to provide an overview of the reports for the month of January and indicated that staff is requesting a motion from the City Council acknowledging the report.

Mrs. Roberts presented the following:

Fund balances for all funds increased from $23,225,674 on January 1, 2017 to $25,164,261 as of January 31, 2017. January revenues exceeded expenditures for all funds by $1,938,638.

Revenues for all funds area above 2016 revenues by $492,130 (excluding bond proceeds) and below estimates by $58,628 or 0.875%. January revenues include $3,960,000 in bond issuance proceeds.

Expenditures for all funds tracked at 97.3% of anticipated expenditure levels for the month of January.


January General Fund revenues are above 2016 revenues by $306,207 and above estimates by $186,425 or 10.20%

General Fund expenditures tracked at 91.99% of anticipated expenditure levels for the month of January 2017.

Mr. Troper asked is there any special reason why the income tax collection was so high. Mrs. Roberts replied I have to just equate that to cyclical collections, there was anything
I found outstanding in the reports that I reviewed; so I just think it was a timing issue on when payments were made.

Ms. Michael and Mr. Myers expressed their views regarding the small cell wireless issue.

MOTION Councilmember Myers made a motion to accept the 2016 Year End Summary and the January 2017 Monthly Financial Report as presented this evening. The motion was seconded by Councilmember Foust.

The motion carried unanimously by a voice vote.

REPORTS OF CITY STAFF

Mrs. Stewart reminded Council of the Council Retreat to be held Friday evening March 3rd – Saturday, March 4th at Linworth High School; Ms. Jane Dockery will serve as the facilitator for this year’s retreat; she is putting together a short survey with some questions which she will email out to Council and so she would appreciate getting some feedback from you. Mrs. Stewart asked Council members if they could please email her any time constraints they may have for either Friday evening or Saturday; we do need to zero in on specific times on Friday evening and Saturday, so if you can let me know if you have some constraints on your time as soon as possible this will help us finalize the agenda for that weekend.

REPORTS OF COUNCIL MEMBERS

COUNCILMEMBER DOUG FOUST – David McCorkle and I attended our 2nd meeting of the Columbus Regional Energy Special Improvement District Board of Directors this past week; right now the group is still in the early formation stages, we are looking at a couple of projects that maybe coming our way; it’s a work in progress; we’ll continue to report as we have things come up.

COUNCILMEMBER BONNIE MICHAEL – met today with Senator Stephanie Kunzie and Upper Arlington Council President Debbie Johnson to discuss the central collection, we’re setting up strategies to meet with other groups; if anyone wants to join in on some of these meetings, we’re really focusing in on speaking to people in the House of Representatives; we want the House of Representatives to know and understand that we really do care and while many other townships have been better at lobbying in the past, other municipalities need to come up and start saying “enough is enough”, you need to start taking care of us or leave our home rule alone so to speak. We’re looking first at the finance committee.

Ms. Dorothy asked have you released information to the first tier suburbs groups throughout Ohio. Ms. Michael replied I will check with COMMA and let you know.
COUNCILMEMBER SCOTT MYERS – MPC/ARB last week was relatively non eventful. The medical office building across the street was tabled again, so we didn’t get to consider that; if you get a chance go out on the website and take a look at the plans, I think they’re a whole lot nicer; I think that will probably get approved next time. There was a lot split on Highland, so we’re going to get a new house in the neighborhood.

COUNCILMEMBER DOUG SMITH – thanked Mr. Whited for the report via email about the bids coming back; all had some component of solar.

ADJOURNMENT

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

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 8:45 P.M.

___________________________________
Temporary Clerk of Council

APPROVED by the City Council, this 6th day of March 2017.

___________________________________
Council President
Meeting Minutes

Tuesday, February 21, 2017 ~ 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 Tuesday, February 21, 2017, in the John P. Coleman Council Chambers of the Louis J. R. Goorey Worthington Municipal Building, 6550 North High Street, Worthington, Ohio. President Michael called the meeting to order at or about 7:30 p.m.

Members Present: Rachael R. Dorothy, Douglas Foust, Scott Myers, David Norstrom, Michael C. Troper and Bonnie D. Michael

Member(s) Absent: Douglas K. Smith

Also present: Clerk of Council D. Kay Thress, City Manager Matthew Greeson, Director of Law Pamela Fox, Assistant City Manager Robyn Stewart, Director of Finance Molly Roberts, Director of Public Service and Engineering Dan Whited, Director of Planning and Building Lee Brown, Director of Parks and Recreation Darren Hurley, Chief of Fire Scott Highley and Chief of Police Jerry Strait.

There were three visitors present.

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

VISITOR COMMENTS

There were no visitor comments.

APPROVAL OF MINUTES

- January 17, 2017 – Regular Meeting
- February 6, 2017 – Regular Meeting

MOTION

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

The motion to approve the minutes as presented carried unanimously.

NEW LEGISLATION TO BE INTRODUCED

Ms. Michael reported that the titles of the ordinances that she will introduce tonight have been shortened as allowed by the Charter change.

Ordinance No. 04-2017

Providing for an Appropriation from the Capital Improvements Fund to Pay the Design Costs of the Community Center South Roof Replacement and Determining to Proceed.

Introduced by Mr. Myers.
Ordinance No. 05-2017  Providing for an Appropriation from the Capital Improvements Fund to Pay the Railroad Crossing Preliminary Engineering and Design Costs of the NE Gateway Intersection Improvement Project.

Introduced by Ms. Dorothy.

Ordinance No. 06-2017  Providing for an Appropriation from the Capital Improvements Fund to Pay the Cost of the Perry Park Field 3 Improvement and Determining to Proceed.

Introduced by Mr. Troper.

Ordinance No. 07-2017  Providing for Appropriations from the FEMA Fund and Law Enforcement CED Fund.

Introduced by Mr. Foust.

When asked if members approved of the abbreviated titled, Mr. Foust commented that the titles were very clear and he liked it.

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

REPORTS OF CITY OFFICIALS

Policy Item(s)

• Liquor Permit – Stock Change for Colleli Corporation (dba Villa Nova Ristorante)

Mr. Greeson shared that item is for the Villa Nova Restaurant. He understands this permit is because of a stock change. State law allows for the transfer of ownership. The City is notified and provided an opportunity to oppose the permit.

When asked by Ms. Michael if there has ever been a problem with the operation, Chief Strait reported there being no problems with this business.

MOTION  Mr. Norstrom made a motion to not request a hearing for the stock change related to the Liquor Permit for Colleli Corporation (dba Villa Nova Ristorante). The motion was seconded by Mr. Myers.

The motion carried unanimously by a voice vote.
Liquor Permit – TREX for Roadhouse 66 Bar & Grille

Mr. Greeson shared that this permit is different in that there is a new owner of what is known locally as The Roadhouse 66 Restaurant on East Wilson Bridge Road. He explained what a TREX is for the benefit of those in the audience.

The process includes the municipality being notified of the desire of the business to TREX a permit in to Worthington. We have the opportunity to review that request and then declare that the transfer of the permit is for an economic development project. Ultimately the superintendent of Liquor Control will determine whether the transfer meets all of the requirements of the law.

In this case there is an existing D5I permit, which allows for the sale of beer and spirits of no more than 25% of total revenues. They wish to TREX in a more traditional D5 liquor permit, which provides for more alcohol sales in proportion to the food. The operating hours for that establishment are outlined in the memorandum and staff would be happy to answer any questions members may have.

When asked by Ms. Dorothy if the Police Department is aware of any incidents or if they have any concerns about this location, Chief Strait reported that after some research and discussing that location with the third shift staff, they determined there being no problems with either the existing permit holder or with the proposed permit holder.

Mr. Foust asked if the 25% permit is common practice or is it for a legacy business. Mr. Greeson replied that in most cases and if the new business owner(s) could afford it, they would want to TREX in a D5 permit because it would be less restrictive and provide more flexibility to a business owner. Mr. Foust said he doesn’t have a problem with this request. He is curious about the permits approved for the Whitney House, Harold’s, or some of the more recent developments in Worthington. He asked if there is any recollection of what happened in those instances. Mr. Greeson replied that he doesn’t recall and would have to look at the files. He believes the D5 permits are more common.

Mr. Myers shared that this is the first situation of a D5I permit that he is aware of. The D5 permit allows everything. We have had others who either couldn’t find a D5 or couldn’t afford a D5 and they had a combination of the smaller “Ds” that equated to having a D5. Those are the two situations we have seen. He guesses that it was a cheaper permit. Ms. Fox agreed.

Mr. Troper asked how the D5I is different from the D5. Mr. Myers explained that the D5 is not tied to revenue. Mr. Troper then asked if we know how many jobs will be retained versus created. Mr. Greeson thinks the current establishment is either closed or closing. He doesn’t think the new owner plans to extend the overall footprint but rather just do some renovations inside and improve the outdoor patio area. He would expect that without an increased footprint the employment would be similar to that of the previous restaurant.
Mr. Greeson reported the new owner as being in attendance. Ms. Michael invited her forward to comment.

Kristine DePriest shared that the current owner has some health issues and they will need to close if they can’t sell. Under the D5I they will not be able to operate another business.

Mr. Myers stated that he understands that currently Ms. DePriest has not yet found a liquor license. Ms. DePriest reported that her lawyer found several that are available. She reported the information that Mr. Greeson shared as accurate.

When asked by Mr. Myers if they plan to be open for softball season, Ms. DePriest replied yes. Mr. Myers wished her well with her new endeavor.

MOTION Ms. Dorothy made a motion to endorse and acknowledge this transfer as an Economic Development Project. The motion was seconded by Mr. Troper.

The motion carried unanimously by a voice vote.

Discussion Item(s)

- Meeting Schedule for considering changes to regulations related to Solar Panels in the Architectural Review District

Ms. Michael asked what the planned dates were for the meetings on solar panels in the AR District.

Mr. Greeson reported the meeting of March 20th as being for public comment. Council is scheduled to discuss the findings of the research and the information provided from the public input at the April 3rd meeting. Ideally at that meeting, Council would advise staff of any legislation it may want staff to draft. On April 10th the legislation would be presented to Council. We understand that there may not be a full council on April 3rd and given the fact that this has been a split issue, staff thought it warranted having a conversation about whether to amend the schedule.

Ms. Michael asked if any members had a problem with moving the April meetings from the 3rd and 10th to April 10th and April 17th.

Members agreed to change the meeting schedule on this topic to April 10th, April 17th, and May 1st if needed. Staff will check with Mr. Smith to make sure he is available on those dates before updating the website.
Information Item(s)

Mr. Greeson shared the following information:

- New website should be live by the end of this week. Staff from every department has participated in the effort but Anne Brown has done an exceptional job to make sure it reflects Worthington very well.
- The MPC/ARB Agenda
  - Several new businesses; O’Reilly Family Pharmacy (former Worthington Pharmacy location) and Blaze Pizza (former Cosi facility).
  - Interior demolition beginning at 752 High St. for COhatch.
  - Permits issues for the two buildings south of CVS but the demolition permit for the office building in the rear has yet to be issued.
- Need input on beginning and end times for the retreat. The retreat is booked for the Linworth Alternative School. The Friday meeting typically begins with a light dinner around 6:00 p.m. and the meeting goes to 9:00 or 9:30. A lite breakfast is usually offered around 9:00 a.m. with the meeting ending in the early afternoon.

After a short discussion, the majority of members agreed to have the retreat begin Friday evening at 6:30 p.m. and end at 9:30 p.m. On Saturday the plan is to begin at 9:00 a.m. and go until early afternoon.

Mr. Greeson shared that Ms. Dockery from Wright State will facilitate our retreat. She has sent everyone an e-mail and would like your comments by tomorrow. If members’ haven’t received her e-mail they may find it in their spam folder. He added that she will be using your comments to help craft the retreat agenda.

Mr. Hurley shared that members should have received a Memo in their packets regarding the Worthington AM Rotary who has a history of helping with various projects in the Worthington parks. They recently shared with staff an interest in finding a new project to potentially help fund as well as assist with the labor. They selected a renovation project at McCord Park from a list of items drafted in the Parks Master Plan. The project is for a train observation area. Although there is no real concept or specific design yet, we are aware of the desire for such an area. The Railroad Museum and others may be contacted to assist as well. They plan to have some information at a fundraising event this weekend so staff wanted Council to be aware of those conversations.

Mr. Hurley added that this past week staff attended the Ohio Parks and Recreation conference. We had won an award, in partnership with the Worthington Library, for a story time in the park event. We did receive that award. We were a finalist for the governor’s award but did not win that award. It was still a great recognition. The Director of the Ohio Parks and Recreation would like to attend an upcoming Council meeting to present that award to both the City and the library.
Mr. Greeson added that he put a memorandum at members’ places this evening regarding DORAs (Designated Outdoor Refreshment Area). On April 30th a new Ohio law will go into effect for communities that have less than 45,000 residents (one is already in place for those communities that are greater than 45,000) if communities desire. The law allows for a downtown designated area where it is legal to walk around with alcohol. The Old Worthington Partnership have been having some conversation regarding this legislation and may make a request of the Council. The exact boundaries of that request are still evolving. Staff thinks it important to provide members with some background information on the topic in advance of that request.

REPORTS OF COUNCIL MEMBERS

Mr. Norstrom shared that he missed the last meeting and staff put a recording of the discussion on-line. He did listen to that meeting. The only problem with the technology is that you can’t fast forward through it. He would recommend that we record all of our meetings and post them on our website. He believes it is a relative simple task to do. It will be a way for Council to make one step towards sharing the discussions that happen in this room. He is also an advocate for video as well. He thinks we have the technology and should do it.

Ms. Michael asked for staff to provide a follow-up to this request. Mr. Greeson explained that our current technology will be changing in the future. Our goal is to be able to post it and be able to click on an agenda item and hear the conversation. Current technology enables us to post it although it could be a little frustrating for the user.

Mr. Foust asked if there is any issue with the amount of storage such a venture will require on our server. Ms. Stewart replied that she doesn’t know the answer to that question. Staff has looked into the capability for that. As far as she knows we have not explored that with our website host as to whether there would be any limitation if we started putting hours and hours of audio out there.

Mr. Troper asked what will happen with the retreat. He asked if the meeting will be recorded since it is a public meeting. Mr. Norstrom agreed that it is a public meeting although it is not in a room that is wired like this room. Mr. Greeson shared that the requirement is that we take minutes. Historically we have captured the record of those conversations and published a record. The detailed report of the consultant often serves as that record. Retreats have occurred in places where recording is challenging.

Mr. Norstrom in following up on Mr. Greeson’s memo shared that the Partnership is actively pursuing options with outdoor events. They have gathered information from other communities on how DORAs have been successful or not. He thinks Middletown was the first and they have learned some valuable lessons that the Partnership is reviewing. He shared the example of the picnic on High St. During that event we had to put up temporary fencing but under DORA we would not necessarily have to do that.
When asked by Mr. Troper if there is a date set for the picnic yet, Mr. Norstrom replied not that he remembers.

Ms. Dorothy shared that she has been attending the Worthington schools master facilities meetings. There is a public meeting with the option packets available on March 14th (Thomas Worthington High School) and March 15th (Kilbourne High School). There will also be an online questionnaire available after the March 14th meeting. So the options for the schools are progressing.

EXECUTIVE SESSION

MOTION

Mr. Foust made a motion to meet in Executive Session to discuss the employment of personnel. The motion was seconded by Mr. Norstrom.

The motion carried by the following voice vote:

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

Council recessed at 8:05 p.m. from the Regular meeting session.

The motion carried unanimously by a voice vote.

ADJOURNMENT

MOTION

Mr. Troper made a motion to return to open session and immediately adjourn at 8:19 p.m. The motion was seconded by Mr. Norstrom.

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned.

______________________________
Clerk of Council

APPROVED by the City Council, this
6th day of March, 2017.

______________________________
Council President
Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Design Costs of the Community Center South Roof Replacement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 650-17)

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

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.4010.533380 an amount not to exceed One Hundred Twenty-Five Thousand Dollars ($125,000.00) to pay the design cost of the Community Center South Roof Replacement Project and all related expenses (Project No. 650-17).

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

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

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

Passed ____________________________

President of Council

Attest: _______________________________

Introduced February 21, 2017

P.H. March 6, 2017

Clerk of Council
MEMORANDUM

To: Matthew H. Greeson, City Manager  
From: Daniel W. Whited, Director of Service & Engineering  
Cc: Robyn Stewart, Assistant City Manager  
Darren Hurley, Director of Parks & Recreation  
Chuck Sgandurra, Building Maintenance Supervisor  
Subject: Community Center South Roof Replacement Consultant Selection  
Date: February 8, 2017  

As you are aware, based on submittal of Statements of Qualifications from nine engineering and architecture design firms, the Worthington Community Center Roofing Consultant Selection Committee short-listed four firms to provide detailed written proposal for completion of the design work. The short listed firms are GPD Group, Mays Consulting, CTL Engineering, and CT Consultants.

The proposals were submitted in late January. They were supplemented by a forty-five-minute presentation by each firm last week. Consistent with Quality Based Selection procedures, cost proposals were provided in separate sealed envelopes to be opened after the selection of the preferred consultant.

GPD Group and Mays Consulting gave the clearest, most detailed proposals and most concise presentations of the four. They clearly demonstrated a clear understanding of the complexities and contingencies and approach for roofing design, and provided evidence of detailed research into existing conditions of the roof system. GPD presented a clear and complete knowledge of the project, and demonstrated an understanding of the important consideration for solar panel options. They also provided a resume of similar successful projects (including solar considerations) for which they were the lead designers. GPD provides their solar evaluation and design through “in-house” expertise.

After discussion, and scoring, it was determined that GPD Group should be recommended for consideration of award of Design and Construction Administration Services for the Worthington Community Center South End Roof Project. GPD Group was able to most comprehensively address the solar component in house and has extensive experience in the design and installation of solar arrays, where-as all the other candidates would need to bring in sub consultants.
Friday morning fee proposals were opened (note that GPD is the only firm to provide complete design fees for the solar panel consideration). For your information, the cost proposal numbers are tabulated below.

As part of the award process, with City Council concurrence, staff will meet with GPD to review the details of the cost proposal and negotiate potential changes to the scope and fee structure based on their final recommendations and continued project evaluation.

<table>
<thead>
<tr>
<th>Firm</th>
<th>Roof Analysis and Design Fee</th>
<th>Solar Panel Analysis and Design Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>GPD Group</td>
<td>$81,300</td>
<td>$33,000 (full design)</td>
</tr>
<tr>
<td>Mays Consulting</td>
<td>$68,500</td>
<td>$7,700 (evaluation only)</td>
</tr>
<tr>
<td>CTL Engineering</td>
<td>$60,830</td>
<td>$5,350 (evaluation only)</td>
</tr>
<tr>
<td>CT Consultants</td>
<td>$52,500</td>
<td>$8,000 (evaluation only)</td>
</tr>
</tbody>
</table>
ORDINANCE NO. 05-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Railroad Crossing Preliminary Engineering and Design Costs of the NE Gateway Intersection Improvement Project and all Related Expenses with said Project. (Project No. 602-14)

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

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533330 an amount not to exceed Forty-One Thousand Five Hundred Dollars ($41,500.00) to pay the railroad crossing preliminary engineering and design costs of the NE Gateway Intersection Improvement Project and all related expenses (Project No. 602-14).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the CSX Transportation, Inc. and Norfolk Southern Railway Company for the provision of the aforementioned services.

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

Passed ____________

___________________________________
President of Council

Attest:  Introduced February 21, 2017

___________________________________  P.H. March 6, 2017
Clerk of Council
Since late summer 2016, the Service and Engineering Department has been actively working with CSX, Norfolk & Southern (NS), the Ohio Rail Development Commission (ORDC) and EMH&T regarding needed improvements to the current rail crossing at E. Wilson Bridge Road and planned improvements associated with the Northeast Gateway project. CSX, NS and ORDC are planning improvements to the crossing. The gates and associated electronic devices will be replaced and upgraded. While we are receiving some funding from the Ohio Rail Development Commission, the design and engineering of NS owned right of way and equipment at the crossing must be conducted.

As such, the City is required to pay CSX and NS for their preliminary engineering and design of the improved crossing. These funds will be paid directly to each railroad via check and will be placed in an account for use by the railroad. In addition, the City Manager must enter into signed agreements with the railroads to begin the work.

We are requesting the approval of those funds. The estimated amount for CSX is $26,208. The estimated amount for NS is $15,229. The appropriation of this funding must be in place before the project can move forward.
ORDINANCE NO. 06-2017

Amending Ordinance No. 45-2016 (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 Perry Park Field 3 Improvement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 649-17)

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

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.4010.533379 the sum of One Hundred Twenty Thousand Dollars ($120,000.00) to pay the cost of the Perry Park Field 3 Improvement Project and all related expenses (Project No. 649-17).

SECTION 2. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

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

Passed ________________

___________________________________
President of Council

Attest: ____________________________
Introduced February 21, 2017
P.H. March 6, 2017

Clerk of Council
The 2017 CIP included $120,000 for Perry Park Field Three Improvements. I am requesting the appropriation of those funds so we can prepare to do the work this summer once the spring baseball season ends. This is the final of a three phase plan to improve each of the three diamonds at Perry Park.

The improvements to diamond three include laser grading the infield, drainage and irrigation improvements, and a new backstop and dugouts. We are also doing roofing for the dugouts on all three diamonds this year. The improvements are a combination of multiple projects and does not align itself well with utilizing one general contractor. We procure a combination of contractors and materials and do some work on our own. Our current plans include the following separate projects:

Backstops/Fencing: $35,000  
Diamond Work/Materials: $25,000  
Concrete Work: $25,000  
Light Repairs: $5,000  
Turfance, Top Soil, Grass Seed - $5,000  
Dugouts - $25,000

If I can provide further information, please let me know.
ORDINANCE NO. 07-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the FEMA Fund and Law Enforcement CED Fund Unappropriated Balances.

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

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

SECTION 1. That there be and hereby is appropriated from the FEMA Fund and Law Enforcement CED Fund unappropriated balances to:

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEMA Fund #220</td>
<td>Grant Proceeds-FEMA</td>
<td>$ 8,934.79</td>
</tr>
<tr>
<td>Law Enforcement Continuing Education Fund #221</td>
<td>Training – Law Enf. CED</td>
<td>$ 7,480.00</td>
</tr>
<tr>
<td>Total All Funds</td>
<td></td>
<td>$ 16,414.79</td>
</tr>
</tbody>
</table>

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

Passed ____________________

______________________________
President of Council

Attest:

________________________________   P.H. March 6, 2017
Clerk of Council

Introduced February 21, 2017
MEMORANDUM

Date: February 13, 2017

To: Matthew H. Greeson, City Manager

From: Molly Roberts, Director of Finance

Subject: Supplemental Appropriation Ordinance – FEMA Fund and Law Enforcement Continuing Education Fund

Please include the attached ordinance on the agenda for February 21, 2017 for introduction and set the public hearing for March 6, 2017.

We are in receipt of grant funding reimbursements as indicated below. The appropriations requested will allow staff to utilize the funds received as required under the applicable state statutes.

**FEMA Fund #220**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>220.2020.560984</td>
<td>Grant Proceeds-FEMA</td>
<td>$8,934.79</td>
</tr>
</tbody>
</table>

A member of the Worthington Fire Department was deployed as part of the evacuation efforts associated with Hurricane Matthew during the month October 2016. A total of $8,934.70 was received as reimbursement for the staff time associated with the evacuation efforts related to Hurricane Matthew. FEMA grant reimbursements are required to be received in a separate fund for accounting purposes. These funds then need to be appropriated in order to reimburse the General Fund, which is the fund that incurred the original expense.

**Law Enforcement Continuing Education Fund #221**

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>221.2121.512216</td>
<td>Training – Law Enf. CED</td>
<td>$7,480.00</td>
</tr>
</tbody>
</table>

Ohio Administrative Code Section 109:2-18-04, Reimbursement of Training Costs, became effective on January 1, 2015 and requires every appointed police officer to comply with annual continuing education requirements. The State of Ohio reimburses a portion of the costs associated with the additional required annual training. These funds are required to be separate from any other fund and must be used solely to defray the costs of continuing education for sworn police officers. A total of $7,480.00 was received to provide funding assistance for the additional training requirements. This appropriation will allow staff to utilize these funds for the added expense associated with this provision.
ORDINANCE NO. 08-2017

Approving the Subdivision Without Plat of Property at 128 Highland Avenue and Authorizing a Variance (John Hitzemann)

WHEREAS, a request has been made by John Hitzemann to subdivide the property located at 128 Highland Avenue; and,

WHEREAS, the request has received a complete and thorough review by the Municipal Planning Commission on February 9, 2017 and approval has been recommended by the Commission; and,

WHEREAS, Section 1107.01 of the Codified Ordinances provides that on recommendation of the Municipal Planning Commission, or on its own initiative Council may permit variations from the standards established in the Planning and Zoning Code.

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

SECTION 1. That the Subdivision Without Plat to divide the property located at 128 Highland Avenue, as per Case No. SWOP 01-17, Drawings No. SWOP 01-17, dated January 27, 2016 attached hereto as Exhibit “A” be approved.

SECTION 2. That there be and hereby is granted a variance from Section 1101.07(d) of the Codified Ordinances to create a parcel that will not have sidewalks along the public right-of-way of Westview Drive.

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

Passed ____________________

____________________________________
President of Council

Attest

____________________________________
Clerk of Council
Location Survey
City of Worthington, Franklin County, Ohio
South Half of Lots 57 & 58, Northhigh Acres Addition, P.B. 15, Page 34

ADDRESS: 128 Highland Avenue
CITY: Worthington
COUNTY: Franklin

OWNER: Rudy C. Hitzemann Trustee of The Rudy C. Hitzemann Trust, I.N. 199805110114202

No easements were found to affect this lot based on the records in a title search performed by Crown Search (Order #1701173) on January 12, 2017.

GRAPHIC SCALE

1" = 40'

Approved by:
WORTHINGTON MUNICIPAL PLANNING COMMISSION

DATE: 1/17/17

CLERK OF COMMISSION

We certify that this Locator Survey was performed in accordance with Chapter 4733—39, Ohio Administrative Code, and is not a boundary survey under Chapter 4733—37 of said code.

PROFESSIONAL SURVEYOR

DATE: 1/27/17

REVISION:

DATE: 1/24/2017

DRAWN BY: DRH

SCALE: 1" = 40'

JOB NO.: HITZ - 2017

CHECKED BY: DRH

422 Beecher Road
Gahanna, Ohio 43230
Tel: 614.428.7790
Fax: 614.428.7756
MEMORANDUM

TO: Matthew H. Greeson, City Manager
FROM: R. Lee Brown, Director of Planning & Building
DATE: February 28, 2017
SUBJECT: Ordinance for a Subdivision Without Plat & Variance – 128 Highland Avenue – (John Hitzemann) (SWOP 01-17)

Findings of Fact & Conclusions

Background & Request:
This lot is 0.92 acres at the northeast corner of Highland Ave. and the Westview Dr. right-of-way, which is unimproved at that location. The property is in the R-10 Zoning District. When originally platted as part of the Northigh Acre subdivision in 1923, there were originally 2 separate lots (100’ & 111’ wide) that extended approximately 380’ north to south. At some point, the lots were re-divided so the division was east-west rather than north-south, creating two 211’ wide x 189’ deep lots. A 1,596 square foot house constructed in 1968 sits on the southern part of the eastern lot, with access to Highland Ave. The owners would like to construct a second single family house on the property, and are asking for approval to subdivide the property again.

Project Details:
1. Division of the parcel would be by way of a new north to south property line, creating a 100’ wide lot to the west, and a 111’ wide lot to the east, matching the widths of the original platted parcels. The new lots would be 18,900 square feet and 20,979 square feet, exceeding the Code requirement for minimum lot width of 10,400 square feet in R-10. Required setbacks would be 30’ in the front and rear; 20’ for the west side adjacent to the Westview Dr. right-of-way; and 8’ on the east side.
2. One-family dwellings must be a minimum of 1,600 square feet in area in the R-10 Zoning District. A sample floor plan is included with the application materials showing a >2000 square foot ranch house.
3. When subdividing property, sidewalks are required along public streets, whether improved or unimproved. The applicant will construct sidewalks along Highland Ave., but is requesting a variance to eliminate the requirement along Westview Dr. as it is unimproved.
4. Street trees are required to be planted as part of subdivisions. Coordination with the City’s arborists is required.
**Land Use Plans:**

Worthington Subdivision Regulations

"Subdivision" means the division or combination of any parcel or parcels of land shown as a unit or as contiguous units on the latest tax roll. A proposed Subdivision of a parcel of land along an existing Public Street in any R-16 or R-10 Zoning District, not involving the opening, widening or extension of any street, road or access point and involving a tract of land from which no more than five Lots can be created after the original tract has been completely subdivided may be submitted to the Municipal Planning Commission for approval without Plat. The Commission may establish reasonable necessary procedures and requirements to be met by the owner desiring to subdivide property.

Whenever any new single-family lots are created in accordance with the provisions of this Code in any residential zoning district, then the subdivider, developer or owner, as the case may be, shall make a cash payment to the City of five hundred dollars ($500.00) per each new lot created for deposit in the Special Parks Fund. Such deposits shall be used for the capital costs associated with the City’s parks, playground and recreation areas.

Sidewalks shall be provided on both sides of all streets in any Subdivision, except that along streets without curb and gutter either Recreation Paths or Sidewalks shall be constructed, and none are required in Alleys. Monuments and stakes, and street trees shall be required.

**Recommendations:**

Staff is recommending *approval* of the application. The proposed lots exceed the minimum lot size and frontage requirements for lots in the R-10 District. The proposed newly created lots would not be out of character for the area.

Municipal Planning Commission reviewed and recommended *approval* to City Council at its meeting on February 9, 2017 with the following conditions:

- A variance be obtained from the City Council so a sidewalk would not have to be constructed along the Westview Dr. Right-of-way.
- A public area payment of $500 be made to the City for the Special Parks Fund.
- Installation of street trees and survey stakes.
A. General Information

1. Property Location 128 Highland Ave, Worthington Ohio 43085
2. Zoning Residential

3. Applicant John Hitzemann POA for Rudy and Jean Hitzemann
   Address 128 Highland Ave Worthington Ohio 43085
   Phone 614 332-4663

4. Property Owner Rudy and Jean Hitzemann
   Address 128 Highland Ave Worthington Ohio 43085
   Phone 614 901-0760

B. Existing

1. Number of lots 1
2. Area of each 39,879 sq. ft.

C. Proposed

1. Number of lots 2
2. Area of each a) 18,900 sq. ft. b) 20,979 sq. ft.
3. Dimensions 100' x 189' / 111' x 189'
4. Frontage 100' / 111'

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.

Applicant (Signature)

Property Owner (Signature)
### Abutting Property Owners List for 128 Highland Ave.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chakoff Family Limited Partnership II</td>
<td>6561 Olentangy River Rd.</td>
<td>Worthington, OH 43085</td>
</tr>
<tr>
<td>Robert &amp; Sue Swihart</td>
<td>151 Highland Ave.</td>
<td>Worthington, OH 43085</td>
</tr>
<tr>
<td>Brian &amp; Mary Weaver</td>
<td>141 Highland Ave.</td>
<td>Worthington, OH 43085</td>
</tr>
<tr>
<td>Cheryl Dickson</td>
<td>133 Highland Ave.</td>
<td>Worthington, OH 43085</td>
</tr>
<tr>
<td>Ritchie Harris</td>
<td>123 Highland Ave.</td>
<td>Worthington, OH 43085</td>
</tr>
<tr>
<td>Melissa Honeycutt</td>
<td>114 Highland Ave.</td>
<td>Worthington, OH 43085</td>
</tr>
<tr>
<td>Christopher &amp; Meredith Kephart</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SWOP
City of Worthington

Supporting Statement:

Property Address: 128 Highland Ave, Worthington Ohio 43085

Owner of the Property: Rudy and Jean Hitzemann

Contact: John Hitzemann  (614) 332-4663   john@letsgetahome.com

Builder: Wayne Homes LLC  (740) 548-7500  Contact: Julie Hurt  11N. 3B’s & K Rd. Sunbury, Oh 43074

We intend to build a 2000+ sq ft ranch style home on the property next to the present house. We have contacted Wayne Homes in Delaware Ohio and are contracted to start building when the lot split and permits are approved. We intend to follow the Worthington City, Franklin County and Ohio building codes.

We would like to request a variance on the requirement to put a sidewalk down on the Westview Dr. side of the property. One reason is it would lead to nowhere. Westview Dr. is blocked off and unused with a wooded area behind our property that we prefer that people other than the owners of the lot stay out of.

Mr. Rudy Hitzemann is 89 and Jean Hitzemann is 87 years old. John Hitzemann is their son, licensed in Ohio to sell Real Estate and has their general power of attorney. All questions and information should be directed to the attention of John Hitzemann. John Hitzemann will be handling all details.
128 Highland Ave.

100-002519  04/05/2014
No easements were found to affect this lot based on the records in a title search performed by Crown Search (Order #1701172) on January 17, 2017.

We certify that this Location Survey was performed in accordance with Chapter 4733-38, Ohio Administrative Code, and is not a boundary survey under Chapter 4733-37 of said code.
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: Mikel Coulter, Chair; Thomas Reis, Vice-Chair; Kathy Holcombe, Secretary; Edwin Hofmann; Amy Lloyd; and David 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. Commission member James Sauer was absent.

A. Call to Order – 7:00 p.m.

1. Roll Call

2. Pledge of Allegiance

3. Approval of minutes of the January 26, 2017 meeting

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

4. Affirmation/swearing in of witnesses

B. Architectural Review Board

Mr. Coulter asked Mr. Foust to explain the photograph on display. Mr. Foust said the location of the photograph was West Granville Road, looking east towards the hill from the corner of Evening Street. Mr. Foust pointed out some unique features in the photo. He said the photo looks as if it were taken in the past thirty to forty years, but the postcard has an original date of 1910. The house on the corner had a tile roof which was eventually replaced but looks similar. The lamp post out front, which is pre 1920’s, was powered with gas. All of the original houses are still standing and remain largely unchanged, and one house was erected shortly after the photo. Mr. Foust believed 1910 was too early for sidewalks, but said they could have been a new innovation for the time period. The street looked pretty much the same as it did one hundred years ago.

Mr. Coulter said the applications for 666 High St. and 1033 High St. will not be heard this evening.
C. Municipal Planning Commission

1. Subdivision without Plat

a. Lot Split – 128 Highland Ave. (John Hitzemann) SWOP 01-17

Findings of Fact & Conclusions

Mrs. Bitar reviewed the following from the staff memo:

Background & Request:
This lot is 0.92 acres at the northeast corner of Highland Ave. and the Westview Dr. right-of-way, which is unimproved at that location. The property is in the R-10 Zoning District. When originally platted as part of the Northigh Acre subdivision in 1923, there were 2 separate lots (100’ & 111” wide) that extended approximately 380’ north to south. At some point, the lots were re-divided so the division was east-west rather than north-south, creating two 211’ wide x 189’ deep lots. A 1596 square foot house constructed in 1968 sits on the eastern part of the southern lot, with access to Highland Ave. The owners would like to construct a second single family house on the property, and are asking for approval to subdivide the property again.

Project Details:
1. Division of the parcel would be by way of a new north to south property line, creating a 100’ wide lot to the west, and a 111’ wide lot to the east, matching the widths of the original platted parcels. The new lots would be 18,900 square feet and 20,979 square feet, exceeding the Code requirement for minimum lot width of 10,400 square feet in R-10. Required setbacks would be 30’ in the front and rear; 20’ for the west side adjacent to the Westview Dr. Right-of-way; and 8’ on the east side.
2. One-family dwellings must be a minimum of 1600 square feet in area in the R-10 Zoning District. A sample floor plan is included with the application materials showing a >2000 square foot ranch house.
3. When subdividing property, sidewalks are required along public streets, whether improved or unimproved. The applicant will construct sidewalks along Highland Ave., but is requesting a variance to eliminate the requirement along Westview Dr. as it is unimproved. The City has discussed a path for bicycles and pedestrians in this area, but does not have plans at this point for construction of either.
4. Street trees are required to be planted as part of subdivisions. Coordination with the City’s arborists would be required.

Land Use Plans:
Worthington Subdivision Regulations
"Subdivision" means the division or combination of any parcel or parcels of land shown as a unit or as contiguous units on the latest tax roll. A proposed Subdivision of a parcel of land along an existing Public Street in any R-16 or R-10 Zoning District, not involving the opening, widening or extension of any street, road or access point and involving a tract of land from which no more than
five Lots can be created after the original tract has been completely subdivided may be submitted to the Municipal Planning Commission for approval without Plat. The Commission may establish reasonable necessary procedures and requirements to be met by the owner desiring to subdivide property.

Whenever any new single-family lots are created in accordance with the provisions of this Code in any residential zoning district, then the subdivider, developer or owner, as the case may be, shall make a cash payment to the City of five hundred dollars ($500.00) per each new lot created for deposit in the Special Parks Fund. Such deposits shall be used for the capital costs associated with the City’s parks, playground and recreation areas.

Sidewalks shall be provided on both sides of all streets in any Subdivision, except that along streets without curb and gutter either Recreation Paths or Sidewalks shall be constructed, and none are required in Alleys. Monuments and stakes, and street trees shall be required.

Recommendation:
Staff is recommending approval of this application be recommended to the City Council, with the following items being required as part of the subdivision:
- A variance be obtained from the City Council so a sidewalk would not have to be constructed along the Westview Dr. Right-of-way.
- A public area payment of $500 be made to the City for the Special Parks Fund.
- Installation of street trees and survey stakes.

Discussion:
Mr. Coulter asked if the applicant was present. Mr. John Hitzemann, of 107 Mariemont Dr. N., Westerville, Ohio, said he was representing his parents who own the property. Mr. Hitzemann said he was requesting not to construct the sidewalk along Westview Drive because they have had problems in the past with trash and do not want to encourage more foot traffic to the area. Board members had no questions or concerns. Mr. Coulter asked if there was anyone present who wanted to speak either for or against this application and no one came forward.

Motion:
Mr. Reis moved:

THAT THE REQUEST BY JOHN HITZEMANN FOR APPROVAL OF SUBDIVISION WITHOUT PLAT TO SPLIT THE PROPERTY AT 128 HIGHLAND AVE. INTO TWO LOTS, AS PER CASE NO. SWOP 01-17, DRAWINGS NO. SWOP 01-17, DATED JANUARY 27, 2017, BE RECOMMENDED TO CITY COUNCIL FOR APPROVAL BASED ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.

Mr. Hofmann seconded the motion. Mrs. Bitar called the roll. Mr. Coulter, aye; Mr. Reis, aye; Mrs. Holcombe, aye; and Mr. Hofmann, aye. The motion was approved.