



Meeting Minutes

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

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 20, 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, Chief of Police Jerry Strait and Chief of Fire Scott Highley.

There were approximately thirty 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

- March 6, 2017 – Regular Meeting
- March 13, 2017 – Committee of the Whole 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.

President Michael asked if anyone in the audience wished to speak regarding Ordinance No. 09-2017 which is for the transfer of funds to the Worthington Community Improvement Corporation. There being no one, she moved the public hearing on that ordinance to the end of the meeting.

Ordinance No. 08-2017

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

The foregoing Ordinance Title was read.

Mr. Greeson reported that the property owners at 128 Highland Ave. seeks to subdivide their property into two separate lots to construct a second single family home. He asked Mr. Brown to overview this request.

Mr. Brown agreed that the request is to subdivide a property into two new lots of record. There is an existing house at 128 Highland Ave. on the north side of Highland Ave. and east of High St. The property was originally part of Northhigh Acres which was plotted in the 1920s. At this time, Westview Dr. at this location is an unimproved right of way that does not extend down from Northhigh Dr. to connect to Highland Ave. The proposal is for two parcels (#57 and #58) at 100' and 111' in width, which will match the original plat. The eastern lot will be 20,979 square feet in size and the second lot will be 18,900 square feet in size, which exceeds the minimum lot size of 10,400 sq. ft. for the R-10 district.

Mr. Brown reported that the applicant is requesting a variance to deviate from the requirement for a sidewalk on the Westview Dr. unimproved right of way portion of the property. However, the applicant will be required to install sidewalks along Highland Ave. in the future. He showed a sidewalk map of Highland Ave. that included a few gaps. If the vacant lots further to the east were to be developed, sidewalks will also be required. The hope is to eventually get sidewalks down to the Community Center.

Ms. Michael asked if there would be pedestrian friendly access across the unimproved right of way to the sidewalk west of the lot. Mr. Brown reported there being a paved stub there now. The applicant will have to install an ADA compliant ramp to the stub. Street trees will also be required along the front of the property.

When asked by Mr. Troper who owns the two lots east of the applicant's, Mr. Brown replied that they are owned by the owners of Melbourne Village. Mr. Troper asked how we would get sidewalks along all of Highland. Mr. Brown explained that when the two vacant lots get developed, the City will require sidewalks to be installed. The neighbors could then request sidewalks under the current sidewalk requirements or install them themselves with a right-of-way permit through the Service-Engineering Department.

Ms. Dorothy asked the definition of a "block" as it relates to this location. Ms. Fox reported that it would be from the Westview right-of-way over to Betsey Place. Four of the seven property owners would need to request sidewalks under our current code.

Mr. Brown stated that part of this process requires the applicant to install sidewalks for these two lots. When an application would be submitted for a new house, we would require the sidewalks to be extended from property line to property line.

Mr. Brown reported the unimproved right of way as being somewhat of a bunny path as you can see people walking through the area down to Highland.

Mr. Brown showed slides of the property in question and the surrounding area.

Ms. Dorothy sees no reason to require a sidewalk along the unimproved part of Westview. Mr. Brown confirmed that being the thoughts of the MPC members although it may be something to consider in the future.

Ms. Dorothy commented that since this is right of way maybe the Bike and Pedestrian Advisory Board should weigh in.

John Hitzemann, 107 Mariemont Dr. N., Westerville, Ohio 43081

Mr. Hitzemann shared that he is the son of the owners. He reported that the main reason they are looking at not having a sidewalk down the side of the property is because they continually find trash in the wooded area. His parents are older and it makes the area difficult to maintain. They feel that sidewalks would encourage additional foot traffic in that area. The people at the retirement center are unaware of what goes on back there especially at night. They try to keep down the weeds but unfortunately his parents receive the phone calls, and find things missing from their cars, etc. They believe the less traffic in that area the better. They see no purpose for anybody to be in that area. His parents have lived in that location since the early 1960s but there has never really be any plans for that area. Anytime ideas have been expressed about that road, the entire neighborhood has come out against putting anything through on that road. They have no problem with doing a sidewalk along Highland.

The clerk called the roll on Ordinance No. 08-2017. The motion carried by the following vote:

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

No 0

Ordinance No. 08-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Discussion Item(s)

- Public Comments – Use of Solar Panels in the Architectural Review District

Mr. Greeson thanked those in the audience for participating in another discussion of solar in the Architectural Review District. This is one step in a process that was established. The steps include:

- 1) Conduct research and present information found as it related to how other jurisdictions both in Ohio and around the country regulate solar in historic districts or architectural review districts.
- 2) Staff was directed to meet with several interested parties on this issue. He, Mr. Brown and Mr. Myers met with representatives of Sustainable Worthington, the Historical Society, the Old Worthington Association, and the Old Worthington Partnership and had a very healthy discussion on this subject.
- 3) Public Comment, which is tonight's scheduled opportunity for members of the public to present their thoughts, feelings, desires, and opinions to Council.
- 4) In a subsequent meeting, which is scheduled for April 10th, Council will discuss all of the information, debate the subject and then provide direction to staff on what, if any, legislation needs to be crafted.

Mr. Greeson added that tonight is design as a hearing, to hear from the public. Staff is going to frame the issue a little. He asked Mr. Brown to provide a little informational background before turning things over to the public.

Mr. Brown showed a slide of an AR District map as well as the Historic District map. The focus of tonight's discussion is the Historic District.

Worthington Design Guidelines

History:

- Architectural Review District established in 1967.
- Any new construction and/or exterior modification or change to an existing structure in the Architectural Review District requires ARB approval to ensure compliance with the Worthington Design Guidelines.
 - Residential and commercial

Sustainability:

- City Council adopted Resolution #14-2010 (03.01.2010) incorporating sustainable design and building practices into the Design Guidelines with the goal to preserve the character and integrity of the Architectural Review District.

Solar Panel – Current Guidelines:

- Place solar panels in a location that minimizes the visual impact as seen from the right-of-way and surrounding properties.
- Generally, panels should be located on roofs in the following manner: the rear 50% of the roof of the main building; the rear inside quadrant of the roof of a main building on a corner lot; or on accessory structures in the rear yard.

- On sloped roofs, place panels flush along the roof unless visibility is decreased with other placement.
- With flat roofs, keep panels at least 5' from the edge of the roof, or place at the edge if a building parapet exists that will screen the panels.
- Solar panels at another location on a building or site may be acceptable if their placement does not have an adverse effect on the architecture of the building, or the character of the site or Architectural Review District.

Mr. Brown commented that the last bullet point is the crux of what has been heard in past meetings.

Solar Panels – Discussion:

Current Regulations:

- Architectural Review District
 - ARB approval required
 - Recommended placement on the rear of the structure – residential & commercial
- Outside the Architectural Review District - Citywide
 - Permitted
 - No requirement on the placement – residential & commercial

Discussion:

- Placement of solar panels in the Architectural Review District, focusing on the Worthington Historic District.
- General consensus amongst all City Council members supporting the use of solar panels throughout the City and in the Worthington Historic District.

Location:

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

Issue:

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

Mr. Brown then showed slides of the two residential property that are located in the historic district and have solar panels. He reiterated that tonight is an opportunity for Council members to hear comments from the public with a full discussion on April 10th.

Ms. Michael commented that she has been given several speaker slips and will call audience members forward in no particular order. She requested that speakers not repeat comments.

Dave Foust, 675 Oxford St.

Mr. Foust shared that he is at this meeting as a member of the Architectural Review Board (ARB) however he is NOT representing them. He knows that most Council

members have not sat through the meetings that they have had to discuss solar panels and the two applications that have been looked at over the last few years. During the most recent discussion of the application for 661 Evening St, no one he has talked to opposes the concept of solar panels. The issues seems to be: “yes we are going to have them” or “are we going to compromise on how they are installed.” The application was approved by a four to three vote. All seven members stated how they felt about that particular application. During the discussion portion of the meeting, four of those members stated that they would not object to the proposal as it was presented. Three of the members talked more in terms of compromise. While he is not here tonight to support either side directly, everybody who knows him knows that he has been a very strong advocate for sustainability. But four of the members said, “yes” they will back the proposal. Then our chairman, doing his job asked the applicant if they would like to consider a compromise of some kind or should the board vote on this application as it was presented. The applicant knew they had four “yes” votes and it was approved. Some of the things that played into that are as follows:

1) Precedence.

Mr. Foust commented that the installation at 613 Evening St. came up in the discussion and members knew there was precedence for allowing panels to be installed on the front of homes. Now we were talking about placing them on the side of the garage but still visible from the front. With the precedence that has been set, he is sure this second installation will bare just as heavily on that. He is asking that City Council reviews this, take all things into consideration and then provide the ARB with some very firm guidelines because they are clearly split on how the current Code should be interpreted. He doesn't see how they could use the current guidelines to say no to anybody's application because they have allowed them on the front and on the side.

2) This structure is not a contributing structure to the Historical District, which is within the Architectural Review District.

Mr. Foust shared that this thought kind of blindsided him as he has always looked upon our national historical listing as something that would add importance to some of the structures and make sure that they looked at them carefully. He thinks part of the discussion here came down to the fact that this is not a contributing structure so they probably don't need to pay as much attention to this structure as they do some of the others. Again, he is looking for Council guidance because he believes that ARB members should be looking at the total look of the district and how that comes together instead of just individual structures.

3) Discrimination.

Mr. Foust shared that somebody asked if they were going to discriminate against those whose homes do not face the right way and that is 50% of the buildings in the Architectural Review District. He asked members to take that into consideration as well because they are going to continually face that question.

- 4) Architecture of a certain building within the district but unrelated to this particular application.

Mr. Foust shared that a member of the ARB pointed out to him after a meeting one night that there are certain things that trump our architectural review standard. He was told that this building was a good example of its style of architecture and while it may not exactly fit in with what we do, it trumps our architectural review standard. He has not been a supporter that anything trumps the architectural review standard. If there are going to be things that do then this is the time to call them out. If solar panels anywhere, anyplace, and anytime trump that then the Board needs that guidance to know how to do Council's bidding, which is to represent the City on how to handle these things.

- 5) Architectural Review Standards

Mr. Foust stated that when people look at the architectural review standards there was an issue that came up a few years ago and the details aren't important but it involved 849 Oxford St. That was one that was protected and it came before Council. The key thing is that during that meeting the architect that represented the applicant stood up and pointed out that our Architectural Review District is ripe for new urban renewal. That startled him because he doesn't like to think of this as an urban renewal district. But after some thought, he decided that he was right. Over the years, the ARB has been able to create a pretty oatmeal colored background for anybody that wanted to make something stand out. We have that with signage all of the time. People come in to town and on High St. and think they can make something stick out here. Then they find out our concept about maintaining an overall view of the ARB district. There are many people in this district who work on their homes and their businesses and try to keep it in total compliance with that and that makes us kind of a "clean slate/blank canvas" for somebody to come in and paint whatever they want to paint. We are in fact ripe for the urban renewal. He thinks solar panels are a part of that and there may be other things that come down the road that need to be looked at.

Mr. Foust ended by stating that his key point is that the ARB works for Council. He really hopes that Council provides them with some firm guidance on how to address solar panels because at the moment solar panels are pretty wide open unless City Council comes up with some sort of guidelines. He would be happy to make himself available over the next few weeks to sit down with anyone and talk in greater detail.

Ryan Johnson, 170 Sinsbury Dr. N.

Mr. Johnson thanked Council for the opportunity to speak tonight. He asked members of the audience, by a show of hands, whether they were here to support the placement of solar panels where they will be most productive. Many in the audience raised their hand.

Mr. Johnson shared that there has been a great deal of discussion regarding the "pros" of solar panels and agree with those but tonight he wants to make a slightly different

point. He thinks the issue of preservation has been a little bit ill-defined here. There have been many changes to homes and businesses in old Worthington and the ARB district in the 200+ years of this city's life (garages, paved streets, power lines, sidewalks, etc.). He asked if all of those changes were consistent with historical preservation. He thinks that answer is clearly no. The truth is that this community has made exceptions in the past to aesthetic purity. He thinks it is really important for Council to think about why those exceptions were made. He would submit that the exceptions were made because there was obvious benefit to the community with certain changes that might not be aesthetically pleasing for whatever current cultural standard. Harvesting solar power decreases reliance on large scale societal systems that we all know are not functioning very well these days. Harvesting solar power empowers people to take control and responsibility for their lives. The question he would put to Council is: What are we preserving? Isn't it an independent and resilient community? Preservation of the historical look and architecture in Worthington is certainly part of that. He doesn't think there would be many arguments against that but it can't be just architecture. We can't preserve buildings to the detriment of the community concerns because that is counter-productive. He asked Council to consider preserving the spirit and substance of this living historic City and not just some nostalgic façade of what we think the City represents. He asked Council to not put any restrictions on the placement of solar panels.

Miranda Leppla, Clean Energy Attorney for the Ohio Environmental Council, 1145 Chesapeake Ave, Ste. I Columbus, Ohio

Ms. Leppla's comments are attached as "Attachment A".

Joanne Dole, 661 Evening St.

Ms. Dole commented that she wants to share why solar panels are an important option. Worthington is regarded as a progressive community and as such should take a leadership role in recognizing the importance of taking steps at a local level to combat the local effects of climate change. We already have progressive design guidelines for solar in the AR district that just need some tweaking. The guidelines recognize that based on the location of the sun, solar panels may need to be viewable from the street.

Ms. Dole shared Google Project Sunroof with members and encouraged them to visit the website. It shows the best part of a house to install solar panels on for optimum benefit.

Ms. Dole described the part of her house that can be seen from the street was the best location for solar panels. It is very clear that if people are going to invest in solar, the panels are more effective if they are positioned in the appropriate location.

Ms. Dole commented that the moratorium was designed to review the guidelines and give clear direction to the ARB. Rather than individual ARB member bias determining decisions on this point, Council should provide clear guidance that clean energy is a high priority.

Worthington prides itself on reflecting its dignified New England heritage so she looked into several New England communities to see what the places that we emulate are doing. She shared that the founders of Worthington met in Granby, Connecticut in 1802 and established the Scioto Company which purchased the land to form the settlement that became Worthington. That was a long time ago but Granby, Connecticut is not frozen in time. Their current population is close to ours. They have a seven member Conservation Commission established by ordinance, which promotes solar energy. In fact, the Commission is offering solar workshops for residents next week.

Ms. Dole thinks Cambridge, Massachusetts provides a fresh perspective on balancing historic preservation and clean energy in historic districts. They have two historical districts and four review districts. They are serious about historical preservation. They have six full-time preservation staff who are paid out of the city budget.

Ms. Dole shared the following information:

- Cambridge Historical commission is committed to seek a balance between the public benefit of preservation and the public benefit of clean energy.
- No Design Guidelines, each property is considered on a case by case basis as staff works with property owners to develop the best solution.
- 25 property owners have applied for solar and 25 have been approved.
- Reversibility as technology changes.

Ms. Dole then showed slides of homes in several of the Conservation Districts and Historic Districts. She added that clean energy needs to be strongly encouraged by government at all levels. As in Cambridge, Mass. we need to equally balance public benefit of preservation and clean energy. As one of the respondents to the petition commented, climate change is going to affect everyone, even in the historic district.

Paula Deming, 6775 Alloway St. West

Ms. Deming shared a map of Worthington that shows over 300 households who signed a petition or submitted letters to support solar panels in all parts of Worthington. After reviewing the comments she concluded that we are really talking about balancing aesthetics with clean energy and environmental concerns. It seems that most people didn't have a problem with aesthetics of solar panels but they take great pride in being in the City of Worthington with the wonderful downtown historic district that we have. They want to protect that but they also value how we are forward looking as a City. They want very much for their children and grandchildren to be able to breathe clean air and have clean water the way we all would like to.

Ms. Deming then shared a number of the 87 comments that were attached to the petitions. She then combined those comments to create a statement that she feels represents our City. The statement reads as follows:

“I support Worthington being a leader in using renewable energy sources with the use of solar panels. This would be a good thing to do all over central Ohio. I

believe solar panels are appropriate for any City that cares about green energy and I am hopeful that includes Worthington. Solar adds value to our homes, reduces dependence on fossil fuels and does not have any significant impact on the aesthetics of our community.”

Ms. Deming commented that Joanne Leussing, who has panels on her house, wrote a letter that Council received. She asked if she could read that into the record for Ms. Leussing since she was unable to attend tonight’s meeting. Mr. Norstrom confirmed that members received her e-mail. He requested that all letters/e-mailed that were received be included as part of the record. (Copies of those letters/e-mails are attached as Attachments C – I).

Bob Chosy, 250 Highgate Ave.

Dr. Chosy clarified that saying anything bad about solar panels does not make the person not believe in global warming. He thinks that living in the historical area is a bit of a privilege. Sometimes when you have a privilege like that, you have some obligations. The historic district is primarily what we are talking about. If they complain, they should be reminded that they have some obligations and one of the primary ones is to keep the historic district visually historic. It has been said that modern things have come through in our district and over 200 years that is true but when you compare things like electricity and automobiles to solar panels there really is no comparison in their importance. Solar panels are not historic in the sense of 200 years old. It is about the most modern thing you can see in your life. It may be that any discussion here tonight is moot because they are beginning to develop solar panels that actually look like roofs and that may ultimately come about and solve the problem. But we should be in a situation where anybody, particularly in the old historic district should be able to walk, cycle, and drive down the roads and not see modern shiny, and in his option not very good looking, solar panels from the street.

Dr. Chosy shared that there was a very good article in the Columbus Dispatch last week with a photograph of Joanne Leussing’s house. She is a person that he has respected for many years and still does because of the depth of her knowledge and her tenacity. He is sure she is quite proud of standing in front of her house with the solar panel on it but if you look above Ms. Leussing, what you see is gross. It is shiny, modern, and doesn’t completely cover the roof. He thinks it is just bad. In spite of all of the talk about us supporting people doing their own electricity and that sort of thing that is fine but part of the obligation is that it not show or change the character of Old Worthington. While he knows it isn’t fair in situations where the house is situated incorrectly, but when it comes to solar panels in the Old Worthington Historic District he has just melder it all down to a very simple sentence, if you can’t hide them then you can’t have them.

Suzanne Seals, 123 E. New England Ave.

Ms. Seals shared that she is very much in favor of solar panels. She is glad that we are having this discussion about alternative energy as a way to protect the environment. Since this planet is the only home we have, she thinks we need to do what we can to

protect it. This will probably be a topic at the state and local level rather than at the national level for the next few years.

Ms. Seals would also like to see us protect the aesthetic qualities of the historic district. When she looks at the Leussing house that has just a few panels on the roof, she finds it very discordant. Panels that cover the entire roof almost become part of the house. She would hate to see us not restrict solar panels and not place some guidelines on them as we do so many other things in both the Architectural Review District and the Historic District. The guidelines cover things like fences, windows, siding materials, etc. It seems very inconsistent to her to not have some guidelines that restricts the placement of solar panels in the review district. She has heard people say that they are no worse than the unsightly electric and telephone wires. She thinks everyone here would much rather see all of those wires go underground as they are unsightly but she doesn't see any reason to justify putting something that is perhaps bigger and more unsightly wherever people want to put them. She understands that some people can't put them just anywhere because of the disposition of how our house faces. The other aspect is trees. Many people have roofs that are shaded by trees. Somebody mentioned roofing tiles. She thinks eventually solar will be less obtrusive and less costly so that people can invest in the smaller, denser solar panels and also in the roofing tiles. In the mean time she would really hate to see people load up their houses with solar panels that are visible from the street.

Ms. Seals emphasized that she would like to see us protect the aesthetic qualities of the historic district as well as encourage green living. There are many ways to do that in addition to solar panels. One of those ways is by protecting our healthy, mature trees. She thinks in this fervor for solar panels it would be important that people not cut down trees so that the solar panels would be effective because trees have a great deal to contribute to a healthy environment and to the charm and beauty of Worthington.

Finally, she would like to see us have a very balanced policy that gives some consideration to the aesthetics and the historic value of the district as well as protecting our environment. We need a clear comprehensive plan but with some limitations as to placement, definitely in the Historic District and perhaps in the Architectural Review District as well.

Paul Dorothy, 179 Kenbrook Dr.

Mr. Dorothy began by sharing something his grandfather once told him while teaching him about conservation. He said that you are either a good steward of the land or you are not. He was blunt like Mr. Dorothy. But if you stop and think about that statement, there is a lot there. There is no equivocation. It is not a compromise. Within that there are many other things to think about. You have to think ahead and think about the future. You don't do the easy thing today because it is easy now because that might make the future harder. You have to stop and think about how your actions are going to impact that future. Solar and sustainability are key items of the future of not just Worthington, not just Ohio but the world and we need to think about that future and what we are going to contribute to it. Are we going to be a benefit to that future or a detriment? This is one of those seemingly very small decisions but in reality impacts things on a global scale.

My grandfather also said to do the right thing even if it is hard. Even if people will disagree with you. Even if everyone disagrees with you, do the right thing. Be smart and learn new things. Look at new ways of doing things. Many things have changed in the Historic District since it was first constructed. Many of those changes are perfectly visible from the street. Even the street is paved with asphalt and concrete. The roofs on many of the structures are different from those first installed. The composite shingles and fake tiles on some of the homes were changed to cheaper, easier, and more sustainable in some instances because it was a better way of doing things. Many of the exteriors are no longer made of wood but rather a composite and the river rock is made from a composite resin. Those are new materials and all perfectly visible from the street.

Many other things have changed. We have better insulated windows and doors now. We have garages for cars that are sitting on asphalt driveways. Those are all new and perfectly visible from the street. So much has been said about the character of the Historic District simply being what you see when you look at a building from the street. That is not what his grandfather would have said was character. His grandfather would have said that character in a community is what makes that community whole. It is what makes a group of folks who are forward thinking, thinking not of just themselves but their neighbors and future generations. Solar is sustainable. Solar helps us move forward. It is new but many things in our Historic District weren't there when the District was built. He thinks it is incumbent on us to consider those things and to make the right choice because as his grandfather said, you are either a good steward of the land or you are not.

David Robinson, 195 E. Dublin-Granville Rd.

Mr. Robinson shared that a good friend of his recently advised him that he was at risk of or already had developed a reputation of being verbose. In the interest of brevity he has written his notes in an effort to be clear without being as exciting as usual. If it becomes repetitive he asked that someone call out "boring" and he will skip to the bottom part which he thinks is original.

Mr. Robinson commented that if this issue tonight is seen as a choice between siding with those who accept the science of climate change and embrace the generational challenge that it is or siding with those who reject all of this and want us to continue our slow motion civilization suicide through the burning of fossil fuels then he thinks that our choice is clear. We would want to choose the former because we all want to do the right thing. He believes that "either/or" is not the choice that we face tonight and the following is why he thinks that way.

In 2007 he traveled to Nashville to train with Al Gore for three days for the purpose of getting trained to then come back home and give presentations. He did that and for the next twelve months he spoke to about twenty five different groups of all kinds. The types and numbers of questions that those presentations generated were as complex and confounding as the issue of climate change and energy. In hindsight, he can look at all of those questions and lump them into three categories:

- 1) Scientific/factual – These are things like, why the ice age happened.
- 2) Operational or process – Those are the kinds of question where the folks would accept the science and the goal of a clean energy future but would debate or disagree on how to get there.
- 3) Value or moral based – Those are tough ones with really no firm answer that he can see. They are things like: How do you value the worth of all of those birds that get killed by wind turbines versus the good that the wind turbines yield us.

Mr. Robinson shared that he knows of no one with an absolute answer to that question. Even more challenging is how we adjudicate between the worth of our investments in clean energy with a long term payoff versus spending money now to alleviate immediate human suffering and poverty in front of us. Those are compelling and difficult questions and he would argue that this issue of solar panel installations in the Historic District here in Worthington is not of the first category. Scott Myers the other week stated that he believes that all members accept the science of climate change which is a relief to hear that from a governmental body. He thinks the question really has to do with the second and third categories that he outlined.

He believes there are competing values in Worthington. Fifty years ago we established the ARD, in which as a community we stated that the structural and aesthetic integrity of the Historic District is important to us and core to our identity. That is coming in conflict with the question of whether there is another value that supersedes it. He and his wife live in the ARD and when they bought their home they did so with a clear understanding that there are some things that they can and cannot do with their personal property in the interest of the community value of maintaining the aesthetics of the neighborhood. There are those who will say that the imperative of clean energy, saving the planet, does in fact supersede all of values.

This brings him to his second and final point. The argument for the ultimate supremacy of solar panel placement would be stronger and more compelling to him if the only thing that homeowners could do to support clean energy would be to place panels on their homes. But there are many other things we can do that he thinks would have a bigger impact, both as individuals and as a City. For instance, immediately every resident/homeowner in this City that buys their energy through AEP could make a phone call to ISG Energy in Dublin tomorrow and secure their electricity from wind generated sources instead of fossil fuel for the cost of 2/10th of 1¢ surcharge per kilowatt hour. He and his wife have done that for years. Imagine if thousands of homeowners in Worthington did that. The impact would be huge.

When identified as “boring” by Mr. Troper, Mr. Robinson moved on to his second course of action which would be to work with or lobby city council and staff to implement a clean energy power purchase agreement for the City itself or better yet an aggregation program whereby the entire City’s electricity usage and any and all businesses and homes in Worthington that do not opt out would be using clean electrical energy purchased at or below current costs for fossil fuels. This has been done elsewhere and he can’t see any reason why we should not explore it and perhaps implement it here in

Worthington. Let's embrace clean energy in a big way without needlessly sacrificing our other values. Those are his thoughts.

Mr. Foust commented that he didn't find Mr. Robinson's information boring. He got lost at one point when you said that that you and your wife purchase wind base energy and the difference is 2/10th of 1¢ per kilowatt hour. Mr. Robinson replied \$6.64 versus \$6.44 or something like that. Yes, it is a phone call, a twelve month obligation and \$75.00 opt out fee if you quit early.

Ellen Scherer, 112 E. New England Ave.

Mrs. Scherer submitted her & her husband's comments after reading them (Attached as "Attachment B".)

Ms. Scherer added that she didn't find Mr. Robinson's information boring. She may be interested in making a change but feels that she needs a little more information before doing so. She understands that solar shingles are available and possibly more affordable than traditional shingles. She doesn't think there are any exclusive disagreement with maintaining the Historic District and the aesthetics and also have solar panels within some constraints. She thinks they are both possible.

Mr. Troper commented that Council is trying to provide the ARB with very clear guidelines. We are trying to make it black and white with no gray. He asked her if she supports solar panels being visible from the right-of-way in the district. Ms. Scherer eventually stated that she is against them being visible. She thinks that removing the one paragraph that she mentioned in her comments will help provide clear guidance.

Tricia Herban, 120 E. Dublin-Granville Rd.

Ms. Herban shared that when they redid their house four years ago she drove around the community and looked at grills between the glass and she could not do it even though it was allowed because she thought it really changed the character of her craftsman house. Having said that, she would like to speak to two points about the solar panels.

- 1) When you consider the placement of the panels, there is an unintended consequence that could come up in disadvantaging one neighbor against another because this neighbor's house faces this way and therefore can install the panels and increase the value of the house whereas that neighbor cannot. She thinks that is a point to consider when looking at it.
- 2) We have become accustom to many things like the asphalt roads, shingles, the grills between the glass, etc. She thinks as time passes we will be accustom to solar panels and won't really even see them.

Melissa Gayhart, 677 Farrington Dr.

Ms. Gayhart stated that she supports solar panels without restriction on placement. She shared several excerpts from four Historic District property owners' letters as follows:

- 1) Akiko and Steve Pullen, 653 Evening St. – A Federal style structure is still a Federal style structure despite not having options such as insulated windows, power, cable, satellite dishes, etc. Surely the addition of solar panels on such a building would not change its primary character and suddenly make it non-historical.
- 2) Blair Davis – As a forty one year resident of the Worthington Historic District he would like it to be known that he supports the installation of solar panels in Worthington.
- 3) Walt and Connie Kobalka – Old Worthington and the City of Worthington need to move with the times. Solar panels are part of the move to the future. Their use should be encouraged and not limited by personal opinions on whether they look good. Solar panels should be placed where they can receive the sun most efficiently even if the panels can be seen from the street.
- 4) Hugh Geary – When I see solar panels on a house, it shows those who live there are good stewards of the environment. Just as putting planning and zoning code notices on the web are not any more in the newspaper will save thousands of dollars, thanks to technology of the internet, using the technology of the solar panel will save thousands upon thousands in the long run. They are the wave of the future. There are going to be more and more use of the solar panel. Let Worthington ride the wave.

Ms. Gayhart closed by stating that she received an e-mail today from Julie from Colonial Hills. She was hoping she could read her comments into the records.

Julie states that she is a resident of Colonial Hills. She moved to Worthington about a decade ago not only for the beautiful historical buildings but for the sustainability. It is important for her to live close to shops, restaurants, libraries, parks and green spaces. In fact, the beautiful woods and ravines are what drove her to settle in Colonial Hills. We need to protect this environment in Worthington as well as for that of our planet. Historic beauty is wonderful and she supports its preservation but we live in the 21st century with new issues that must be addressed.

Mr. Foust reported that City Council members did in fact receive either electronically or in writing all of the comments from the survey.

Susie Kneedler, 263 Weydon Rd.

Ms. Kneedler thinks we are balancing two great things here in that we need renewable energy and we need our historic landmarks. At the same time she thinks that the most damaging things to Worthington are the riding mowers and the leaf blowers. She believes they are allowed in the historic district. She would favor all of us going back to push mowers and raking, which she loves. She would like to encourage trees, as mentioned earlier by Suzanne, trees because we all have our hearts broken when we lose trees. She has lost five trees in the twenty five years that she has lived in Worthington. It breaks our heart every time and we can't plant an ancestral tree. They lost one this spring by corkscrew winds. She wishes Council could double, triple, multiply by ten the numbers in the Street Tree Program and up the subsidy from 50% to more. Then all we

would notice is a two hundred year old building and a wonderful two hundred year old tree. If you could possibly consider helping homeowners and businesses also to buy more mature trees. If the City could do something, however minimal to encourage people to care for their trees properly but also to replant. Anything Council can do to honor our being a Tree City because it looks to us that we have lost a lot of trees.

Ms. Michael commented that a number of the trees that have been lost in our community have to do with the ash borer. Ms. Kneedler was aware of that event. She added that the more we can put into replanting native trees and also burying power lines as that would be a great thing. Ms. Michael agreed that we would if we could afford to do that.

Daniel Petrick, 6519 Evening St.

Mr. Petrick shared that he is twenty four and has lived here his whole life. He thought it would be good to have a generational perspective. He was also here in February because he feels strongly about this topic. While it may be completely unfair he would like to speak for his generation and how much they would appreciate more solar panels. He fully supports all of the solar panels on the front. We have people here who live in Worthington and are going out of their way to put solar panels on the roof. They have to go through all of the process and then buy them and that is an expense. He feels like we should be thanking them as oppose to putting up roadblocks.

Ms. Michael thanked everyone for coming out this evening and the thoughtful comments. Council will continue to receive comments and letters. On April 10th Council will deliberate and provide staff with direction. Everybody is welcome to come although that meeting will primarily be Council's deliberation.

Mr. Norstrom asked staff to pursue the issue of trees. It is his understanding as he has looked at solar for his house that the net benefit occurs by chopping down trees to provide southern exposure for solar panels. He wants to confirm that.

NEW LEGISLATION TO BE INTRODUCED

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).

Introduced by Mr. Smith.

MOTION

Mr. Myers made a motion to adopt Resolution No. 07-2017. The motion was seconded by Ms. Dorothy.

Mr. McCorkle shared that at the most recent discussion about the ReCAP Program Mr. Myers asked about several statistics of the program, specifically with respect to lease

rates and vacancy rates. He shared the following Historical Summary (four years of the program):

Total Investment in Corridor - \$437,000+ (one to one match between the City and private investment)

Total ReCAP Awarded - \$218,404 (grant and loan)

City Investment (Grants) - \$109,202 (dollar amount that will not be repaid)

Vacancy Rates - 1st Quarter of 2014 – 10.2%.

1st Quarter of 2017 the rate was 4.6%.

There are about 2,800,000 square feet of space in the corridor. There is some 130,000 square feet of vacancy. Currently, 41% of vacancy is one building (6500 Huntley Road).

Lease Rates – 1st Quarter of 2014 - \$5.54 sq. ft.

1st Quarter of 2017 - \$6.97 sq. ft.

Historical Summary

- 138 commercial properties in ReCAP area
 - 2014 Valuation: \$89,500,000
 - 2016 Valuation: \$80,700,000 (9.8% decrease)
- 10 completed projects in ReCAP area
 - 2014 Valuation: \$5,775,500
 - 2016 Valuation: \$5,800,500 (0.4% increase)

RECAP PROPERTIES				
Property Address	2014 Valuation	2015 Valuation	2016 Valuation	Notes
966 Proprietors Road	\$ 309,100	\$ 309,100	\$ 309,100	
6520 Huntley Road	\$ 346,400	\$ 346,400	\$ 371,400	Market value has increased 7% since renovations
500 Schrock Road	\$ 980,000	\$ 980,000	\$ 980,000	
6955 Worthington-Galena Road	\$ 245,000	\$ 245,000	\$ 245,000	Last sold in 2016 for \$300,000 (22% above market value)
7099 Huntley Road	\$ 1,350,000	\$ 1,350,000	\$ 1,350,000	
6300 Huntley Road	\$ 240,000	\$ 240,000	\$ 240,000	
1028 Proprietors Road	\$ 390,000	\$ 390,000	\$ 390,000	
6601 Huntley Road	\$ 950,000	\$ 950,000	\$ 950,000	
7046 Worthington-Galena Road	\$ 780,000	\$ 780,000	\$ 780,000	Last sold in 2016 for \$865,000 (11% above market value)
6320 Huntley Road	\$ 185,000	\$ 185,000	\$ 185,000	

Mr. McCorkle commented that while the corridor has decreased in value over the last couple of years, the ReCAP projects have at least stayed the same if not increased slightly. There are three properties highlighted in green. The first one at 6520 Huntley Road had a Market value increase of 7% since the renovations. The other two; 6955 Worthington-Galena Road and 7046 Worthington-Galena Road have been sold since being renovated at 22% and 11% respectively above market value. The appraisals occur every three years and the reappraisals have not yet come in for 2017.

Mr. Norstrom commented that the lease rates have gone up but the value of the properties have gone down. Mr. McCorkle agreed.

Council members thanked him for the summary of the ReCAP Program.

Mr. McCorkle shared the following ReCAP application information with Council:

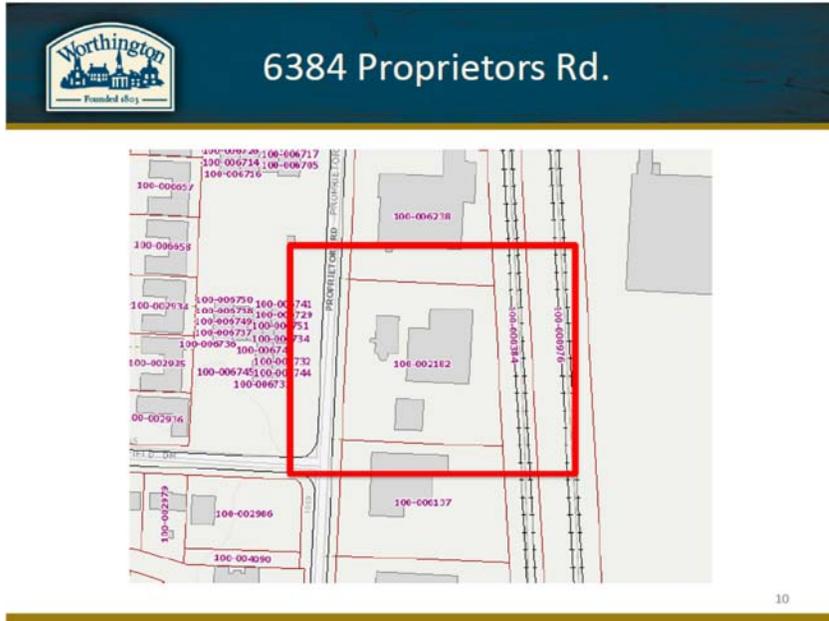
Applicant Information

- Applicant: Ohio Beer Co., Ltd.
- Site Address: 6384 Proprietors Rd.
- Total Project Cost: \$12,474
- Award Amount: \$6,237
- Applicant leases building and has owner's approval to do the project. Applicant was born and raised in Worthington and is a current resident.



Mr. McCorkle shared that this is a picture of the building that is owned by Sullivan Builders. This particular property got docked on scoring because of its lack of visibility

from Proprietors Rd. The scope of work is a strong project but the visibility caused it to not be scored as high as some of the previous applicants.



10

Scope of Work

- New industrial windows
- Masonry work to replace door
- New updated wood ribbon
- New gooseneck lighting
- New signage

Current Condition



Façade Rendering



Elevation & Scope



Mr. McCorkle reported the CIC recommended funding for this project. The minimum score is 65%, which is the score this project received strictly because of the visibility issue. The applicant and their ability to repay the loan proceeds and the strength of the scope of work provided enough points to meet the minimum threshold.

Mr. Myers brought up the topic of lease versus owned. He asked if that was considered by the CIC. Mr. McCorkle confirmed that it is part of the scoring mechanism as the question was added to the application this year. There is a slight preference given to buildings that are owned. The applicant had some issues finding enough bids to submit because of who owned their building. They are required to submit three bids and we take the lowest bid. The applicant was able to get a second bid. Sullivan wanted to do the work themselves and their bid was actually the lowest. Per Council member Norstrom’s request at the CIC meeting, we had Dan Whited verify that Sullivan’s bids was in line with market rates.

Mr. Myers asked if Ohio Beer does retail business. Mr. McCorkle confirmed that they will sell a keg for residential use.

Ms. Dorothy thanked Mr. McCorkle for continuing to bring the ReCAP projects forward.

There being no additional comments, the motion to adopt Resolution No. 07-2017 carried unanimously by a voice vote.

Resolution No. 08-2017 Amending the Job Description for the Position of Operations Support Manager and Amending the Pay Resolution to Accommodate Said Position.

Introduced by Mr. Troper.

MOTION Mr. Foust made a motion to adopt Resolution No. 08-2017. The motion was seconded by Mr. Norstrom.

Chief Strait reported this position being vacant for almost two years. Currently Lt. Wuertz has been covering this position. It will oversee nine full-time Comm. Techs, four part-time Comm. Techs, as well as the Records Division. It will be a rather encompassing job that will also include updates that he foresees. It will be a challenging position, which is why they made the change in the pricing structure. Going from 19 to 20 is in line with what the market place looks like and this would put us in line with many similar size cities.

Mr. Norstrom commented that the change will allow us to hire in at a higher rate. Chief Strait confirmed that to be the case. This is a manager position and most of the supervisors, at least for the bigger centers have pay structures much more. Most span of control is between four to five people. This individuals span of control will be much greater. He added that the hope is that we can persuade one of the supervisors from another agency to come join us and take on a new challenge.

Ms. Michael asked if her assumption is correct in that we are planning on keeping the communications center in-house. Chief Strait acknowledged that being accurate at least for the next three to five years. He would like to bring the standards up to where they need to be to make sure we are doing our due diligence to our public.

There being no additional comments, the motion to adopt Resolution No. 08-2017 carried unanimously by a voice vote.

Ordinance No. 10-2017 An Ordinance to Revise the Codified Ordinances by Adopting Current Replacement Pages.

Introduced by Mr. Smith.

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.

Introduced by Mr. Myers.

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.

Introduced by Mr. Myers.

When asked by Mr. Myers if marijuana is really spelled two different ways in the legislation, Ms. Fox assured him that is was.

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 OFFICIALSPolicy Item(s)

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

Mr. Greeson shared that he knows of no issue with this request.

MOTION

Mr. Myers made a motion to not request a hearing for the transfer from Freight Sales Inc. to Englefield Inc. (dba Worthington Duchess). The motion was seconded by Mr. Norstrom.

The motion carried unanimously by a voice vote.

REPORTS OF COUNCIL MEMBERS

Ms. Dorothy shared that she attended the Worthington school board meeting where they showed several different options with some really big price tags. There is still time to go on-line and fill out the survey as this greatly affects Worthington.

Ms. Dorothy added that the Cemetery Board met with a representative of the city of Columbus. They have agreed to try some remediation for the erosion issue that is close to the cemetery. We will look at it periodically over the next couple of years.

Mr. Smith shared that the Bureau of Workers' Compensation will do a job analysis at no cost for transition work. He added that he working on a statement regarding community solar. He thinks we left it a little unclear last time so he will shoot that out via e-mail.

Ms. Michael reported doing some things with the Central Ohio Mayor and Managers Association (COMMA) in which she met with State Representative Lanese who didn't realize how dangerous central collection could be to cities. She added that we are up against business and we need to get small business people or anybody who claims to have a small business willing to write a letter stating that they are okay with the City continuing to collect our own income tax. They are planning to move this section from Chapter 7 to Chapter 57, so basically the state will then own our income tax. Then they will charge us 1% to collect one of the three types of taxes which would cost us an additional \$23,000. Representatives thought it would be a great cost savings for cities. They are also talking about collecting the taxes the first quarter of the year and not distributing them to us until the end of the second quarter of the year. She wrote a letter and sent it to the entire state legislature.

Ms. Michael added that she met today with COMMA as they filed a law suit on the solar power bill. Law suits were also filed in the northeastern area.

EXECUTIVE SESSION

MOTION Mr. Norstrom made a motion to meet in Executive Session to discuss land acquisition and pending litigation. The motion was seconded by Mr. Foust.

The motion carried by the following vote:

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

No 0

Council recessed at 9:26 p.m. from the Regular meeting session.

MOTION Mr. Norstrom made a motion to return to open session at 9:59 p.m. The motion was seconded by Mr. Smith.

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.

The foregoing Ordinance Title was read.

MOTION Mr. Norstrom made a motion to amend Ordinance No. 09-2017 with the language presented in the amended Ordinance included in Council material.

The amended language included:

- 1) 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.
- 2) Section 1. – Insert an amount not to exceed Six Hundred Thousand Dollars (\$600,000)

The motion was seconded by Mr. Myers.

The motion carried by a voice vote.

MOTION Mr. Norstrom made a motion to pass Ordinance No. 09-2017 as an Emergency. The motion was seconded by Mr. Myers.

The clerk called the roll on passing Ordinance No. 09-2017 (As Amended) as an emergency. The motion carried by the following vote:

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

No 1 Troper

Mr. Greeson shared that if Ordinance No. 09-2017 (As Amended) passes it will transfer \$600,000 to the Community Improvement Corporation (CIC). As we look at economic development practices throughout central Ohio and some of the communities that we compete with, it is not uncommon for people to use their CICs as an economic development tool. They can pursue things like land acquisition for the purposes of helping position strategic corridors and properties for future economic growth and development with the idea that those developed properties can generate income taxes in some cases for communities but in all cases help cities realize their plans. So this is not an uncommon practice and is something that we believe we need to do strategically in order to advance economic development. CICs have an agency relationship with city governments and are created under the Ohio Revised Code for such purposes.

Mr. Smith added that CICs also use their abilities to prevent bad developments as well.

Ms. Michael clarified that the priority is commercial but residential should also be given consideration as needed. Mr. Myers replied there can't be two priorities. The priority is commercial. If they see an opportunity in the residential debate and their discretion

thinks it advances our goals then that is fine. He just wants to make certain that the CIC has some direction.

The clerk called the roll on Ordinance No. 09-2017 (As Amended) and Declaring an Emergency. The motion carried by the following vote:

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

No 1 Troper

Ordinance No. 09-2017 (As Amended) and Declaring an Emergency was thereupon declared duly passed and is recorded in full in the appropriate record book.

ADJOURNMENT

MOTION Mr. Troper made a motion to adjourn the meeting at 10:06 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
3rd day of April, 2017.*

/s/ W. Scott Myers
Council Pro-Tem of President