



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 Monday, March 6, 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:

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

No 0

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 with our project 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.

/s/ D. Kay Thress
Clerk of Council

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

/s/ Bonnie D. Michael
Council President