



## **Meeting Minutes**

Tuesday, February 21, 2017 ~ 7:30 P.M.

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

## **City Council**

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

*D. Kay Thress, Clerk of Council*

## CALL TO ORDER – Roll Call, Pledge of Allegiance

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

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

**Member(s) Absent:** Douglas K. Smith

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

There were three visitors present.

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

## VISITOR COMMENTS

There were no visitor comments.

## APPROVAL OF MINUTES

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

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

**The motion to approve the minutes as presented carried unanimously.**

## NEW LEGISLATION TO BE INTRODUCED

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

**Ordinance No. 04-2017** Providing for an Appropriation from the Capital Improvements Fund to Pay the Design Costs of the Community Center South Roof Replacement and Determining to Proceed.

**Introduced by Mr. Myers.**

**Ordinance No. 05-2017**

Providing for an Appropriation from the Capital Improvements Fund to Pay the Railroad Crossing Preliminary Engineering and Design Costs of the NE Gateway Intersection Improvement Project.

**Introduced by Ms. Dorothy.**

**Ordinance No. 06-2017**

Providing for an Appropriation from the Capital Improvements Fund to Pay the Cost of the Perry Park Field 3 Improvement and Determining to Proceed.

**Introduced by Mr. Troper.**

**Ordinance No. 07-2017**

Providing for Appropriations from the FEMA Fund and Law Enforcement CED Fund.

**Introduced by Mr. Foust.**

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

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

**REPORTS OF CITY OFFICIALS**Policy Item(s)

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

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

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

**MOTION**

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

**The motion carried unanimously by a voice vote.**

- Liquor Permit – TREX for Roadhouse 66 Bar & Grille

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

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

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

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

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

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

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

*Mr. Greeson reported the new owner as being in attendance. Ms. Michael invited her forward to comment.*

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

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

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

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

**The motion carried unanimously by a voice vote.**

Discussion Item(s)

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

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

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

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

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

Information Item(s)

Mr. Greeson shared the following information:

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

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

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

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

*Mr. Hurley added that this past week staff attended the Ohio Parks and Recreation conference. We had won an award, in partnership with the Worthington Library, for a story time in the park event. We did receive that award. We were a finalist for the governor's award but did not win that award. It was still a great recognition. The Director of the Ohio Parks and Recreation would like to attend an upcoming Council meeting to present that award to both the City and the library.*

*Mr. Greeson added that he put a memorandum at members' places this evening regarding DORAs (Designated Outdoor Refreshment Area). On April 30<sup>th</sup> a new Ohio law will go into effect for communities that have less than 45,000 residents (one is already in place for those communities that are greater than 45,000) if communities desire. The law allows for a downtown designated area where it is legal to walk around with alcohol. The Old Worthington Partnership have been having some conversation regarding this legislation and may make a request of the Council. The exact boundaries of that request are still evolving. Staff thinks it important to provide members with some background information on the topic in advance of that request.*

## **REPORTS OF COUNCIL MEMBERS**

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

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

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

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

*Mr. Norstrom in following up on Mr. Greeson's memo shared that the Partnership is actively pursuing options with outdoor events. They have gathered information from other communities on how DORAs have been successful or not. He thinks Middletown was the first and they have learned some valuable lessons that the Partnership is reviewing. He shared the example of the picnic on High St. During that event we had to put up temporary fencing but under DORA we would not necessarily have to do that.*

*When asked by Mr. Troper if there is a date set for the picnic yet, Mr. Norstrom replied not that he remembers.*

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

## **EXECUTIVE SESSION**

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

**The motion carried by the following voice vote:**

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

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

**The motion carried unanimously by a voice vote.**

## **ADJOURNMENT**

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

**The motion carried unanimously by a voice vote.**

President Michael declared the meeting adjourned.

/s/ D. Kay Thress

Clerk of Council

*APPROVED by the City Council, this  
6<sup>th</sup> day of March, 2017.*

/s/ Bonnie D. Michael

Council President