City Council Meeting Agenda

Monday, March 20, 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) March 6, 2017 – Regular Meeting

2) March 13, 2017 – Committee of the Whole Meeting

PUBLIC HEARINGS ON LEGISLATION

3) Ordinance No. 08-2017

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

Introduced March 6, 2017
P.H. March 20, 2017

4) Ordinance No. 09-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the General Fund Unappropriated Balance for Transfer to the Worthington Community Improvement Corporation for the Purpose of Real Estate Acquisition.

Introduced March 13, 2017
P.H. March 20, 2017

Discussion Item(s)

5) Public Comments – Use of Solar Panels in the Architectural Review District
NEW LEGISLATION TO BE INTRODUCED

6) Resolution No. 07-2017

Authorizing the Award of Re-emergent Corridor Assistance Program Funds to Help Improve Facility Exterior Facade and Streetscape Along Certain of the City’s Commercial Corridors (6384 Proprietors Road).

7) Resolution No. 08-2017

Amending the Job Description for the Position of Operations Support Manager and Amending the Pay Resolution to Accommodate Said Position.

8) Ordinance No. 10-2017

An Ordinance to Revise the Codified Ordinances by Adopting Current Replacement Pages.

9) Ordinance No. 11-2017

Enacting Section 737.06 of the Codified Ordinances of the City to Prohibit the Business of Cultivation, Processing and Retail Dispensing of Medical Marijuana in the City.

10) Ordinance No. 12-2017

Enacting Section 1123.491 and Amending Section 1147.01 of the Codified Ordinances of the City to Define Medical Marijuana and Prohibit the Cultivation, Processing and Retail Dispensing of Medical Marijuana in any Zoning District Within the City.

REPORTS OF CITY OFFICIALS

Policy Item(s)

11) Liquor Permit – Transfer from Freight Sales Inc to Englefield Inc (dba Worthington Duchess)

REPORTS OF COUNCIL MEMBERS

OTHER

EXECUTIVE SESSION

ADJOURNMENT
City Manager Report to City Council for the
Meeting of Monday, March 20, 2017

APPROVAL OF MINUTES

1) March 6, 2017 – Regular Meeting
2) March 13, 2017 – Committee of the Whole Meeting

PUBLIC HEARINGS ON LEGISLATION

3) 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: Approval of Ordinance as Presented

4) Ordinance No. 09-2017 – Appropriation – Real Estate Acquisition Funds for the Community Improvement Corporation

This Ordinance appropriates funds to be transferred to the Worthington Community Improvement Corporation (CIC). The CIC has an agency relationship with the City of Worthington which means it can act on behalf of the City on matters related to economic development. These funds will be made available to the CIC for economic development-related real estate acquisitions consistent with the City’s established plans. These acquisitions will be targeted and limited in scale and size. This idea was raised during the City Council retreat and was also discussed at the last CIC Board meeting. This funding will
enable the CIC to act when opportunities arise, consistent with the City’s agency agreement and the powers provided to community improvement corporations under the State statutes.

**Recommendation:**
- Motion to Amend the Ordinance
- Motion to Pass as an Emergency
- Approval of Ordinance as Amended

**DISCUSSION**

5) **Public Comments – Use of Solar Panels in the Architectural Review District**

Two inherent values of the Worthington community are to preserve the character of the Architectural Review District while promoting the sustainable practices of our residents and businesses. After recent decisions by the Architectural Review Board (ARB) which involved split votes and a split vote by City Council on an ARB appeal, the City Council requested to discuss the issue and determine whether there should be changes to the Design Guidelines for the Architectural Review District or to the City’s Code.

In 2010, the City of Worthington proactively provided a framework through its Architectural Design Guidelines for sustainable features to be incorporated into the District. Successful solar projects followed with the installation of solar panels on buildings in the District, such as Evening Street Elementary School and the Peggy R. McConnell Arts Center. Since this time, there have been two residential solar applications in the District. The City has a long tradition of promoting sustainability initiatives including increased bike and pedestrian connections and access, community gardening, projects to promote recycling and re-purposing, and building efficiency projects.

While the Architectural Review Guidelines currently allow solar panels in the District, there are differing opinions about where solar panels should be allowed. The Guidelines currently allow solar panels to be placed in a location that minimizes the visual impact as seen from the public right-of-way. In addition, the Guidelines state: “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.” The goal is to provide clarity to residents and businesses prior to initiating the application process.

On February 13th, City staff presented research regarding the placement of solar panels in historic or architectural review districts. Staff reached out to 35 other jurisdictions as well as the Ohio History Connection and the National Park Service to gather information about how they handle and/or regulate solar panels. A summary of the research is available on the City’s website at [www.worthington.org/solar](http://www.worthington.org/solar).

Time is allocated during this meeting to discuss to collect comments and input from the public on this topic.
NEW LEGISLATION TO BE INTRODUCED


This Resolution approves the award of $6,237 in assistance to Ohio Beer Co., Ltd for improvements to the property at 6384 Proprietors Road. The proposed assistance is structured as half grant and half loan. The Re-Emergent Corridor Assistance Program (ReCAP) encourages investments in and improvements to commercial real estate in the Huntley and Proprietors Roads area. Ohio Beer Co. has applied for assistance under this program. The Community Improvement Corporation (CIC) has reviewed the application and recommended approval. Additional information is provided in the attached memorandum from the Economic Development Manager, presentation slides and draft minutes from the CIC meeting.

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

7) Resolution No. 08-2017 – Job Description – Operations Support Manager

This Resolution amends the position description for currently vacant Operations Support Manager. The position description has been amended to include supervision for all nine fulltime Communication Technicians, part-time Communication Technicians and the secretary for the records bureau. The position will report to the Support Services Lieutenant, and will manage all aspects of the communications function for the Division. After reviewing similar positions in the area and internal positions, staff recommends adjusting the salary range for this position from Range 19 ($60,195-$75,878) to Range 20 ($60,526 to $79,302). Range 20 includes positions with similar supervisory responsibilities such as Parks Manager and Senior Center Manager.

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

8) Ordinance No. 10-2017 – Codified Ordinances Replacement Pages

This Ordinance approves replacement pages for the Codified Ordinances of the City. This is typically done annually and incorporates all Ordinances amending provisions of Code that were enacted since the last recodification and changes necessitated by changes in state law. These pages contain changes primarily related to the Charter amendments, City Council adopted changes to the Code (e.g. the Wilson Bridge Road district regulations, income tax code amendments, ARB appeal process, plumbing fee changes and council salary), state criminal law changes and the traffic code.

**Recommendation:** Introduction for Public Hearing on April 3, 2017
9) Ordinance No. 11-2017 – Business Regulation Code Change – Prohibition of Medical Marijuana Cultivation, Processing and Retail Dispensing

Last year, the Ohio legislature approved the cultivation, processing, testing and dispensing of marijuana for medical purposes. A Medical Marijuana Control Program has been established and is promulgating rules and regulations for this new law. The State legislation expressly permits municipalities to either limit or prohibit the cultivation, processing and retail dispensing of medical marijuana within the municipality. Two pieces of legislation have been prepared to prohibit those activities in Worthington. (Note: This does not impact the use by registered patients of medical marijuana as authorized under the State law.) This Ordinance modifies the business regulation portion of the City’s Code, Chapter 737 to incorporate prohibition of these activities. Additional information is included in the attached memorandum from the Law Director.

Recommendation: Introduction for Public Hearing on April 3, 2017

10) Ordinance No. 12-2017 – Planning & Zoning Code Change – Prohibition of Medical Marijuana Cultivation, Processing and Retail Dispensing

This is the second piece of legislation referenced in the previous agenda item. It prohibits the cultivation, processing and dispensing of medical marijuana in any zoning district of the City. Additional information is included in the attached memorandum references in the previous agenda item.

Recommendation: Introduction for Public Hearing on April 3, 2017

REPORTS OF CITY OFFICIALS

Policy Item(s)

11) Liquor Permit – Transfer – Worthington Duchess

This is a request for Worthington Duchess which is located at the BP station at 7141 High Street. The transfer is from Freight Sales Inc. to Englefield Inc. The permits are C1 for beer only in original sealed container for carry out only, C2 for wine and mixed beverages in sealed containers for carry out, and D6 for sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight. City Council is requested to make a motion regarding whether to object. The liquor permit request is attached. Staff is unaware of any reason to request a hearing related to this change.

Recommendation: Approval of a Motion to NOT request a hearing for the transfer of the Liquor Permits

EXECUTIVE SESSION
Meeting Minutes

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

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, Douglas K. Smith, Michael C. Troper and Bonnie D. Michael

Member(s) Absent:

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

There were four visitors present.

President Michael 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

• February 13, 2017 – Committee of the Whole Meeting
• February 22, 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.

PUBLIC HEARINGS ON LEGISLATION

President Michael declared public hearings and voting on legislation previously introduced to be in order. NOTE: Ordinance titles are written in summary form.

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.
Mr. Greeson reported this project as one in the adopted Capital Improvements Program. It is for the replacement of the rubber membrane roof over both gymnasiums at the community center and the slope shingle roof along the peaks at the south end of the community center. This is a planned life cycle maintenance project as the roofs are well over twenty years old, which is why it has been included in the five year CIP. This appropriation is for the design of the project and representatives from the successful proposer are here today. He asked Mr. Whited to comment further.

Mr. Whited shared that after a pretty long process, staff is recommending the selection of GPD for this work. We went through a statement of qualification process to narrow the list of consultants down to four. We then went through a rather lengthy process with them with official proposal and presentation with an internal committee as well as Tim Gehring from the school district. Afterwards, we went through a process of selection based on the scoring and discussion system. We determined that GPD was the most qualified candidate for this work for several reasons. Steve Williams with GPD is an architect and Brian Peterson, who is a principle and a solar expert are here to answer any questions. Steve is a LEAD AP professional. The firm does LEAD work, which was good for us so can maintain our approach to sustainability. GPD had fully addressed all of our issues related to structural concerns with architecture and also had a very good presentation related to where the solar panels would go in the building. We determined that we would select them. This was a sealed cost proposal process. We went through the selection based on qualifications and the presentations and then opened the cost proposals afterwards. We do have that information and the cost of the individual firms is shown on the last sheet of his memorandum. GPD was the only one that provided full detail on design for solar panel analysis, which partly reflected the reason we selected them because they really did put a lot of thought and effort into doing that. This is not a final fee. We will sit down with GPD once we get Council approval and comb through the Scope of Work to see if we can’t make sure we are clear on the Scope and the costs associated with that. We can address some of that with them tonight if Council desires. Based on that we are very confident that GPD is the right firm to do this work and we look forward to working with them.

Ms. Dorothy commented that members talked about sustainability during the retreat this past weekend. She wondered if we looked into the sustainability of our buildings and the building materials and at life cycle costs for the buildings. She knows there are many different roofing materials and some of them only last twenty years while others last fifty years and all at different prices points. She asked if we have considered the life cycle costs when looking into design. Mr. Whited replied that the original information was solely an EPDM type of approach. That is not to say that we can’t look at that as we go into design and make that a part of our scope and fee. Certainly we will do that with the most effective balance of sustainability and costs as we do that and also associated with the application of the solar panels on the building.

Ms. Dorothy stated that leads her into also looking at the materials, the life cycle, and at energy usage. If we could look into if it is cost effective to provide any extra insulation then she was wondering why we were looking into solar. She asked if we looked at life
cycle costs. Did we only look at photovoltaic or did we also look at solar hot water. Mr. Whited replied that we have only looked at solar voltaic at this time. When asked by Ms. Dorothy why that was, Mr. Whited replied because that was basically the decision that was made before he got into the process. We just went down that same road and didn’t go outside of that. That is not to say that we can’t consider that as part of their analysis as we move forward.

Ms. Dorothy commented that we are looking at solar photovoltaic just so that we can have it and we didn’t look into any energy savings or any payback or any life cycle costs? Mr. Whited replied that he wouldn’t say that we haven’t done any of that but we do not have any experts on staff to really provide the guidance to do that and that is what we will be looking at the consultant to provide.

Mr. Whited added that there is a multitude of different projects going on at the same time. We have an analysis from Dynamix on the HVAC at the facility that will go hand in hand with this design work. They have already received a copy of this report and will be reviewing that for the energy usage associated with that and the recommendations they made back in 2013. That will be a part of the process.

Ms. Dorothy recommended that we look into life cycle analysis for the design work to make sure that we are spending the public’s money wisely. If we need to pay a little more in material costs that will last an extra twenty/thirty years that shows a payback with life cycle costs. Having a life cycle costs analysis done during the design is fairly standard in many government buildings. Mr. Whited agreed that staff is fully in support of that. He believes they have selected the right firm to look at that because they have the qualifications to do so. He added that it will affect the scope and possibly the fee as well.

Ms. Dorothy asked if we have any idea of what the installation fee is going to be as the fee is a little higher than she expected. Mr. Whited replied that staff has a recommendation from the consultant from the initial report that was $903,000.

Ms. Dorothy added that the life cycle costs is pretty standard and she wouldn’t expect it to change the fee much at all.

Mr. Whited clarified that the $903,000 did not include the solar panels.

Mr. Smith commented that he has a couple of questions regarding the fee structure. He sees the difference between the $33,000 for the solar panel analysis, about $25,000 higher than the next down but includes the full design. He asked for an explanation about what “full design” is versus “evaluation”. Mr. Whited replied that the analysis that the other firms intended to do was to get some feedback from us on what we were looking for and then go out into the industry and see what type of options and financing are available. GPD came in with a more firm idea of how to approach that with some ideas of their own and they can definitely answer that question better than he can.
Steve Williams (Architect and Project Manager with GPD Group) shared that he is joined tonight by Brian Peterson. Mr. Williams explained that they have already begun looking at that fee by gaining a little better understanding of where the scope is. They fully intend to sit down with Mr. Whited and go through the scope and then they can review the fee. He has confidence that they can probably bring that down from where it is currently. They have not really looked at a fifty year life cycle costing because it was not part of the original RFP but it is something they will do. He added that the fee was only for photo voltaic so if members want to look at other systems and compare that is a possibility but he will let Mr. Peterson speak to that.

Mr. Peterson commitment that if there is a cost breakdown analysis over a twenty or thirty or fifty year life cycle that members would like them to do, they would be more than happy to do that. He thinks there is some room in the proposal that they submitted for them to provide those services to the City.

Ms. Dorothy shared that she is aware of programs that can calculate life cycle costs in a relatively short period of time. She reiterated it being a pretty standard practice and something that she would hope to see. Mr. Williams replied that they are not expecting not to do that. Mr. Peterson added that is what they have been doing over the last couple of weeks. After they were awarded the opportunity to work with the City, they began gathering the load data from the community center in an effort to ensure that what they are putting together and the analysis that they are going to provide is accurate based on the demand loads of the community center. They have already begun that process. Mr. Whited interjected that they have done that totally of their own initiative, which he appreciates. They recognize that we would like to get this built as soon as possible. They have kind of forged ahead and gotten some information from us, the Dynamix study, some cost information on the electrical and gas usage of the building as well as architectural plans that we had in our file from previous projects.

Mr. Smith stated that his real question has to do with community solar which involves working with the utility and allowing community members to buy into a public solar project like this. He asked if they have had any experience with community solar. He knows they exist and can work well. It is something he would like to see happen here.

Mr. Peterson explained that it will be part of their study. It is a unique situation in that the City is a public entity and therefore not paying taxes. There are many ways to approach the solar aspects of this job. Do you purchase it outright? Do you enter into a power purchase agreement? There are many ways to approach it so that it is most economical for the city of Worthington. Those are all things that they will look at and present as a deliverable before they recommend at 100% certain the right way to go. They may go through a feasibility study and a life cycle analysis and come out with a recommendation that the demand loads at the community center are just too high to even make this make sense or they could suggest some other methods of saving costs. Such methods like combining heat and power if heat is the big demand load. They will dive into the energy study and do their best to make members happy and do an analysis that is going to come out with the right product.
Mr. Norstrom suggested also looking at it as an emergency center. If the town were to go down in electricity for days or weeks, the recreation center would be a perfect location for an emergency center and it would have its own power through solar. Through solar batteries it could be all day long. Mr. Peterson remarked that batteries are a different game with another level of investment. Mr. Norstrom agreed. Mr. Peterson stressed that the end goal has to be determined so they could focus on the right approach in the beginning. They wouldn’t want to go through what they are thinking of as the needs for the community and the City and then at the end have it as an emergency type shelter for the community where it had sustainable power for 48 hours, night and day.

When asked by Ms. Dorothy if we already had a generator at that location, Mr. Whited confirmed that there is a gas generator at the center. Mr. Norstrom commented that generators require that you add fuel. If the electricity goes down in Worthington and in Columbus, we wouldn’t be able to get fuel. Mr. Whited added that he doesn’t believe the generator is equipped to fully serve an emergency center. We would have to look into that as well.

Mr. Norstrom asked staff to have that discussion because he thinks an emergency center such as this is an important part of the community.

Mr. Peterson shared that just by adding batteries alone, the City will easily double its costs. Mr. Norstrom acknowledged that members understand.

Mr. Smith stated that takes him back to his question. He would like to readdress what he just asked about community solar. He asked Mr. Peterson if he was familiar with that concept. Mr. Peterson replied that he was. Mr. Smith went on to say that he would really like to explore it regardless of the end product assuming that there is some recommendation for something.

When asked by Ms. Michael what his definition of community solar is, Mr. Smith explained that members of the public can purchase a percentage of the solar panel as a buy in of the original price and then work out an agreement with the utility and the City where they receive some of that energy.

When asked by Mr. Peterson who “they” were, Mr. Smith replied that they are the resident.

Ms. Michael asked how the resident receives the credit. Mr. Smith replied that they receive it through the utility.

Mr. Peterson restated Mr. Smith’s idea as looking at the potential of designing a system that generates more energy than is required by the building and then take that delta and give it back to the utility. They will buy “green” credits and turn those into a savings for the community. Mr. Smith agreed except not necessarily that we will create more energy than the recreation center needs. He stated that whatever energy is provided by the solar
is divided among those who put the money in. If it is a kilowatt, for example, then if half of that kilowatt is purchased by the community up front to purchase the solar panels themselves, then those people in the community who purchased that half of a kilowatt receive that energy.

Mr. Norstrom thinks members need to have a conversation because that idea makes no sense in terms of the idea we have had so far is powering the recreation center with solar. Mr. Smith’s idea goes beyond that with actually making that power at the recreation center by solar. Mr. Smith stated that ideally we would power the recreation center and beyond but he is talking about affordability issues.

Ms. Michael commented that these gentlemen have a scope and only 24 hours in a day and they have a limit of $125,000. She thinks members need to provide them direction as to how far out we want them to go with this. Members have talked about looking at our cost savings options across the board, which she thinks everybody would appreciate. We have talked about solar and then how far beyond that we go. She doesn’t know how far their time and money will go.

Ms. Dorothy agreed. She is also skeptical in that it looks like we are providing solar panels just to provide solar panels. She doubts the panels will produce that much energy relative to what the community center uses. She would like to just see the life cycle cost to begin with before we add batteries and go down that path. Mr. Whited agreed with Ms. Dorothy. He added that 2.9 million kilowatt hours are used a year at that location. He thinks it would be nearly impossible to buy that amount of power with these features on that building at this time with just about anything. Mr. Peterson shared that we only have 21,000 square feet to work with minus the vents and such.

Ms. Dorothy thinks that even if it wasn’t life cycle cost effective to add the solar panels for the electricity we might still want to do it to show good stewardship the best that we can. Especially since people on council have been asking for us to be leaders for alternative energy sources. But she also wants to make certain that we are using our money wisely and not just throwing it out the window just so we can have them even though they will cost a lot more money than we will get back in electricity.

Mr. Whited clarified that the scope was to do a roof project. As a part of that we have the ability to add solar to the degree possible. We didn’t look at this as a solar project, which he thinks would be a separate study and a much bigger analysis to find some place to actually do a solar field or some other green application for providing power.

Mr. Foust went back to the comment about 20 versus 30 versus 50 years. He asked how prevalent is 50 year material being scoped versus 20 versus 30. The question intrigues him. Mr. Williams replied that the comment here is to even look at replacement cost that far out because some of these materials are not going to last 50 years. A roofing material that we are looking at will normally last 10 to 12 years depending on the maintenance that goes on for that particular system. The current roof is roughly twenty years old and is well past its usefulness. Part of that life cycle costing would be
replacing that roof yet again during those periods of time if we are going to take it out to fifty years. That is fine, those numbers can be projected, inflated appropriately for the years out and then factored in. It can be a useful tool. It can be done for any equipment that could be part of the project but some of these materials will not last fifty years.

Mr. Foust shared that he was sitting there thinking about the number of companies from 1967 or 50 years ago that still exist in that same form today and who do you pursue for even talking about any kind of follow up or guarantee. Mr. Williams agreed. With advances in technology, even simple technology like a membrane roof will change over time. We can’t possibly predict that but we can make some assumptions and do the calculations that you are talking about. Ms. Dorothy confirmed that as being what she is interested in. Another council will find it helpful it know that in twenty years they will have to spend $5,000,000 to replace the roof.

Mr. Williams added that the current reality is that the roof definitely needs repaired. We can certainly factor the other information in for a future council to at least have some planning tool down the road. The solar items are a bigger picture and an entirely different system that will have to be evaluated separately.

Ms. Michael asked if they understand where members are on this topic. Mr. Williams replied that he thinks so. He acknowledged there being numerous ideas on the table but he thinks they can work through those and hopefully get down to a scope.

Ms. Michael encouraged them to come back if they run into any problems. Mr. Whited thinks it will be relatively clear on how to develop a scope for life cycle costs and for different materials on the roof. Solar options are bit more complicated. If we want to do a solar panel or hot water system for the building we can look at that but going beyond that for community solar is well outside of what they have considered for this project. We were looking at this as a roof project.

Ms. Michael thanked the two for coming this evening.

The clerk called the roll on Ordinance No. 04-2017. The motion carried by the following vote:

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<td>Foust, Troper, Norstrom, Dorothy, Smith, Myers, and Michael</td>
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Ordinance No. 04-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.

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.
Mr. Whited explained that this is a simple but complicated project. We have been working on the northeast gateway project which is a significant intersection improvement project that has many moving pieces and parts. As we were engaging with that last summer, we received a call from the Ohio Rail Development Commission (ORDC) regarding safety improvements that they would like to do at the two tracks at Wilson Bridge Road with both CSX and Norfolk Southern. They have had experiences with false signals related to the Anheuser Busch system and they are looking to make improvements to eliminate and mitigate those false signals. As a part of that they are proposing some improvements with new gates, crossings and infrastructure improvements that would include a concrete median on Wilson Bridge Road to stop traffic from trying to shortcut the crossing when the gates are down and shouldn’t be (false signal). If those gates are down then there should be a train coming. We don’t want traffic trying to shortcut that system and creating a very serious situation.

The ORDC would like CSX and Norfolk Southern to do their project this year, which is too soon for us to engage with it so it will be done in two phases. The first phase is for the railroad companies to eliminate these false crossings and do some infrastructure improvements on Wilson Bridge Road itself. We got involved to make sure that when they do this they will fully meet the guidelines for what we are trying to accomplish with the Northeast Gateway project. The biggest issue with that is related to pedestrian and bicycle traffic. The railway companies do not let you work outside of the roadway easement either so we have to do some design concepts to work within that right-of-way to provide z-gate crossings for pedestrians and appropriate signal and gates for the traveling traffic. As a part of that we are required to work closely with ORDC and the railroad companies. The railroad companies will not just let us design and build it. We will have to present the designs to them for approval and they will add their own little design features. We do have plans that are between 30 and 50% complete. Those plans will need to be approved by the rail companies, who will charge the municipality for the review of those plans. The total for the two companies is approximately $44,000. They will not do any of that review until we have this approved by City Council, the Professional Engineering Agreements signed by the City Manager, and given to them.

Ms. Michael questions whether the new gates will allow for a quiet zone going through there, at least in the evening hours as we have many residents who have asked about that. Mr. Whited reported being aware of the quiet zone topic. He has a file on his desk that goes back many years that he has looked at and talked with Pam, Matt and Robyn about. The answer is no, this work will not accomplish the quiet zone but it is a step to get there. Those concrete islands that we will be placing in the median are part of the requirements of the quiet zone.

Ms. Michael asked if while we are doing the evaluation and have a focus on this, we can find out what else it will take to get a quiet zone and what that would cost. Mr. Whited replied that we can find out the cost. When asked by Ms. Michael if there is any way to get any outside funding to pay for some of it, Mr. Whited replied that staff will investigate
that as well. He has actually contacted EMH&T our consultant to assist with that as they have a very highly qualified rail department.

Mr. Norstrom pointed out that council tried this awhile back and the figure back then was $1,000,000. Ms. Michael reported there being a funding source that was taken away. Mr. Norstrom agreed that the funding source was going to be highway funds and it fell through. Ms. Michael would like for staff to at least look at it because this is an issue that impacts many of our residents.

Mr. Whited shared that he jumped to the negative and he didn’t intend to do that. The positive is that it allows us to further investigate the opportunity to do that and find out what it will take with infrastructure, costs, etc.

Mr. Greeson commented that one of the big issues back when this was researched was the medians, the technologies that the railroads had, and none of that was in place. One of the aspects of this is finding out if they have plans to upgrade their infrastructure.

Mr. Troper asked how we know that the review cost estimates are reasonable. Mr. Whited replied that they looked at these initial plans and determined what they think it will take to review them. Hopefully it will be less and we will get money back. It is unlikely to be more than that.

The clerk called the roll on Ordinance No. 05-2017. The motion carried by the following vote:

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

   No 0

Ordinance No. 05-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.

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.

Mr. Hurley reported that the 2017 CIP included $120,000 for Perry Park Field 3 improvements. This is the last of the three Perry ball diamonds to be renovated. Improvements include the replacement of backstops and fencing, diamond work such as regrading and drainage work, concrete work for the fencing and around the dugouts, and the addition of bleacher pads. There will also be some light repairs and the completion of the dugout roofs on all three ball fields. We will be working these projects around the very busy baseball schedule so this work is scheduled to begin around July 1st.

Mr. Myers appreciates the drainage improvements as he has been there when mud made it impossible to use the dugouts. He added that roofs on dugouts are awesome.
The clerk called the roll on Ordinance No. 06-2017. The motion carried by the following vote:

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

No   0

Ordinance No. 06-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.

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

Mr. Greeson reported this being the appropriations of funds in two areas: one of our firefighters serves on the Ohio Rescue Team and was deployed during hurricane Matthew. We now have an opportunity to be reimbursed for some of his time. That is for $8,934.79 that would go into the FEMA fund. Additionally, state law was changed last year that requires every appointed police officer to comply with a number of annual continuing education requirements. In the course of the legislation, there was some funding allocated and there is $7,480.00 that we can receive to help us cover the cost of those additional training requirements.

The clerk called the roll on Ordinance No. 07-2017. The motion carried by the following vote:

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

No   0

Ordinance No. 07-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.

NEW LEGISLATION TO BE INTRODUCED

Ordinance No. 08-2017  Approving the Subdivision Without Plat of Property at 128 Highland Avenue and Authorizing a Variance (John Hitzemann)

Introduced by Mr. Troper.

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

*Mr. Greeson shared that the House Ways and Means Committee will be discussing the issue of centralize collection of municipal net profits tomorrow. The Central Ohio Mayors and Managers Association adopted a position on Friday against the Governor’s proposal and there will potentially be members testifying tomorrow.*

*Ms. Dorothy thinks Council members received a memo about that issue. She asked if it is correct that we would pay a lot more for the state to collect our taxes than what we currently pay. Mr. Greeson replied yes, on the net profits tax. They are proposing that the Department of Taxation collection rate that they charge us be set at 1.0%. The RITA collects our net profits tax at 0.21%.*

*Ms. Michael further explained the proposal. She added that it will cost the City an extra $25,000 a year and payable to the State of Ohio. Some of the other issues that have been raised is whether legally the state can do this because we have the authority to be able to tax for municipal purposes. To have the state doing the collection of our income tax may be beyond what is permissible in a legal sense.*

*Mr. Greeson added that there is a myriad of other meritorious arguments against it. He will send out some of the analysis that staff has seen from OML, from RITA, and from other communities like Dublin who have presented information. They include things like the ability to get information, capability of auditing, and frequency of disbursements for cash flow reasons. The current proposal does not remit the interest earnings on the amounts received back to the City and the list goes on.*

*Mr. Norstrom commented that based on our recent conversation, is there anything that the individual members of council should do. Mr. Greeson replied not at this juncture. He added that he has been a part of helping to draft testimony for COMMA that will be delivered tomorrow. He doesn’t think that we have a representative on the House Ways and Means Committee but Representative Duffey is on the House Finance Committee and we should all make him aware of our opposition to this.*

*Ms. Michael encouraged Council members to reach out to any member of the Ways and Means Committee that they may know.*

REPORTS OF COUNCIL MEMBERS

*Mr. Norstrom reported that today on WOSU there is an afternoon program called Here & Now and there was an interview titled the Death of Suburbia. They talked about how suburbs are dramatically changing in the millennial generation. It talked about things like members talked about this weekend about storefronts and malls going into problems.*

*Mr. Myers shared that last week city staff and he met, pursuant to the schedule they had devised, with Old Worthington Association, Worthington Partnership, Worthington Historical Society, and Sustainable Worthington concerning the solar issue. He was*
thrilled with the tenor and tone of the discussion. We were not asking for consensus but we just wanted to hear. He thinks members will hear most of the same comments they heard during the discussion on the 20th. It wasn’t the conversation that he expected it would be. It was very fruitful and he thinks they will ultimately come up with a resolution that everybody can live with.

Mr. Troper commented that the WIFA Board met last week. Since we sent a delegation last year, Sayama will be sending a contingency to Worthington this year. They will be looking for host families.

Ms. Michael thanked Council members and staff for the wonderful retreat.

EXECUTIVE SESSION

ADJOURNMENT

MOTION

Mr. Myers made a motion to adjourn at the meeting at 8:17 p.m. The motion was seconded by Ms. Dorothy.

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned.

Clerk of Council

APPROVED by the City Council, this 20th day of March, 2017.

Council President
Meeting Minutes

Monday, March 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, March 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, Scott Myers, David Norstrom, Douglas K. Smith, Michael C. Troper and Bonnie D. Michael

Member(s) Absent: Douglas Foust

Also present: Temporary Clerk of Council Tanya Maria Word, City Manager Matthew Greeson, 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, Director of Parks and Recreation Darren Hurley, Chief of Fire Scott Highley and Chief of Police Jerry Strait.

There were 8 visitors present.

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

SPECIAL PRESENTATION

Ohio Parks and Recreation Association Award – Storytime in the Park

1. Mr. Hurley gave an overview of the award and process.
   - The Parks and Recreation Department received an award for their Storytime in the Park program at the annual Ohio Parks and Recreation Association (OPRA) Conference in February.
   - 131 programs and projects submitted across the state.
   - 18 agencies received awards with nine first place winners from the various categories.
   - Worthington received a first place award in the programs category and was selected as one of three finalists for the prestigious Governor’s Award, given to the best overall program or project.
   - Storytime in the Park was held over the summer in 2016 in partnership with Worthington Libraries to celebrate National Parks and Recreation Month and the Summer Reading Program.
2. OPRA put together a video that was played at the awards presentation for each of the 3 Governor’s Award Finalists which will give you an overview of the program. The video was shown during council meeting.

3. Mr. Hurley introduced Melissa Hindman, Marketing/Outreach Supervisor; Julie Sergent, Marketing/Outreach Coordinator; and Susie Blanton, Communications Specialist. Also joining us tonight is a key partner in the program, Lisa Fuller with Worthington Libraries. Before I turn it over to Melissa, I want to brag about my staff a little bit. The work done by Melissa and Julie in leading our special events and marketing efforts has been very impactful for the community. Our concert series has been completely revamped under their leadership, the tree lighting event has been taken to a new level, we’ve added wonderful new community events like Summer in the 614 and Touch a Truck with the newest one coming this spring in our first Bike Rodeo in partnership with AAA, they’ve improved our long-standing existing events like the Halloween and Holiday parties, conducted our first outdoor movie, and much more. On the marketing side, and this is especially where Susie comes in, the improvements to our brochure, our presence on social media and the website, and various other creative aspects is just unbelievable. Susie Blanton has done just exceptional work for our department and she does it on a part-time basis which is a real credit to her and to this team. Since reorganizing our Department and putting more of a focus on marketing and outreach, Community Center revenues have increased each of the past 6 years after 3 straight years of decreasing prior to the reorganization. Without further carrying on, I’m going to turn this over the Melissa for an overview of the Storytime in the Park program.

4. Melissa will speak for a few minutes about the program and how it came together.

Ms. Hindman shared in celebration of National Parks and Recreation month and in partnership with the Worthington Libraries, Storytime in the Park was developed to provide our community an opportunity to enjoy leisure and literature activities in an outdoor setting. This free program series partnered with local businesses, who provided celebrity readers each week. Adults and children of all ages enjoyed stories about safety, nature, sports and nutrition. Participants visited local parks and spent quality time with their families unplugged and connected to nature.

With the help of partners like the Police and Fire Departments, Columbus Metro Parks, The Columbus Blue Jackets and Columbus Crew, Fresh Thyme Markets and the Worthington Farmers Market, we were able to offer a variety of new experiences and activities. Holding a snake, trying new fruits and vegetables, visiting with Stinger from the Bluejackets and getting to ask questions like “what do fireman eat for dinner” were a few of the highlights. The Columbus Crew even provided free tickets to families, which gave them another opportunity to make memories together.
The program would not have been possible without the help of all of our community partners, especially the Worthington Libraries. By joining their Camp Read S’more program, we were able to serve a broader audience and expand our marketing capabilities through sharing social media posts and platforms. Most importantly, we were able to bring generations together through stories and nature.

In the words of Dr. Seuss – You’re never too old, too wacky, too wild, to pick up a book and read with a child. Because of the Storytime in the Park program, we hope our community now considers sitting under one of our majestic trees in one of our beautiful parks and enjoying a book with a loved one.

5. Welcome Lisa Fuller and thank her for partnering with us on this program and in various other endeavors. We know we have a great library system in Worthington, and the fact that they are great partners with us on a variety of programs and projects shows their commitment to our residents and Worthington in general. Lisa will speak on behalf of the Library and their involvement in this program.

Ms. Fuller commented I am the Director of Community Engagement at Worthington Libraries, it’s amazing and I think we all know how lucky we are here in Worthington and I am continually reminded that when we approach any of our community partners (the schools, Parks and Recreation Department) and ask how we can work together if we have an idea it usually comes to fruition because everybody is willing to help and so this was an example; I approached Darren and Missy and said you know we’ve got this great summer reading characters, they were named by a group of fourth graders here in Worthington and the characters are Asparagus the Fox, Winston the Owl, and Ricky the Raccoon; and I asked can I hide them in different local parks and see if people will find them and if that become part of our reading program because we want to get kids to have experiences as well as enjoy books with their family; we want to get them out in their community and get them to see new things and get them to try new things and visit their parks and so they said “yes, let’s do it!”

I went out and hid the first one at Whitney Park on the first Wednesday we decided to do it and then went back to the library and crossed my fingers that people went out and looked for them and they did! By time I get back to my office, there were at least five posts to facebook with people who had found the character and then it just continued on all summer, so it was just a fantastic program and we were really happy to be a part of it. We’re already hatching a plan here this evening on how we can put something together for this summer.

Ms. Michael asked what day and times were these activities held. Ms. Fuller replied we did it every Wednesday starting in July; I went out first thing in the morning before I went to work, so around 7:30 a.m. I hid the characters and then people found them all
day long and they took them down the next day and then we waited for another week to do another one.

Ms. Michael asked when they did the actual story reading and all of that. Ms. Hindman replied we actually did our stories in the morning probably around 10:00 a.m., we find that some of the younger kids nap in the early afternoon hours, so morning time is a great time for some of the kids that are home with Mom and Dad or one of the other; we had a great turn out, we started out with about 25 and by the last session we had close to 100 people, each week we kept growing bigger and bigger. Ms. Fuller commented the character finds were great, it wasn’t just families, we had couples that were coming out to find them, we had single people that were coming out, everyone seemed to enjoy the scavenger hunt aspect of it; it was really great!

Mr. Hurley thanked Council for their support.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 06-2017 Amending Resolution No. 58-2016 to Adjust Pay Range 8T, Step B for the Student Intern Position.

Introduced by Councilmember Norstrom

MOTION Councilmember Smith made a motion to adopt Resolution No. 06-2017. The motion was seconded by Councilmember Myers.

Mr. Greeson explained as part of the budget, last year we budgeted for a summer intern, we’re targeting hiring a graduate student to assist both the City Manager’s office and some of the Program and Policy areas like we have in the past, but also help out Mrs. Brown in our continuing priority of working on increased communications. As we researched the market and talked to some of the graduate programs, we found that the rate that we needed to set was a little bit higher than we anticipated, so we needed a change in the classified pay resolution to accommodate that. I believe and Mrs. Stewart can correct me if I’m wrong, we’ve adjusted the time schedule of the intern so that we can then accommodate the pay-rate within the existing budget. Mrs. Stewart replied correct, so the budgeted amount is not changing, it’s the pay-rate that is changing with this Resolution.

The motion carried unanimously.

There being no additional comments, the motion to adopt Resolution No. 06-2017 carried unanimously by a voice vote.
REPORTS OF CITY OFFICIALS

Information Item(s)

Financial Report

Mrs. Roberts presented the following:

Year to date fund balances for all funds increased from $23,225,624 on January 1, 2017 to $26,036,049 as of February 28, 2017, with year to date revenues exceeding expenditures for all funds by $2,810,425.

- Fund balances for all funds increased from $25,164,261 as of February 1, 2017 to $26,036,049 as of February 28, 2017, with revenues exceeding expenditures by $871,788.

- Year to date revenues for all funds are above 2016 revenues by $1,106,093 (excluding bond proceeds) and above estimates by $254,490 or 4.46%. Total revenues include $3,960,000 in bond issuance proceeds received in January 2017.

- Expenditures for all funds tracked at 92.7% of anticipated expenditure levels for the month of February.

- The General Fund balance increased from $11,628,193 as of January 1, 2017 to $11,790,871 as of February 28, 2017, with revenues exceeding expenditures by $162,677.

- For the month of February, the General Fund balance increased from $11,146,749 on February 1, 2017 to $11,790,871 as of February 28, 2017, with revenues exceeding expenditures by $644,122.

- General Fund revenues are above 2016 revenues by $915,427 and above estimates by $931,556 or 25.71%.

- General Fund Expenditures tracked at 88.04% of anticipated expenditure levels for the month of February 2017.

Ms. Dorothy commented you have the Net Profit Accounts for the month of February equating to 7.71% of collections, asked is that consistent throughout the whole year or does that vary. Mrs. Roberts replied it fluctuates. Ms. Dorothy asked significantly. Mrs. Roberts commented I don’t know right off the top of my head, but I would say net-profit accounts never trend above 15%.

Ms. Dorothy commented you shared we’re up for this month, but you expect March to be significantly down. Mrs. Roberts replied I expect March to be relatively flattened, certainly not an increase like January and February have been.
MOTION

Councilmember Dorothy made a motion to accept the February 2017 Monthly Financial Report as presented this evening. The motion was seconded by Councilmember Troper.

The motion carried unanimously by a voice vote.

Update on Sanitary Sewer Program

Mr. Whited and Mr. Tennant presented the following PowerPoint presentation:

Worthington Utilities “Fast Facts”
Sanitary Sewer Rehabilitation, and OEPA Compliance Update
March 2017
City Council
Meeting Minutes
March 13, 2017

Service & Engineering Staff Represented

- Dan Whited, Director
- Steve Tennant, Superintendent
- Robb Wetmore, GIS Manager

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Service & Engineering

Provides high level of services to the residents of Worthington

- Installation, maintenance, repair of City owned utilities & infrastructure,
- Snow and ice control, leaf collection, street cleaning and maintenance, sanitary sewer, drinking water, and storm drainage services, traffic control, & grounds maintenance,
- Administers Street Improvement Program,
- Maintains record drawings of plats, streets, utilities and City buildings,
- Engineering support for all departments,
- Assists with community events,
- Manages the solid waste collection services,
- Keeps the City rolling by maintaining all City vehicles and equipment,
- Maintains all City buildings
- Geospatial data & attributes on all City infrastructure
Worthington Utilities
Sanitary Sewer Fast Facts

- Sewer Utility Background
- Sewer Regulatory Requirements
- Sanitary Sewer Studies & Projects
- “Other Sewer Stuff”
- Q&A
Sewer Utility Background

Our Sanitary Sewer System

- Service & Engineering maintains > ninety miles of gravity sanitary sewer
- First sewers were installed in the 1920’s
- No designed “combined” sewers in Worthington
- All sewerage is treated by the City of Columbus per agreement
- There are 89 homes still on private HSTS
- No publicly owned or maintained lift stations
- Eight sewer districts (based on topography)

Sewer Maintenance

Maintenance Goals:

- Clean and video every sewer once every 8 years
- Log all video with our Pipeline Assessment Certification Program (PACP)
- Respond to every complaint or report of water in basement (WIB)
- Clean sewers with heavy fats, oils and grease (FOG) quarterly
- Treat all sewers that have been identified with heavy root intrusion biannually
- Repair sewers we can fix in house with our Spot Lining System
- Repair broken lines as identified
- Maintain GIS database
Regulatory Requirements

• 2005 OEPA issued Director’s Final Findings and Orders (DFFO’s) to the City of Columbus

• City of Columbus contended that satellite communities contribute to sanitary sewer overflows and capacity issues

• OEPA issued “DFFO’s” in 2008 to “satellite communities” that contribute to the City of Columbus

Directors Final Findings and Orders (DFFO)

DFFO Requirements

• Sewer System Evaluation Study (SSES) of all sanitary sewers owned by the City of Worthington within 15 years

• Identify, report and mitigate all Sanitary Sewer Overflows (SSO)

• Develop a Capacity, Management and Operation Maintenance program (CMOM)
The City was divided into four study areas, each with two sewer districts for SSES review.

Sewer Study Benefits

Provide Flow & Response Data

Help Identify Problems
Provide cost estimates for repairs needed

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<td>Construction Contingency (10%)</td>
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<td>Opinion of Probable Project Cost</td>
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Ensures that the sewer system is designed and operating per the 10 state standards

Southeast Sewer Shed

Districts 4 and 6
average year built 1946
Bonnie asked how much did all of this cost. Mr. Tennant replied I don't know right off the top of my head, if you want to ask me about this year, I can give you some answers about this year; I'm not really sure, but with the Siphon, I'm thinking we were up near $500,000 if I remember correctly. The lining is a little cheaper you can usually line an 8 inch pipe for about $34.00 per foot and then there are some additional charges to that, so
once they insert that liner and pull that liner through and inflate it, now they have to go back in and cut the services because that closes off the services. As long as it’s just line it and go back and reinstate the services, those services are usually anywhere from $125 to $175.00 depends on who gets the contract and how much we’re doing and all that stuff. Ms. Michael so we’re talking about approaching $1 million between the two, give or take. Mr. Tennant replied yes for that part of it, and we’re still working in the southeast sewer shed.

Ms. Dorothy asked how long will the lining last. Mr. Whited replied the life cycle tends to be about 30 years.

**Southeast Sewer Study Update**

**Ongoing Projects**

- **2016** - began easement discussions, Northbrook Phase II sewer replacement
- **2017** - replace sewer in Northbrook Phase II (Northbrook Dr. to High St)
- **2018** - design/replace Kenyonbrook Sewer (High St to New England Ave. E.)
- **2018** - Hardy Way; install sewer into r.o.w., remove sewer from under homes
Southeast Sewer Study Update

Trunk Sewer Replacement

Central Sewer Study Update

Study began in 2015
Districts 3 and 5
Average year built 1959
Central Sewer Study Update

Study completed in 2016

Identified Repair/Replacements

- 2016 - South St W. sewer repair / Completed
- 2016 - Recommended sewers to be lined is in process
- 2017 - Hartford/North St. manholes need realignment (Design)
- 2017 - Design and replace sewer on North St. E. from Hartford to Ridgedale
- 2017 - Design/replace sewer on Morning St from Wilson Dr. to Morning St Alley
- 2017 - In house spot repairs identified in study to eliminate infiltration
Mr. Whited asked Mr. Tennant what are the abbreviations in the lower right hand corner. Mr. Tennant explained that these abbreviations are PACP Codes: IR – Infiltration Runner, IW – Infiltration Weeper, there are different codes for how water seeps in. A runner would be water squirting, a weeper would be water dripping. A “G” would be
water gushing. What is really nice about these codes is that I can go out in the camera truck and video tape a line and I can send Andrew directly out after me and do the same line and we will code it the same because it’s a standard set up so that the lines have a standard common language. B means broken, BSV – Broken Soil Visible, H- Hold and X-really bad.
Mr. Whited indicated the green lines are storm sewers and the red lines are sanitary sewers.
# 2017 Projects

### 2017-2021 Capital Improvement Program - Projects

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Total: $1,670,000
March 20, 2017
Council Meeting

WATER UTILITIES IN THE CITY OF WORTHINGTON

COMING SOON!
Ms. Word shared with Council there are two seats still available for the MORPC State of the Region luncheon; the luncheon is Thursday, April 20, 2017 11:00 A.M. – 1:00 P.M. at the Greater Columbus Convention Center. If you are interested in attending please let me know by tomorrow.

Mr. Greeson stated I placed at your places a letter from the Old Worthington Partnership; this is something that we anticipated and you may remember I sent you an informational memo on “Designated Outdoor Refreshment Area” (DORA); this is a formal request from the Partnership for a DORA in Old Worthington; we just received it this afternoon and I expect that we will review the boundaries they are suggesting and we’ll probably map the active liquor permits in the area because one of the things they wanted to do was tie the hours to the existing establishment hours and we’ll need to look at those permits and see what those hours are. Mr. Norstrom commented it’s to the hours of the restaurant or bar not the hours of their permit. Mr. Myers replied yes the operation hours, so if they’re open until 11:00 P.M., but they have a 2:00 A.M. permit, it would be at 11:00 P.M.

Ms. Michael commented my question is they are asking for something by May and I think we would want to have this addressed sooner rather than later so that the businesses can plan for their future. Mr. Greeson replied I think we’ll try to go over it and we’ll talk to you about the process you want to follow for this next week; we won’t introduce
legislation for this next week, but we can have a conversation about here’s the process by which we might consider it.

REPORTS OF COUNCIL MEMBERS

COUNCILMEMBER RACHAEL DOROTHY – shared tomorrow and Wednesday are the actual nights for the Worthington Schools Planning Process will host Open Houses for the whole community tomorrow at Thomas Worthington from 6:30 P.M. – 8:30 P.M. and on Wednesday at Kilbourne High School from 6:30 P.M. – 8:30 P.M. This one is important because they’re going to roll out four different scenarios that keep boundaries or change boundaries, it’s pretty significant renovation and replacement costs for buildings; and they will explain why they chose scenarios and there will be an opportunity for public input; it will also be online if you can’t make it to the sessions.

COUNCILMEMBER BONNIE MICHAEL – I would like to share a concern that I have and that is an email I received from the Ohio Municipal League today that they are taking testimony later this week regarding the central collection and I’m wondering does Worthington Council feel that it’s important for Worthington to weigh in at least in written testimony regarding our opposition to having the state take over the central collection of our income tax; we need to have some sort of consensus because it’s either Tuesday and Wednesday or Wednesday and Thursday of this week that they’re going to be doing this; and they had some testimony last week and I just wanted to ask Council what your thoughts were and our participation. Mr. Greeson has put together some information for COMMA, so it would not be that hard, and Mrs. Roberts has put together fantastic details showing the impact to the City of Worthington and why it would not be good.

Mr. Myers asked is the testimony set for this week. Ms. Michael replied yes. Mr. Myers asked is this proponent or opponent testimony. Mr. Greeson replied the Ways and Means took both, so this is a different committee. Ms. Michael read the email she received “we are sending this email to notify our members that tomorrow and Wednesday if necessary and possibly Thursday if needed, the Finance Sub-Committee on state government will be hearing testimony for the Department of Taxation on tax changes proposed by the administration; if you would like to be in attendance or testify please let us know.” So from that I’m assuming it’s going to be both. Mr. Myers asked do we know if there is any opponent testimony that’s going to be offered. Is the municipal league sending someone. Mr. Greeson replied yes they are. It looks like this email was to rally additional municipal interest.

Ms. Michael commented that COMMA will probably send something, I don’t know if they are going to be able to find a person or not….they were there at the Ways and Means committee, Ike Stage was there for something like 8 hours waiting to testify. Mr. Myers commented to my understanding you talked with Mr. Duffey. Ms. Michael replied yes I did and he very strongly said that we should be getting our word out and our position not only to these committees, but to the entire Ohio Legislature. Mr. Myers asked have we set
anything up with Senator Kunzie. Ms. Michael replied I have already met with Senator Kunzie and she is in our corner.

Mr. Myers asked do they accept written testimony. Ms. Michael replied yes. Mr. Greeson commented I wrote a testimony for COMMA, so putting something together for Council would not be a lot of effort.

Mr. Myers stated I’m prepared to resolve that the City of Worthington express our opposition to the legislation that is currently proposed; and we authorize the President of Council to take any and all action she deems necessary to implement our wishes.

MOTION Councilmember Myers made a motion to resolve that the City of Worthington express our opposition to the legislation that is currently proposed; and we authorize the President of Council to take any and all action she deems necessary to implement our wishes. The motion was seconded by Councilmember Norstrom.

The motion carried unanimously by a voice vote.

COUNCILMEMBER DOUG SMITH – stated that the CIC met last Friday, there is nothing I can report at this point, but things are pretty exciting in that group, so stay tuned for coming attractions from that group. Secondly, the BWC as of today Governor Kasich announced a 66% rebate for all employers in the state of Ohio paying into BWC; so for the premium, Mrs. Roberts just sent me a note indicating roughly accurately we pay about $300,000 in premiums, 66% of that comes back.

EXECUTIVE SESSION

MOTION Councilmember Norstrom made a motion to meet in Executive Session to discuss Land Acquisition. The motion was seconded by Councilmember Smith.

The motion carried by the following voice vote:

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

Council recessed at 8:47 P.M. from the Regular meeting session.

MOTION Councilmember Troper made a motion to return to open session at 9:22 P.M. The motion was seconded by Councilmember Myers.

The motion carried unanimously by a voice vote.
Ordinance No. 09-2017
Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the General Fund Unappropriated Balance for Transfer to the Worthington Community Improvement Corporation for the Purpose of Real Estate Acquisition.

Introduced by Councilmember Norstrom.

ADJOURNMENT

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

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 9:23 P.M.

___________________________________
Temporary Clerk of Council

APPROVED by the City Council, this 20th day of March, 2017.

___________________________________
Council President
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 ________________ Introduced March 6, 2017

Clerk of Council P.H. March 20, 2017
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.
City of Worthington

SWOP
(SUBDIVISION WITHOUT PLAT)
APPLICATION

A. General Information

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

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 __________ 2. Area of each 39,879 sq. ft.

C. Proposed

1. Number of lots __________ 2. Area of each a) 18,900 sq. ft. b) 20,979 sq. ft.

3. Dimensions 100'x189' /111'x189'

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.

[Signatures]

Applicant (Signature)
01/25/2017

Property Owner (Signature)
01/25/2017

CLERK OF COMMISSION

APPROVED
WORTHINGTON MUNICIPAL PLANNING COMMISSION
DATE 2/27/17
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<td>Cheryl Dickson</td>
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<td>Ritchie Harris</td>
<td>123 Highland Ave.</td>
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<td>Christopher &amp; Meredith Kephart</td>
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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.
**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

---

**GRAPHIC SCALE**

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.

---

**CLERK OF COMMISSION**

PROPOSED SPILL LINE

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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.

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**ADDITIONAL INFORMATION**

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**NOTES**

- APPROVED WORTHINGTON MUNICIPAL PLANNING COMMISSION
- DATE: 2/9/17
- DRAWING NO: 01-11

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422 Beecher Road
Columbus, Ohio 43220
PH: 614.488.7700
Fax: 614.488.7701
www.advancedcivil.com

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**LOCATION SURVEY**

**PROFESSIONAL SURVEYOR**

**DATE:** 1-27-17
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.
ORDINANCE NO. 09-2017
(As Amended)

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the General Fund Unappropriated Balance for Transfer to the Worthington Community Improvement Corporation for the Purpose of Real Estate Acquisition and Declaring an Emergency.

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; and,

WHEREAS, Council proposes to transfer funds to the Worthington Community Improvement Corporation for immediate use in negotiating potential real estate acquisitions that may become available on short notice.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio, six-sevenths of the members elected thereto herein concurring:

SECTION 1. That there be and hereby is appropriated from the General Fund Unappropriated Balance to Account No. 101.1110.560983 an amount not to exceed ______________________ ($_____________) to be transferred to the Worthington Community Improvement Corporation for the purpose of purchasing, receiving, managing, holding, leasing or otherwise acquiring potential real estate parcels pursuant to and in accordance with the authority granted to the CIC in the Economic Development Agency Agreement between the City and the CIC.

SECTION 2. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public health, safety and welfare, and 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 ____________________

______________________________ P.H. March 20, 2017
President of Council

Attest: 

______________________________ Clerk of Council

Introduced March 13, 2017

P. H. March 20, 2017

Effective
ORDINANCE NO. 09-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the General Fund Unappropriated Balance for Transfer to the Worthington Community Improvement Corporation for the Purpose of Real Estate Acquisition.

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 General Fund Unappropriated Balance to Account No. 101.1110.560983 an amount not to exceed _____________________ ($_____________) to be transferred to the Worthington Community Improvement Corporation for the purpose of purchasing, receiving, managing, holding, leasing or otherwise acquiring potential real estate parcels pursuant to and in accordance with the authority granted to the CIC in the Economic Development Agency Agreement between the City and the CIC.

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

Passed ___________

____________________________________
President of Council

Attest:

_______________________________
Clerk of Council
RESOLUTION NO. 07-2017

Authorizing the Award of Re-emergent Corridor Assistance Program Funds to Help Improve Facility Exterior Facade and Streetscape Along Certain of the City’s Commercial Corridors (6384 Proprietors Road).

WHEREAS, in May 2014 the City launched its Re-emergent Corridor Assistance Program, or ReCAP, as an exterior façade and streetscape enhancement initiative to induce property owners and tenants to re-invest in their commercial properties in Worthington; and,

WHEREAS, those commercial properties eligible for ReCAP assistance during program year 2017 are located in the commercial corridor comprised by Huntley Road, Proprietors Road, and the connecting portions of Schrock Road and Worthington-Galena Road, respectively; and,

WHEREAS, the City received one application for program assistance from Ohio Beer Co., Ltd. to make exterior improvements to commercial real property the applicant leases at 6384 Proprietors Road, City of Worthington, Franklin County (the “Property”); and,

WHEREAS, as specified in the ReCAP Policy & Procedures, City staff prepared the application materials for review by the Worthington Community Improvement Corporation (“CIC”) at its regular meeting on March 10, 2017; and,

WHEREAS, the CIC Board reviewed the applications and recommended approval; and,

WHEREAS, City Council is desirous of encouraging the exterior renovation and streetscape improvements to be made by Ohio Beer Co., Ltd. as set forth in its applications for ReCAP assistance, which are attached hereto and incorporated herein as EXHIBIT A.

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

SECTION 1. That the Council of the City of Worthington does hereby approve an award up to a maximum of $6,237 in assistance under the Re-emergent Corridor Assistance Program for 6384 Proprietors Road, to Ohio Beer Co., Ltd., for the work described in EXHIBIT A. Said assistance is structured in the form of one-half the amount in grant funds and one-half the amount in loaned funds to encourage investments in, and improvements to, the Property.
RESOLUTION NO. 07-2017

SECTION 2. These awards of ReCAP assistance shall be in accordance with and subject to the requirements set forth in the ReCAP Policy & Procedures, including the use of City funds for only those Eligible Improvement Costs as identified therein.

SECTION 3. The City Manager, the Director of Finance and the Director of Law, and any other City official, as appropriate, are each authorized and directed to sign the necessary documents to evidence the ReCAP assistance approved herein, and are authorized and directed to sign any other documents, instruments or certificates and to take such actions as are necessary or appropriate to consummate or implement the transaction described in or contemplated by this Resolution.

SECTION 4. That the Clerk of Council be instructed to record this Resolution in the appropriate record book.

Adopted ___________________

____________________________________
President of Council

Attest:

____________________________________
Clerk of Council
EXHIBIT A

Re-emergent Corridor Assistance Program (ReCAP)
Application for Assistance (2017)

Those interested in receiving ReCAP financing for exterior improvements must complete this form and submit to the City of Worthington. The City will review the information to determine whether an award of ReCAP assistance is approved for the described project.

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<td><strong>Applicant Name</strong></td>
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<td><strong>Applicant's Mailing Address</strong></td>
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<td><strong>Contact Name &amp; Title</strong></td>
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<tr>
<td><strong>Contact Email</strong></td>
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<td><strong>Contact Phone No.</strong></td>
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| Project Site Address | 6384 Proprietors Rd. Worthington, OH 43085 |
| Is this site: | 
| [ ] Purchased |
| x Leased (lease ends: 7/5/17) |

| Applicant's Federal Identification Number (FEIN) | (attach sheet if additional FEINs) |

| Describe Applicant's Commitment to and Involvement in the Worthington Community |
| The President and Founder was born and raised in Worthington. Moved back to Worthington to raise a family and choose to start a business in Worthington. Ohio Beer Co., although new, is committed to supporting the community through partnering with non-profit organizations, such as the Worthington Food Pantry, to raise donations for good community causes. Ohio craft beer is in high demand for events and we'd love to be a good resource. |

<p>| Attach Copy of Applicant’s Recent Letter of Credit or Loan Commitment from a Banking Institution |
| If the Applicant cannot show recent correspondence from a Banking Institution, Applicant can supply a completed Personal Financial Statement (SBA Form 413). |</p>
<table>
<thead>
<tr>
<th>Property Owner Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Owner Name</strong></td>
</tr>
<tr>
<td><strong>Email</strong></td>
</tr>
<tr>
<td><strong>Phone No.</strong></td>
</tr>
</tbody>
</table>

*If Applicant is NOT the Property Owner, then Property Owner must supply notarized acknowledgement.*

As the owner in fee simple of the real property at the Project Site Address, I hereby acknowledge and approve of the Applicant submitting this request for City of Worthington ReCAP assistance to improve said property.

**PROPERTY OWNER**  
Mathew O. Sauers

STATE OF OHIO  
COUNTY OF Delaware

Before me, a Notary Public, in and for said county, personally appeared the above-named Property Owner who acknowledged the signing hereof to be his/her voluntary act for the purposes therein mentioned.

Signed: Edna A. Prince  
Notary Public, State of Ohio

My Commission expires: 3/17/2022

---

<table>
<thead>
<tr>
<th>Project Site – Current Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Attach additional sheets if necessary)</td>
</tr>
</tbody>
</table>

In the Space Provided, Describe the Project Site’s Current Conditions, including Building & Site Improvement Needs

Current conditions site photo attached.

Attach Current, As-is Photographs of the Project Site
<table>
<thead>
<tr>
<th>Project Scope of Work &amp; Applicant Experience</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Estimated Total Exterior Project Costs</strong></td>
</tr>
<tr>
<td>$43,000 - $12,474</td>
</tr>
<tr>
<td>(Attach additional sheets if necessary)</td>
</tr>
<tr>
<td>See attached architectural renderings.</td>
</tr>
<tr>
<td>In the Space Provided,</td>
</tr>
<tr>
<td>Describe the Exterior Improvement Project's</td>
</tr>
<tr>
<td>Scope of Work</td>
</tr>
<tr>
<td>Managed buildout of warehouse to accommodate</td>
</tr>
<tr>
<td>cold beer storage, climate controlled</td>
</tr>
<tr>
<td>storage, and interior modifications to</td>
</tr>
<tr>
<td>accommodate ongoing operations.</td>
</tr>
<tr>
<td>In the Space Provided,</td>
</tr>
<tr>
<td>Describe the Applicant's Experience in</td>
</tr>
<tr>
<td>Undertaking / Managing Similar Projects</td>
</tr>
<tr>
<td>Attach Renderings, Illustrations and/or</td>
</tr>
<tr>
<td>Drawings for the Exterior Improvement Project</td>
</tr>
</tbody>
</table>
### Project Work Bids

**Attach Three (3) Written Bids for All Exterior Improvement Work to be Performed under the Project**

Applicant must supply at least three (3) written bids for the work to be performed. Applicants must ensure that all bids are based on the same work (example: if Bid 1 is for tuckpointing, window replacement, and flashing, Bids 2 and 3 must also be for the same scope of services).

**NOTE:** Although ReCAP awards are calculated only per the lowest bid, Applicants are free to accept higher bids.

### Contractor Selected & Construction Schedule

<table>
<thead>
<tr>
<th>Contractor Selected</th>
<th>Name: <strong>Sullivan Builders</strong></th>
</tr>
</thead>
</table>
| **Construction Schedule** | Approximate date work to begin: **3/13/17**  
Approximate date work to be completed: **4/14/17**  
In all cases, ReCAP-assisted construction must be completed within 24 months of making application |

### Compliance with City Laws & Regulations

Please verify the following by providing a check mark next to the ones that are true.

- [X] Property taxes are up to date on this property.
- [X] Applicant is in full compliance with City income tax obligations.
- [ ] Property is fully compliant with the City's building & zoning code; There are no known violations.

### Applicant Signature

As an authorized representative of the Applicant, I hereby submit this Application. I understand that this Application, once submitted, in no way constitutes a commitment of funds by the City of Worthington.

I hereby represent and certify that I have reviewed the information contained in this Application, and the foregoing and attached information, to the best of my knowledge and belief, is true, complete and accurately describes the proposed project for which the City’s ReCAP assistance is being sought.

I am aware that Ohio law sets forth criminal penalties for falsification on applications for economic development assistance (see Ohio Revised Code §2921.13(A)(4)).

**Applicant Signature**  
**Printed Name & Title**  
Date: **2/24/17**

Applications are to be submitted to the following:

**City of Worthington, Economic Development**  
6550 North High Street  
Worthington, Ohio 43085
MEMORANDUM

TO: Matt Greeson, City Manager
FROM: David McCorkle, Economic Development Manager
DATE: March 20, 2017
SUBJECT: Award of “ReCAP” Assistance – Ohio Beer Co., Ltd. (6384 Proprietors Road)

This is intended to provide background information concerning the recommendation that City Council approve $6,237 in exterior enhancement assistance under the ReCAP initiative to Ohio Beer Co., Ltd. at 6384 Proprietors Road.

**Recommended Action:**

The CIC met on March 10, 2017 and reviewed the proposed exterior improvements to 6384 Proprietors Road. The CIC Board recommended approval of funding for the project, contingent upon staff’s verification with the City Engineer that the estimated construction costs were consistent with the market. City staff has verified that the project costs are consistent with market rates.

The application submitted by Ohio Beer Co., Ltd. was scored by both City staff and the CIC Board, receiving a final score of 65 points (out of 100 possible; a minimum score of 65 points is required).

Staff recommends that City Council approve $6,237 in ReCAP assistance to Ohio Beer Co., Ltd. for the property located at 6384 Proprietors Road. Funds will be used to make improvements pursuant to the program’s guidelines and procedures.

**ReCAP Initiative:**

The City of Worthington launched a façade improvement grant / revolving loan fund (RLF) in May 2014 to induce private, commercial property owners and tenants to make exterior-focused improvements. Worthington calls this initiative the Re-emergent Corridor Assistance Program (“ReCAP”). In its fourth year, the program is focused on improving properties located along Huntley Road, Proprietors Road, and connecting portions of Schrock Road and Worthington-Galena Road (collectively, the “Corridor”).
The Corridor is comprised of older properties which lag behind comparable properties elsewhere in the Central Ohio region, and many of the Corridor’s properties are marked by declining investment and depressed leasing rates.

Reimbursable grants and no-cost financing are available under ReCAP to fund commercial building exterior enhancements. ReCAP provides half of the total award amount up-front as a loan payment to awardees, with the remaining half being a reimbursable grant that is received upon proof of invoices and payments. This assistance is to partially fund well-designed exteriors that enhance the design integrity of the Corridor and secure participating buildings against further devaluation and disinvestment.

**Proposed Project:**

Application was made by Ohio Beer Co., Ltd. to make improvements to the property at 6384 Proprietors Road. Adam Brankamp is the President of Ohio Beer Co., Ltd. The work proposed by the applicant consists of constructing new masonry to replace the entryway door, new industrial windows, a new wood ribbon along the top of the building, new gooseneck lighting, and new signage.

The proposed timeline is 4-8 weeks. The lowest bid submitted for the work at 6384 Proprietors Road was $12,474.

The Neighborhood Design Center ("NDC") provided design and application assistance for this project. For 2017, NDC is on engagement with the City to provide no-cost (to the applicant) design and planning services to ReCAP projects.
RESOLUTION NO. 08-2017

Amending the Job Description for the Position of Operations Support Manager and Amending the Pay Resolution to Accommodate Said Position.

WHEREAS, City Council wishes to amend the job description for the position of Operations Support Manager; and,

WHEREAS, it is necessary to amend the job description for the position of Operations Support Manager to properly reflect the duties of this position; and,

WHEREAS, City Council wishes to amend Resolution No. 58-2016 to adjust the salary range of the Operations Support Manager position from Range 19 to Range 20;

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

SECTION 1. That the job description for the position of Operations Support Manager (Class Specification No. 239) as per the description attached hereto be and the same is hereby amended.

SECTION 2. That Resolution No. 58-2016 establishing compensation for classified positions in the City be and the same is hereby amended to adjust the salary range for the Operations Support Manager position from Range 19 to Range 20.

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

Adopted_________________

President of Council

Attest:

_____________________________
Clerk of Council
CITY OF WORTHINGTON
POSITION DESCRIPTION

POSITION TITLE: OPERATIONS SUPPORT MANAGER       CLASS: 239

Department: Safety                             Title Originated: 2014
Date: March 20, 2017                        Updated: 2017
Reports To: Support Services Lieutenant
FLSA Status: Exempt

General Statement of Duties

This is a skilled, managerial position overseeing Communications Technicians and Records Bureau Personnel. Work is performed under the general supervision of the Support Services Lieutenant. The Operations Support Manager must be able to ensure adequate staffing of all shifts for proper operations. This position ensures compliance with all applicable laws, and federal, state, and local rules and regulations regarding public records releases, emergency communications and the release of criminal history information.

The Operations Support Manager schedules trains, monitors, and evaluates the work of civilian employees in a variety of dispatching, records administration, property/evidence management and customer service activities.

Essential Functions of the Position:

Oversee the operations, maintenance and upkeep of the Communications and Records Room, and the equipment associated with the operations of these areas.

Schedule, assign, and evaluate the work of records personnel and Communications Technicians.
Monitor in-service and other training for personnel. Reviews schedules and time records for payroll purposes and tracks overtime. In consultation with the Support Services Lieutenant, recommend discipline or other corrective action when needed.

Attend Division meetings for the purpose of communicating to employees any updates to standard operating procedures, providing on the job training related to equipment or procedures, discussing issues or problems recently observed in records, communications, and advising of upcoming events or changes.
Direct the creation, evaluation, and updates to Division standard operating procedures (SOP) and other policies and procedures.

Oversee Franklin County Alerts (emergency telephone notification system), and other systems.

Provide administrative direction and serve as a liaison to Division of Police and Division of Fire on various communications issues, including training.
Act as TAC (terminal agency coordinator) per LEADS requirements.

Oversee the bi-annual training and testing of police personnel for Mobile Data Terminal certification.

Oversee and coordinate GIS related issues such as entry of geographical and address additions, deletions, and corrections or updates needed for CAD. Oversee CAD database changes (i.e. codes, districts, etc) and ensure any change is clearly communicated to division personnel along with changes that occur as a result of new system software releases or updates.

Oversee the monitoring of all emergency radio frequencies (Police, Fire, and EMS) various city duress alarms, city video cameras system, and the access control system (S2).

Assist in the preparation of the annual budget for the records and communications, tracks related expenditures. Make purchase requisitions recommendations and order supplies as needed, review all monthly equipment invoices.

Prepare for submission and maintain records for monthly, quarterly and annual reports.

Attend professional communications related meetings such as PSAP/9-1-1 county meetings, LEADS TAC training, 800 MHz radio meetings, local interoperability meetings, and various related meetings.

Develop and oversee employee training program including training manual updates and participation in AED, First Aid, EMD and EFD processes. Propose scheduling for other various outside training seminars for communications and records personnel.

Make recordings as requested of telephone and radio transmissions utilizing the division recording equipment.
Ensure compliance with federal, state and local standards regarding Public Records laws and record retention policies.

Assists with the use of specialized software systems within the Division and may serve as a resource on these systems for division personnel.

Review and audit records bureau for process efficiency, quality control and customer service quality.

Regular and predictable attendance.

Additional duties as may be assigned.

**Knowledge, Skills and Abilities:**

Operational understanding of CAD/RMS Systems workflow. Experience with the practices, methods and techniques of emergency 911 procedures and equipment; Experience with and ability to operate emergency communications equipment.

Strong working knowledge of computers, software systems and technology.

Ability to train, organize, schedule, assign, evaluate and counsel subordinate personnel.

Ability to work varied hours, including evenings and weekend.

Ability to establish and maintain effective working relationships with other employees and the general public.

Ability to communicate effectively, both orally and in writing, including clear radio communications.

Ability to function under stressful conditions.

Knowledge of state, federal, and local rules and regulations regarding emergency communications and release of criminal history information.

Knowledge of records management and retention.
**Minimum Requirements of the Position:**

Graduation from high school (Associates Degree preferred) and three years of progressively responsible experience in emergency communications work, two of which must include supervisory experience; or any equivalent combination of education, training and experience which provides the required knowledge, skills and abilities.

Additional requirements include obtaining and maintaining within six months of hire - MD certification, certification from the State of Ohio to operate the criminal computer system and the LEADS computer system, and Ohio Notary Public Certificate.

The characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

This job description does not list all of the duties or functions of the job. The individual in this position may be asked by supervisors to perform other duties. The City has the right to revise this job description at any time.

Adopted by Resolution 08-2017, Effective
ORDINANCE NO. 10-2017

An Ordinance to Revise the Codified Ordinances by Adopting Current Replacement Pages.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and,

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and,

WHEREAS, the Walter H. Drane Company has prepared a supplement to the Codified Ordinances containing such adopted and new and material.

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

SECTION 1. That the ordinances of the City of Worthington, Ohio, of a general and permanent nature, as recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2016 Replacement Pages to the Codified Ordinances are hereby affirmed.

SECTION 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

301.04 Bicycle; Motorized Bicycle; Moped. (Amended)
301.19 Motorcycle. (Amended)
331.21 Right of Way of Public Safety or Coroner’s Vehicle. (Amended)
331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Added)
335.021 Ohio Driver’s License Required for In State Residents. (Added)
335.09 Display of License Plates. (Amended)
335.111 Registration Within Thirty Days of Residency. (Added)
335.12 Stopping After Accident Upon Streets. (Amended)
335.13 Stopping After Accident Upon Property Other Than Street. (Amended)

General Offenses Code

501.06 Limitation of Criminal Prosecution. (Amended)
505.071 Cruelty to Companion Animals. (Amended)
513.02 Gift of Marihuana. (Amended)
513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
513.04 Possessing Drug Abuse Instruments. (Amended)
513.05 Permitting Drug Abuse. (Amended)
513.07 Possessing or Using Harmful Ingredients. (Amended)
513.08 Illegally Dispensing Drug Samples. (Amended)
513.11 Possessing Nitrous Oxide in Motor Vehicle. (Amended)
513.12 Drug Paraphernalia. (Added)
513.121 Marihuana Drug Paraphernalia. (Added)
513.13 Counterfeit Controlled Substances. (Amended)
525.17 Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
529.01 Liquor Control Definitions. (Amended)
<table>
<thead>
<tr>
<th>Section Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>529.07</td>
<td>Open Container Prohibited. (Amended)</td>
</tr>
<tr>
<td>537.051</td>
<td>Menacing by Stalking. (Amended)</td>
</tr>
<tr>
<td>537.10</td>
<td>Telecommunications Harassment. (Amended)</td>
</tr>
<tr>
<td>537.17</td>
<td>Criminal Child Enticement. (Amended)</td>
</tr>
<tr>
<td>541.04</td>
<td>Criminal Mischief. (Amended)</td>
</tr>
<tr>
<td>541.09</td>
<td>Vehicular Vandalism. (Amended)</td>
</tr>
</tbody>
</table>

SECTION 3. That the complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances. A summary of the amendments to such sections is hereby attached to this ordinance as Appendix A.

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:

________________________________
Clerk of Council
2016

APPENDIX A

Traffic Code

301.04 Bicycle; Motorized Bicycle; Moped. (Adds “moped” to definition of “motorized bicycle”.)

301.19 Motorcycle. (Adds “autocycle” to definition.)

331.21 Right-of-Way of Public Safety or Coroner’s Vehicle. (Creates penalty exception for violation of Section 331.211.)

331.211 Report of Vehicle Failing to Yield Right-of-Way to Public Safety Vehicle. (Adds new section creating a procedure for issuing an investigatory report for a violation of Section 331.21.)

335.021 Ohio Driver’s License Required for In State Residents. (Adds new section requiring new residents of the State to obtain an Ohio driver’s license within thirty days.)

335.09 Display of License Plates. (Adds “mopeds”, “motor-driven cycles”, “motor scooters” and “autocycles” to vehicles requiring license display.)

335.111 Registration Within Thirty Days of Residency. (Adds section requiring a new resident to register a motor vehicle within thirty days.)

335.12 Stopping After Accident on Street. (Increases penalty for failure to stop that results in death of or serious physical harm to a person and makes stylistic changes.)

335.13 Stopping After Accident Upon Property Other Than Street. (Increases penalty for failure to stop that results in death of or serious physical harm to a person and makes stylistic changes.)

General Offenses Code

501.06 Limitation of Criminal Prosecution. (Changes terminology in subsection (i) to “child with a developmental disability or physical impairment”.)

505.071 Cruelty to Companion Animal. (Revises the definition of companion animal and the offenses contained in the section.)

513.02 Gift of Marihuana. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.03 Drug Abuse; Controlled Substance Possession or Use. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.04 Possessing Drug Abuse Instruments. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)
513.05  **Permitting Drug Abuse.** (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.07  **Possessing or Using Harmful Intoxicants.** (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.08  **Illegally Dispensing Drug Samples.** (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.11  **Possessing Nitrous Oxide in Motor Vehicle.** (Adds subsection (d) on license suspension to section.)

513.12  **Drug Paraphernalia.** (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.121 **Marihuana Drug Paraphernalia.** (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.13  **Counterfeit Controlled Substances.** (Adds subsection (c) on license suspension to section.)

525.17  **Assaulting Police Dog or Horse or an Assistance Dog.** (Revises the language of subsection (e)(5)D. hereof.)

529.01  **Liquor Control Definitions.** (Adds subsection (c)(2) clarifying that beer is not an intoxicating liquor.)

529.07  **Open Container Prohibited.** (Adds “A-2(f)” permit to subsection (c)(1)A; adds new subsection (c)(1)B.)

537.051 **Menacing by Stalking.** (Adds prohibition of knowingly causing another person to believe that the offender will cause physical harm or mental distress to a family or household member of the other person.)

537.10  **Telecommunications Harassment.** (Adds subsections (a)(6) - (11), (b)(2), (e), (f) and (g)(5) to (7) to expand telecommunication harassment offenses.)

537.17  **Criminal Child Enticement.** (Changes reference in subsection (f)(3) to Ohio R.C. 1546.01.)

541.04  **Criminal Mischief.** (Amends subsection (a)(1) to cover mortgaged property.)

541.09  **Vehicular Vandalism.** (Changes reference in subsection (a)(3) to Ohio R.C. 1546.01.)
ORDINANCE NO. 11-2017

Enacting Section 737.06 of the Codified Ordinances of the City to Prohibit the Business of Cultivation, Processing and Retail Dispensing of Medical Marijuana in the City.

WHEREAS, Substitute HB No. 523, passed by the 131st Ohio General Assembly and thereupon signed by Governor Kasich on June 9, 2016, authorized the use of marijuana for medical purposes and established the medical marijuana control program; and,

WHEREAS, the legislation included the adoption of Ohio Revised Code §3796.29, which authorizes municipal corporations to adopt an ordinance prohibiting cultivators, processors or retail dispensaries within their respective municipal corporations; and,

WHEREAS, this Council has determined it to be in the best interest of the community health, safety and welfare to prohibit any cultivation, processing or retail dispensing of marijuana for medical purposes in any form within the City.

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

SECTION 1. That Section 737.06 of the Codified Ordinances of the City be enacted to read as follows:

737.06 CULTIVATION, PROCESSING AND DISPENSING MEDICAL MARIJUANA PROHIBITED.

(a) For purposes of this section, “medical marijuana” means marihuana, as defined in Ohio Revised Code §3719.01, that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.

(b) The cultivation, processing or retail dispensing of medical marijuana is prohibited within the municipal limits of the City.

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

Passed ____________________________

President of Council

Attest:

___________________________

Clerk of Council
To: Matt Greeson

From: Pam Fox

Date: March 15, 2017

Subject: Prohibition on Medical Marijuana

Last year the Ohio legislature approved of the cultivation, processing, testing and dispensing of marijuana used for medical purposes. Since the effective date in September of 2016, a Medical Marijuana Control Program has been established to coordinate the promulgation of rules and regulations for this new law.

Express authorization was granted in the legislation permitting municipalities to either limit or prohibit the cultivation, processing and retail dispensing of medical marijuana. The Department of Commerce, the State Board of Pharmacy and the State Medical Board have issued draft rules in each of their respective areas. Those rules continue to be commented upon and revised, and are expected to be completed this year (in May for cultivators and in September for dispensaries, patients and processors). Thereafter, and until September 2018, the Department of Commerce will issue up to 24 licenses to cultivators and the State Board of Pharmacy will issue up to 60 licenses to dispensaries¹.

As part of the application process, a dispensary applicant is required to show that the location of the proposed dispensary is in compliance with local law. A cultivator applicant must certify that the local jurisdiction has not taken action that would prohibit the operation of a cultivation site and that the site is in compliance with local laws. Because this type of activity is most recently legalized, it is the wish of the City to take the initial step of prohibiting the cultivation, processing and dispensing of medical marijuana throughout the City.

¹ The initial draft dispensary rules provided for up to 40 dispensary licenses. The revised rule allows 60 dispensary licenses.
The Law Department proposes this be accomplished by the introduction of two companion ordinances. The first, amending our Business Regulation code provisions found in Part 7, prohibits the business of cultivation, processing or retail dispensing of medical marijuana anywhere in the City. This ordinance is intended to be the overall comprehensive measure to prohibit the business activity. The second ordinance is more specific as it relates to the zoning code, and prohibits the use in any zoning district within the City.

A month or so ago I prepared and provided to you a summary of the legislation and the draft rules that had been released to date. Since then, the public comments have led to a revision of the rules; however, no substantive changes have been made that would affect a decision by the City to prohibit these uses. I understand that many municipalities in the state are either limiting or prohibiting medical marijuana activities, while others are either taking no action or are actively encouraging these businesses to locate in their jurisdictions.

I will be prepared to present the summary of information I had compiled at the public hearing on these ordinances. If you have any questions, would like additional information or would like to receive the referenced summary (revised slightly to incorporate the revised rules), please do not hesitate to contact me.
ORDINANCE NO. 12-2017

Enacting Section 1123.491 and Amending Section 1147.01 of the Codified Ordinances of the City to Define Medical Marijuana and Prohibit the Cultivation, Processing and Retail Dispensing of Medical Marijuana in any Zoning District Within the City.

WHEREAS, Substitute HB No. 523, passed by the 131st Ohio General Assembly and thereupon signed by Governor Kasich on June 9, 2016, authorized the use of marijuana for medical purposes and established the medical marijuana control program; and,

WHEREAS, the legislation included the adoption of Ohio Revised Code §3796.29, which authorizes municipal corporations to adopt an ordinance prohibiting cultivators, processors or retail dispensaries within their respective municipal corporations; and,

WHEREAS, this Council has determined it to be in the best interest of the community health, safety and welfare to prohibit any cultivation, processing or retail dispensing of marijuana for medical purposes in any form within the City.

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

SECTION 1. That Section 1123.491 of the Codified Ordinances of the City be enacted to read as follows:

1123.491 MEDICAL MARIJUANA.

“Medical marijuana” means marihuana, as defined in Ohio Revised Code §3719.01, that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose. In accordance with Section 1147.01, the cultivation, processing and dispensing of medical marijuana shall not be permitted in any zoning district within the City.

SECTION 2. That Section 1147.01 of the Codified Ordinances of the City be amended to add at the end of that Section the following sentence:

The cultivation, processing and dispensing of medical marijuana, as defined in Section 1123.491, shall not be permitted in any zoning district within the City.

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

Passed _______________

____________________________________
President of Council

Attest:

_____________________________
Clerk of Council
NOTICE TO LEGISLATIVE AUTHORITY

TO

25230550810 TRFO ENGLEFIELD INC DBA WORTHINGTON DUCHESS 7141 N HIGH ST WORTHINGTON OHIO 43085
02 01 2017 ISSUE DATE
03 06 2017 FILING DATE
C1 C2 D6 PERMIT CLASSES
25 297 B F17986 RECEIPT NO.
FROM 03/08/2017

29124640210 FREIGHT SALES INC DBA WORTHINGTON DUCHESS 7141 N HIGH ST WORTHINGTON OHIO 43085
02 01 2017 ISSUE DATE
03 06 2017 FILING DATE
C1 C2 D6 PERMIT CLASSES
25 297 TAX DISTRICT RECEIPT NO.

MAILED 03/08/2017 RESPONSES MUST BE POSTMARKED NO LATER THAN 04/10/2017

IMPORTANT NOTICE
PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING REFER TO THIS NUMBER IN ALL INQUIRIES B TRFO 2523055-0810 (TRANSACTION & NUMBER)
(MUST MARK ONE OF THE FOLLOWING)
WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

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

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

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

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