



## **Meeting Minutes**

Tuesday, January 17, 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, January 17, 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 Parks and Recreation Darren Hurley, Chief of Fire Scott Highley and Chief of Police Jerry Strait.

There were six visitors present.

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

## VISITOR COMMENTS

### SPECIAL PRESENTATION

- COTA – Transit System Redesign

*Mr. Greeson reported that Curtis Stitt and Belinda Taylor were present to update Council on the Transit System Redesign. He acknowledged Mr. Norstrom as serving on the Board of COTA as well as Paul Feldman, former Assistant City Manager who has served as an appointee to an advisory committee on behalf of the City.*

*Mr. Stitt gave a brief update on the Transit System Redesign and provided flyers with the information to share. He thanked the Worthington Community, City Manager Matt Greeson and City Council for their support of COTA and the work they are doing.*

*Mr. Stitt then shared that in 2008, the COTA Advisory Panel was created after COTA reorganized to include Dublin. It was created so that each jurisdiction could have continuous representation between COTA and City. Mr. Feldman was one of the first to serve on that advisory panel. He served from 2008 to 2016 when he stepped aside to spend more time with his grandchildren. Mr. Stitt thanked Council and the City administration for appointing and allowing Mr. Feldman to serve COTA in the way that he has served over the last eight years. He has done a tremendous job and has been one of the most engaged members on the panel. He has kept the City Manager informed of*

*the work of COTA as well as COTA apprised of things going on the City. He thanked Mr. Feldman for his service.*

*Ms. Taylor presented Mr. Feldman with a beautiful award in recognition of his dedication and service on the panel. Mr. Feldman was very surprised as he didn't think recognition was the reason that he was invited to attend tonight's meeting. He thanked Council and Mr. Greeson for the experience. He learned a great deal about public transit. He shared that he felt like a spectator who got to watch firsthand the outstanding work that COTA does for central Ohio. They are very, very important to the future of central Ohio as it is a tool for economic development and provides a transportation option in an ever increasingly congested central Ohio urban area. He noted that it provides transportation for our neighbors who do not have options. He greatly appreciates the opportunity.*

Members congratulated Mr. Feldman on his contribution on behalf of the City.

### **APPROVAL OF MINUTES**

- November 21, 2016 – Regular Meeting
- December 5, 2016 – Joint 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**

**Ordinance No. 01-2017** Amending Certain Sections of the Codified Ordinances of the City to Allow for Electronic Notification to the Public of the Dates of Public Meetings, of Vacancies in Personnel Positions in the City, of a Water Conservation Emergency, and of Applications Heard Pursuant to Part 11 of the Codified Ordinances.

**The foregoing Ordinance Title was read.**

*Mr. Greeson shared that this code change reflects the discussion that members had regarding public notice procedures. It allows for electronic notification of the dates of public meetings, vacancies, and personnel positions, water conservation emergencies and agenda items of the Municipal Planning Commission (MPC), Architectural Review Board (ARB) and Board of Zoning Appeals (BZA).*

*Ms. Fox agreed that there has been a great deal of discussion about the publication of certain items in newspapers of general circulation and the changing times and wide*

*variety of vehicles that are available to notify the general public of certain things that are happening within the City. For some time staff has been interested in examining the codified ordinances to determine what sections could be changed from newspapers to electronic communication methods to publish these notices. Shortly after Council decided to move to electronic notification we were able to pull together some provisions in the code that we were interested in moving in that direction. The MPC/ARB and BZA notifications are probably the most significant in terms of cost savings to the City because every agenda item is included in those notices. In addition to the notifications they also placard the properties with the blue signs and in certain instances send mailings to adjoining/abutting property owners or property owners within a certain distance of a property that is the subject of the application.*

*Ms. Fox stated that the bulk of Ordinance No. 01-2017 deals with those items for MPC, BZA, and ARB. Staff also advertises the dates and times of Council meetings. Current code requires the publishing of an annual calendar of the meetings of all municipal bodies that are listed in the code. This ordinance would move the posting of that calendar to our website instead of in a newspaper of general circulation. Because the 2017 calendar of meetings has already been completed, if approved, this change will occur in 2018. We are also proposing to place those calendar meetings in the four places where we publish the notice of passage of ordinances, which would be this building, the Community Center, the Griswold Center and the Library.*

*Ms. Fox added that Section 109.06 also requires that notices of special meetings be published in a newspaper. We would propose that those meetings also be noticed on the city's website and in those four places as we would with the annual calendar.*

*Ms. Dorothy commented that varying where we place our notices is one thing we can do. We still have to have a minimum amount but we are trying to do more and figure out which way is best to inform the public as best as possible. This is the purpose as well as hoping to reduce our cost. Ms. Fox agreed. Currently with respect for publishing the annual calendar of meetings we advertise in the newspaper and only post those notices at City Hall. So the only thing this ordinance is doing is changing that publication in the newspaper to a posting on our website and requiring that they be physically posted in those four locations. Ms. Dorothy concluded that there are additional requirements but we think that this will have a greater impact in our immediate public vicinity where we know that people will come and circulate. Ms. Fox replied that staff hopes so. We had this discussion about the public hearing notices. We are not sure how many people are showing up at the meetings because they read about it in the newspaper as opposed to contacting us or looking on our website. She also shared that the City is undergoing an upgrade to our website and we have been discussing where to place these notices on that website. We think if there is a more prominent place on the website where they can look for public notices for meetings of all public bodies that perhaps might have a better impact than the newspaper of publication.*

*Mr. Norstrom commented that the legislation states city hall and the library. The Worthington library actually has three branches. He assumes what we mean is the main library. Ms. Fox agreed that the reference is for the Old Worthington library.*

*Ms. Fox reported that the legislation also includes changes to the following sections:*

- Section 139.07 Recruitment and Selection

*Ms. Fox noted that our personnel director already advertises vacancies on the website because she believes that is the better way to get the word out. She added that she also took the opportunity to eliminate some references to outdated requirements.*

Other sections that reference advertising in a newspaper of general circulation are:

- Section 925.02 Water Conservation Emergency; Restrictions.

*Ms. Fox thinks that we would be much better served in a water conservation emergency situation to post the emergency on our website instead of in a newspaper.*

Ms. Fox commented that the next five sections deal with the following MPC and BZA items:

- Section 1127.03 Conditional Use Permits
- Section 1129.03 Hearings
- Section 1145.02 Procedure for Change in Zoning Districts
- Section 1174.08 PUD Procedures
- Section 1177.03 Application and Notice

In each of those sections, the only changes that were made were to posting the notice on the City's website. The placard requirement is maintained for those procedures as well as the specific notifications that the Director of Planning and Building makes to abutting and/or nearby property owners.

*Mr. Myers commented that in his reading of the ordinance the language appears to be consistent with the recommendations that came out of the Charter Review Commission and the two months or so of discussions that Council has had on this issue. He thinks it has been very well vetted and is consistent with what Council has recommended all along.*

**There being no additional comments, the clerk called the roll on Ordinance No. 01-2017. The motion carried by the following vote:**

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

**No     0**

**Ordinance No. 01-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.**

*Ms. Fox informed members that because Ordinance No. 01-2017 has changes to Chapter 11, it will not go into effect for 60 days. During that period of time staff will try to run parallel processes and try to hone that process.*

**Ordinance No. 02-2017**

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

**The foregoing Ordinance Title was read.**

*Mr. Greeson shared that this is an additional follow up to the Charter changes that were recommended by the Charter Review Commission and approved by the voters. It helps modernize our purchasing practices, particularly as it relates to procurement of various things including contracting for construction services. He asked Ms. Fox to comment.*

*Ms. Fox noted that Chapter 111 authorizes the City to make purchases of supplies, materials and equipment and to contract for the construction of public improvements by any method that is authorized by the State of Ohio for public entities. At this time staff is recommending amendments to our purchasing code sections 111.03, 111.04, and 111.05. This maintains the \$50,000 limitation that Council passed several years ago for the threshold but then it authorizes additional methods for procuring those supplies and services in addition to competitive bidding.*

Ms. Fox briefly went through the recommended changes to the three sections of:

- 111.03 Purchasing Threshold
- 111.04 Formal Purchasing Methods
  - a. Competitive bidding
  - b. Design-build
  - c. Construction Manager or Construction Manager At-Risk
  - d. Reverse Auction
  - e. Other State of Ohio Authorized Methods.
- 111.05 Exceptions to Formal Purchasing
  - a. Cooperative Purchasing; Shared Services
  - b. Purchases from Other Political Subdivisions
  - c. Used Equipment
  - d. Professional Service Selection.

*Ms. Fox noted that the legislation provides for a fairly comprehensive change but it is not anything that we haven't talked about for a while and unfamiliar with. She thinks that having all of this in one section could be very useful.*

*Mr. Norstrom commented that there is nothing in the legislation that would require notification to City Council of a purchase over \$50,000 through one of these methods. Ms. Fox confirmed that all of the methods require the City Manager to establish rules and procedures for purchasing. She doesn't think staff comes to Council now each and every time we want to make a purchase from the state bid and is part of the budget.*

*Mr. Greeson reported that most construction projects involve City Council. A good portion of our equipment is purchased through State contract, which means it is State issued bids and we are allowed to piggyback on those bids. The council controls essentially through the appropriation. Members approve the Capital Improvements Plan and appropriate by piece of equipment an amount that staff is then authorized to spend. Then we procure it in the most effective and efficient manner that we can, which is many cases is by state contract.*

*Mr. Norstrom commented that he does remember that. He asked if in the past year we have purchased any equipment off the state contract or in other ways that was over \$50,000. Mr. Greeson replied yes. It is not hard to get over the \$50,000 threshold with the type of equipment we buy.*

*Mr. Myers recalls during the budget discussions there being distinct line items for some of the major equipment purchases that members had input on. Members certainly have discussions on items like fire trucks that need bonded.*

*Ms. Michael recapped that through the Capital Improvements budget funds have been appropriated for the purchase of set items at estimated prices. These changes give staff more options to be able to spend the City's money a little wiser.*

*Mr. Greeson agreed. This makes our purchasing regulations a little more flexible for some of those items, which presumably would help us get better deals. He thinks what Mr. Norstrom's raising is how often does staff come back and report to Council how the purchasing effort went and were we able to save money on any of the appropriations. That is something that staff can incorporate into our practices or our procedures if members are interested in that information.*

*Mr. Myers stated that as he understands Mr. Norstrom's comment, he also wants to make certain that as the ultimate keepers of the purse strings, that we have a system that has the right checks and balances in it and notification to Council would be the first step of those checks and balances. Mr. Norstrom agreed with Mr. Myers comments.*

*Mr. Greeson reported that the first step being the capital plan. The second step is the appropriation, which starts to implement some of the plan. Mr. Myers shared that he*

*understands that but he just wants to make sure we are being transparent to the public and that he understands the process.*

*Mr. Myers pointed out that this particular ordinance, like the one before it, has been the subject of a rather lengthy discussion during the budget process and as part of the Charter Review. He doesn't think there is anything included in the language that comes as any great surprise or is not a move forward into the 21<sup>st</sup> century.*

*Mr. Greeson suggested that staff incorporate any major capital purchases over \$50,000 as a quarterly report item. He thinks that is a good place for it. Several members agreed.*

*Mr. Norstrom shared that he has complete faith that the existing staff would come back to Council when equipment costs exceeds estimated prices. Mr. Greeson shared that staff is required to do that if we exceed our appropriation.*

*Mr. Norstrom agrees with Mr. Myers that the language does bring us into the 21<sup>st</sup> century and he is supportive of the changes.*

**There being no additional comments, the clerk called the roll on Ordinance No. 02-2017. The motion carried by the following vote:**

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

**No     0**

**Ordinance No. 02-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.**

#### **NEW LEGISLATION TO BE INTRODUCED**

**Resolution No. 02-2017**                      Amending the Position Description for Maintenance Supervisor.

**Introduced by Mr. Smith.**

**MOTION**                      Mr. Myers made a motion to adopt Resolution No. 02-2017. The motion was seconded by Ms. Dorothy.

*Mr. Whited shared that with the retirement of Tom Gilkey a few months back, Steve Tennant was promoted to Maintenance Superintendent. He is doing a great job but is currently doing the job of two, his former and his current positions. His promotion provides a great opportunity to update the job description of Maintenance Supervisor. We have a highly qualified staff and he would like to open it up a little bit. The change to the job description is from two years to one year of being an employee with the City.*

*Nearly all of the staff have previous supervisory experience in similar jobs and he would like to give them the opportunity to apply if they wish.*

**There being no additional comments, the motion to adopt Resolution No. 02-2017 carried unanimously by a voice vote.**

**Ordinance No. 03-2017**

Enacting a Moratorium on the Consideration of Certificates of Appropriateness for the Installation of Solar Panels on Structures in the Architectural Review District.

**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**

Information Item(s)

*Mr. Greeson shared the following:*

- Compliments on the Martin Luther King Jr. event. He thanked the Community Relations Commission (CRC) and staff members Lori Trego and Anne Brown for all of their work on the 30<sup>th</sup> year celebration of that event.
- February 15<sup>th</sup> the CRC will host a public forum on the history of development in our City that will be held at the McConnell Arts Center. All Board and Commission members are invited.
- Council Retreat – He plans to have a facilitator and a final date selected for the Retreat by the end of this week and will provide members with an update.
- Compliments to the Police Department who effectively planned for an unexpected protest event this weekend and did a responsible job.
- Training is currently underway for staff members on the updates to the new website, with plans to roll that out in February.

*Mr. Greeson asked Ms. Roberts to provide an update on our debt issuance for a variety of things that we have been rolling notes for. That debt was issued last week and he signed the papers for it today.*

*Ms. Roberts shared that we were able to secure a fifteen year fixed rate loan at 2.201% interest with J.P. Morgan Chase in the amount of \$3,960,000 for various purpose bonds. We were able to obtain the great rate because the market is currently very competitive. She is thankful that we received the bids that we did. She added that we did not use an investment advisor or expend fees in that regard and we were not required to.*

*Mr. Norstrom and Mr. Greeson congratulated Ms. Roberts.*

## REPORTS OF COUNCIL MEMBERS

*Mr. Norstrom noted that Council received a memo at our places tonight. He asked Ms. Fox what the appropriate action would be for us to take. Ms. Fox replied that she has sent an e-mail to Greg Dunn requesting that he contact her. She thinks we might want to have him in to advise Council about the details that he lists in his memo and the PowerPoint. She imagines that many communities will be having discussions about the next steps in the next several weeks.*

Mr. Norstrom shared for the benefit of the public that his comments are regarding Senate Bill 331. Ms. Fox, Ms. Michael and Mr. Greeson expounded further on the topic.

*Mr. Greeson commented that staff will see if Mr. Dunn is available to comment on this issue at our next meeting. He believes there will be many communities across the state including central Ohio giving strong consideration to litigation.*

*When asked by Mr. Norstrom when the public hearing would be held on the ordinance that was introduced tonight, Mr. Greeson replied that it would be on February 6<sup>th</sup>. Mr. Norstrom expressed his satisfaction because he is very interested in the subject and will not be in attendance at the meeting of the 13<sup>th</sup>.*

*Mr. Smith shared that he attended a CIC meeting last week and felt that it was a very positive meeting. Mr. Norstrom added that he thinks the CIC will be taking a more aggressive approach in the coming year. Ms. Michael interjected that they also talked about whether the city should do land banking as well as updates of various businesses. They celebrated COhatch moving into the Kilbourne Memorial building. Since the meeting was held at COhatch, the owner had a lot of fun providing information about their business. It was very exciting.*

*Mr. Norstrom commented that Mr. Smith makes a good point in that other council members should contemplate sitting back and looking at all of the development that has occurred during the last year and that is coming this year. The city in some ways is booming.*

*Mr. Myers agreed. He encouraged members to look at the agendas for the MPC/ARB meetings over the last year. They have been very full. We have had some very late meetings although last Thursday was not one of those. He briefed members on the projects that were presented and discussed at that meeting. Elections of officers also occurred. Mr. Coulter remains the Chair and Ms. Holcombe remains as Secretary. They have a new Vice-Chairperson in Tom Reis.*

*Ms. Dorothy shared that she attended the Bike and Pedestrian meeting. They have been able to check many items off their list and would expect them to present before council. She also attended the Martin Luther King event. It was very well done in partnership with the library, the schools, and the CRC.*

*Mr. Troper shared that the WIFA dinner is at the end of this month on the 27<sup>th</sup>. He invited members to attend.*

*Mr. Greeson informed members that staff believes the Holiday Inn will submit additional information for further discussion during the January 26<sup>th</sup> meeting.*

*Ms. Michael added her praise for the excellent Martin Luther King program that Ms. Dorothy already mentioned. She added that several people came up to her after that event and asked that she thank those responsible for maintaining the bike trail. They are doing a tremendous job and the residents truly appreciate it.*

*Ms. Michael asked Mr. Greeson to provide members with the list of retreat topics that they came up with during a brainstorming meeting. She asked that members review the list and provide additional suggestions and feedback on that effort.*

*Mr. Greeson announced that he had one last thing. There was a death over the weekend of a former employee, Dan Murphy. He asked Chief Strait to provide additional information. Chief Strait shared that Mr. Murphy served 26 years with the Division of Police. He has also been very active with the American Legion and the VFW. He has been battling cancer for roughly a year and he passed Saturday evening. Services will be held tomorrow. Many retirees from throughout the City attended the viewing today. He was well liked and did an outstanding job for the City. Mr. Greeson added that he was one of the organizers of the Memorial Day parade as a Legion volunteer. Ms. Michael offered her condolences.*

## **EXECUTIVE SESSION**

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

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

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

**No 0**

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

Council recessed at 8:43 p.m. from the Regular meeting session.

**MOTION** Mr. Foust made a motion to return to open session at 8:54 p.m. The motion was seconded by Mr. Norstrom.

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

**Resolution No. 03-2017**

Approving Appointments to the Community Relations Commission.

**Introduced by Ms. Dorothy.**

**MOTION**

Mr. Foust made a motion to adopt Resolution No. 03-2017. The motion was seconded by Mr. Norstrom.

**There being no additional comments, the motion to adopt Resolution No. 03-2017 carried unanimously by a voice vote.**

**ADJOURNMENT**

**MOTION**

Mr. Troper made a motion to adjourn. The motion was seconded by Mr. Smith.

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

President Michael declared the meeting adjourned at 8:57 P.M.

/s/ D. Kay Thress  
Clerk of Council

*APPROVED by the City Council, this  
21<sup>st</sup> day of February, 2017.*

/s/ Bonnie D. Michael  
Council President