City Council Meeting Agenda

Monday, June 5, 2017 ~ 7:30 P.M.

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

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

Matthew H. Greeson, City Manager
D. Kay Thress, Clerk of Council

If you have questions regarding this agenda please contact the Clerk of Council at 614-786-7347. This agenda and amendments that may be made to it can be found at www.worthington.org
CALL TO ORDER

Roll Call

Pledge of Allegiance

VISITOR COMMENTS

APPROVAL OF MINUTES

1) May 1, 2017 – Regular Meeting
2) May 8, 2017 – Committee of the Whole Meeting
3) May 15, 2017 – Regular Meeting

PUBLIC HEARINGS ON LEGISLATION

4) Ordinance No. 17-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the 2017 Street Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 651-17)

Introduced May 15, 2017
P.H. June 5, 2017

5) Ordinance No. 18-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the 2017 Street Crack Sealing Program (State of Ohio Contract 101G-18 Pricing) and all Related Expenses and Determining to Proceed with said Project. (Project No. 651-17)

Introduced May 15, 2017
P.H. June 5, 2017
6) **Ordinance No. 19-2017**

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the Community Center Sprinkler Head Replacement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 652-17)

Introduced May 15, 2017  
P.H. June 5, 2017

**NEW LEGISLATION TO BE INTRODUCED**

7) **Resolution No. 30-2017**

Creating a Designated Outdoor Refreshment Area for Downtown Worthington and Enacting Regulations.

8) **Resolution No. 31-2017**

Providing for Adoption of the Tax Budget for the Fiscal Year Beginning January 1, 2018

9) **Resolution No. 32-2017**

Adjusting the Annual Budget by Providing for a Transfer of Previously Appropriated Funds.

10) **Resolution No. 33-2017**

Authorizing an Amendment to the Final Development Plan for 350 E. Wilson Bridge Road and Authorizing a Variance (MedVet Associates).

11) **Resolution No. 34-2017**

Amending Resolution No. 58-2016 to Include a Compensation Rate for Part-time Staff Designated as Personal Trainer.

12) **Resolution No. 35-2017**

Amending the Position Description for Director of Law.
13) **Ordinance No. 20-2017**

Amending Section 529.07 of the Codified Ordinances of the City to Limit Opened Containers in the Designated Outdoor Refreshment Area to Locations as Authorized by the Permit Holder during Outdoor Dining Activities.

14) **Ordinance No. 21-2017**

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for An Appropriation from the General Fund Unappropriated Balance.

15) **Ordinance No. 22-2017**

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund and Water Fund Unappropriated Balances.

**REPORTS OF CITY OFFICIALS**

Policy Item(s)

16) **TREX Application**

**REPORTS OF COUNCIL MEMBERS**

**OTHER**

**EXECUTIVE SESSION**

**ADJOURNMENT**
City Manager Report to City Council for the Meeting of Monday, June 5, 2017

APPROVAL OF MINUTES

1) May 1, 2017 – Regular Meeting
2) May 8, 2017 – Committee of the Whole Meeting
3) May 15, 2017 – Regular Meeting

Recommendation: Approval of Minutes as Presented

PUBLIC HEARINGS ON LEGISLATION

4) Ordinance No. 17-2017 – Appropriation – 2017 Street Improvement Program

This Ordinance provides an appropriation in the Capital Improvements Fund for the annual street improvement program plus the paving of the trail at Perry Park, which will be consolidated with the street program this summer. The Ordinance was introduced without a contractor and amount pending the results of the bid process. Bids will be opened on June 2nd and staff will provide a recommended contractor and amount at the public hearing.

Recommendation: Motion to Amend the Ordinance and Approval of Ordinance as Amended

5) Ordinance No. 18-2017 – Appropriation – 2017 Crack Sealing Program

This Ordinance provides an appropriation in the Capital Improvements Fund for crack sealing of streets as part of the annual street improvement program. Staff recommends utilization of the State of Ohio contract for crack sealing. Under the State contract, Strawser Construction will provide the services. Staff is requesting an appropriation of $76,000, which will cover the estimated cost of $68,000 plus an $8,000 contingency.

Recommendation: Approval of the Ordinance as Presented
6) Ordinance No. 19-2017 – Appropriation – Sprinkler Head Replacement

This Ordinance appropriates $40,000 to replace sprinkler heads in the natatorium at the Community Center. This project was included in the 2017 Capital Improvements Program and is scheduled to be completed during the summer building shutdown. Additional information is included in the attached memorandum from the Director of Parks & Recreation.

**Recommendation:** Approval of the Ordinance as Presented

**NEW LEGISLATION**

7) Resolution No. 30-2017 – Designated Outdoor Refreshment Area – Old Worthington

The City has received a request from the Old Worthington Partnership to create a Designated Outdoor Refreshment Area in Old Worthington. This type of area is defined in State law and allows patrons to walk around a designated outdoor area with an alcoholic beverage that has been served by a liquor permit-holding establishment in the area. The request is focused on a portion of Old Worthington and has two parts, (a) the right of way area of the parcel address of the establishments holding liquor permits during the posted hours of the businesses, and (b) within the entire area during events. The request was discussed at the City Council meetings on April 3rd, April 10th and May 15th.

At the April 10th meeting, City Council directed the City Manager to file an application for the DORA to begin the formal consideration process. The application was filed on April 11th. A public hearing on the application was held on May 15th. Based on the timelines dictated by the Ohio Revised Code, City Council must act on the application no later than June 12th. Additional information is included in the attached City Manager’s memorandum and the attached application.

This Resolution establishes a Downtown Worthington Designated Outdoor Refreshment Area and approves the Public Health & Safety Plan, the Sanitation Plan and establishes other requirements of the DORA. It establishes a one year review of the DORA to determine whether to continue under the same or modified terms and conditions or to dissolve it.

**Recommendation:** Introduction and Approval of the Resolution as Presented

8) Resolution No. 31-2017 – Adoption of the 2018 Tax Budget

The Tax Budget is prepared each year for submission to the Franklin County Budget Commission as required by the Ohio Revised Code Section 5705.30. It is used primarily as a planning tool which establishes general guidelines for the subsequent operating budget, which is passed in December of each year. The County Tax Budget is required to be filed with the County Auditor on or before July 20th of each year.
This Resolution adopts the tax budget. Attached is a memorandum from the Finance Assistant that provides additional information. The following information is also attached:

- 2018 Tax Budget Summary
- 2018 Tax Budget
- 2016 Fund Statement for All Funds
- 2017 Fund Statement for All Funds as of April 30, 2017

**Recommendation:** Introduction and Approval of the Resolution as Presented

9) **Resolution No. 32-2017 – Transfer of Funds**

This Resolution transfers funds from the CIP Fund to the General Bond Fund to satisfy the principal and interest payment obligations due on December 1st. This transfer is necessary because we had not yet issued the bonds at the time of the adoption of the 2017 Operating Budget, thus did not have the actual obligation amount. This is a reallocation of funds and does not increase the total appropriations for the 2017 Operating Budget. Additional information is included in the attached memorandum from the Finance Director.

**Recommendation:** Introduction and Approval of the Resolution as Presented

10) **Resolution No. 33-2017 – Amendment to Development Plan – 350 East Wilson Bridge Road**

This Resolution authorizes an amendment to the approved Final Development Plan at 350 E. Wilson Bridge Road and grants a variance to allow the total sign area for MedVet to exceed the allowable size in the Code for the freestanding monument sign. The request is recommended for approval by staff and by the Municipal Planning Commission. Additional information is included in the attached memorandum from the Director of Planning & Building and the attached application materials.

**Recommendation:** Introduction and Approval of the Resolution as Presented

11) **Resolution No. 34-2017 – Amendment to Classified Pay Resolution**

This Resolution amends the Classified Pay Resolution to include an hourly compensation rate for part-time staff members who are designated as personal trainers.

**Recommendation:** Introduction and Approval of the Resolution as Presented
12) Resolution No. 35-2017 – Job Description – Director of Law

Law Director Pam Fox has announced her retirement effective later this summer. This is an appropriate time to review the job description for Law Director. Staff recommends changes to update the position description into the City’s current format, and to better reflect the current duties and responsibilities of the position. The proposed job description is attached to the Resolution.

Recommendation: Introduction and Approval of the Resolution as Presented

13) Ordinance No. 20-2017 – Open Container Limitations – Designated Outdoor Refreshment Area

In conjunction with the approval of the Downtown Worthington Designated Outdoor Refreshment Area (“DORA”), we have discussed the need to enact additional legislation that addresses the unique aspect of the Worthington DORA for outdoor dining and special events on private property as it relates to the open container laws. Because the proposed DORA boundaries extend from South Village Green Drive to South Street to accommodate the City-approved events that wish to offer the “sip and stroll” feature, an additional provision to the City’s existing open container ordinance is recommended to prohibit those patrons of the businesses that permit outdoor dining and special events on private property from walking throughout the entire DORA area, when our authorization to those businesses is to limit the patrons to a specified area adjacent to their properties. Our Code already addresses the DORA exception to the open container law (mirroring the state provisions), so a carve-out to the exception is proposed to be added that would prohibit people from walking beyond the areas in those locations in violation of the posted signage.

Recommendation: Introduction for Public Hearing on June 19, 2017

14) Ordinance No. 21-2017 – Additional Appropriation – Community Center Custodial Services

This Ordinance appropriates an additional $7,800 for Custodial Services at the Community Center. The City and the vendor originally selected for the custodial services have mutually agreed to discontinue the contract. Staff is recommending a contract with Capital Services through January 31st. Since the monthly fee with Capital Services is higher, an additional appropriation is needed to provide sufficient funding for the remainder of the year. Additional information is included in the attached memorandum from the Director of Parks & Recreation.

Recommendation: Introduction for Public Hearing on June 19, 2017
15) Ordinance No. 22-2017 – Additional Appropriation – Water Main Repairs

This Ordinance provides funding for water main repairs. The Ordinance includes a transfer of funds from the General Fund to the Water Fund to cover the cost of the water main repairs billed by the City of Columbus based on the agreement between the City of Worthington and the City of Columbus for water service. The Ordinance appropriates the funds in the Water Fund so the payment can be made. The 2017 Operating Budget included $25,000 for water main break repairs, but the bill from the City of Columbus is for $83,089.90. This appropriation provides the additional amount needed to cover this expense and the other expenses of the Water Fund. Attached is a memorandum from the Director of Service & Engineering that provides additional information.

Recommendation: Introduction for Public Hearing on June 19, 2017

REPORTS OF CITY OFFICIALS

Policy Item(s)

16) TREX – Diamond Wolves LLC (Tomatillos Authentic Mexican & Diamonds Ice Cream)

Diamond Wolves intends to open Tomatillos Authentic Mexican restaurant and Diamonds Ice Cream in the Linworth Crossing development at 2233-2299 West Dublin Granville Road. They have contacted the City to request the transfer or TREX of a D2 liquor permit into Worthington for use at this new location, since Worthington is at quota for population-based D2 permits. This permit would allow the sale and on-premises consumption of wine and mixed beverages until 1:00 a.m.

The TREX application requires the City’s support and acknowledgement of the transfer for economic development purposes. Additional information on this item is provided in the attached memorandum from the Economic Development Manager.

Recommendation: Approval of a Motion to Endorse and Acknowledge this Transfer as an Economic Development Project

EXECUTIVE SESSION

I respectfully request an executive session to discuss appointments to Boards and Commissions.
Meeting Minutes

Monday, May 1, 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, May 1, 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 7:52 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 Planning and Building Lee Brown, and Director of Parks and Recreation Darren Hurley

There were ten visitors present.

*Members dispensed with the recitation of the Pledge of Allegiance since it was recited during the Joint Meeting of City Council and the Sharon Township Trustees.*

**VISITOR COMMENTS**

There were no visitor comments.

**APPROVAL OF MINUTES**

- April 3, 2017 – Regular Meeting
- April 10, 2017 – Committee of the Whole Meeting
- April 17, 2017 – Regular Meeting

**MOTION**

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

*Mr. Myers asked that the minutes of April 10th be amended as follows:*

*Page 13-13, first paragraph on the eighth line should read “Kit” house.*
*Page 13-15, second line of the first paragraph should read “wavy” glass.*

*Mr. Foust asked that the minutes of April 17th on page 14-6 be amended after “$133.00” to include, “or whatever the going rate.”*

*There being no additional comments, the motion to approve the minutes as amended carried unanimously.*
PUBLIC HEARINGS ON LEGISLATION
President Michael declared public hearings and voting on legislation previously introduced to be in order.

**Ordinance No. 13-2017**

To Amend the Official Zoning Map of the City of Worthington, Ohio, to Change Zoning of Certain Land from R-10, Low Density Residential to WBC-1, Medium Density Residential (181 E. Wilson Bridge Rd., Parcel #100-002477 (Lot #16) & Parcel #100-002478 (Lot #17)).

The foregoing Ordinance Title was read.

Mr. Brown shared that the request is to rezone two parcels on the south side of East Wilson Bridge Road. This is part of the greater Wilson Bridge Road Corridor Plan that was adopted in 2011.

He showed a slide of the current zoning in the district and one of the proposed zoning (shown below).

The proposed zoning was adopted last April with the Wilson Bridge Corridor Zoning looking at the future uses and future zoning categories for the corridor, everything
ranging from the Medium Residential, which is for consideration tonight, to Professional Office, Mixed Use and an Office category.

Mr. Brown shared that the highlight that has been discussed for decades is the south side of East Wilson Bridge Road. The application tonight focuses on two vacant parcels in the Medium Density Residential zoning category. They are owned by Metropolitan Holdings (Matt Vekasy). He acknowledged there being no development proposal tonight so at any time in the future when the current or a future property owner would want to develop the site, a development plan would be required. It would need to go before Municipal Planning Commission as well as City Council for approval. Tonight members are just considering the rezoning of the two vacant parcels from R-10 to WBC-1 (Medium Density Residential). That zoning allows for multi-family up to fourteen units to the acre. The height is also increased to 2 ½ stories for a maximum of thirty feet. This is all in accordance with what Council adopted in April 2016.

Mr. Brown showed several slides of the two parcels as well as other properties on that stretch of road. The south side of Wilson Bridge is proposed to have a multi-use path that will ultimately connect bikers/walkers/joggers from the River to the Rails.

Mr. Brown reported that this application went before the MPC on April 13th. They in turn recommended approval onto City Council. Staff is also recommending approval.

Mr. Myers believes members have been discussing this for some time. It was the principle goal that came out of the retreat this winter. He urged approval of the rezoning.

The clerk called the roll on Ordinance No. 13-2017. The motion carried by the following vote:

Yes  7    Foust, Troper, Norstrom, Dorothy, Smith, Myers and Michael
Ordinance No. 13-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 14-2017

Authorizing an Amendment to the Economic Development Grant Agreement between the City of Worthington and Worthington Square Acquisition, LLC (The Heights at Worthington Place).

The foregoing Ordinance Title was read.

Mr. McCorkle shared that this request is an amendment to extend Worthington Square’s acquisition first payroll deadline by eighteen months.

Background
The City of Worthington and Worthington Square Acquisition, LLC entered into this agreement in 2013 to encourage the development and maintenance of businesses within the commercial corridor. The building is located at 160 W. Wilson Bridge Road and known as The Heights at Worthington Place.

The venture grant, totaled $878,000 and is payable over ten years with annual installments of $87,800 over that ten year term. Staff was contacted by Worthington Square Acquisition in the summer of 2016 with a request and a heads up that they would be asking to extend their first payroll deadline. Per the agreement they had thirty six months from when the original contract was entered into. The original contract was entered into in September 2013. That gave them until September 2016 to meet their first payroll deadline, which was $1,000,000.00 of retained payroll.

Grantee Request:
The request is to extend that thirty six months to fifty four months, making it a net of eighteen months. That would take their first goal deadline out to March 6, 2018. All other terms of the contract remain the same. The total duration of the contract will still be the same. The agreement was written in a way that the contract does not expire until the later of ten years or when their last installment is received. So this extends each one of those subsequent payments so the payroll will still be in Worthington for the same amount of time. They are just asking for that first deadline to be extended by eighteen months.

Recommended Action:
Staff has discussed it internally and we recommend approval to extend their first payroll deadline by eighteen months.

Ms. Michael asked if part of this had to do with trying to get businesses into the building. Mr. McCorkle replied yes. The building is 23,000 square feet of class “A” office space and spread over two floors. They do have some walls going up and some units going in on the first floor. Ohio State has actually leased the first floor and they expect to be in by June of
this year. The second floor is close to being leased. They are expected to also be a branch of Ohio State and that will be a net new business for Worthington. We are not completely sure on what practice it is but we are expecting them as early as October of this year.

When asked by Mr. Norstrom if “practice” is for medical, Mr. McCorkle replied yes. The first floor is actually not net new to Worthington as they are relocating from the Harding site.

Mr. Foust was curious as to why the delay in the leasing process. He wondered if they were caught by surprise. Mr. McCorkle thinks it took them a little longer than anticipated to get the site leased. This was one of two spaces in Worthington that is the first class “A” office space so the price per square foot is a little higher.

Mr. Foust shared that as being a concern as he has been hearing that we need class “A” space in Worthington. He didn’t think we would have a hard time getting it filled somehow with all of the alleged demand. He wants to know that we aren’t going to be sitting here twelve months from now with another potential extension because the second floor didn’t come to pass or whatever.

Ms. Fox shared that Mr. McCorkle wasn’t here when this agreement was entered into. Obviously this was built as speck office space. We have heard that it is a challenge for builders to build speck office space so while we have very little class “A” space, she thinks that challenge still remains. It just took them a little while to get that space filled which is what we have heard has been the difficulty in building that kind of space. Mr. McCorkle added that the only other class “A” office space in Worthington is located at 350 West Wilson Bridge Road (Central Ohio Urology Group and Wheels Up). They are still trying to find a tenant for that last 10,000 square feet of that 60,000 square foot building.

Mr. Foust asked if it is fair to say that class “A” space isn’t necessarily a “if you build it they will come” scenario. Mr. McCorkle reported that staff has had several of these conversations, specifically an extension of this is East Wilson Bridge. We have heard from a couple of developers that you just can’t build this speculative anymore. A tenant is really needed, somebody that is driving the boat in order to push that. Mr. Foust sees that as the takeaway and somewhat of a lesson learned perhaps.

Mr. Myers shared that if memory serves him correctly, part of the thinking behind this grant was the acknowledgement that spec class “A” space was difficult to lease and this was to be used, for want of a better term, as a lease rate buy down. They could use this grant money to supplement what the normal lease rate for class “A” space would be to make it more attractive. Mr. McCorkle agreed.

Ms. Stewart shared that originally the proposal was only for apartments. This was the City’s incentive to get them to incorporate office space so that we could have some revenue generated off of this new property. It is always challenging to get them to build spec office but we also have businesses that come to us that want class “A” space but can’t wait for them to be built so what do we do? Do we tell them we don’t have any so they will have to go to the next community or do we see if we can encourage some spec development but recognizing that it may sit empty for a little bit until we get those businesses that come back who are looking for class “A” and it is ready to go.
Mr. Foust explained that he didn’t intend to second guess what happened before he arrived on Council. It is obviously a great outcome ultimately it appears in the end but he is just trying to understand the process.

Mr. Myers replied that he appreciates what Mr. Foust is saying. He thinks Council members understood when they encouraged the original developer to add this space on to the front of the apartments that it was somewhat problematic, which is why we felt like we should do this incentive. He doesn’t think times have changed all that much. He thinks Mr. Foust made a good point. He asked Mr. McCorkle to let them know that if they were to come back for a second extension it would probably not be received nearly as well.

Ms. Michael added that one of the important things that members wanted as a City was to be able to have income tax coming in to help us support all of the projects in the whole area.

Mr. McCorkle shared that per the agreement, their minimal number is $1,000,000 in annual payroll. This amount of square footage is very similar to what Central Ohio Urology Group took. He realizes that they are two separate entities but Central Ohio is closer to $5,000,000 in payroll.

Mr. Myers commented that currently no payroll is being generated by this property. Mr. McCorkle agreed.

Mr. Foust shared that he is glad that we were able to retain this business.

The clerk called the roll on Ordinance No. 14-2017. The motion carried by the following vote:

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

No 0

Ordinance No. 14-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 15-2017 Amending Ordinance 47-2016 to Establish Compensation for the Unclassified Position of Administrative Assistant/Finance Manager

The foregoing Ordinance Title was read.

Mr. Greeson commented that he would like to speak to this ordinance as well as the two following resolutions which together are a packet. Members obviously have to vote on them individually but they are related and reflect a number of changes that he is proposing in the Department of Finance. Probably the most important of those is Resolution No. 18-2017. He is proposing the promotion of Scott Bartter as our new Finance Director and is requesting Council’s confirmation of that appointment. Mr.
Bartter is here this evening. As members’ know he is essentially our #2 in the Finance Department and has ably served the City for five years. He has over fifteen years of experience in the municipal finance and income tax collection industry. Mr. Bartter, as Ms. Roberts will attest, is familiar with all aspects of our municipal finance operations and has been an important contributor to our budgets, our capital planning, labor negotiations, and income tax administration. He currently serves as the City’s income tax administrator. He is currently a leader in his industry and serves as President of the Greater Ohio Tax Administrator’s organization. He is a graduate of Leadership Worthington and resident of our community. When we get to that resolution he would urge members’ confirmation of Mr. Bartter. He is very excited to recommend his confirmation.

Mr. Greeson shared some related changes as part of Mr. Bartter’s promotion. Staff has also evaluated his current role, which is titled Finance Assistant, which probably doesn’t describe the breadth and scope of that position as it has changed over time. Staff is recommending a series of changes to that position and reflected in this ordinance. It would create compensation for the position of Administrative Assistant / Finance Manager. It would also be an unclassified position. Resolution 17-2017 would adopt a revised job description and make the change in the staffing chart that allows for that new title, job description and change to an unclassified position. He believes those changes best reflect the duties of that position. The fiduciary responsibilities of that position warrants it to be unclassified and on their own have merit. In addition, these changes provide the opportunity for him to hire an experienced finance person. Pending Council’s approval of these changes to that position, he has offered the position to Steve Gandee, former Finance Director for fifteen years. This is a reorganization of a position, a confirmation of a director and some changes in the position that will allow us to hire a highly competent experienced Finance person to fill Mr. Bartter’s current role.

MOTION

Mr. Myers made a motion to amend Ordinance No. 15-2017 in Section 1 to establish a salary of $75,000.00. The motion was seconded by Ms. Dorothy.

The motion carried unanimously by a voice vote.

There being no additional comments, the clerk called the roll on Ordinance No. 15-2017 (As Amended). The motion carried by the following vote:

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

No 0

Ordinance No. 15-2017 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.
NEW LEGISLATION TO BE INTRODUCED

Resolution No. 17-2017
Adopting a Job Description for Administrative Assistant/Finance Manager and Amending the Staffing Chart to Accommodate Said Position

Introduced by Mr. Norstrom.

MOTION
Mr. Smith made a motion to adopt Resolution No. 17-2017. The motion was seconded by Mr. Myers.

There being no comments, the motion to adopt Resolution No. 17-2017 carried unanimously by a voice vote.

Resolution No. 18-2017
Confirming the Appointment of Scott F. Bartter to the position of Director of Finance.

Introduced by Mr. Myers.

MOTION
Ms. Dorothy made a motion to adopt Resolution No. 18-2017. The motion was seconded by Mr. Troper.

There being no comments, the motion to adopt Resolution No. 18-2017 carried unanimously by a voice vote.

Ms. Michael congratulated Mr. Bartter who replied that he appreciates the opportunity.

Mr. Greeson thanked members for voting for all of those changes. He appreciates their support of him and his recommendations.

Resolution No. 19-2017
Amending the Worthington Design Guidelines for the Architectural Review District by Revising the Recommendations for the Placement of Solar Panels in the Sustainability Section.

Introduced by Mr. Foust.

MOTION
Mr. Norstrom made a motion to adopt Resolution No. 19-2017. The motion was seconded by Mr. Smith.

Mr. Greeson commented that he will turn the meeting over to Mr. Brown who will overview changes to the Architectural Review guidelines based on Council’s conversations and the process that we have undertaken over the last few months.

Mr. Brown reported this being a several meeting process of making modifications and changes to the Worthington Design Guidelines. The Architectural Review Board
requested more clarification for the installation of solar panels. We have had a fifty-year history of the Architectural Review District so any modification, change or new in the Architectural Review District requires ARB approval.

At the last meeting, Mr. Myers introduced some changes that were discussed at previous meetings. Mr. Brown shared that he and Ms. Fox sat down after that meeting and went through all of the comments and changes that they heard section by section. Those results are attached to the Resolution before members tonight. They thought it would be appropriate to go through the sections and see the changes that were highlighted in “red” to make sure that it addressed members’ comments and/or concerns.

Ms. Fox made a change in Section “C.” that talked about solar panels and the sustainability sections of the Design Guidelines. The changes include an “(i)” and “(ii)” with the “(ii)” paragraph seeing the most changes. The changes were from comments members made during the meetings. The additions are highlighted in red as follows:

C. (i) 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 off a 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.

(ii) Solar panels proposed for another location on a building or site are to be strongly discouraged and visible from the principal right-of-way are to be strongly discouraged and may be acceptable only if their placement does not have an adverse effect on the architecture of the building, or the character of the site within the Architectural Review District, and there exists sufficient evidence of record demonstrating that the following non-exclusive conditions exist: The Board shall consider the following criteria to determine whether conditions exist to support an application for the placement of solar panels in a location visible from the right-of-way:

Mr. Brown asked if there were any comments, questions, clarifications or maybe some misinterpretation that he and Ms. Fox had when they sat down to make the changes that members’ discussed at that meeting.

Ms. Dorothy commented that if an applicant was going to come forward with a proposal, they would have this document accessible to them through the website portal. If they came to Mr. Brown and said they wanted to have solar panels he would immediately point them to this section of the code. She asked if that is how it would work. Mr. Brown agreed that it was.
Ms. Dorothy added that they would see right away that Worthington is saying from this guideline that they are to be strongly discouraged. Mr. Myers remarked that her statement mischaracterized the statement.

Mr. Foust agreed. The phrase: “visible from the principal right-of-way” got left out of her comment. He thinks “strongly discouraging solar panels” is a gross mischaracterization of the conversations members have had to this point. Ms. Dorothy replied okay. It says, “visible from the principal right-of-way are to be strongly discouraged . . .” and then it goes on to express other considerations.

Mr. Myers commented that members discussed this at the last meeting and when he left the meeting and we ended the discussion, he explained the thinking on that paragraph. He first thought that we could have a design guideline that says, “no visible panels, no exceptions.” We could have a design guideline that say, “panels anywhere, no criteria.” and he really didn’t like either one of those two. So he tried to come up with something that would accommodate panels and the architectural integrity of the district at the same time. In doing that he had to begin with a general rule as most statutes do, in this case the Design Guidelines. The general rule would be that we should not have visible panels but then we create exceptions to that general rule that they could meet. So we were encouraging panels if they were appropriately done. This allowed for both sides. At the end of that meeting he specifically asked if members were okay with that presumption because that was the critical part of this whole scenario. Mr. Smith, Mr. Norstrom, Mr. Foust, Ms. Michael all said they were good. Theirs were the only comments that he got back. He took that to mean that she didn’t have a disagreement with it. So he thinks that members reached consensus on the general rule. That was how he left that meeting. The general rule is that they should be discouraged and the exceptions to that rule are what is set out below so it affords both sides. He understands that there is subjectivity to this but there will always be subjectivity when talking about architecture. He tried to address a couple of the specifics that ARB struggled with and he tried to incorporate as many criteria as he could in an effort to make ARB’s decision as streamline as possible. We have had three votes (two by ARB and one by Council) now. He just really hopes that members can reach consensus on this as he thinks it is critical going forward. If we can’t he understands that but he had hoped that they could.

Ms. Dorothy shared that she was going through the process and she thinks at the very beginning she said that she wanted to have the language in the affirmative. She just wants to go over what the process would be if someone wanted to try. She understands they might not be able to obviously that was always the case to have solar panels visible.

Ms. Michael stated that in order to do this methodically, let’s go over this paragraph and then move on to the next page.

Ms. Dorothy commented that she thinks they are done with that paragraph unless someone else has any comments.
Mr. Smith noticed “principal right-of-way”, with the key word being “principal”. He doesn’t remember that word popping up at all in previous conversations. He kind of likes that word. He noticed that it is in the first “redline” but not in the bottom lower “redline”. He asked if “principal right-of-way” is implied at the end. He asked if we have guidelines on what is and isn’t the principal. Mr. Myers acknowledged that he did not put in some of the more specific language as he was counting on Ms. Fox to incorporate it. There were places where he didn’t even put in “right-of-way” and “visible” and he was hoping she would catch that. He thinks this one addresses the corner lot or possibly the street behind because panels will be seen on the back of the house from the house behind. The street address would be the principal. If you were on a corner lot, the street address would be the principal right-of-way. That is the way he reads this.

Ms. Fox concurred. She felt from some of the comments in the e-mails we received that there might have been some confusion as to whether C (ii) applied to solar panels in general or whether they were only visible from the right-of-way. She tried to say it as many times as possible but that question then comes up about what right-of-way are we talking about. So she put it in the beginning. If it needs to go in all of them that is fine. She felt that if it was in the beginning of the initial paragraph it would be implied that it was the right-of-way for the rest but if there is some confusion on somebody’s part then it could be changed. This is an effort to try to eliminate the confusion.

Mr. Smith said that he would defer to Ms. Fox’s legal brain but if he were trying to argue it his way, he would say that it is not in the second statement so it means any right-of-way and not just the principal.

Ms. Michael asked if he was suggesting the word “principal” be added before the words “right-of-way” in the last redlined sentence.

Mr. Foust suggested we go the other way. What if we remove “principal” in the first statement? He is thinking of that in terms of a house like Mr. Smith’s. He doesn’t recall if the pitch of his roof is front to back or side to side but let’s suppose for a minute that it is north/south pitch. Solar panels on the non-principal right-of-way, because your address is on North St. So someone driving east on North St. would be looking square at your west facing roof. Mr. Smith commented that it is a good for instance. Somebody driving from High St. down past my house to the east on E. North St. would not see a solar panel that is not in the principal right-of-way. It is on the rear of my house but somebody driving northbound on Morning St. towards North St. would see it. He thinks that would apply to quite a few homes in that type of situation. That is why he is bringing it up.

Ms. Michael asked what other council members feel about adding the word “principal” in that second redlined sentence.

Mr. Norstrom opposes that because he thinks it should not be visible from the right-of-way period, not just the principal right-of-way.
Mr. Foust clarified that Mr. Norstrom’s position would be to remove the word “principal” from the statement and leave the second one unaltered. Mr. Norstrom agreed.

Mr. Smith asked if Mr. Norstrom is saying that if 1% of the panel shows in any of the right-of-way then these guidelines would apply or 50% of the panel. Mr. Norstrom replied that these guidelines apply regardless. You can still put one in. As Mr. Myers has indicated we have gone with that principle but we strongly discourage them being visible from the right-of-way.

Mr. Myers shared that he likes the way Ms. Fox wrote the statement. The concern he has is what about on an outbuilding or the garage in the backyard. Potentially, part of that could be visible from the right-of-way if you were walking at a slow pace in broad daylight. Mr. Norstrom agreed. Mr. Myers stated that he can’t be that restrictive. He just can’t go that far.

Mr. Norstrom commented that Mr. Myers has indicated that the “principal” would be allowed but we don’t want it. Mr. Smith added that it is not preferred. Mr. Norstrom agreed. He added that if ARB was looking at it and decided that it isn’t bad, they could approve it. This tells them that they have to make a hard decision. It is a high hurdle if it is going to be visible. Mr. Myers replied that it shouldn’t be an impossible hurdle. Mr. Norstrom stated that it is not.

When asked by Ms. Michael if anyone wanted to make a motion to amend this language, no motion was made. Ms. Michael asked staff to move onto the next section.

Mr. Brown reported that a paragraph was added on the next page as follows:

3. Preservation of the architectural or historical character of the structure and of the Architectural Review District shall be the Board’s primary consideration and the efficiency of the installation shall only be considered once other considerations of the Guidelines have been satisfied.

Mr. Norstrom thinks the discussion that members had was not “architectural or historical character” but rather “architectural character. That is the way he stated it. Originally it was written “of the historical character” and he said the word “historical” should be replaced with the word “architectural”.

Ms. Fox reported that Mr. Smith stated that he liked the word “historical” so that is why both words are in there. She thinks that probably deserves some discussion.

Mr. Myers recalls when Mr. Norstrom brought that up and he agreed with it because, and we address it later, he doesn’t want there to be confusion between the architectural district and the historical designation application. Mr. Norstrom agreed. Mr. Myers
thinks the “architectural character” would include any significant historical attribute of that architecture. Mr. Norstrom again agreed.

When asked by Mr. Myers if that makes sense, Mr. Smith replied that it makes sense although he doesn’t agree. When you have a situation where the architecture itself was approved to be changed at some point but the historical nature of the building with property still exists in essence that was what he was going for and he is trying to think of an example but he can’t.

When asked by Mr. Myers if he can live with it if the word “historical” is removed, Mr. Smith replied if he is outnumbered. Mr. Myers stated that is not what he is asking.

Mr. Foust asked if it reads better if it says, “and/or” or does that complicate things.

Mr. Myers replied that he agrees with Mr. Norstrom on this one. Mr. Norstrom clarified that the nature of the ARB is architecture, not historical. Mr. Smith expressed that as his problem. We can’t take away the historical character of Worthington.

Mr. Norstrom sees that as a different argument. That means you oppose the ARB.

Mr. Myers provided an example of an ARB application where someone wants to replace their windows. He explained that the appropriate architectural and historic window at that time would have been a six over six so that is what should be approved. It is the architecture of the building but it is based on historic premise. Mr. Norstrom added that it is the architectural history at that time. Mr. Myers agreed. He added that even though history is not in our guidelines, it plays a significant role in the thought process of the ARB and has been as long as he has been associated with it.

Mr. Smith replied as long as that is true and worked into the essence of the Board then. . Mr. Myers interjected that you can’t really separate the two especially with Mr. Foust serving on that Board. Mr. Smith explained that he was coming from a resident’s perspective. He doesn’t know anything about architecture but he sees the word “history” there so he will have a different lens on. If that is built into the process anyway then that is okay. Mr. Myers thinks it is a fair representation. He didn’t know anything about architecture either when he started almost seventeen years ago. He knows a little more about it now.

Mr. Foust asked if there was also some language, we refer to the character of the Architectural Review District but doesn’t the phrase “Village-like” appear in front of the word “character” in various places. Several members stated that they do not recall that phrase. Mr. Foust thinks it was misquoted last time but if members go back and look there was reference to the “village like character”. When asked by Mr. Norstrom if that was in the Architectural guidelines, Mr. Foust replied that he believes so.
After searching for it on her I-pad, Ms. Dorothy reported that the only reference she could find states that Worthington itself is based on a New England village design in 1802.

MOTION

Mr. Myers made a motion to amend paragraph 3 to remove “or historical”. The motion was seconded by Mr. Norstrom.

There being no additional comments, the motion passed by a vote of 6 “aye” (Foust, Troper, Norstrom, Dorothy, Myers and Michael) to 1 “nay” (Smith).

Mr. Brown explained that there was a sentence struck and a new one inserted in #4, as shown below:

4. The applicant has demonstrated that the addition of solar panels advances an over-all plan of energy efficiency and sustainability. As evidence of this requirement the Board shall consider the following and such other criteria as the Board considers appropriate:
   a. The use of alternative methods of energy conservation such as awnings, insulation and landscaping.
   b. Other sustainable steps the applicant has taken including but not limited to, rain catchment systems, pervious pavement, native plantings, and energy efficient window systems, energy efficient mechanical equipment and appliances.

Ms. Dorothy asked how the criteria would work in practice. She asked what would be required from the applicant as proof. Mr. Brown replied that in staff’s discussions with Mr. Myers over the proposed language and for staff to try to determine how it would play out in the real world, we would work with the applicants as they come in and hopefully sit down with us. We would look at their plan. He knows with the two solar panels that were approved on Evening St. both applicants already had a plan. They had replaced windows, added additional insulation, and had energy efficient appliances as well as heating and cooling. So they had already added all these other steps on their property to work toward that goal of sustainability.

When asked by Mr. Troper if utilizing your recyclable container is considered being sustainable, Mr. Myers and Mr. Norstrom both agreed that it was. Mr. Myers added that this is whatever the applicant wants to come in and say. But what he wanted to avoid was putting solar panels on top of the house to generate electricity and at the same time have single pane, 1945 windows and all of the heat is leaving. That doesn’t seem to be consistent. If that were the case, should we relax our architectural standards in that particular setting? He thinks it would weigh against relaxing those standards. But if someone came in and said that this is the last step or one of the last steps, then they have to show to us that this is part of a commitment and not just to put it on the top and let it go out the windows. That was the point behind that and it will be completely up to the
applicant to show whatever they want to show. It could be a whole range of things. These are just examples.

Ms. Dorothy thinks it is very laudable. She agrees that the easiest way to reduce energy is to save energy through all those other items (energy efficient windows, insulation, etc.). She believes it should be a whole encompassing effort. She is just concerned that this could be a never ending list but you are saying that they just bring what they have to the ARB and then it is up to the Board to determine. Mr. Myers agreed. He doesn’t think this is a particularly high standard for that applicant to meet. He has a whole-house fan in his house. It is probably the best energy saving device he has. It uses a little bit of electricity but it means he doesn’t use air conditioning. He has a tree that canopy’s over his house so he doesn’t use air conditioning. Those are two things that he thinks would be evidence that he would bring. He replaced windows and insulated his attic. All of those things show that he has a commitment to this process. Are there going to be many people like Joanne Dole who is that committed? Probably not but he doesn’t think you need to be.

When asked by Ms. Michael if there were any suggested changes for this part and hearing nothing, she was ready for Mr. Brown to move on.

Mr. Brown shared that #5 was struck. Then the new #6 that will become #5.

5. Preservation of the historic character of the location and the Review District shall be the Board's primary consideration and the efficiency of the installation shall only be considered once other considerations of the Guidelines have been satisfied.

Mr. Brown thinks this addition will address Mr. Myer’s earlier comment that when we reviewed the two cases on Evening St. part of their arguments in both cases were that they were noncontributing houses when we made application to be a Historic District. Mr. Myers agreed.

6. The Board's review shall apply to the entire Architectural Review District. A property’s location in the Historic District, as that term is used in the application for National Register of Historic Places designation, or the identification in that application of a property as "contributing" or "noncontributing" shall be of no effect.

7. The Board shall consider all alternative technologies that may be available at the time of the application and approve the existing technology most consistent with the architectural guidelines.

Mr. Brown shared that a few words were added and are in red and underlined.

8. If placed on a roof location visible from the right-of-way, the panels, working or faux, should cover as much of the roof as is possible to make
them appear as one continuous unit.

Ms. Fox apologized to Mr. Foust because she couldn’t think of a word that described “blend in”. She just wasn’t sure exactly how to come up with that.

Mr. Troper stated that he doesn’t know how much a solar panel would cost. He asked how much it would cost to cover the other half of the roof as it could potentially be an additional burden. Mr. Brown replied that from staff’s discussions with Joanne Dole and some others, faux panels are at a much reduced cost although he does not know the actual costs. He thinks one of the reasons that Mr. Myers brought this up is that originally there was a patch quilt to the solar panels on the front of the house Joanne Leussing’s property. One of the adjustments the ARB made was to package or group them together. But when you look at her solar panel placement, they are in two rows. If a faux third row would have been added, it would have looked completely seamless. He thinks that was one of the ideas behind the change. Mr. Myers reported that being the reason they included the pictures that Ms. Dole provided.

When asked by Mr. Troper if anyone has a problem with this panel facing the right-of-way, Mr. Norstrom acknowledged that he does.

Mr. Myers shared that if it meets the other criteria, this is what that one provision would mandate. Mr. Troper reported that it doesn’t mandate but rather states that it “should”. He would like clarification. Do the panels have to cover the entire roof or is it subjective to the ARB.

Ms. Michael read, “as much as the roof as possible” so that kind of makes it should and not shall.

Mr. Norstrom shared that members want to encourage the use of solar shingles and that is not included in this. He asked if it is already included in the design guidelines. Mr.
Brown replied yes. He clarified that solar shingles would be required to go before the ARB. Mr. Norstrom stated that solar shingles would not fall in with what is being discussed right now. Mr. Brown replied that he doesn’t believe so unless it would change the architectural integrity of the roof material. Mr. Norstrom clarified that he has no objection to those kinds of solar shingles. They could be visible from the right-of-way. He just wants to make sure that Council has that covered. Mr. Brown thinks it is. He added that some of the houses in Old Worthington have a slate roof that has a pattern to them. He thinks if someone wanted to replace them with a solar shingle the Board would look to see if there is a way to replicate that architectural feature on those slate tiles. But he thinks that once these types of solar panels become more energy efficient and more prevalent that would be something that the Board and/or staff would support.

Ms. Michael asked if there is any additional comments on this change. There being none, she asked members to look at the document attached to this legislation, Resolution No. 19-2017. The only change that Council made to the document during this discussion was in #3. with the removal of the words, “or historical”.

Mr. Myers asked Ms. Fox and Mr. Brown what their thinking was on eliminating the 5th paragraph. Ms. Fox reported that it wasn’t removed but rather moved up to #3. as it felt better in that area than it did below. Mr. Myers was okay with the change.

Mr. Troper commented that the majority of people who have spoken before Council favor solar. He thinks this legislation is very restrictive and he is not in favor of it.

Ms. Dorothy echoed Mr. Troper’s comments as she would rather be strongly encouraging solar panels. She would prefer they be allowed in the ARD if the footprint of the structure does not increase, the feet height of the roof is not increased and the system must be parallel to the slope of the roof. She does appreciates all of the time that we have taken to go over these comments. She feels that use of solar panels should be strongly encouraged throughout Worthington.

Mr. Norstrom thinks that technology will overtake us and this will become a moot discussion. Mr. Troper stated that it may be moot at this point but in his opinion it kind of sets a tone. Mr. Norstrom shared that having served on the ARB for many years sometimes you make mistakes and you get architectural features that stay around for decades. That is what we will have with solar panels that have been placed on now instead of waiting for the technology to develop and those are eye sores.

There being no additional comments, the motion to adopt Resolution No. 19-2017 (As Amended) carried by a vote of five “aye” (Foust, Norstrom, Smith, Myers, Michael) to two “nay” (Dorothy and Troper).

Ms. Michael thanked Mr. Brown, Ms. Fox, and Mr. Myers for all of the time and effort they put in trying to listen to all of this and assimilate all of it to put together a compromise solution for our community.
Resolution No. 20-2017

Approving an Agreement and Permit for and between Fiber Technologies Networks, LLC, a New York Limited Liability Company, to Operate and Maintain a Telecommunications System Within the City of Worthington Pursuant to and Subject to the Provisions of Chapter 949 of the Codified Ordinances of the City of Worthington.

Introduced by Mr. Myers.

MOTION

Ms. Dorothy made a motion to adopt Resolution No. 20-2017. The motion was seconded by Mr. Troper.

Ms. Stewart reported this being a routine renewal for three years of a telecommunications permit to operate and maintain a telecommunications system within the Worthington right-of-way. Staff recommends its approval.

There being no additional comments, the motion to adopt Resolution No. 20-2017 carried unanimously by a voice vote.

REPORTS OF CITY OFFICIALS

Mr. Greeson reported that the draft Parks Master Plan was distributed tonight at members’ places. The Park Commission members will be in attendance at our next meeting, May 8th to present the information, seek Council’s feedback and potentially approval of it.

REPORTS OF COUNCIL MEMBERS

Mr. Norstrom shared that today, May 1st is the first day of the COTA redesign plan. Travelers may ride the bus for free this week as part of that effort. There will be more service that is faster to the downtown. He encouraged members to get out and ride the bus.

Mr. Smith reported that he was contacted by someone interested in providing the City with live streaming of meeting capability and he was interested in giving Council members a 10 to 15 minute presentation. He thought that might be of interest to members. Ms. Michael requested that he provide city staff with the information.

Ms. Dorothy shared that the Sayama delegation will be in our community from October 18th through the 24th. They are currently looking for host families for all five nights.

Ms. Michael reported Leadership Worthington Service Day being this Saturday, May 6th. She encouraged members to join in the effort by congregating at Kilbourne Middle School between 8:00 and 8:45 to eat breakfast and get their assignments. Advanced registration is not required.
Ms. Michael also reminded members that tomorrow is a voting day even though there is not much on the ballot.

Mr. Troper shared that Saturday is also the Green on the Green event.

Mr. Norstrom added that outdoor Farmers’ Market will also be open in the downtown area.

EXECUTIVE SESSION

ADJOURNMENT

MOTION

Mr. Foust made a motion to adjourn the meeting at 9:01 p.m. The motion was seconded by Mr. Norstrom.

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned.

___________________________________
Clerk of Council

APPROVED by the City Council, this 5th day of June, 2017.

______________________________
Council President
Meeting Minutes

Monday, May 8, 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, May 8, 2017, in the John P. Coleman Council Chambers of the Louis J. R. Gooren Worthington Municipal Building, 6550 North High Street, Worthington, Ohio. President Michael called the meeting to order at or about 7:30 P.M.

Ms. Michael appointed Tanya Maria Word as Temporary Clerk of Council for this evening’s meeting.

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

Member(s) Absent:

Also present: Temporary Clerk of Council Tanya Maria Word, City Manager Matthew Greeson, Director of Law Pamela Fox, Assistant City Manager Robyn Stewart, Director of Public Service and Engineering Dan Whited, Director of Planning and Building Lee Brown, Director of Parks and Recreation Darren Hurley, Chief of Fire Scott Highley and Chief of Police Jerry Strait.

There were 17 visitors present.

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

REPORTS OF CITY OFFICIALS

Policy Item(s)

Park Master Plan

Mr. Greeson stated it is my pleasure to bring forth this agenda item; we have a number of Parks and Recreation Commission members who’ve been hard at work the last couple of years developing this parks master plan who are here tonight; Mr. Hurley will introduce them in a few moments. As you know there has been an extensive amount of discussion at the Parks and Recreation Commission (Public Open Houses, Trends Research, the very creative “If My Park Could Talk” effort to engage input and the staff and the commission has been hard at work developing this plan over time. I’m very pleased that it is prepared for you to discuss this evening. I want to compliment and personally thank staff and the commission for all the hard work they put into this project, and the many residents that provided comments to this project as well.

I’m going to turn the rest of the presentation over to Mr. Hurley.
Mr. Hurley introduced the members of the Parks and Recreation Commission: Michele Miller, Chair, Peter Calamari, Vice-Chair, Dan Armitage, Laura Ball, Robert Burpee, David Kessler, and Robert Wendling. Ms. Michael thanked the Parks and Recreation on behalf of the Worthington City Council for their dedication and time that they put into this. Mr. Hurley commented the other introduction I want to make this evening is Scott Brown; Scott is our Parks Manager; Scott took over that role a little over a year ago and has done a great job and is really the reason behind a lot of the great things you see out in our parks from the maintenance to programmatic things we are doing and a lot of the progress we’ve made on some of the projects that are currently under way that are a part of this plan.

Last spring we came to Council with an update just kind of on the process and in that presentation I spent quite a bit of time talking you through step-by-step the actual process that the Commission at that point had gone through what we anticipated going through for this last part of the process; I have that again for the benefit of the audience and kind of a refresher for you, but these first several slides that talk about our process I will go through rather quickly. Mr. Hurley, Michele, and Peter presented a PowerPoint presentation that is attached at the end of these minutes.

**Questions from City Council:**

**Huntley Bowl Park** – Mr. Norstrom asked what is the falling wall structure, is that the step. Mrs. Miller replied yes.

**McCord Park** – Mr. Hurley commented that Council has funded the Master Plan which we’re almost ready to enter into that process so that will obviously kind of create a more specific set of recommendations for this park which has really been on the list since before I arrived in terms of some kind of overhaul and renovation.

**Olentangy Parklands** – Mr. Troper asked can you elaborate a little more on the safety signage. Mrs. Miller replied like “slow” “pass on the left” “be courteous” “don’t stop on the path”, so like Columbus has some if go towards Worthington Hills, they have some stuff just written on the path; it literally says “be courteous”, “pass on the left”; it’s simple stuff, but I spend a lot of time on that trail and like there might be a family of six (6) and a bunch of bikes coming at them and then people screaming and it’s always a concern (i.e. move out the way you’re going to get hit).

Ms. Michael asked is there a concern with people having a problem and not being able to say where they are on the Olentangy Path that they need help. Mrs. Miller replied that is a good point. Ms. Michael stated I was in a park in Florida and they would have something that was in the ground that would tell you “you are at W15” so if you had an emergency you could call on your cell phone and say “I’m at W15” or “between W15 and W16”. Mr. Calamari commented I do believe the trial does have some markers on it; we probably just need something with a little more visibility. Mrs. Miller indicated there used to be street signs along there as well; I think some of them have gone away. Mr. Hurley commented you will see that some of these will overlap; I know we’ve been
having conversations about wayfinding signage to bring people into Old Worthington and so that’s a cross project that we’re working on with the bigger wayfinding effort and then obviously our partners with the metro parks; I’m trying to stay uniform along the trail because for folks that going all the way up and down they want to kind of not see it completely change in directional signage.

Mr. Myers asked Mr. Brown didn’t we have parks signs included in the wayfinding project. Mr. Brown replied we do in future phases.

Selby Park – Mr. Norstrom asked does the scope of services for the consultant we’re getting for McCord include this park. Mr. Calamari replied it does not. Mr. Norstrom replied it could. Mr. Calamari replied it could with more money.

Mr. Myers asked what is a natural playground. Mr. Calamari replied they range in design and functionality; some are as simple as a climbing wall built onto a grassy incline; some are more similar playground functions just with natural products (i.e. stone or materials that replicate the appearance, they look more natural than plastic.) Mr. Myers commented when I looked at the demographic information and then I saw we have 14 playgrounds, do you think we’re over play-grounded. Mr. Calamari replied I don’t think we’re over play-grounded, I think we’re right where we relatively want to be in that curve of services. Mr. Myers stated it seems to me when I use the park the most (all of the parks) was when my children were younger and then they transitioned to playing ball and we went from the playground equipment to the ball fields and now that I’m essentially an empty-nester, I tend to use Boulevard Park and it makes me wonder with the demographics changing I realize it’s not real consistent because we seem to be getting it at both ends right now. What thought did you give to maybe making our parks system a little more senior friendly. Mrs. Miller replied pickleball is one of the things we got a lot of request for; and to your point like Park Boulevard and more natural areas where people can just stroll through so that’s why those are kind of higher on our list and pickleball is right up there at the top. I think with the playgrounds it just depends on what area you’re in; like in my neighborhood a lot of my neighbors are in their 80s, so they’re starting to move out and younger families are starting to move in.

Mr. Myers asked will you quantify utilization by individual park. Mrs. Miller commented it was part of the survey. Mr. Myers replied because to be honest with you, other than to drive by and take a look at it, Huntley Bowl place is one place I have never used and I’ve always wondered what is its function and how much is it used; is that a place we could try something like the fitness course or something very different there. Mr. Hurley replied right now its major use is kind of spillover athletic fields, so we do kind of like adult sports, we’ve had everything down there from some of the new stuff to Rugby to just things that don’t fit anywhere else. I’ve struggled with it, I know the commission has struggled with it; you keep thinking you’re going to land on that ideal idea for that park and you can tell from our recommendations that we’re still not there although there are some ideas that float around including a more winter themed ice arena of some sort.
Mr. Myers indicated every time I go by Indianola which is every day, the playground gets used a great deal; it seems to be a smaller and more intimate playground than Selby which is also very well used; the basketball courts are virtually overflowing this time of year; we can convert the tennis courts into basketball courts and the basketball court into something else and it would still be overflowing; and the nice thing is, is that I think a lot of those people are not Worthington people; it draws from Salem, it draws from Northland, it draws a lot of people into that park which I think is kind of nice, but I don’t see and I know it trends, tennis is not as popular now as it was 20 years ago and I’ve also thought that combination of asphalt between the basketball court and the tennis court would be….I think it kind of right for some new ideas….maybe that’s where the pickleball courts go: I don’t know, it’s just a suggestion, all I know is that I don’t see those tennis courts being used as much as they used to be and the basketball court is overflowing all the time.

Mr. Hurley commented on the topic of pickleball we have painted lines at the Olentangy Parklands at the lower set of courts there and so our goal this year was to see how that works as what we would term temporary courts; see how many conflicts it causes with tennis and with our lessons and with the other things that we do there; so that is kind of what we hope is a one-year experiment to determine does that have the potential for conversion. While we were at Wilson Hill with this same idea prior, it’s unbelievable the noise of pickleball and the fact that they like to play at 7:00 A.M. in the morning and that generates a lot of complaints and so I would not recommend putting pickleball in the vicinity of houses.

Ms. Dorothy stated I have a question about the removal of invasive species, along the Olentangy I’ve noticed a lot of honeysuckle is now gone and I’ve had people ask me is anything going to be replaced there. Mr. Hurley replied Scott and his crew have been integral in doing some of that work; I think what we do is we do that work and we kind of have to do an assessment and say what needs replaced with something because if you just do invasive and you leave it, they are going to come back and so in some cases like along the hillside at the Parklands they have gone back in and done a planting of some sort of wildflowers or things that are native, but in some places it becomes something we can mow and try to convert into turf, so it’s kind of just case by case depending on the specific area.

Ms. Dorothy brought up another hot button question that I get asked a lot is about the deer population management issues, asked do you have any solutions. Mr. Hurley replied no I do not necessarily have solutions, you know it’s something that we’ve worked on and Mrs. Stewart has helped a lot as we have looked at what other communities do; we’ve consulted with the Metro Parks and there are some practices that we can do, a lot of it also has to do with what residents do...putting feeders out along Olentangy River Trail, so we don’t have a solution unfortunately at this point.

Funding Options – Ms. Michael asked if anyone has checked into the Ohio Parks and Recreation Association Foundation to see if you can set up a separate account instead of creating another whole foundation, setting up a Worthington fund under the OPRAF;
when that foundation was created it was created with that as one of the purposes of that foundation. Mr. Hurley replied Celia Thornton on my staff is doing the research on this and she actually went to their session at the conference this year and so that is one of the things that we’re looking into. Ms. Michael commented if you need anybody to help talk about that, I am an ex officio on it and created it.

Ms. Dorothy asked will you tell us what else is in the Parks and Recreation department. Mr. Hurley replied we break into three (3) areas: Parks, Community Center and Griswold Center; Parks Maintenance and Parks Improvement would fall under Parks. Ms. Dorothy asked so then all these improvements that were suggested by the board was for Capital Improvements. Mr. Hurley replied no not necessarily, all of these improvements tonight are park related and we are certain that a lot of these things will fall under the CIP, but we are actually suggesting that things get analysis from these other options that I’m going over.

Mr. Myers asked have you gotten any traction from the sponsorship program. Mr. Hurley replied we have and I think we’re about due to bring that back to you; it has been very programmatic; because of the shape it took when we brought it to you the first time we have not really solicited things out in parks, naming of things, sponsoring diamonds and things of that nature, so it’s been very programmatic.

Mr. Hurley stated at your places this evening Park Master Plan Park Improvement Cost Estimates (please note these are ESTIMATES ONLY!) We have not enlisted any consultants to come up with these figures, they are just ballpark estimates only. These are estimates of the recommendations that you have before you; for all the parks and the general ones; if you look at the last page (now keep in mind there are about 17 of these that we don’t have developed enough or we felt that we didn’t have the ability to estimate, so this is minus 17 of the projects.) The overall total is about $3.8 million, you have already programmed in your current 5-year CIP just under $1,980,000 at this point they are in your 5-year CIP some this year, some in the out years leaving a total that is not programmed or funded of about $2.8 million; again there are 17 more projects, you’ve also got McCord Park that’s being Master Planned and some of those ideas may or may not be in here. So again it’s not perfect information but at least it starts to give you some idea of the ask here of the plan.

Mr. Norstrom stated looking at the numbers that you gave us tonight, you’ve got programmed a $1 million dollars over the next five (5) years and if we were to do what you have talked about in this plan estimates about $3 million dollars over the next five (5) years; asked is that correct interpretation. Mr. Hurley replied there is about $3 million that is not currently funded in the CIP as it stands right now. Mr. Norstrom asked is this something if we were sitting here five years from now would we still be looking at those same type of numbers; in other words are have we got an ongoing need of $3 million dollars or an extra $600,000 a year is that what you’re saying. Mr. Hurley replied I think what this plan represents is our needs as expressed right now, so you don’t see in here the replacement of the all children’s playground in 20 years for example because it was just replaced; we did not systematically give you like a 20 year plan that says in 15 years
we know this is going to be due for replacement and so if I’m understanding your
question correctly, these are needs as we’ve accessed them right now, there will still be
some additional ongoing maintenance needs that arise. Mr. Norstrom commented my
question is in that context is would we anticipate those to be of the same level that are
identified in this plan even though they would be different elements; or let me ask it this
way, are these one-time expenditures. Mr. Hurley replied yes many of these are one-time
expenditures. Mr. Norstrom explained thinking about this I think this is an opportunity
for us to go to the votes with a mileage dedicated to Parks and create a Park Fund; I
think we could work out between what you want and figuring that out, what would be the
appropriate levy and then we could determine whether or not we want to make it a 10-
year levy or a permanent levy. I like the fact we are in the top of the charts, I hope that
we find our benchmark, we would like all department to do the same; it’s one of those
things we want to take pride in, so I would like staff (your staff and the financial staff) to
get together assuming that other members of Council like the idea to come back to us
with a potential of putting something on the ballot this November. Mr. Troper replied I
like the idea. Ms. Dorothy commented I think the Bike and Ped Committee has some
additional active transportation that could go into the Parks and Recreation passive
activity, we would like to be a part of that. Mr. Norstrom and Ms. Michael commented
excellent idea.

Ms. Michael commented that during our retreat Council members did discuss the idea of
how we are going to be able to fund both Parks and Recreation amenities and the Bike
Ped amenities and seeing them as being very closely related, so this was something that
we did discuss at the retreat. Mr. Hurley commented that Bike and Ped is gearing up to
come to you to present maybe in a similar fashion more of an update on the original
recommendations you received from the steering committee, you had asked for a written
report to be able to kind of review and in anticipation of that, at your places this evening
is a Bike and Ped Advisory Board Recommendations and City Council Update. We would
anticipate them coming to you in the next month or so.

Ms. Dorothy asked what kind of form would this new tax take. Mr. Norstrom replied it
could either be a temporary or considering the needs that we have it could be a
permanent fund for a park fund. Ms. Michael explained Westerville when they first
created theirs they did a bond issue, I don’t know if it sunsets or not, but it was done by a
bond issue. Mr. Hurley commented they recently had to renew it. Ms. Michael indicated
that the question that is being asked by Mr. Norstrom is do we look at a bond issue with a
sunset or do we see if legally there is a way to set up a fund that would be ongoing
because as we just heard Mr. Hurley say these are where we are today, but what hasn’t
been taken into consideration when the old children’s playground has to be done, when
Heischman Park is going to fall apart again and all the different things that are going to
be coming up. Ms. Dorothy asked but this would dedicated to funding the parks, correct.
Mr. Norstrom replied yes or Bike and Ped.

Mr. Myers commented I’m certainly willing to look at numbers, I’m certainly willing to
talk, but as a general rule, I’m not in favor of tax increases. Mr. Foust stated I am
looking at page 47 and I can’t help but be reminded of 2105 and some of the
conversations on UMCH with the disclaimer yes we don’t own the property, yes there is not development plan, but I think about the comments we heard a couple of years ago and I’m not sure that accepting Tucker Run plus a circular multi use path would satisfy a lot of the folks that voiced their interest a couple of years ago.

Mr. Greeson stated just to introduce a little bit of timing discussion here; should the council desire to discuss and make a decision related to something on the November ballot it would have to be done before the August recess; so in terms of sequence we would prepare a Resolution for the next meeting to adopt it; I think technically you could do it by motion this evening if you wanted; schedule the Bike and Ped committee so you can fully hear the issues and projects and programs that their discussing which is what you wanted at the retreat; at the retreat you talked about wanted before considering additional revenues, you wanted to see the whole picture of potential projects and then we could do some research and schedule something probably early June. Mr. Norstrom stated let me make clear that I’m not saying we’re going to fully fund everything that is in here, what we would do is establish what we would think would be an adequately fund for keeping our parks at a very high level for a very long time including Bike and Pedestrian. I would say this is an excellent report, I was very impressed with what the Commission has done; my biggest complaint is that you didn’t have sheepdogs at the dog park.

MOTION Mr. Norstrom made a motion to adopt this plan. The motion was seconded by Mr. Myers.

The motion carried unanimously by a voice vote.

VISTOR COMMENTS

David Robinson stated that I love the existing parks and playgrounds that our city hosts; I’m raising several young children right now and the parks right nearby my home are a Regular safety valve for when the kids need to get out and get exercise; we avail ourselves to East Granville, Pingree, Wilson Hills, Selby and then walk through Moses Wright and give my kids an experience of nature that I’m very happy they can have. I love the parks, I can’t imagine being in Worthington without them. Hats off to you Mr. Hurley and all the Commission members; obviously an enormous amount of work went into your thinking and your creative ideas.

I want to say a few words right now because we are close to approving a Park Master Plan which when once it’s approved it will assume a level of authority as the City’s Comprehensive Plan has and I don’t take issue with any of the details and ideas that you’ve outlined but rather with what Matt just described as the strategic direction and specifically I hope we don’t foreclose the possibility of the acquisition of additional park space at UMCH and/or Harding in the future and I think that there are some statements in the Master Plan as written right now that would down the road it would be cited by someone who didn’t want to do that and say it’s in the Park Master Plan no new park space; so let me just briefly critique some of the assumptions, on page 1 there is a statement that says “Worthington’s days of consistently adding and developing new park
land are behind us.” I want to challenge this statement, it seems like that position is grounded in an analysis that the existing park land is adequate. I know we’ve looked at a lot of benchmarks, but if you at the key benchmark figure of number of acres per thousand residents where are slightly above average and above median; but if you look at our park lands almost half of our park lands 46% is comprised by the Olentangy River Parkland and indispensable park, I’ve used it myself....I love it, but frankly it is peripheral to the city center and not very accessible. In my mind if I’m thinking about taking an evening stroll to a place that I have to drive is just a contradiction, I’m not going to do it. If you eliminate the Olentangy River Park Land acreage from our numbers we are well below average in the median per park, so I don’t think we ought to adopt a self-satisfied position that our parks are superior and above average without some criticism. I think maybe even a benchmark of looking at where we are relative to averages is also something we ought to think about; is average the standard by which we want to measure ourselves or should we ask a more basic question and that is who do we as Worthington, what do we want to be like, who are we giving our traditions, our aspirations and so benchmarks are important, but to me they’re really not the critical question, so on those basis I would like to challenge the statement “that days of new park land are behind us,” I think that given those assumptions and those positions then there’s a couple of statements in there...one Mr. Hurley you talked about how if there is new park land acquisition that it is very important that funds be acknowledged, studied and set aside to provide maintenance, I totally get that we don’t want to assume responsibilities we cannot fund and put further demands on your department; I understand and embrace that, but my concern is that that policy might be putting a higher threshold or standard on park acquisition than is the case in other land use options, for instance, if there is a high density housing development proposal made for UMCH, is approval of such a project made contingent upon the city studying and saying yes we will be able to fund additional city services to support the additional housing on that property; I don’t think that has been the case, but I’m concerned that the threshold for the new park land would be unfairly treated compared to other land uses.

Mr. Myers commented page 47 of the draft specifically references both UMCH and the Harding property, so I don’t think the adoption of this plan forecloses the addition of additional park space should it become available, but it merely reiterates what we’ve been saying for years that maintenance still has to be our top priority and I think that’s what this plan says, but it doesn’t foreclose and specifically references UMCH, so I don’t think adoption of this outline says no we’re not going to do it.

Mr. Robinson replied grant it that’s probably what it intends, but I would suggest striking that passage on page 1 where it says the days of consistently adding and developing new park land are behind us; that’s pretty clear and simple.

Mr. Sean Demaree, 313 Higland Ave., Worthington, OH 43085, thanked Mr. Hurley and the Commission for of their hard work. I’m really amazed that here in Worthington we continue to compare ourselves to other places, on the report we had a list of 80 cities that we compared ourselves to as far as playground equipment and park lands, etc. including Miami, FL which apparently doesn’t care about their kids and playground
equipment as I noticed because they were on the bottom of the list. I guess I don’t understand when we became so interested in what everyone else was doing. I say let Worthington be Worthington and forget what everyone else is doing and just concentrate on Worthington and what we’re doing and making Worthington the best place that it can be.

This question is for Mr. Hurley, of the budget that you are in charge of which I think is about $4.5 million dollars, do you know how much of that is allocated to overtime pay. Mr. Hurley replied not off the top of my head. Mr. Demaree replied I would just suggest that if we could look at that and say cut back on overtime pay, we might find some extra money in the Parks and Recreation budget and go ahead and make those improvements on those playgrounds a little faster than normal. Ms. Michael commented the only thing I question on that is if overtime is being paid it’s because there is a staffing need that’s not being met by regular staffing and probably most of that is going to be snow removal.

Mr. Ron Sears, 500 Park Overlook Dr., Worthington, OH 43085, thanked Mr. Hurley and the Commission for doing an outstanding job on putting the Park Master Plan together, it is very impressive. My major thought as I read through the plan and listened to Council this evening was I was impressed about how stingy it is, maybe that’s because of the bias; to my family and me what defines Worthington is its parks system; as it was stated earlier, why shouldn’t we be exceptional. Do you have anything that would absolutely be exceptional that would put Worthington on the front cover of the Parks and Recreation magazine because if you’re going to sell an increase in taxes, you got to have something to hang that on…something exceptional and exciting.

Mr. Hurley responded I understand your point, it probably could feel like because we were very focused on maintenance and maybe we weren’t able to catch up on some of the things that we have been doing that maybe we didn’t get as much of that highlighted in here; I would give some examples, you were talking about the Train Observation Station that is a recommendation which just happens to be in McCord Park that the Rotary has already signed up to help us accomplish, so we’re going to do something pretty innovative there. We’ve talked about something that would be different and unique at E. Granville Road Park which is very in line with folks going in and out of our community that would be a naturals playground—something a little different, more cutting edge.

Mr. Foust commented I think we’ve heard three speakers tonight and we’re being challenged to think outside the box a little more, I would ask Council to consider on page 1 striking the words “Although Godown Park was recently added to our inventory, it is no secret that as a land locked community, Worthington’s days of consistently adding and developing new park land are behind us. With that in mind.” Capitalize the “H” in having. No disrespect to the writers that put this together, it simply leaves a more optimistic look for the future.

Mr. Norstrom indicated there is already a motion on the floor and a second.
Mr. Smith stated I can go either on this and it does say the days of consistently adding and developing new park land...to me that builds context around what I think the authors were trying to say, but if it’s gone I think it’s just as good as if it were in.

Ms. Dorothy commented I go along with Mr. Smith where I do appreciate the context of putting it in, one of the reasons why we’re in this predicament in being behind in maintaining is because we’re consistently adding without having it budgeted to then replace, so that context I can appreciate, but I can also appreciate Mr. Foust it does sound a little pessimistic with keeping it in too; I can appreciate both angles for keeping it in or taking it out.

Mr. Troper commented I would be willing to get rid of it because it is inconsistent with what we say page 47.

Mr. Myers asked is Worthington a landlocked community. Council replied yes. Mr. Myers asked are we consistently adding and developing new parkland. Ms. Dorothy replied no. Mr. Myers said so everything in that sentence is true. Mr. Foust replied I’m not ready to concede that those days are behind us, we are a dynamic community. Mr. Myers asked Mr. Foust so you believe that we will consistently add to our park space, not one-time park space which is what this is all about......consistently; we’re not going to do that. Mr. Foust commented my issue is the negative tone of the statement....that we’ve thrown in the towel and I don’t want that in the elite paragraph of this document. Mr. Norstrom remarked I totally disagree with you, I don’t think that’s a pessimistic statement in any way, it is a realistic statement of where the city is at this point and time; and the city is dynamic and the city is moving forward, but we are not adding new park space, we did add the dog park which was not consistent with our prior actions but it became opportunistic; our master plan in it talks about park space both across the street and at the Ohio State site as potential, so it’s in our planning documents; in fact across the street that’s nothing at all that’s consistent with it; the idea that this stops that development I totally disagree.

MOTION

Mr. Foust made a motion to adopt this plan with the amendment to remove “Although Godown Park was recently added to our inventory, it is no secret that as a land locked community, Worthington’s days of consistently adding and developing new park land behind us.” The motion was seconded by Mr. Smith.

The motion failed unanimously by a voice vote.

Proposed 2017 Street Improvement Program

Mr. Whited along with Mr. Zachary Helm of Strawser Construction, Inc. presented a PowerPoint presentation that is attached at the end of these minutes.
Questions from City Council:

Mr. Norstrom asked with that table where is the 15 year drop. Mr. Whited replied the 15 year drop is right around that poor – fair category.

Ms. Dorothy asked you said you’ve been doing the same thing since you were 10 and I did want to ask are there new things, we’re trying to spend our money wisely and have the best maintenance of roads that we can. Mr. Helm replied yes I’ve been doing this since I was 10, one of the reasons why I joined Strawser is that we’re one of the most innovative groups with new technology to come out probably every 5 to 6 years. Yes there are some old things that are currently successful and there are some new things out there that are also very successful.

Mr. Norstrom asked am I reading this correctly if I micro-surfaced it 7 years and then did it again 7 years and then again another 7 years….Mr. Helm replied it all depends when you’re putting on the roadway itself; sometimes you get in circumstances where if you put it on the right candidate there is no doubt you should be able to micro-surface the pavement at least two (2) times if you put it on the right candidate. Mr. Norstrom commented I guess my point being is for $70,000 I get 14 years versus $105,000 if I’m milling and paving. Mr. Helm replied that is correct, if you extend the life, you always have to start out with a milled paved surface first and then if you pour it on a poor candidate though, you might not get that seven (7) year life expectancy, so it’s all dependent upon when we put it on the highway. Ms. Dorothy remarked back to the original assumption the life I would imagine has to do with our weather where we’re at, what types of vehicles are going up down the streets, etc. Mr. Helm replied that would be correct.

Mr. Whited stated he would like to schedule the SIP. Ms. Dorothy and Ms. Michael commented they would be available on Friday, May 12th at 12:00 noon.

Community Center HVAC Improvements – Design Build Process

Mr. Hurley stated the following:

- Dynamix completed the original study in 2015.

- The report preparation included the assessment, documentation, modeling and analysis of all HVAC equipment in the Community Center.

- The review of the 2002 expansion was there are two areas of significant concern, air stratification in the lobby/fitness area causing challenging climate control and positive pressure in the natatorium causing harmful air to push throughout the building also causing the “chlorine” smell you get when you enter. In addition
there are some lighting issues the report addresses especially in the natatorium area.

- The gas boiler in the south end of the facility was another concern as to its sizing and age and is recommended for replacement.

- The study provided four project packages as recommendations for improvements. The packages all included an up front cost with a calculated return on investment. The package up front costs ranged from $943,171 to $1,802,846 with the guaranteed annual savings ranging from $103,164 to $135,269 or 9 years to 13 years simple ROI.

Mrs. Fox explained the design build process is set out in the Ohio Revised Code, section 153; the first thing we do is just to publically announce the project, and we reach out to private firms, professional associations, news media; we’re not required to formally advertise that, but we can reach out to targeted businesses and generally public media.

We are required to have the services of a criteria engineer which under this can be a personnel of the city, so I think under the circumstances we have an engineer on staff; this is not the construction of a building where we would have to seek an outside engineer to advise us as to the specific criteria of the design we’re looking so I think in this case, it is our intention to go with the in-house option on that criteria engineer.

Once we announce the contract and request for qualifications we received those and then evaluate them; we have to pick no fewer than three of those firms that we believe are most qualified, we can interview then, but it’s not mandatory at that point and time; we’re still not asking for a fee at this point and time. Once we have ranked the firms and picked the top three we have to provide them with more detailed information on the project; we did more generally in the request for qualifications, now we’re being a little more detailed...we go into the schedule, the specific services, this is where we start requesting from them prices in the pricing proposal, and who they’re going to be using on the project, the sub-contractors that they may be using; then we evaluate those pricing proposals, we can have discussions with the firms at that point and time to ask any questions about their specific proposals and then we rank those firms after we’ve done the pricing proposals and gone through those discussions; pick the one that we believe has the best value for the city and then enter into contract negotiations at that time with that particular firm; once the contract terms are worked out we can seek City Council approval; so it’s a very open process, it’s very different from the competitive bid (the closed bid process).

I think we have the opportunity to closely more evaluate these firms that we’re going to be working with and it helps that we have the study done.
Mr. Norstrom stated you’re using the term design build, asked is the design already done. Mrs. Fox replied not necessarily, the study is done, but there may be different approaches to how the firms might want to address the problems that we’re having in the Community Center, so they may come up with their own study if you will or their own ideas about how those problems can be solved.

Ms. Dorothy asked are we able to hire a design build firm that can guarantee us those energy savings. Mrs. Fox replied yes that is one of our requirements that we institute. Ms. Dorothy commented so there is a possibility that after we do all this that we will eventually be operating efficiency enough that we can save money up to replace everything. Mrs. Fox replied that is the hope. Mr. Norstrom replied the contractual terms would be such unlike some other activities at the Rec Center in the past we will be able to have something. Mrs. Fox commented that’s essentially how we’ve be understanding at least the proposal that we’ve looked at in the past.

Financial Report

Mr. Barter presented the following:

- Fund balances for all funds increased from $23,225,624 on January 1, 2017 to $26,958,856 as of April 30, 2017, with year to date revenues exceeding expenditures for all funds by $3,733,233.

- For the month of April, fund balances for all funds increased from $26,918,803 as of April 1, 2017 to $26,958,856 as of April 30, 2017, with revenues exceeding expenditures by $40,053.

- Year to date revenues for all funds are below 2016 revenues by -$896,243 (excluding bond proceeds) and above estimates by $885,245. Total revenues include $3,960,000 in bond issuance proceeds received in January 2017.

- Expenditures for all funds tracked at 93.7% of anticipated expenditure levels for the month of April.

- The General Fund balance increased from $11,628,193 as of January 1, 2017 to $12,340,723 as of April 30, 2017, with revenues exceeding expenditures by $712,530.

- For the month of April, the General Fund balance increased from $12,460,269 on April 1, 2017 to $12,340,723 as of April 30, 2017, with revenues exceeding expenditures by $119,546.

- General Fund revenues are above 2016 revenues by $741,633 and above estimates by $626,107 or 7.14%.
• General Fund Expenditures tracked at 91.13% of anticipated expenditure levels for the month of April 2017.

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

The motion carried unanimously by a voice vote.

REPORTS OF COUNCIL MEMBERS

COUNCILMEMBER BONNIE MICHAEL – noted that she would like an update in either June or July on the goals set at the Council retreat.

COUNCILMEMBER DAVE NORSTROM – I mentioned at the last meeting and you’ve probably seen it in the newspapers COTA did implement a week the complete change in services. Secondly I want to raise the issue again of more transparency in this organization in terms of cameras in this room.

Councilmember Michael asked the other councilmembers did they want staff to move forward to begin quotes for cameras to have in this room. Mr. Greeson commented I think at the last meeting we got the task of following up on the suggestion that Mr. Smith had which was a marketing firm that offered this service. Mr. Norstrom proposed a different solution which is more of a technology that gets inserted into different council chambers and rooms and it’s remotely controlled and then we were going to look possibly at what the school district is doing which is a third approach. So we have three (3) approaches we’re going to have an intern work on this summer.

Ms. Michael remarked so will should get something back before the August break. Mr. Greeson commented yes, I don’t have a specific timeline, but yes I will aim to get this to council before the August break so that we can make intelligent decisions as part of the budget process.
EXECUTIVE SESSION

MOTION
Councilmember Myers made a motion to meet in Executive Session to discuss Employee Compensation. The motion was seconded by Councilmember Smith.

The motion carried by the following voice vote:

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<thead>
<tr>
<th>Yes</th>
<th>6</th>
<th>Myers, Norstrom, Smith, Troper, Dorothy, and Michael</th>
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<tbody>
<tr>
<td>No</td>
<td>1</td>
<td>Foust</td>
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Council recessed at 9:50 P.M. from the Regular meeting session.

MOTION
Councilmember Myers made a motion to return to open session at 10:00 P.M. The motion was seconded by Councilmember Troper.

The motion carried unanimously by a voice vote.

ADJOURNMENT

MOTION
Councilmember Myers made a motion to adjourn. The motion was seconded by Councilmember Foust.

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 10:01 P.M.

______________________________
Temporary Clerk of Council

APPROVED by the City Council, this 5th day of June, 2017.

______________________________
Council President
Meeting Minutes

Monday, May 15, 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, May 15, 2017, in the John P. Coleman Council Chambers of the Louis J. R. Goorey Worthington Municipal Building, 6550 North High Street, Worthington, Ohio. President Michael called the meeting to order at or about 7:30 p.m.

Members Present: Rachael R. Dorothy, Douglas Foust, Scott Myers, David Norstrom, Michael C. Troper and Bonnie D. Michael (Douglas K. Smith arrived at 7:50 p.m.)

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 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 six 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 of items not on the Agenda

CONSENT AGENDA

Notice to the Public: There will be no separate discussion of Consent Agenda items as they are considered to be routine by the City Council and will be adopted by one motion. If a member of the City Council, staff, or public requests discussion on a particular item, that item will be removed from the Consent Agenda and considered separately.

To address City Council regarding an item on Consent Agenda, please submit a fully completed speaker’s slip to the Clerk of Council prior to the beginning of the meeting.

Minutes to Approve:

May 1, 2017 – Special Meeting Minutes
May 1, 2017 – Joint Meeting Minutes

Legislation to Approve/Adopt

Resolution No. 21-2017 Expressing the Congratulations of Worthington City Council to Aritrika Malakar for being named a National Merit Scholarship Finalist and for her Academic and Extracurricular Achievements.
Resolution No. 22-2017  Expressing the Congratulations of Worthington City Council to Ian Jones for being named a National Merit Scholarship Finalist and for his Academic and Extracurricular Achievements.

Resolution No. 23-2017  Expressing the Congratulations of Worthington City Council to Joy Smith for being named a National Merit Scholarship Finalist and for her Academic and Extracurricular Achievements.

Resolution No. 24-2017  Expressing the Congratulations of Worthington City Council to Noah Zhang for being named a National Merit Scholarship Finalist and for his Academic and Extracurricular Achievements.

Resolution No. 25-2017  Expressing the Congratulations of Worthington City Council to Sekou Conde for being named a National Merit Scholarship Finalist and for his Academic and Extracurricular Achievements.

Resolution No. 27-2017  Adopting a Job Description for Assistant to the City Manager/IT Director and Amending the Staffing Chart to Accommodate Said Position.

Resolution No. 28-2017  Adjusting the Annual Budget by Providing for a Transfer of Previously Appropriated Funds.

Resolution No. 29-2017  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 (7020-A Huntley Road).

End of Consent Agenda

Introduced by Mr. Foust.


The motion to adopt the Consent Agenda passed unanimously by a voice vote.
SPECIAL PRESENTATIONS

Recognition – National Merit Scholars

Ms. Michael invited Vice Mayor Lorrimer forward to proceed with the recognition of these outstanding students. Prior to the presentation she recognized Board of Education members Julie Keegan and Marc Schare who were in the audience as well as School Superintendent Trent Bowers. She thanked them for coming tonight. Mr. Lorrimer shared that he will give them an opportunity to comment after his presentation.

Mr. Lorrimer acknowledged that Worthington City Council has for many years welcomed the opportunity to recognize the outstanding performance for Worthington High School students in both academics and sports. This evening Council has adopted resolutions commending each of five students who have demonstrated high levels of scholarships and who have been named finalist in the National Merit Scholarship program. Four of these students are from Thomas Worthington High School and one is from Worthington Kilbourne High School. As we recognize and introduce them, members will see that they are not only most promising scholars but they have also been involved in a wide range of school and community activities and all will be going to great universities this fall with a preferred career goal in mind.

Mr. Lorrimer invited each to come forward when he read their name and presented each with a certified copy of their resolution.

Thomas Worthington High School Students

Sekou Conde
- GPA is a 4.235
- Heavily involved in the theatre program
- Performed in Mock Trial, and team advanced to the state competition this year
- Chemistry Club
- During the summer coaches elementary school kids at sports camps
- Plans to attend Yale University to pursue English studies and Theatre
- Parents are Yuan and Souleyman Conde

Ian Jones
- GPA of 4.0 unweighted, 4.29 weighted
- Member of the FIRST Robotics team for 3 years
- Marching band, curricular band, and pit orchestra all 4 years and 2 years of jazz band
- Competed in the finalist competition for the Chemistry Olympiad last year and was a member of the Science Olympiad team this year.
- Volunteer work for various band activities and Meals on Wheels
- Plans to attend The Ohio State University to study chemistry
- Parents are Lisa Jordan and Gregory Jones
Aritrika Malakar
- Member of the cross country and track team for 3 years
- Singer and guitarist (both classical and contemporary) and did talent show 2 years
- OMEA participant last year with rating of 1
- Participated in Biology, Chemistry, and International club, Model UN
- Online story writer
- Volunteers at Worthington Park Libraries, Riverside Methodist Hospital, Worthington Food Pantry
- Active member of Central Ohio Bengali Cultural Association
- GPA of 4.0 unweighted, currently 4.3 weighted
- Plans to attend Dartmouth College in Hanover, New Hampshire to study chemistry before pursuing a medical degree
- Parents are Sumita Chaki and Goutam Malakar

Joy Smith
- Marching Band, 4 years (2 as Section Leader)
- Robotics Club, 4 years
- Lifeguard, 3 years (Worthington Pools, then Worthington Rec Center)
- Swim Instructor, 2 years (Worthington Pools)
- GPA 4.0 unweighted, weighted is 4.3
- Has been accepted into The Ohio State University's Engineering Honors program for Computer Science and Engineering
- Wants to work in software development and industry
- Mother is Michael Smith

Worthington Kilbourne High School Student

Noah Zhang
- Participated in Orchestra
- Volunteering for the Red Cross
- Participated in Science Olympiad
- Played football
- GPA of 4.08 (weighted)
- Plans to attend The Ohio State University to study Computer Science/pre-med
- Parents are Huijuan Song and Yuan Zhang

Mr. Lorrimer then recognized the parents of the finalist who were present.

He shared that we are especially honored tonight to have leaders of the Worthington school district with us as Ms. Michael mentioned. From Thomas Worthington High School we have the Principal Pete Scully. From Worthington Kilbourne High School we have the Assistant Principal Kevin Johnson. We are again pleased to have the Superintendent of the Worthington School District who has the educational responsibility for 10,000 students, Dr. Trent Bowers. We are also especially pleased this evening to
have key members of the Worthington Board of Education Julie Keegan and Marc Schare. He thanked them all for joining us this evening.

Ms. Michael added that there is so much to be proud of. On behalf of Council she thanked all of the parents for their support of their students and to the students for all of their hard work, volunteerism and dedication in many areas. She encouraged them to keep going and thanked them for their hard work.

Mr. Troper congratulated the students on their academic success and achievements and wished them good luck in college.

Ms. Michael provided a short period of time for those in the audience to leave if they wished before moving forward on the Agenda.

Recognition – Molly Roberts

Resolution No. 26-2017

Expressing the Appreciation and Best Wishes of the Worthington City Council to Molly Roberts for her Outstanding Service as Finance Director for the City of Worthington.

Introduced by Ms. Dorothy.

MOTION

Mr. Troper made a motion to adopt Resolution No. 26-2017. The motion was seconded by Mr. Foust.

There being no comments, the motion to adopt Resolution No. 26-2017 carried unanimously by a voice vote.

President Michael invited Ms. Roberts to meet her at the podium where she read Resolution No. 26-2017 and presented her with a certified copy. She added that members are really going to miss working with her. She thanked her for all of her hard work and service.

Ms. Roberts commented that it has been a pleasure to serve this community. She couldn’t have done it without the strong support of her staff and the administration. She thanked Council for the recognition.

Mr. Greeson congratulated Ms. Roberts on her well-deserved retirement after many years of dedicated public service to two of central Ohio’s most distinctive and quaint communities, Granville and Worthington. Two communities that are tied together in history and also through her service. We owe Molly a debt of gratitude for her hard work, her unquestionable integrity and her steady hand in managing the finances of the community. He shared that the finance director is really one of the most important roles in the City and as a key partner of the city manager and the Council as we seek to find ways to meet the desire of our citizens and to do so in a fiscally responsible manner. In
her role as the Finance Director you have to be strong, consistent and ethical. You have to know when to be creative in finding ways to get important community objectives accomplished and when to take a strong professional position against proposals that are not in our long term interest. You are a gatekeeper. A steward and you have to be trusted by all who work with you. This trust comes from having strong character and competence. Molly exudes these traits quietly and thoughtfully, always putting the financial interest of the City in the forefront; doing what is right, what is best and doing so with humor, humility and professionalism. In City Hall he has joked for a long time that Molly had to be coaxed into applying for the job here and that may have been the best Bob Evans breakfast he ever bought. We knew we were hiring someone who was qualified and capable but what we didn’t know was what it was going to be like to work with her every day. How she would influence Worthington for years to come by building a highly effective finance team, proven by the fact that we recently promoted one of her teammates and how quickly we would need her talents. Months after Molly was hired our income taxes plummeted as the recession hit. We were quickly sizing income tax increases, holding public meetings and presentation and ultimately placed a tax question before the voters that fall. We also made numerous cuts, adopted new fiscal reserve policies and through her leadership moved from a position of 7% fund balance to where we are today, a “AAA” rated community. Personally he will forever be grateful for her work during that critical time period in this community and for helping keep us on solid ground. So on behalf of the staff, we want to wish Ms. Roberts the best in retirement. We look forward to seeing her talking around Colonial Hills. We hope she has time to go to the things at the Arts Center, which she likes to do. That she gets a chance to go see her daughters who are out of town and spend time with her sisters, who have also dedicated many of their years to public service in local government. That she might feed some of Randy’s goats on the farm and yes play lots of golf. Most importantly we want to thank her for her service.

Mr. Greeson presented Ms. Roberts with a plaque that included her name and title plates that have hung in front of her seat in council chambers.

PUBLIC HEARINGS ON LEGISLATION
President Michael declared public hearings and voting on legislation previously introduced to be in order.

Designated Outdoor Refreshment Area (DORA) Application

Ms. Michael commented that we are going to have our hearing on the Designated Outdoor Refreshment Area (DORA). She reported receiving several speaker slips. She instructed anyone who may wish to speak and has not yet turned one in to fill out a slip and give it to the Clerk of Council.

Ms. Michael reported that the staff presentation will be presented first. She will then asked Council to provide staff guidance on desired direction. If we are to get DORA in place in time for the Partnership picnic then we have to provide staff with clear direction so that we can have a well-crafted ordinance prepared for the first meeting in June.
Mr. Norstrom suggested that Council approach the hearing the way the MPC/ARB does in that we have comments from the audience earlier in the presentation rather than after Council members have had the discussion. Ms. Michael agreed to have audience members speak after any questions by Council members.

Mr. Greeson shared that members discussed the issue of creating a DORA in April. Council provided him direction to submit the application, which is required by the statute. He did so in mid-April and we noticed this public hearing for the required amount of time. Staff needs some input on some few remaining issues and we need the public’s feedback during this hearing. After receiving the public’s feedback along with Council’s staff will then finalize formal legislation that needs to be adopted on June 5th. He asked Mr. McCorkle to give a brief presentation. He believes Ms. Fox will finalize the end of that presentation.

Mr. McCorkle shared that following overview of the Designated Outdoor Refreshment Area (DORA).

**ORC – Section 4301.82**

- Effective 4/30/17 for communities of 35,000 or less in population
- Only (1) area permitted for communities of 35,000 or less in population
- No minimum acreage for area
- Maximum area shall not exceed 150 contiguous acres
- Serving container material must be plastic
- Minimum of (4) qualified permit holders (A1, A1A, Alc, A2, or D)

**What does it do?**

Allows bar/restaurant patrons to legally walk around a designated outdoor area with an alcoholic beverage that has been served by a liquor-permit-holding establishment. Patrons would be required to stay within a predetermined boundary, and only during locally-established days/times/events.

**Worthington’s Proposed DORA**

Mr. McCorkle stated that Worthington’s proposal is slightly different. The Old Worthington Partnership submitted a letter to our City Manager asking for a DORA to be created. Ours is a little customized in that it serves the following two purposes:

1) Enhance outdoor dining by allowing alcoholic beverages to be consumed during daily business hours in the right-of-way areas contiguous to the establishment
2) Allow alcoholic beverages to be served, consumed, and transported within the larger DORA for special events only
Variables Required by ORC

- Boundaries
- Signage
- Qualified Permit Holders
- Hours of Operation
- Public Health & Safety Plan
- Sanitation Plan

Boundaries

The proposed boundaries are from South St. headed north to Village Green Dr. South. It does bump out a little bit on New England. The qualified permit holders there are listed 1 – 8. That does exceed the minimum requirement of four qualified permit holders.
Ms. Dorothy asked if there is a reason there is no signage at the entrance to the parking lot by the church. Mr. McCorkle replied no. That can be an item that we discuss here. The thought was that we start with minimal signage that hits the crucial arteries as highlighted with the red dots.

Ms. Dorothy thinks it would be appropriate to place signs where many people park their cars. Mr. McCorkle agreed. He added that members may want signs placed on the sidewalk at the Old Bag of Nails, at the church entrance to the public parking lot, and maybe even next to Whitney House. The twelve is what’s before Council tonight and what is open for discussion. This was an initial stab at the proposed signage knowing that we don’t want a ton of signs because we want to keep it clean. After working with Planning Director Lee Brown, this is a rendering of what the signs could look like. The example is a 9 x 6 acrylic sign that is attached to a heavy duty stanchion. Each sign would cost approximately $50.00. They can be attached more permanently but these are temporary signs that would roll out for events.

Ms. Dorothy asked if they would be in the Worthington blue and similar to our other wayfinding signage. Mr. Brown replied that the blue is in the same family as the wayfinding signs.

Mr. McCorkle added that this rendering doesn’t have to be the final but rather is just an example of something that we felt for the price point was as similar to a finished product as we could get today.

Mr. Myers observed that the placement of the twelve signs appear to be marking the boundaries of the DORA. But as he understands what we are driving at is really two separate things. This would be the signage for the special event but not the signage for outdoor dining. There would be additional signage for the outdoor dining which would
restrict it to the establishment. Mr. McCorkle agreed with all of Mr. Myers comments. He added that the signs will likely be addressed in both the outdoor dining policy and conditional use permitting. Mr. Myers concluded that this is just a proposal for the event portion. Mr. McCorkle agreed. This assumes an event is going to the maximum boundaries of the DORA.

Mr. McCorkle asked if there was any feedback on the number and/or placement of the signs. There being none he continued.

Ms. Dorothy commented that these are the current hours of operation for these businesses but they are definitely not as much as what their liquor permit allows. Mr. McCorkle agreed. The conditional use hours, like La Chatelaine actually opens at 7:00 a.m. so they were a bit of an outlier on the
Mr. McCorkle noted that all of the events are Partnership activities with the exception of Market Day, which is a Chamber event. He added that the Chamber has not indicated that they would like to proceed with this yet but they will have the option to do so if approved by Council. The thought was if we were going to set a pre-established list of events, we include Market Day and then the Chamber has the option of either applying for a Special Event permit or not depending on the needs. We have heard that due to a couple of their primary sponsors for the event, it may prove challenging to have an open container during the event but we wanted to include them at this juncture knowing that they may not take advantage of the special event permit.

Mr. Myers pointed out that the Chamber was not a part of the original request and they have not taken a public position that we are aware of. Mr. McCorkle agreed.

Public Health & Safety Plan

Mr. McCorkle noted that we are required by the Ohio Revised Code to submit a Public Health and Safety Plan as well as a Sanitation Plan. The City is customizing those plans using existing permitting processes.

- Right of Way Permit/Outdoor Dining Policy
  - Sanitation Plan (busing tables, empty trash, etc.)
  - Signage Plan
  - Pedestrian passageways
  - ADA accessibility
  - Ingress/egress for emergency services
- Special Event Permit
  - Sanitation Plan (trash, dumpsters, portable bathrooms, etc.)
  - Signage Plan
  - Pedestrian mobility
- ADA accessibility
- Police/Fire ingress/egress
- Crowd control
- Special duty officers and/or overtime public service workers

- Conditional Use Permit
  - Signage
  - ADA accessibility
  - Restricted hours

### Sanitation Plan

#### Outdoor Dining

- Right of Way Permit/Outdoor Dining Policy
  - Required Sanitation Plan will address busing of tables, trash can placement, sidewalk/pavement cleanliness, etc.)

#### Events

- Special Event Permit
  - Required Sanitation Plan will address trash cans, dumpsters, portable bathrooms, etc.)

Mr. Myers asked if they anticipate that prior to Council adopting this, if we do, that the Sanitation Plan and the Sign Plan will be presented to members. He expressed a concern of things like there being too many signs, not the right sign, and trash cans being left out all the time in the right-of-way. He wants to make sure that those sorts of things are addressed. Mr. McCorkle reported that they will be presented. Staff would hope to have a pretty good feeling of what Council would like to do with those plans by the end of this evening. We are hoping that we have many of the answers this evening if we are going to meet the Old Worthington Partnership’s requested timeline. The resolution would need to be on the June 5th meeting so having those answers this evening is imparity.

In an effort for clarification, Mr. Greeson asked Mr. Myers if he was talking about each individual plan or just conceptually how we would approach each event. Mr. Myers offered an assumption in that the sanitation plan requires each permit holder during outdoor dining to have a busing station as part of their outdoor dining area. He would not want that busing station including maybe a place for trays and a trash can to be on the sidewalk all the time. He doesn’t want to all of a sudden have eight more trash cans on our public right-of-way permanently.

Ms. Fox commented that Mr. Myers has been talking about the busing and everyday dining. Staff needs to revisit our outdoor dining policy. That policy includes many of the sanitation requirements anyway so we will take another look at that as there may be some language in there that will satisfy his concerns about those busing stations. Mr. Myers thanked her.
Mr. Norstrom commented that would mean that it would not necessarily be part of the DORA but rather be covered by another piece. Ms. Fox agreed. She thinks that because we are not just establishing a DORA with boundaries and letting the DORA operate on a sip and stroll basis, we are utilizing our permitting process to establish the individual regulations. For those establishments that wish to have outdoor dining on the sidewalk in the City’s right-of-way, there is a right-of-way permitting process as well as the outdoor dining policy. But neither of those today account for the DORA activities so we will look at our outdoor dining policy and make sure we address some of those issues.

Other Items

- Revision of Outdoor Dining Policy
- Cups (sizes and branding)

Ms. Fox reported that the statutory requirement is that people cannot walk out of the establishment with anything except a plastic cup. There has been some discussion with Partnership members to perhaps keep that cup similar looking for all of the establishments but we also understand that at least from our Police Chief that we may want to have the individual names of the qualified permit holders included on the cups. Staff will be working with the Partnership to develop some type of plastic cup that perhaps has some branding and the name of the establishment as well.

- ‘Point of Sale’ explanation

Ms. Fox thinks it is important when talking about the DORA to understand that it permits the qualified permit holders to vary from the container law by allowing their patron to buy alcohol inside and walk outside with it. None of the establishments are able to do that today but what that means is that the “Point of Sale” for that alcohol has to be inside the establishment premises as designated by the Department of Liquor Control. If a business has an outdoor dining area that has been permitted by the Department of Liquor Control then that outside area plus the area inside the building are all considered to be the premises for the purpose of the Department of Liquor Control. But the point of sale has to occur within those boundaries of the premises. If somebody wants to have a drink with dinner and they are on the sidewalk and not in a designated liquor permit premise area they have to walk inside to purchase that alcohol and then can walk outside to sit down at the tables. She thinks the individual businesses will need to decide how they want to address that. She also will strongly encourage them to consult liquor control counsel or their own attorney to make sure they are compliant with the liquor department’s rules.

- Additional activities on private property

Ms. Fox commented that staff would like some direction from Council for any additional activities on private property. Most of the area of the DORA boundaries are just the area adjacent to High St. but if you look at the E. New England Ave. section it incorporates the
parking lot at the northeast corner of High St. and E. New England as well as the Dewey’s parking lot in the plaza area. Those are both private property sections of the DORA boundaries and staff would like to try to address any particular activities that those private property owners may want to conduct on their private property and take advantage of the DORA. What we have before Council currently does not do that. We have the outdoor dining, the everyday DORA activities and the special events but we would like to have a discussion about this private area. We know that Dewey’s has a conditional use permit. They currently do not serve out in the plaza area. They have a designated outdoor dining premise that was approved by the department of liquor control but they do not serve out in that plaza area and their conditional use allows outdoor dining but does not extend into that outdoor plaza. If Dewey’s wishes to allow their outdoor patron to go into that plaza area, we believe that we could work with them by looking at their conditional use permit and establishing some of the details of the DORA (signage, sanitation plan, etc.). We also know that a couple of qualified permit holders in the “Quarter” may from time to time conduct some events in that parking lot. That will require a temporary use permit, which is another permitting process we may be able to use to allow for those special events to take place in that parking lot using the advantages of the DORA. We would need to know whether Council is amenable to those types of activities and if so whether you have an interest in limiting the number of those activities per year or whether you would leave it open-ended and up to staff to make those determinations. So we would like members to think about that and have some discussion.

- **Scheduled review after one year**

Ms. Fox reported that the DORA statute requires a review by Council after five years. We again are operating this DORA on a slightly different basis and would like to discuss whether Council is comfortable with a five year review or whether you want to see some kind of a review at some earlier point in time, perhaps after one year.

- **Next Steps**

Ms. Fox shared that we are under a requirement to notice in the paper once a week for two consecutive weeks Council’s proposed action on some of these variables that we are discussing tonight. We will have enough time to do that for the June 5th meeting but we would like to get as clear direction as we can from Council tonight so that we can write that resolution and get it on file with the Clerk’s office so that when we start the notifications in the paper interested parties can see the proposed actions that are on file.

Mr. Norstrom stated that there is nothing to prevent Council from reviewing the DORA after three months if we run into some problems. Ms. Fox agreed. Members are free to amend it or terminate it if they wish.

Mr. Foust noted that Mr. McCorkle mentioned that from the Chamber side there were some groups that were not on board or has raised some concerns. He asked who the groups were. Mr. McCorkle replied that their primary sponsor for Market Day is AAA
and they have a pit stop set up along with a lot of family oriented events. Because of that reason they were unsure as to whether AAA would be onboard with alcohol consumption.

Mr. Foust commented that combining the second and third bullets there in addition to whatever kind of branding, which he thinks is a great idea so you know whose cups are going where but what about some kind of a statement on the side of the cup and conspicuous. Something to the effect of, “must remain within authorized area” or more politely perhaps, “please observe established use area”. Something clearly printed on the cup. He pictures a guy walking to the hardware parking lot and the policeman stops him and says he shouldn’t be doing this and he says, how do I know? Well, it is on the side of the cup, which makes it pretty simple. Mr. McCorkle thinks that is fair.

Mr. Troper brought up that the Farmer’s Market ends at noon. He asked how long the DORA would stay open. Mr. McCorkle replied that through the permitting process the hours would be identified for the Farmer’s Market. If it is 8:00 a.m. to noon then in the permitting process that is their special events permit. The DORA would then end at noon, per the permit. He confirmed that if someone is walking around at 12:05 with a drink they purchased during the allowed timeframe they could technically be cited. We have heard from other communities that a great deal of education was provided up front. Law enforcement provided a grace period for the first several months with only firm conversations given to offenders. After that period they began citing.

Mr. Smith understands that we are walking two different paths at the same time. There is the event path which seems a little clearer but then we have the other path of “daily use” or dining establishment path in an effort to make it a little more user friendly at our dining establishments. He went back to the example of Old Bag of Nails, and he thinks his understanding tonight is a little different from what he understood the last time in that somebody sitting outside of Old Bag would have to go inside to purchase the alcohol and then they could go back outside and sit. Last time he understood that if it is permitted by the City that the whole entire premise, including outside is part of the DORA for that establishment, then they could either be served inside or outside. He asked for clarification. Ms. Fox explained that the Department of Liquor Control informed us that while the establishment receives a DORA designation for that outdoor area, the point of sale still has to occur within the premise. The DORA only allows them to walk outside of the premises with the alcohol. Mr. Smith concluded that there are still boundaries within that parameter. Mr. Fox agreed. She added that Liquor Control says the point of sales has to be inside the restaurant’s established liquor control permit premise. The City of Worthington will establish the rules about staying within the signed area. We will also be bringing forward legislation that enforces on the patron if they go outside of that area. But that doesn’t have anything to do with the Liquor Department’s point of sale determination.

Mr. Smith concluded that if Old Bag wants to get a boundary for the DORA then they could still get one, say from the alley to the south side of their property outside but the customer would still have to go inside regardless of where the boundary is. Ms. Fox agreed. Mr. Smith added that is different from what was discussed last time. Ms. Fox
acknowledged that staff received this new information. Again, this is kind of a custom made DORA. Mr. Smith reported that each retailer would still have to go through the City to establish what those outside boundaries are. Ms. Fox again agreed.

Ms. Michael thanked Ms. Fox and Mr. McCorkle for all of the hard work and time they have spent on this effort.

Mr. Foust asked that the special event permitting process be explained so that it is on the record.

Mr. Brown provided the example of a temporary use permit they issued for the Quarter (which is the private parking lot for House Wines) that was available for a certain time and date. If it was similar to this they would just coordinate to make sure the event had the proper liquor control and met the outdoor dining policy and the right-of-way permits. Then staff would issue the temporary use permit for that event itself.

Mr. Foust asked who would make that determination. Mr. Brown replied that the temporary use permit is issued by either he or Lynda Bitar in the Planning and Building Department. If it was something related to the liquor portion they would coordinate with other City staff.

Mr. Foust noted that on one of Mr. McCorkle’s bullet points it mentioned crowd control, special duty officers and/or overtime public service workers. He asked if there has been an estimate made of the cost per event. Mr. Greeson explained that it would be event contingent that would include a review of what is being proposed and then using the planning process to decide how much staff we need to effectively service it. Typically we would charge that expense back to the event promoter unless it is an event that the City has been involved in for many years. He thinks for the Picnic with the Partnership, the Partners were billed for overtime costs associated with special duty rate officers or more typically overtime for city events like that. Mr. Foust concluded that there is some discretion in the staffing plan itself but as far as the policy of assessing the full cost back to the sponsor is not negotiable. Mr. Greeson replied typically no.

Mr. Myers is still a little unclear on one of Mr. Foust’s questions. His example would be to assume that House Wine and Taste of Vietnam wanted to shut down that parking lot (the Quarter) and have a band there on a Friday night. That would be included within the DORA if members choose. He asked if that would require a special event permit. Ms. Fox reported that it would require a temporary use permit. Mr. Greeson added that in reality we will have to evaluate the type of property, whether they use the right-of-way or not and what their current conditional use permit says. If it is a special event like the Picnic or Farmers Market where the street is being closed then the City will issue a special event permit. For what Mr. Myers just described the question is how we insert our DORA requirements for sanitation and public safety. We would use our temporary use permit to do that. Staff needs direction from council members on is whether there is any concern about frequency of temporary use permits.
Mr. Myers noted that being his next question. He asked if there are currently any limits in the number of events. Mr. Brown explained that a 90 day permit can be issued by staff but anything between 90 days and six months would have to be approved by the Board of Zoning Appeals (BZA). He explained that food trucks for example, if it is repetitive (each week same time, same place) then they are required to appear before the BZA for a public hearing. If it is a one-time special event that may occur once a month or every quarter then staff can issue a temporary use permit.

Mr. Greeson explained that temporary use is different from conditional use in that Dewey’s for example, their conditional use spells out how they can use their plaza. If they want to use the DORA on a daily basis we would probably amend their conditional use to include their sanitation and safety plan like Ms. Fox described.

Mr. Myers stated that we could issue a temporary use permit which would extend for a weekly event for up to 180 days if it went to BZA. Mr. Brown agreed.

Mr. Myers thinks that is different from what is being proposed. What he wants to avoid is establishing a mini-Hineygate every Saturday afternoon out in the parking lot. He wants to make certain that members can discuss whether to place limits on something.

Mr. Norstrom shared that he also wants to clearly understand that aspect. Establishing the DORA doesn’t allow that to happen because we still won’t allow sales outside but merchants can use their liquor license to establish outdoor sales on a temporary basis. He asked if that was correct. Ms. Fox replied no.

Mr. Smith shared the example of the Hot Chicken Takeover last year where there was a beer cart next to the food truck. He asked how they were able to do that. Ms. Fox replied they have to do it the same way even in the DORA. On an F-2 permit (temporary permit) with the fencing all around, everybody buys and drinks within that fenced in area. That still is the requirement even with the DORA. So if there is a small fenced in area and the sponsors are expecting people to go in that fenced in area to purchase and then walk outside that fenced in area because they are in the DORA, the Department of Liquor Control says that is not allowed. That F-2 permit holder is not a qualified permit holder and only qualified permit holders can allow their patrons to go outside the premises.

Mr. Myers stated that the DORA has nothing to do with the liquor law in that regard as that is governed by an F-2 liquor permit and not the DORA. Ms. Fox agreed.

Ms. Michael stated that with the DORA we can use the temporary permitting basis to allow the Chicken Takeover Event as long as the alcohol is purchased inside say House Wine or the Taste of Vietnam and then they can come back out. Mr. Greeson agreed that we could use our temporary use permit to allow for that which is a staff approved process. The question is when the DORA is invoked for those types of events whether there are any limitations that members want to put on that.
Mr. Michael thanked members and staff for the information. She shared that she will open the meeting up for speakers and will be taking them in the order by which the speaker slips were received.

Aaron Brown, 345 Greenglade Ave.

Mr. Brown shared that he is the current chairman of the Old Worthington Partnership and is here speaking on behalf of the entire Board of Directors that is comprised of Worthington residents, employees, and business owners. He thanked Council and staff for the time and energy they have all spent considering the DORA for our community. It is one of the most progressive topics brought forward by their organization and they do not underestimate the thought that goes into making the decision such as this. Upon careful consideration of the pulse of our community as well as the review of insights from other communities they were compelled to bring this topic before Council several weeks ago. In the mean time they have pro-actively briefed other organizations and they are grateful for their support. They have provided signatures of nearly 30 local business owners who want Council to vote in favor of the DORA. He believes a few of them are here tonight and may speak as well. They also understand that nearly fifty community members pro-actively sent Council letters of support. Again, he believes a few of them are here tonight. Anecdotally he can tell members that the steps Worthington is taking to be a forward thinking community encourage many of the people with whom their board has spoken. This step is one of them. They believe the greatest communities, companies and individuals do not become great by just watching others. Instead they commit to a culture of active listening and then quickly testing and learning to avoid complacency, group think, and ultimately being left behind. Great communities become leaders and earn respect of their various constituencies. They are doing the listening. It is time to test, learn and lead. He thanked Council on behalf of the Old Worthington Partnership.

President Michael thanked Mr. Brown for his comments. She requested that comments not be repeated and that speakers keep their comments brief.

Dan Mullen, 655 Hartford St.

Mr. Mullen shared that he supports the proposed DORA ordinance. He is a resident that lives in very close proximity to the business district of Old Worthington. He also works from home many days of the week. They chose their home knowing and liking the energy that comes with living so close to the downtown area. They also chose their home in this area because the opportunity for growth and excitement that the downtown area brings. The health of our downtown businesses greatly impact the Worthington community as a whole. They can see the growth and excitement from their back windows and it is pretty awesome. It is for all of these reasons that his family is in full support of the DORA during established and approved events including the Farmers Market. They are also in support of the DORA being used by licensed liquor permit holders. They feel that these changes will only continue to enhance the experience that Old Worthington offers to its residents and to those who come to visit.
Nancy Zajano, 6696 Markwood St.
Ms. Zajano spoke on behalf of Drug Safe Worthington and her comments are attachment “A”.

Nina Parini, 210 Sinsbury Dr. N.
Ms. Parini commented that her remarks have already been made.

Bob Capace, owner of Worthington Jewelers
Mr. Capace shared that tonight was a pretty perfect night. He and his wife wanted to go out and have dinner before tonight’s meeting. His wife shared that she needed a glass of wine. He wanted to stay within Worthington but he also had to be here so he didn’t want to have to commute and drive. It was like why can’t we sit outside and enjoy the beautiful weather and have a glass of wine. It was a challenging experience for him to have to think about. Why would they leave their own community? He is in a pretty unique position in that he is the owner of Worthington Jewelers and Bendora Bridal so he owns commercial property in Worthington. He is also building a house on the area where residents wanted the pocket park so he will be able to visibly see the DORA from his store, his rental properties, his home, and his side yard and he is totally in favor of it. He thinks it shows we are progressive. We are going to give a great image to Worthington.

Mr. Capace added that he is in a unique position in that he currently lives in Hilliard. He visits and drives through a Hilliard downtown community that is prepared to light that town up and go grand scale. They have much larger patios that can hold larger crowds. Our patios are small so obviously there is only limited space. But from a business community standpoint you cannot put businesses in an area like downtown Worthington which have extremely high rent. Business today is quite challenging. He is not a bar owner and he doesn’t have a liquor license however he is in the retail environment and we need to draw people to our community. If downtown fails, Worthington fails and the City can’t afford that. The residents don’t deserve that. We need to keep a vibrant, fun, upbeat, downtown community and we are going to do that with businesses and shops. The casual dining restaurant experience is a very tough environment to compete in. Retail, given the internet is a very hard environment to compete in. Don’t make it harder on us. Don’t let downtown Worthington turn into downtown Lima, Chillicothe or some other areas. Let’s keep it vibrant. Let’s keep it alive. Anybody who is worried about messages and people overindulging they could do it inside as easily as outside. So he doesn’t see how that would have any impact on this.

Ian Brown, 666 High St. (owner of Whitney House)

President Michael congratulated Mr. Brown once again for his small business award this year.

Mr. Brown thanked members for taking on this challenge. He knows that this is a massive scope of work and it has polarized many people in our community, which is a
very difficult position for Council members to be in. As a business owner in Worthington he is so excited that we are even having this conversation. He again thanked them.

He has been before Council multiple times in the past about outdoor dining; when they first opened the restaurant and then again a year later they have talked about fencing, gates, tables, and trashcans. The ability to have the DORA and the ability to do what it is that they want to do and what their guest want from them without that fencing is going to be wonderful. Every day when he stands in his dining room he looks across the street and sees four great tables at Bag of Nails. People often sit down to those tables and then get up and enter the establishment because they want to enjoy an alcoholic beverage with their meal and they can’t do that outside. The DORA is what his guest, downtown business owners and residents want in Worthington. He thanked members for their consideration.

Mr. Norstrom acknowledged that Mr. Brown is in a unique position as he has approval to install fencing outside of his business but he is hearing him say that he would prefer the DORA and the sale of liquor inside and people carrying it out to their seats. He asked if he understood correctly. Mr. Brown understands the point of sale aspect of this will be challenging and change how they do business. It will also change the guest experience from a dining perspective. But he would rather be able to do it and have it done in the whole downtown district of Worthington than just have him and his little fence out front with his tables and have those guest across the street at Old Bag or Harold’s wondering why we can do it and they can’t.

Kevin Showe, 649 High St. (owner of Worthington Inn)

Mr. Showe commented that as owner of the Worthington Inn they are blessed to have a beautiful patio on their premise. They have a great porch and some tables that are outside of their premises. When we get beautiful evenings like tonight people love to eat outdoors. In fact many times when they go through the restaurant no one is there because they are outside. They think the establishment of the DORA will be a great asset for those tables that they have in front of our porch area to allow for expanded seating. He is not sure how you have a fine glass of wine in a plastic cup but they can work out that kink.

Mr. Showe shared that he and his wife will be moving into the New England Lodge in several weeks. They are very excited about that move. Moving from a home in Powell they will be downsizing and wanting to enjoy the urban life. When they thought about where they would like to live in their later years, what attracted them to downtown Worthington is the vibrancy that they have stumbled their way into. He recalls the multiple Comprehensive Plans and all of the thought of what we could do with the downtown Worthington area. He agrees with the statements made by Bob Capace in that it is really critical that we do everything we can to make the downtown business area vibrant, energized and full of people. He has seen in just the last three or four years a number of younger people with families who are walking in the downtown. He thinks businesses are now changing as there are more dining establishments, which he thinks is an important step. There is a great deal of competition as mentioned earlier. The Dublin
area, Hilliard, Gahanna all have much larger areas and public infrastructure that is very costly. We are competing with fragmented ownership of the downtown areas but we are the real deal. We have our history and the uniqueness of being real and not fabricated. This DORA application is something they certainly support. They think it would be a great thing for the community. As a business owner and as a future resident he urged members to consider that.

Christy Bowen, 860 Oxford St.
Ms. Michael read comments that Ms. Bowen wrote on the back of her Speaker Slip because she had to leave the meeting early. Her comments are as follows:

As an interested resident of Old Worthington, I wish to express my support of the DORA proposal. As a frequent patron to the OW entertainment district, I strongly feel that the DORA would enhance and improve the Old Worthington outdoor experience. There have been numerous times when we have dined with friends and wished to sit on the patio of Old Bag of Nails, Whitney House etc. and enjoy a cocktail. I feel this would continue to draw unique eateries and keep OW relevant and competitive with neighboring communities such as Clintonville and Dublin. I feel it would enhance the Farmers Market and drive more business to our OW retailers.

Suzanne Seals, 123 East New England Ave.
Ms. Seals expressed that some have concerns about some aspects of the DORA proposal and they hope that members will see value tonight in making some adjustments to their plan. She understands fully the expected benefits of the DORA. They have been itemized quite vigorously and she certainly understands that it will be easier for restaurants to serve their customers both inside and outside. She sees the hope for increased business downtown. For the City she sees that it will be less cumbersome to manage these special events that creates some of the vibrancy for downtown and also the hope of attracting more visitors to the downtown area. She gets all of that. She thinks they are reasonable hopeful benefits and they could very likely have a positive impact on some aspect of Worthington life. However, there are issues other than retail for our community. She is asking City Council to eliminate the family events from DORA, from the special events sip and stroll. These are the events that are held during the daytime hours. Obviously this includes the Farmers Market and Market Days. The crowds at these events are already huge and she has heard quite a few members say they avoid them because of the crowds. They are very family oriented. There are strollers and dogs and kids everywhere. They are very popular among central Ohio residents and they come in large numbers so it is not just Worthington folks who attend these events. She sees some advances from limiting/eliminating these family daytime events from DORA.

1) Limit the southern boundary and make it Short St. There are no liquor licensed establishments below Short St. so there really is no reason to extend it down to South. A decreased DORA area means a decrease in the safety and supervised areas. She thinks it would be easier for the City to manage the DORA area and perhaps even cost less.
2) Protect the family atmosphere of these events. The Farmers Market was created to focus on easy access to healthy, locally grown food and when you go there you have an opportunity to chat with vendors about their products, get to know them and enjoy the comradery of visiting with neighbors who are also shopping. Market Day is a chance to highlight the bounty of fall, for local organizations to promote themselves, for area crafts to be sold and the high school band usually performs at these events.

3) Finally, in terms of the advantages of limiting, she hopes our City feels an obligation to maintain a balance between healthy family activities and catering to local businesses. Our community is making alcohol available at more and more of its sponsored gatherings. This concerns her and there is a reason; for over twenty years she also worked with all Franklin County schools in the safe and drug free schools program. Every four years they surveyed all Franklin County students grade seven through twelve for their attitudes and use and awareness of alcohol, tobacco, and other drugs. A little bit of this follows what Nancy Zajano said but she thinks it is important to emphasize it. The surveys regularly indicated that society sends many mixed messages to our youth about alcohol use. We also know that mixed messages are very confusing for young people and we learned that when youth hear a mixed message about alcohol use, they tend to translate it as it is okay for them to use.

Ms. Seals reiterated that she is very concerned. There has been no polling of residents for this significant change for two very popular, long standing traditional events in Worthington. She thinks information to the community has not been clear about which events would be included and what is a “sip and stroll”. She is not speaking for a prohibition and she too looks forward to being able to have some fried fish at the Bag of Nails along with a beer outside but she believes that a “sip and stroll” at the daytime family events could be a detractor from the original focus of the events. She doesn’t believe they are needed and we could send the wrong message to our young people that in order to have a good time we have to have alcohol. So she is requesting that members omit the daytime family events from the Special Events list and make the south boundaries of DORA Short St. instead of South St.

Ms. Scherer shared that she doesn’t see a problem with the daily or conditional use but the “sip and stroll” raises many questions and she didn’t hear that discussed tonight. She thinks that needs to be examined pretty closely. She thinks it is wise to include a review period. That is something that she hadn’t seen in the memorandum. She added that a neighbor sent her a note that she was concerned about liability and she thinks that needs to be clarified and settled before permission is granted. So liability may be the same as any and all liability as we go day to day in Worthington but in these situations maybe it is different and Ms. Fox may know that answer. She would like to hear a little more discussion about “sip and stroll” because she thinks it raises many concerns for the reasons that Ms. Seals shared.
Allison Chapman, 144 E. Dublin-Granville Rd.
Ms. Chapman shared that she is a resident of Worthington and she supports the DORA. As a business owner that does not have a liquor license, one of the things that they have found when they participated in events in Old Worthington is that if there is fencing that is put up as required by the liquor laws, it negatively impacts her business because it restricts the flow of customers as they are going around Old Worthington. That is one of her reasons to support it as a business owner as well.

When asked by Mr. Foust the name of her business, Ms. Chapman replied that she owns Igloo Letter Press.

Phil Green, 250 Sinsbury Dr. N.
Mr. Green reported that his concern has already been addressed.

Ian Mykel, 2330 Collins Dr.
Mr. Mykel shared that he generally supports the DORA but he would like to know what law enforcement is going to do when they find people breaking the laws of the DORA.

Chief Strait replied that historically they begin with a period of educating the general public as to any new law or ordinance that is passed. After the period of time, they leave it up to the officer’s discretion and also the conduct of the individual. If they are new to community and probably first time into the DORA they would likely take that as an educational opportunity. However if they are a resident and have already gone through the educational effort then there is a good chance they will receive a citation, which is a criminal offense. It would be cited into our Mayor’s Court or possibly downtown depending on the violation.

Mr. Foust asked if someone strolling through the hardware parking lot with a beverage be allowed to continue walking with their beverage or would it have to be disposed of. Chief Strait replied that they would be asked to pour it out and then find a receptacle to dispose of the cup or they could go back into the designated area.

Ms. Dorothy asked if there was any information about how often they have cited people for public intoxication or drinking in the public. Chief Strait reported there being very few but within the last month they have had at least one instance of intoxication. Ms. Dorothy concluded that currently the number cited is minimal. Chief Strait agreed.

Steve Weaver, 405 Longfellow Ave. (owner of the Candle Lab)
Mr. Weaver shared that he is strongly in support of the DORA. He thinks it is the next step in the ongoing growth and development of downtown. Between Ian and Chef Max, the plates of food they are putting out and retail that is opening up in Vernacular, Birch, COhatch and the donut store that is coming, which is something we are all very excited about, over the last ten years there is just a tremendous energy in the downtown. He has three other retail stores in other communities and nine franchise stores around the country so he knows how we are competing against all these other areas for time, money and attention. He thinks this is tremendous.
Mr. Weaver emphasized that there is a widely held fallacy by nearly everybody other than those who own a business that events must be really awesome for business owners. In fact, in many cases it has the opposite effect. Market Day is a massive hit for nearly every merchant in the downtown other than the restaurants. He takes a 70% sales loss on Market Days when High St. is closed down. As much as he is in support of the Picnic with the Partnership and he thinks it is a tremendous event and celebration of all things in Worthington, as Allison mentioned, as soon as we start setting up orange fencing between the people that are in the downtown and the local businesses, it means that retailers don’t get to share any of those benefits. Even if it is not just sales that day, just the walking traffic and getting them to discover our businesses and come. It doesn’t happen. As a result it ends up being a negative thing for businesses. So it sounds like there is wide support of the restaurant piece of this but the event part is crucial because what it means is that we can remove those fences and we can turn all of this event traffic into actual either customers of our businesses or potential customers down the road. They do not only interact with what is happening at that event but strolling in and out of businesses and discovering that and then come back and bring their time, their money and their friends. So that is a key aspect that he wants to emphasize in that this could be a big change to make events a positive change for our downtown.

Mr. Weaver clarified that as it currently stands, they have held a couple of events in the Worthington Quarter (their corner) where they pulled an F-2 permit for that lot. The thing they are up against is that in order to qualify for an F-2 permit it has to be a charitable group or some other group outside of the permit holders in their plaza who applies for that. So it creates a very tricky situation where they have to find a partner to apply for it. That person has to work to try to bring in all of the logistics that go along with that and then they are serving beer in a parking lot where we have several businesses who have liquor licenses and they can’t walk in and out of those businesses. So he humbly asks that if they at least have the opportunity to apply for this like a regular event, like the Partnership or the Chamber or anybody else, that if we could have the businesses that are in the Quarter actually be the ones that benefit from that. He thinks there are a lot of great events that could be done on the corner but none of them will look like Hineygate. They will have a chance to really create some great energy there and the businesses will actually get to benefit as well.

Sam Baker, 673 High St. (owner of Harold’s American Grill, Baker and Associates Architect / wife owns Finery)

Mr. Baker reported that he has been a business owner here for over 30 years and has come before members of the Board in various capacities. He thanked Council for the opportunity to speak this evening. It is something that is very important to the business community and the residents that are here.

Mr. Baker acknowledged this being a tough subject to talk about. They not only have an interest with the retail shop and Harold’s but also from the standpoint of being an architect. He can talk about what other communities do. They have a lot of experience in planning and doing things with other communities. He thinks members have to look at
the competition that is very apparent within the central Ohio area. Not everybody allows their community to have input like this or do planning like this and to have these types of things. The biggest things you have to look at is not what you offer but rather what you don’t offer because that is what drives people from this community to another one. If we don’t have this to offer then they will find another community within central Ohio that will have it. People will go there for their entertainment, to live, to have their businesses, and everything. So it is one issue that members have to look at.

Mr. Baker shared that he understands what has been said about the alcohol and the children. When his kids were in high school they did things they probably shouldn’t have done unbeknownst to him at the time. It is important to have that protection for our children but it is also equally important to teach them about things and looking at it as a planned event or something that we are taking responsibility for. Something that we aren’t hiding it but rather bringing it out into the open. That is a very important part of teaching responsibility as they grow into adults. What to look at. What to do and what not to do. He wants members to consider that as well. It is important but it is also important to teach them and taking this responsibility is very important.

President Michael thanked everyone who spoke. She thinks it would be appropriate to go through some of the areas that were brought up by Mr. McCorkle.

**Boundaries**

President Michael asked members if they had any comments regarding the boundaries that were suggested.

Mr. Smith thinks Ms. Seals brings up a good point about Short St. He also thought members had talked about it the last time as well. He asked what the rationale was for South St. versus Short St. Mr. Greeson replied Market Day. Mr. Smith understands that it is not committed at this point. Mr. Myers agreed.

Mr. Foust commented that he would also support a change to Short St. as he is having a difficult time picturing one of the buildings on High but south of Short as a restaurant. Mr. Norstrom mentioned the old bank. Mr. Foust agreed to that being a possibility but he just doesn’t see a reason to extend the DORA beyond Short St.

**MOTION**

Mr. Smith made a motion to change the south boundary from South St. to Short St. The motion was seconded by Mr. Foust.

Mr. Norstrom shared that members are planning ahead for the future a little bit. The question becomes what is the practical effect of a change to Short St. If it turns out that Market Days decides to have sip and stroll associated with it then they would not have to come back and request an amendment to the rules as proposed. Ms. Michael interjected that they would have to stop the liquor sales at Short St. Mr. Norstrom clarified that it wouldn’t be the sales of alcohol but rather the “stroll” which in thinking of Market Days would be a challenge.
Ms. Dorothy asked if the boundaries of the DORA have to be the same. Ms. Michael replied yes. The boundaries could be restricted by events but the DORA boundaries are set.

Mr. Troper pointed out that the boundaries could be made smaller for a particular event. Mr. Greeson agreed. He doesn’t have a comment on whether it is Short or South but when we shut the street down we will shut it down either at New England, North or South N. because we have to provide ways around. So from a practical standpoint if it is shut down at Short it will be shut down to South.

Ms. Michael thinks it will be difficult to have people coached to stop at Short when the street is open to South St. Mr. Greeson added that the signs can be placed anywhere that Council wants but from a traffic standpoint it would be shut down.

Mr. Smith said to clarify, if we shorten the DORA to Short St. and the Market Days does want it to South St., he asked what it would take to change the boundaries. Ms. Fox replied that members would have to go through the process to amend the DORA and extend the boundaries. When asked by Mr. Smith how long that would take, Ms. Fox replied however many weeks we have already taken and add a couple to that. It could be a month and a half or so.

Mr. Foust pointed out that we are talking about one event, Market Days and that is the rationale if he understands for setting the DORA boundary at South St. If members were to proceed and allow the family friendly events, something he is admittedly not in favor of but if members were to allow for example ten or twelve or however many Saturday morning Farmers Market there are, those same events would be impacted. So we are talking about impacting a whole bunch of events based on one event. He asked if he is hearing that correctly. Mr. Norstrom doesn’t think a whole lot of events will be impacted. Mr. Foust clarified that all of the Farmers Market would be allowed to South St. versus Short. We are basically building a policy that could be many events around one event. Mr. Norstrom disagreed. He thinks if what he is saying is that for each event we could put the signs at Short St. In fact it was discussed amongst the Partnership at Short St. because the Farmers Market goes that far but you are correct. We are talking about allowing an opportunity but we don’t have to mandate it goes to South. It just makes it easier to administer the program.

Ms. Dorothy stated that if members do allow the boundary to South St. she asked what would need to occur to shorten it up to Short St. if something happened. Mr. Norstrom replied the same thing that we would need to do to extend it if the amendment is approved.

Mr. Myers pointed out that if members allow the boundary to South St. they would still have to receive a permit with boundaries. Mr. Norstrom agreed. Mr. Myers added that members could certainly instruct staff that we don’t want boundaries extended beyond Short St. until it is brought back to Council or some condition like that.
Mr. Smith thinks he recalls hearing at one point that even if members put the signs up at Short and we approve South St., any customer could walk past the signs to the official DORA line. Mr. Foust interjected that what you are saying is that it would be unenforceable based on the sign. He asked if that is the question. Mr. Smith recalls that being what he heard. Ms. Fox noted that this is where the local ordinance comes into play. It would apply not only to special events and the boundaries established but also to the outdoor dining policy. From a liquor control standpoint there is no impact on the businesses if somebody walks beyond those boundaries. Although through our permitting process we indicate to businesses that they need to police that and make sure it happens but from a patrons standpoint that is where our additional ordinance comes into play.

Chief Strait reported that being something he requested so if they have somebody that gets intoxicated and goes outside the boundaries, then his officers will have a way of rectifying that issue. If they are outside the dining area then officers have the ability to do what they need to or if they go outside the boundaries of the DORA then they also have that ability. This gives them a little more teeth to be able to enforce. Mr. Norstrom asked for clarification, patrons could be cited for public intoxication. Chief Strait agreed. He added that the ordinance would address open container.

Ms. Michael asked if it makes a difference in enforcement for Short St. versus South St. Chief Strait replied it is however Council members deem appropriate. If you decide to use South St. and it is a major event then they will close the entire roadway. If the City, by permitting decides to shut it down, the ability to have an open container if you shut it down at South St. that is the point where they have to dump out their beer and proceed outside of the permitted area.

Ms. Michael called the vote.

The motion to amend the boundary of the DORA to stop at Short St. failed by a two “yea” (Foust, Smith) to five “nay” (Norstrom, Troper, Dorothy, Myers, Michael)

Signage

Ms. Michael asked if there is any additional input on the event signage. Staff is proposing twelve signs at this time.

MOTION Ms. Dorothy made a motion for additional signage at the public right-of-ways that pedestrians use at the parking lots around the district. The signage would be for DORA Special Events. The motion was seconded by Mr. Troper.

Ms. Michael asked if staff would use discretion to identify those or do members need to do that. Ms. Dorothy reported being happy with staff identifying the locations.

Ms. Fox asked Ms. Dorothy if she is only speaking of those pedestrian paths on the west side of High St. that lead out to the west municipal lot or is she also interested in having
staff look at the entrance to the church parking lot. Ms. Dorothy replied that she is interested in staff looking at both locations. If people take cups down there she wouldn’t want the litter to end up in the church/public municipal parking lot. Ms. Fox indicated that it would include the entrance way to the public lot immediately to the east of House Wine (the lot off of New England Ave.).

Ms. Dorothy pointed out that she thinks that would discourage people from taking home their cups and reusing them.

The motion for additional signage passed unanimously.

Qualified Permit Holder

Ms. Michael didn’t think there was any change to the permit holders listed.

Mr. Norstrom asked if Council would have to amend this legislation if a new permit holder comes into the area. Ms. Fox replied that she doesn’t know the exact answer to that question but the Department of Liquor Control may need to grant that designation to them to take advantage of the DORA. If Council approves this and we send everything off to the Department of Liquor Control, they then will issue an Outdoor Refreshment Area designation to each qualified permit holder. Unless or until that new permit holder gets that designation from Liquor Control they will not be allowed to take advantage of the DORA. She doesn’t believe we need to change anything because we are only required to have a minimum of four qualified permit holders, which we will have.

Mr. Norstrom asked if she could verify that before members vote on this. Ms. Fox agreed to get an answer to the question prior to the vote.

Events

Mr. Myers commented that since this process got started he has heard nothing but positive comments and support for outdoor dining. He thinks from what he has heard from Council and from what he has heard tonight that is pretty much universally held. The only instruction he would give is to make certain we partner our Outdoor Dining Policy with what we are going to do with the DORA that we make sure they take care of their own trash, etc. His one issue is with the Farmers Market. It is the one thing that he has heard complaints and criticism about. He doesn’t think it is necessary. He doesn’t know how many establishments are going to open up at 8:00 a.m. to sell bloody marys. He doesn’t think that it will have a significant impact on our restaurants if they can’t serve alcohol.

MOTION

Mr. Myers made a motion to remove the Farmers Market from the list of events. The motion was seconded by Mr. Foust.

Mr. Norstrom shared that he fully understands the discussion. He approaches it from the perspective of let’s try it and if it doesn’t work we can rescind it. This is a family friendly
community as has been shared. The thing that concerns him the most about this legislation is the presentation of the facts and figures from Drug Free Worthington. However, he doesn’t think the actions that Council are taking are a hill of beans considering what the problem is. Because we have all grown up in this environment, some people struggle with it and some don’t. He thinks it is a bigger problem than whether or not you sip and stroll down the streets of Worthington. Having said that, there has been some objections raised to this but he would take the approach of let’s try it and see. He doesn’t imagine, especially on a morning process that we would have Heinygate in the middle of Worthington. He would be the first to vote that we change it if we have problems. But he thinks let’s give it a try and see what happens.

Mr. Smith asked to address logistics. He asked if a customer can buy a beer from Old Bag and then stroll into Igloo. Ms. Fox replied that they can do that if Igloo approves of it. Mr. Norstrom added that what they can’t do is walk into another establishment that sells liquor. Ms. Fox shared that the retail establishments can set the rule of whether customers are allowed to enter with alcohol or not but Mr. Norstrom is correct in that they can’t walk in and out of another qualified permit holder establishment.

When asked by Mr. Troper to discuss liability Ms. Fox replied that she doesn’t know that there is necessarily any additional liability on the City. She thinks we will enforce this just like we would any other liquor law. We have had some discussion about our right-of-way policy and allowing outdoor dining in the right-of-way and that is addressed in the Outdoor Dining Policy. As far as the sip and stroll, she doesn’t think there is any additional legal liability.

Mr. Smith shared that the Farmers Market is tricky for him because he is on the edge either way but he tends to agree with Mr. Baker who said that personal responsibility is best. But say there is a vendor at the Farmers Market who is selling corn and he doesn’t want somebody to sip and stroll with a cup of beer next to the corn. He asked how that would work. Ms. Parini shared that the vendors are there at the Partnership’s pleasure. Farmers Market is our event. Mr. Smith concluded that they are not businesses onto themselves. Ms. Parini replied that they are there on a week by week basis. Mr. Smith concluded that they fall under the Partnership umbrella so the Partnership is essentially the business. Ms. Parini agreed. Mr. Smith added that if they don’t want somebody strolling through their tent with a beer, they don’t have a stay. Ms. Parini stressed that there are no tents but rather tables.

Ms. Parini share that Farmers Market have begun allowing wine tasting during the markets so there is precedent there. Statewide, Farmers markets will allow alcohol. That is a different issue but that is a trend statewide. Mr. Myers commented that that has nothing to do with what Council is doing tonight. Ms. Parini agreed. She added that to Council member Smith’s point, farmers will need to get used to it at other markets if they have some type of objection.

Mr. Myers added that a DORA does not permit a wine tasting. Ms. Parini agreed.
Mr. Capace shared that if an owner of a retail establishment chooses not to allow someone in with liquor that is their right. He asked if that was correct although he doesn’t have a problem with it. Ms. Fox agreed with his comment. Mr. Capace concluded that the retailers are different from the vendors. If you are an establishment that sells liquor you would not allowed to welcome someone with liquor from another establishment. Ms. Fox agreed. She thinks the limits of the DORA are the sidewalk in front of the businesses so whether they walk into the business then is not necessarily an open container issue they are now just inside.

Ms. Michael asked if somebody is at the Farmers Market and they purchase a glass of wine at House Wine and walk down the street are they allowed to still sip their glass of wine as they go past Whitney’s outdoor area. Ms. Fox reported that as being correct.

Mr. Myers in going back to the Farmers Market commented that in his mind this raises something that he thinks about all the time. In what capacity does he serve when he sits on Council? Does he serve in a representative capacity in that he is supposed to express the interest of his constituents or does he serve in a delegate capacity in that the constituents elects him and trust him to do his own way? He thinks that in reality it is kind of a blend. He looks at this from his representative capacity and the only really complaints that he has heard about concerns the Farmers Market and to a lesser extent Market Days, if that becomes relevant. He wonders what the harm is in going 80% of the way and not including the Farmers Market because that is what his constituents are telling him they want. He doesn’t think it will be a detriment to the permit holders because he doesn’t think they will sell that much alcohol at 8:00 a.m. on a Saturday morning, not in this town from what he has seen so what is the problem with making that small concession in order to get the legislation passed and do what we really want to do in large measure is increase the dining experience.

Mr. Norstrom commented that he agrees with Mr. Myers except for the part where you say constituents told you. If we count the number of complaints and letters that we’ve received on this issue, it is less than ten. You have served on MPC and ARB for many years and you know that you can get a lot of people out on both sides. Again he asks, what’s the problem of trying it and see how it works?

Ms. Dorothy agreed with Mr. Norstrom. She shared that she did follow up with most of the people who sent e-mails about support for the DORA because it did seem like a form letter. She asked them specifically about the hours of operations during the DORA. It seems like everyone is in agreement with the regular businesses that have licenses from 9:00 a.m. to 10:00 p.m. She specifically asked them about Farmers Market and she thinks she had one person who was on the fence about Farmers Market but every single one that sent them the form letter for DORA said they were in support of having it during the Farmers Market. They thought that it wasn’t going to be used that much and that people would be responsible so there was no reason to limit it at this time.
Ms. Michael reported that the constituents that have talked to her, except for a couple of comments here in this room, everybody else who has talked with her has said they support having it at the Farmers Market.

Ian Brown shared that he had one concern relating to Farmers Market. Once they all have their tables out and are serving and once they get into the regular workings of this, correct him if he is wrong but it is going to be up to the liquor license owners and Chief Strait and his officers to figure out logistically what we are going to do on a daily basis. To figure out how we are going to police our guests on our property and when they leave our property. He thinks it will be more complicated and confusing for those who are outside enjoying their mimosas if it is not allowed at the Farmers Market.

Suzanne Seal pointed out that if Farmers Market is removed from the Special Events list, the establishments that have liquor licenses can still sell to people at their establishments. They just will not be able to do a sip and stroll. Ms. Michael agreed.

Mr. Foust stated that he wants to speak in support of Mr. Myers’ comments. He thinks it is about community expectations. First off he doesn’t think the fifty letters mean a thing. He has looked at the website and to him it is akin to asking someone if they like puppies or rainbows or do they like outdoor dining. The answer is yes so he doesn’t put any stock in those letters. Had the website included this list, including Farmers Market and Market Days then he would think there is some stock to it but as he reads it he doesn’t think it is a fair representation of what the ask is from the Partnership.

Mr. Foust added that 100 miles to the north there is a place called Lakeside. You take your kids to Lakeside, your 10 and 12 year olds, and you have an expectation of what that experience will be. People sell their house in Clintonville and they move to Worthington to raise their children and they have a certain expectation of what this community looks and feels like. Two thousand miles to the west is the place called Las Vegas. When he goes to Las Vegas he knows what to expect as well. He acknowledges that these are two extremes but if he is trying to describe what he would like the Worthington feel to look like he would much prefer we error on the cautious side. He sees no harm to go in without the family friendly events, as they have been dubbed, try it for a year and see what it is like after that.

Mr. Norstrom noted that Ms. Dorothy did the additional research to show that all but one of those who sent letters said that they did support the sip and stroll during Farmers Market. Secondly, if what Worthington does is change dramatically by sip and stroll during Farmers Market then this is not the Worthington you move to. He agrees that we should give it a year and see what happens.

When asked by Ms. Michael how many letters members received, Mrs. Thress replied over fifty. Ms. Michael pointed out that in order for 50+ letter to be received, people still took the time to customize a form letter and write it. So they had a feeling about what they were doing when they sent it. For every letter she has ever received, if somebody
sent a letter they have taken time and care and it was something that was important to them or their organization to send whatever the letter it.

Mr. Myers commented that he was unaware that this discussion was going to break down into a balancing act with a scale as to how many letters on one side or the other. He knows what he knows. He doesn’t think at this point they will change any votes with further discussion. He would like to move on.

Mr. Norstrom called the question.

The motion to remove the Farmers Market from the list of events failed by a two “yea” (Myers, Foust) to five “nay” (Troper, Norstrom, Dorothy, Smith, Michael).

Public Health & Safety Plan

Mr. Myers apologized for not going back and reading the Outdoor Dining Policy prior to this. He is certain that it deals with busing stations. Ms. Fox agreed. Mr. Myers concluded that it must be working because he is not seeing a plethora of busing stations up and down the right-of-way so he really doesn’t have anything other than that. He is certain that staff, especially Mr. Brown’s staff will be certain that we don’t have a plethora of hideous signs up and down our sidewalks. He trusts staff will take care of that.

Sanitation Plan

No comments.

Other Items

- Cup sizes and branding

Ms. Michael asked if there is anything members need to discuss on cup size and branding or are we going to leave that with staff. We were talking about two sizes and the logo of the establishment. She liked Mr. Foust’s concept of an additional sentence added onto the cups.

Mr. Myers shared that when he thinks of a cup he thinks of a red solo cup with a sticker on the side. He asked if we are required to do something like that. Ms. Fox replied that plastic cups is the only requirement. Mr. Myers said he was thinking about the wine. You can have a plastic wine glass. While it is not as good as a glass wine glass, that would be acceptable would it not? Ms. Fox reaffirmed that the statute only states that it has to be a plastic cup. Mr. Myers concluded that we could fashion beer cups and wine cups. He would appreciate some consideration be given to that.
Ms. Michael disclosed that in a meeting today they were discussing having two sizes, one for wine or a drink and one for beer. Mr. Myers commented that he just can’t see drinking a glass of wine out of a red solo cup.

Mr. Troper asked for some clarification on branding. He asked what branding specifically means. Ms. Fox suggested that Ms. Parini share the ideas of the Partnership.

Ms. Parini confirmed that the Partnership will never allow red solo cups in Old Worthington. They will work with the establishments to get an appropriate cup. It will come at an expense but they hope members will allow them some leeway in terms of the kind of cup. They are thinking of putting the Partnership logo on there as well as the logo of the establishments, perhaps in a sticker form. That way they can be bought in bulk and be stickered. She and the Chief have also talked about putting some verbiage on there that says not to take the cup beyond the boundaries and include the website where they can check the boundaries. So they will work to get as much information as they can get on the cup so that it looks uniform and nice and professional.

Mr. Myers asked if that is something they would need to coordinate before it comes back to Council. Ms. Fox replied no. She thinks we can just work with the Partnership.

- Additional Activities on Private Property

Ms. Michael noted that there are really only two areas that apply to this and that is The Quarter and Dewey’s. She asked for comments.

Mr. Norstrom shared that based on the testimony members have heard tonight, it sounds like the events that we’ve talked about either at Dewey’s or on the Quarter would add excitement. He would like to defer to staff to determine the easiest way for us to make it legal and as easy as possible for the merchants in those areas to have events.

Mr. Myers commented that he doesn’t know that he disagrees. He has wanted to eliminate that parking lot for seventeen years and make it a green space for specifically this reason, to have outdoor activity but we need the parking spaces. He still wants some checks to make sure these areas do not become Heinygate, which is won’t. He thinks he wants to guard against that as a council member. Mr. Norstrom agreed that being the direction he would give staff.

Mr. Greeson thinks there are two different issues here. One is the daily conditional use activities that we will have to work with Dewey’s. If they want to use the DORA outside on a regular basis it will require an amendment to their conditional use permit. We will meet with the businesses and ask them what they are trying to accomplish. The temporary use strategy will be developed around that conversation. He knows the events that have already been held, like the Hot Chicken Takeover and the Burrito Buggy, would receive a temporary use permit. We would let them use the DORA and ensure good signage and sanitation. He thinks the more important question is that now that we are going to do this what ideas do members have that we need to plan for.
Ms. Fox shared that she wanted to read members a sentence from an e-mail that David McCorkle received late today from one of the owners in that area. Their request is as follows:

Our request is that we get our front parking lot, a part of our property on the corner, included in the DORA and we can request a temporary use permit as needed. We believe this would be monthly at most with our neighbors on the corner (we have two liquor license holders, House Wine and Taste of Vietnam).

Mr. Weaver shared that he is here on behalf of the merchants in The Quarter with this specific request. Apparently there is Taste of Vietnam and House Wine and full disclosure they are working to get a liquor license for the Candle Lab as well, which is something they have in their other stores but not yet in Worthington. The request is very specific. It is not a regular reoccurring thing but rather just several opportunities throughout the year. He agrees with Mr. Myers in that the parking lot is wildly underused. He is the only merchant in the corridor who agrees that we should just loose the parking spots so he is not representing them when he says that. But on behalf of the Quarter, he thinks the details are flexible but the specific request is that the businesses in the Quarter be allowed to sell to events in the parking lot and then when an opportunity comes up to have an event we can approach the City about the appropriateness of it.

When asked by Mr. Greeson if what Ms. Fox shared about monthly was accurate Mr. Weaver replied yes. Mr. Austin from House Wine was supposed to be here but couldn’t be so he sent the e-mail and then sent him to speak on his behalf.

Mr. Myers assumes the parking lot would be shut down for any event. Mr. Weaver agreed. Last year the Hot Chicken Takeover was a good example of an event. Mr. Myers wonders if after two or three times of shutting down the parking lot over the summer for an event people will begin to think that eliminating that parking is a good idea. Mr. Weaver agreed. He added that Market Day is another good example of where everyone is out on High St. and they had an event in the parking lot to try to pull people from High St. into the parking lot. So things like that. It is not a reoccurring event but when opportunities pop up we would love to make that a center of gravity in the downtown.

Chief Strait commented that just so we are clear on the way the DORA is set up, someone could get a beer from one of the establishments, hence the sticker and go out into the event itself but you couldn’t mix between two permit premises. Mr. Weaver understands. He added that they just want to be able to have that little bit of flow to make it easier. Chief Strait added that the reason for the stickers is to protect the permit premise.

Ms. Michael asked if there are any other Council questions regarding this. She asked if members support the request that Mr. Weaver shared. Mr. Myers replied that he was okay with the request.
Ms. Fox stated that she still had a question about whether Council is limiting the number of events or not. Mr. Myers shared that he would hate to come up with an arbitrary number. His first thought would be once a month. He likes Mr. Greeson’s suggestion that he will talk to the merchants to see what they think and then pick a number and bring it back to us. He asked if that was acceptable. Mr. Greeson agreed.

- Review

Ms. Michael asked if a one year review as opposed to five is acceptable.

Mr. Myers suggested scheduling it for a year but if members think that something is going wrong we can bring it up a whole lot sooner than that. Ms. Dorothy agreed.

- Hours of Operation

Ms. Michael asked if anyone is offering any changes to the recommended ones by staff.

Ms. Dorothy asked if we are collecting any metrics on this if it does improve our downtown businesses. Is there anything that we can do as a City or anything that we can ask our businesses to do? Mr. Greeson doesn’t know if the Partnership has thought about surveying on revenue as a result of this or not. We can discuss that and figure out how to measure success.

Ms. Parini suggested looking at sales last year versus when the DORA goes into place. It should be pretty easy to determine.

Mr. Myers hopes that at our one year review they will be an active participant in that and at least show up and say it is going great or it is not. Members will be counting on them for that input. Ms. Michael included Chief Strait in that review. Ms. Dorothy agreed. Members will like to know if we have any people outside the boundaries with open containers or public intoxication as well as trash issues. She doesn’t know what specific metrics but something that members can look at and review to see how it is going.

Ms. Michael asked if anyone wanted to offer any changes to the Hours of Operation or do we have consensus that the hours in front of us are fine.

Mr. Foust shared that he would like to discuss this one. He is looking for some compromise here. He is concerned about the message we send. If Mr. Myers’ assessment is accurate that not a lot of alcohol will be sold at 9:00 a.m. he asked if there is any reason members can’t push it out to a little later time. Mr. Smith commented that he would take it a step further and say in general or pinpointing that Farmers Market day of Saturday. He doesn’t want to torpedo the Silver Bridge coffee tent because he would love to go there and have a coffee and go to Mr. Brown’s shop and have a bloody mary at 11:00 a.m. so maybe 11:00 a.m. on a Saturday as opposed to 9:00 a.m.

Mr. Norstrom pointed out that Saturdays and Sundays are both brunch days.
Ms. Michael clarified that the Hours of Operation is for the business and not for an event.

Mr. Foust asked if members could circle back at a later time and talk about hours on events. Ms. Michael agreed to do that after getting consensus on this item.

Ms. Dorothy asked if we can tally if any noise complaints were reported in the downtown. Mr. Myers reported that being something MPC/ARB tends to regulate and no one has come to the Board for some time now to complain, not since we addressed the issue with the Pub Outback. Mr. Brown agreed. Ms. Dorothy shared that is what she likes to hear.

Ms. Michael concluded that the Hours of Operations has the consensus of Council members.

- Hours of Operations for Farmer’s Market

Mr. Smith stated that he shares Mr. Foust earlier concern with the 9:00 a.m. start time. He would like to agree on a compromise to 11:00 a.m. on Saturday for the sip and stroll at the Farmers Market.

Ms. Parini interjected that the Farmers Market ends at noon. Members can’t sip and stroll after that time.

Mr. Weaver commented that if Mr. Austin were here he would tell members that he does a remarkable number of sales starting at 9:00 a.m. House Wine goes out to find whatever fruit is fresh that day and brings it in and mixes it with sparkling wine to create a mimosa that changes with the seasons. The House Wine patio is full and they are busy serving those starting at 9:00 a.m. He just wants the record to show that his sales would contradict there not being an appetite for something bubbly and fresh at 9:00 a.m.

Mr. Foust commented that those comments probably makes the case all the more as to why he would like to see it.

Ian Brown shared that logistically the enforcement and the explanation to the people who are trying to enjoy the DORA is going to be more difficult with the greater limitations we put on it during the Farmers Market. At 10:45 a.m. when somebody is enjoying a mimosa on the public right-of-way in front of his restaurant telling them they are going to have to wait fifteen minutes until they can take it and stroll with it will be a difficult conversation. It also makes it harder to enforce and we are putting more limitations on something that is really not necessary.

Ms. Dorothy shared that at first she was concerned about this but most of the people she has talked to believe that people will drink responsibly. She received many comments from moms who live in Worthington that shared that they wanted to take their mimosa
and enjoy it during the Farmers Market hours. She wasn’t sure where they were getting it from but obviously she now knows.

Mr. Troper requested the special events slide be put up on the screen so that everyone knows what members are talking about.

Mr. Myers commented that we are talking about both. Mr. Troper thinks the regular hours of operations have already been determined. Mr. Myers asked to talk about how these two interplay. The hours of operation for the individual establishment is 9:00 a.m. and members have already said that we were okay with that. Now we want to change to something different on Saturday mornings, the other part of the DORA, not the DORA so you can sit in front of the Whitney House or Harold’s and have your mimosa any time after 9:00 a.m. on Saturday even if it is the Farmers Market or Market Days or whatever it happens to be. But you can’t pass the sign until 11:00 a.m. so there is still going to be drinking at the Farmers Market at 9:00 in the morning. You are just not going to walk around with it. He asked how we are going to stop someone who leaves Harold’s to walk down to whatever vendor is in front of the Worthington Inn at 9:30 a.m.? That is a huge enforcement issue. He made his best pitch to eliminate the Farmers Market from all of this and he lost and he accepts that vote so he thinks if it is going to be there, he tends to agree that enforcement would be impractical and he already lost.

When asked by Ms. Michael to address enforcement, Chief Strait replied that he had never thought about this until we had a combination between a special event and our outdoor dining policy. He agrees that it would be difficult to handle individuals that are sitting there under normal circumstances within the boundaries given for the dining experience and then throw a special event into it. He thinks it would be confusing for both his officers and the public. Mr. Myers agrees that it would put the officers in an awkward position to try to explain why this person is about to be cited. Chief Strait added that part of this is that their servers or whoever is serving inside are going to have to explain the hours of operation so now you are going to throw two hours of operation, your dining operations as well as your special events operation into one day. He thinks it will get confusing for the average person.

There being no additional discussion President Michael thanked everyone for coming out. She thanked Council members, staff, the Partnership and everybody who has worked so hard to resolve tough issues. She announced that there will be a resolution for consideration at the next City Council meeting that will help move the DORA forward.

Ordinance No. 16-2017

Amending Ordinance 46-2016 to Establish Compensation for the Unclassified Position of Assistant to the City Manager/IT Director.

The foregoing Ordinance Title was read.
Mr. Greeson reported that information on this subject was included in the agenda package. Staff is working hard to recruit and ultimately fill this position. If members have any questions he would be happy to answer them.

The clerk called the roll on Ordinance No. 16-2017. The motion carried by the following vote:

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

No 0

Ordinance No. 16-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.

NEW LEGISLATION TO BE INTRODUCED

Ordinance No. 17-2017  Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the 2017 Street Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 651-17)

Introduced by Ms. Dorothy.

Ordinance No. 18-2017  Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the 2017 Street Crack Sealing Program (State of Ohio Contract 101G-18 Pricing) and all Related Expenses and Determining to Proceed with said Project. (Project No. 651-17)

Introduced by Mr. Troper.

Ordinance No. 19-2017  Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the Community Center Sprinkler Head Replacement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 652-17)

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

REPORTS OF CITY OFFICIALS

Policy Item(s)

Request to Bid – 2017 Street Improvement Program

Mr. Greeson reported there being a request to bid the 2017 street program. He knows that several had an opportunity to join Mr. Whited on a tour of the streets.

Mr. Whited having no additional comments, Mr. Greeson requested a motion to authorize to bid.

MOTION

Mr. Norstrom made a motion to authorize staff to bid the 2017 Street Improvement Program Mr. Norstrom. The motion was seconded by Mr. Myers.

The motion carried by a voice vote.

Mr. Greeson commented that at the last Council meeting when members adopted the Parks Master Plan and heard a presentation from the Parks Commission on that towards the end of that dialog there was a discussion about the prospect of a tax levy for the purposes of financing/funding parks and recreation improvements contemplated in the Master Plan as well as bike and pedestrian improvements that may be recommended as part of the bike and pedestrian plan and recommended by that advisory board. Staff has prepared a memorandum as requested from Mr. Bartter, Ms. Roberts and others who worked on this. The memorandum does a couple of things. It provides background on some property tax, inside/outside charter millage information, but most importantly it covers procedures to submit an outside millage levy to the voters. There is a limited amount of time to consider that issue. He asked Mr. Bartter to briefly go through the steps that would need to occur to place a property tax levy on the November ballot. Afterwards he has some questions for members.

Mr. Bartter explained that the most important date in his memorandum is June 19th, which is the last date for a resolution of necessity to be adopted. The resolution would need to contain:

1) The specific Ohio Revised Code section that authorizes the levy.
2) The purpose of the tax
3) The election date
4) The amount of millage requested, and
5) The type of levy
Mr. Bartter concluded that the information would need to include how much, for what and for how long. Again that date is June 19th for placement on the November 2017 ballot. If that passed, and it would need to pass by a super majority of 2/3 of vote of Council, so five members would need to vote affirmatively for that. Then staff would submit that to the Franklin County Auditors and they would have ten days to certify the amounts and get that back to us. At that time we would need to approve an ordinance to proceed that would also need to pass with a super majority of 2/3 of a vote of Council. From that, staff would send that to the Franklin County Board of Elections for their certification. That would need to happen before August 9th.

Mr. Greeson directed members to the last page of Mr. Bartter’s memorandum that if members desire to consider a tax levy for purposes of Park and Recreation, bike and pedestrian improvements there is a very short timeframe between now and June 19th in which the questions Mr. Bartter outlined and that are required by the Ohio Revised Code for that resolution of necessity would need to be discussed and decided. So staff really needs some feedback on whether members want to move forward on this issue because there is a significant amount of work that would need to be accomplished between now and June 5th.

Ms. Michael thinks the first couple of questions that Council needs to answer is whether or not we need this and if we do, then how fast do we need it. She mentioned that the schools are likely to have something on the ballot in 2018 so she is open for discussion.

Mr. Norstrom acknowledged being the one to suggest this. His opinion is that we need it based on the plans that were submitted to Council from the Parks Commission. He thinks the reason he pushed for it at the last meeting was that he expects the schools to be on in 2018 so this November is the time for us to move forward with it. It is a bigger electorate in November than in the springtime and also this is a decision that the electorate needs to make and not Council members in either one of our roles as Mr. Myers identified earlier. He thinks that this is an important issue and given the money that we have lost from the state over the past few years, this would go a long way toward targeting money for parks and for bike and ped who we haven’t heard from yet but he thinks whatever the legislation is it should include both of those aspects. He would throw in public art but that is just him.

Ms. Dorothy shared that she is just concerned about the timing of it. She believes that we need more improvements for bike and ped and the parks and would also agree with public funding for art but she doesn’t know if we have enough time to go through all of the steps. At our last Council retreat this wasn’t one of our highest priorities and we were focusing on other things. We can change direction but is it alright that we leave behind something else that members already agreed on. She is just really concerned about the timing and getting this done by June.

Mr. Myers commented that at the last meeting he said that it was going to take a lot of convincing for him to support a tax increase. After thinking about it for a week he thinks he is strongly opposed. First, it is hasty and it is not just the timing here. He believes
that raising taxes is probably the single most important and deliberative process that Council needs to undertake. If members remember when we passed the municipal income tax he thinks Mr. Greeson gave 20 to 30 presentations to citizens groups in the run up to that election to educate them on why we needed this and at that time it was a desperate need as we were in the middle of a recession. We have had no interaction with the public on this issue at all. It came up out of the blue last week. It is a very tight procedural timeline. There might be some portion of this at the end where we won’t have a law director to shepherd us through it. We are speculating that the schools will be on the ballot next year but we haven’t coordinated that with them. In all of our tax decisions, in all of our abatement and TIF decisions we have always interacted with the schools. We are not doing that on this one. The schools rely on real estate tax for the bulk of their income. We do not. He doesn’t want to create a system where there is tax fatigue by the time the school district comes around. He has a difficult time justifying raising taxes when we have a fund balance of the magnitude that we have. He doesn’t believe that this is a need but rather a wish. Our parks, while they are not what we would like them to be and while this is a very laudable goal; they are not a pressing need like the development of the Wilson Bridge Road corridor is a pressing need. He did not come away as Ms. Dorothy said from the last retreat with this as a top priority. Council has already committed funds to Wilson Bridge Road which he thinks is an appropriate goal. It was a principle goal of our retreat. It is a need. It satisfies all of our criteria for spending money. Remember, we are going to adopt a resolution of necessity. When he looks at Wilson Bridge Road, the street program, sewers and look at parks he has a very difficult time justifying them as a necessity other than a wish and something that we would like to have. So just because we can do it doesn’t mean we should.

Mr. Norstrom addressing Mr. Myers commented that when he defines need or necessity and things we can do, the Park plan was partially a wish list but it also showed what it would take to invest to keep the playgrounds at the level they currently are. If he remembers correctly we ended up with about $15,000 a year that we would have to spend on any other type of improvements. If that is not a need, he doesn’t know what is.

Mr. Norstrom added that the money we are making in investments in the Wilson Bridge corridor, which he agrees are important, on the other hand we are looking at potentially land banking up there for twenty years. That doesn’t tell him that the land is a current need today. That is an investment that we can make a year or two from now. Mr. Myers stated that it is of such a pressing need that we should limit our interaction with the public on this. We should limit our interaction with the school district on this. We should go ahead and go forward with this headstrong. He can’t buy it.

Mr. Norstrom pointed out that we have a little over one month to have that discussion and then we have a number of months to discuss it with the voters who may reject it but at least let’s have that discussion. Mr. Myers stated that when it comes to it you have one less vote and you need a super majority. There is a reason why you need a super majority to increase taxes.
Mr. Troper shared that he agrees with Mr. Myers’ comment about the lack of potential public input into this given the short timeline.

Mr. Smith shared that he agrees with the concept but thinks that it is too quick.

Mr. Foust comments that his thoughts have already been shared.

Mr. Norstrom clarified that what he is favoring is that staff get the information together for Council so that we could take a vote to put it on the ballot. He is not saying raise the tax right now. He is saying do the homework that is necessary to be done. He understands that other members don’t want that so he doesn’t think a vote is even necessary at this point unless he has three votes that he doesn’t see.

After trying to come up with the appropriate motion, Mr. Norstrom stated that he doesn’t even think he could get a second so he would prefer that members just drop it and not instruct staff to spend time.

When asked by Ms. Michael if members wanted to discuss this at a later date, Mr. Smith suggested that they wait for Bike and Ped to come and make their request, which they hopefully will do soon. Mr. Greeson agreed that they will be refining the bike and pedestrian priorities just like Mr. Hurley ably did with the Parks and Recreation plan. Both of those plans will inform our capital improvements planning process this fall.

Mr. Myers commented that he is in favor of exploring how we fund our parks and how we can better fund our parks. He would like that as part of the CIP and the CIP budget process. He thinks he agrees with Mr. Norstrom in that our parks are underfunded. He would like to see if there is some way to increase that funding without a tax increase and he would like for that to be part of the CIP discussion.

Ms. Michael shared that she has no problem with members looking at some type of a tax increase as long as it is something that is ballot voter approved and there is a lot of community input in designing and putting it together. She would like to look at something.

Mr. Foust commented that it seems to him that members just fast forwarded into parks and bike and ped based on a presentation. He would, as one council member, welcome staff’s rank ordering, if we are going to talk about a tax increase, let’s make sure we are doing it for the right things. He asked if there are things like infrastructure, collapsing pipes or whatever that are on the horizon that ought to take precedence over bike and ped and parks.

Mr. Norstrom reported that being what the CIP does every year. The information that we had in the Parks Commission is not something that just came up overnight. The Parks Commission has been working on that plan for the several years. Mr. Foust interjected that the tax increase came up overnight. Mr. Norstrom agreed because if you look at our overall financial situation and although the fund balance is bigger than it has been in
many years he disagrees with Mr. Myers that it is sufficient to not consider other sources of revenue considering what the state has done to us. The reason he proposed it is because this is a package that is easy to put together and easy to understand if you want to maintain the quality parks that we currently have in this community. He wasn’t proposing to fund a wish list. He was proposing to establish a budget that wouldn’t get everything in that plan but that would provide more dollars for that plan.

Mr. Smith believes it is a great concept and a good conversation to have maybe after bike and ped come up with their list.

Ms. Michael commented that if she is hearing members correctly then the one question that we need to provide staff with direction on is the idea of looking at this is good but it is too fast and not for the November ballot. She asked if that is what she is hearing.

Mr. Myers added that it is a discussion that we can have during the budget process.

Mr. Troper asked if we know when we are getting any potential request from SwimInc. Ms. Michael shared that legal staff is checking into whether or not we can use city funds for capital improvements on a facility that we don’t own.

REPORTS OF COUNCIL MEMBERS

Ms. Dorothy shared that they had a Safe Ways to School meeting that Mr. Hurley helped organized with school members and bike and ped committee members and many of our own staff members. She thought that it was well received and everyone at Council will be getting a copy of the presentation via e-mail shortly. She hopes to review it as it actually references some of the stuff that she already sent to members.

Ms. Dorothy added that the Facility Planning Commission has added an extra public meeting for the schools. They have developed a plan for K-6, 7-8, 9-12 and one for K-5, 6-8, 9-12 school buildings and that public meeting should be May 31st.

Mr. Greeson shared that after thirty years of coming to City Council meetings this is Molly’s last one.

Mr. Foust shared that Ms. Roberts helped him through a problem that he had with RITA a number of years ago. Whereas he may not have been, she was gracious, very professional and very on point and that made a big impression on him a long time ago. He thanked her.

EXECUTIVE SESSION
ADJOURNMENT

MOTION Mr. Myers made a motion to adjourn the meeting at 10:35 p.m. The motion was seconded by Mr. Troper.

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned.

______________________________
Clerk of Council

APPROVED by the City Council, this 6th day of June, 2017.

______________________________
Council President
President Michael, members of the Worthington City Council, my name is Nancy Zajano and I am the secretary of the community organization known as Drug Safe Worthington. I would like to offer some background information relevant to your policy discussion on the Designated Outdoor Refreshment Area (DORA).

We are all heartbroken by the heroin and pain pill epidemic that is taking the lives of young adults around us. To keep this from happening, we need to start sooner – with prevention efforts aimed at our youth. If we can give our children the tools to avoid alcohol use when they are young, they will have these tools to avoid opiates in their future.

Here are some facts for your consideration as you deliberate on the DORA policy being created for downtown Worthington. Some of these you heard when Sandy Byers and I came before you last fall to present the findings from the Worthington Schools and Drug Safe Worthington survey of our 8th and 10th graders.

Research has taught us that the brain is plastic; it is affected by the surrounding environment and cultural norms. In fact, in addition to individual characteristics and family life, the surrounding culture is a leading force in shaping behaviors. Beyond what is going on within individual children and their families, there are environmental factors that influence their choices about using alcohol and other drugs.

Culture—both consciously and subconsciously— affects how people interact with each other and their surroundings. Culture affects how people think, feel, and act with regard to alcohol, tobacco, and other drug use, which is why the mission of Drug Safe Worthington is to promote a culture that prevents alcohol and other drug abuse.

We know this about our Worthington youth:

- 38% of 8th and 10th graders see no risk or a slight risk in taking one or two drinks of alcohol nearly every day. The research tells us that whether a substance is viewed as risky is highly correlated with whether students use it.

- The most abused substance among youth in Worthington is alcohol. At least 15% of 10th graders are drinking regularly.

- Some are binge drinking, that is, having more than 5 drinks in a row within a couple of hours. At least 6% of our 10th graders are binge drinkers.

- Because of their developing brains, the earlier children drink, the greater the odds of brain damage and addiction. Some students reported that they started drinking at age 10 or younger, and the average age reported is around 12.

- Social and other media often glamorize the use of alcohol. A full 28% of 10th graders report that they get the message it's OK to use alcohol from social media.
Community norms, beliefs, and standards against substance use make a difference in the choices children make. Beyond what they see in their homes and at school, what they see in their community matters. Although we may not be able to influence what they see on TV and billboards and social media, we can influence what they see in Worthington.

When Drug Safe Worthington presented some of these findings to you last October we noted that as a coalition our task was to bring about community-level change by trying to influence every segment of the community to ask questions of themselves.

As our government leaders and policy makers, we respectfully asked that you intentionally consider the following questions in your decision-making:

1. What messages about alcohol are you giving to children in the community in terms of city actions and city-sponsored events; and in terms of variances and ordinances?

2. Is the availability and accessibility of alcohol becoming more prominent in our public spaces, in our stores and businesses?

3. Are drug-related crimes and emergency runs consuming more of the resources of our police and EMS? What are the costs to the larger community?

4. Are our citizens less safe because of city policies or decisions regarding alcohol?

Please consider these questions as you deliberate on the details of the DORA policy. Thank you.

The purpose of Drug Safe Worthington is to mobilize efforts in our community to promote a culture that prevents youth and adult alcohol and other drug abuse while supporting individuals and families affected by substance abuse. 

Educate - Prevent - Support
ORDINANCE NO. 17-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the 2017 Street Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 651-17)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533831 the sum of _____________________________ to pay the cost of the 2017 Street Improvement Program and all related expenses (Project 651-17).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with firm of ____________________________ for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed __________________

___________________________________
President of Council

Attest: Introduced May 15, 2017

___________________________ P.H. June 5, 2017
Clerk of Council
ORDINANCE NO. 18-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the 2017 Street Crack Sealing Program (State of Ohio Contract 101G-18 Pricing) and all Related Expenses and Determining to Proceed with said Project. (Project No. 651-17)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533381 the sum of Seventy-Eight Thousand Dollars ($78,000.00) to pay the cost of the 2017 Street Crack Sealing Program and all related expenses (Project 651-17).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with firm of Strawser Construction Inc. for the provision of the aforementioned services through State of Ohio Contract 101G-18 pricing.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed ________________

______________________________  P.H. June 5, 2017
President of Council

Attest:  
Clerk of Council
ORDINANCE NO. 19-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the Community Center Sprinkler Head Replacement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 652-17)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.4010.533382 the sum of Forty Thousand Dollars ($40,000.00) to pay the cost of the Community Center Sprinkler Head Replacement Project and all related expenses (Project 652-17).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of Koorsen Fire and Security for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _________________

____________________________________
President of Council

Attest:
______________________________  P.H. June 5, 2017
Clerk of Council
MEMORANDUM

TO: Matthew H. Greeson, City Manager
FROM: Darren Hurley, Parks & Recreation Director
DATE: May 31, 2017
SUBJECT: Community Center Natatorium Sprinkler Head Replacement Project

The 2017 CIP included $66,000 for Community Center Natatorium Sprinkler Head Replacement. I am requesting the appropriation of funds so we can prepare to do the work during our annual building shutdown at the end of August. As we have consulted with vendors and gotten more detailed analysis and estimates for the replacements, the requested appropriation will be $40,000.

The project will replace 112 sprinkler heads in the Community Center Natatorium over the pool area and various others around the pool facility and mechanical rooms. The heads are at the end of their useful life and are in need of replacement. In order to replace many of the heads the pool must be empty so we are replacing them together to avoid the potential for a service interruption.

If I can provide further information, please let me know.
RESOLUTION NO. 30-2017

Creating a Designated Outdoor Refreshment Area for Downtown Worthington and Enacting Regulations.

WHEREAS, effective April 30, 2017, a municipality with a population of less than thirty-five thousand is permitted to create a designated outdoor refreshment area (“DORA”) pursuant to the provisions of Ohio Revised Code §4301.82; and,

WHEREAS, on April 11, 2017 the City Manager submitted an application to City Council for approval of a DORA in a specified section of Downtown Worthington (the “DORA Application”); and,

WHEREAS, pursuant to §4301.82(C), notice of the filing of the DORA Application and the date of a public hearing thereon was published in a newspaper of general circulation in the City on April 13, 2017 and April 20, 2017; and,

WHEREAS, the public hearing on the application was held on May 15, 2017 during which public testimony was held; and,

WHEREAS, §4301.82(F)(1) requires the City to establish requirements that the City determines necessary to ensure public health and safety in the area and §4301.82(F)(2) provides for notice of this proposed action to be published in a newspaper of general circulation once a week for two consecutive weeks, such notice having been published on May 26, 2017 and June 3, 2017; and,

WHEREAS, the DORA Application as submitted, to include the premises of the permit holders located at the street addresses on Exhibit “A,” meets the requirements of §4301.82(B)(1-5), it being further clarified that the boundary of the DORA includes the premises of the permit holders located at the street addresses listed on Exhibit “A”; and,

WHEREAS, approval of the Designated Outdoor Refreshment Area will serve to enhance the experiences of the patrons of the business establishments and the special events within the Downtown Worthington area.

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

SECTION 1. City Council approves the DORA Application as having met the requirements of ORC §4301.82(B)(1-5) and approves the establishment of a Downtown Worthington Designated Outdoor Refreshment Area comprised of the area as depicted on Exhibit “A,” attached hereto and made a part hereof, such area to include and encompass the premises of the permit holders located at the street addresses listed on Exhibit “A”, as is required to be included pursuant to §4301.82(F)(1)(a).

SECTION 2. City Council determines that all public notice requirements of ORC §4301.82 prior to the passage of this Resolution have been met.
SECTION 3. That in order to ensure public health and safety and in accordance with ORC §4301.82(F)(1)(b), the number, spacing, and type of signage designating the DORA boundary shall be as set forth on Exhibit “B”, attached hereto and made a part hereof.

SECTION 4. The DORA encompasses not fewer than four (4) qualified permit holders, all of which are identified on Exhibit “C”, attached hereto and made a part hereof, by business name, address, liquor permit type and liquor permit number. Also included on Exhibit “C” and in accordance with §4301.82(F)(1)(c) are the hours of operation for the DORA, which will apply to all activity within the DORA, only as may be limited by approval of special event permitting.

SECTION 5. The Public Health & Safety Plan as described on Exhibit “D”, attached hereto and made a part hereof is hereby approved as meeting the requirements of §4301.82(F)(1)(d), including the manner in which the number of personnel needed to carry out the plan shall be determined.

SECTION 6. The Sanitation Plan that will help maintain the appearance and public health of the area as described on Exhibit “E”, attached hereto and made a part hereof, is hereby approved as meeting the requirements of §4301.82(F)(1)(e-f), including the manner in which the number of personnel needed to carry out the plan shall be determined.

SECTION 7. As is required by §4301.82(F)(1)(g), beer and intoxicating liquor shall only be served in plastic bottles or other plastic containers, which shall be provided by the qualified permit holders in a readily-identified container that identifies the name of the establishment that is serving the beverage, as approved by the City’s Department of Public Safety.

SECTION 8. City Council shall review the requirements of the DORA, as established herein, one year from the effective date of this Resolution to determine whether to continue the DORA under the same or modified terms and conditions, or dissolve it according to statutory provisions.

SECTION 9. The Clerk of Council is hereby instructed to forward a copy of this Resolution to the Ohio Division of Liquor Control and to the investigative unit of the Ohio Department of Public Safety, all in accordance with ORC §4301.82(C) and §4301.82(F)(3)

SECTION 10. That the Clerk of Council be and hereby is instructed to record this Resolution in the appropriate record book.

Adopted ________________

President of Council

Attest: ____________________________

Clerk of Council
EXHIBIT A

BOUNDARIES

In accordance with O.R.C. 4301.82(F)(1)(a), a depiction of the specific boundaries of the area, including and encompassing the premises of the permit holders located at the street addresses as indicated in the box below (all street addresses being located on High Street), are:

Designated Outdoor Refreshment Area

1 627 - La Chatelaine
2 649 - Worthington Inn
3 663 - Old Bag of Nails
4 673 - Harolds American Grille
5 666 - The Whitney House
6 652 - Taste of Vietnam
7 644 - House Wine
8 640 - Dewey’s Pizza & Patio
The description of the DORA by street addresses is expressed as follows:

On the West Side of High Street (north to south):

- From 695 High Street to 547 High Street - Odd Numbers Only

On the East Side of High Street (north to south):

- From 694 High Street to 544 High Street – Even Numbers Only

On West New England Avenue (east to west):

- From 11 West New England to 41 West New England – Odd Numbers Only

Said description contains approximately 4.06 acres.

The parcels of real property located within the DORA are as follows:

<table>
<thead>
<tr>
<th>Parcel ID</th>
<th>Address</th>
<th>Qualified Permit Holder (QPH)</th>
<th>DBA</th>
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</thead>
<tbody>
<tr>
<td>100-000039</td>
<td>547 High Street</td>
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<td>100-000326</td>
<td>559 High Street</td>
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<td>100-000718</td>
<td>571 High Street</td>
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<td>100-000192</td>
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<td>100-003922</td>
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<td>100-000212</td>
<td>623 High Street</td>
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<tr>
<td>100-000238</td>
<td>627 High Street</td>
<td>La Marquise Inc.</td>
<td>La Chatelaine</td>
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<td>100-000225</td>
<td>633 High Street</td>
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<td>100-000715</td>
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<td>100-000167</td>
<td>25 W. New England Avenue</td>
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<td>100-000312 39 W. New England Avenue</td>
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<td>100-000312 41 W. New England Avenue</td>
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<td>100-006619 649 High Street</td>
<td>WI Restaurant Operations LLC</td>
<td>Worthington Inn</td>
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<td>100-006227 663 High Street</td>
<td>Old Bag of Nails Pub Inc.</td>
<td>Old Bag of Nails</td>
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<td>Harolds American Grille Ltd.</td>
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<td>666 High Street</td>
<td>PIBB &amp; BEAN LLC</td>
<td>The Whitney House</td>
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<td>652 High Street</td>
<td>Taste of Vietnam LLC</td>
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<td>644 High Street</td>
<td>Grapeful Jane LLC</td>
<td>House Wine</td>
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<td>640 High Street</td>
<td>AED Enterprises LLC</td>
<td>Dewey's Pizza &amp; Patio</td>
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<td>544 High Street</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>
EXHIBIT B
SIGNAGE

In accordance with O.R.C. 4301.82(F)(1)(b), the number, spacing, and type of signage designating the area are:

Outdoor Dining in Right of Way
The City will use its existing Right of Way permitting process to determine the number, spacing, and type of signage for the outdoor dining operations of each Qualified Permit Holder. It is anticipated that each Qualified Permit Holder that wishes to allow alcohol as part of their outdoor dining will be required to pay for and produce no less than 2 signs. As part of the Right of Way permitting process and within the Outdoor Dining Policy, the Director of Service & Engineering and the Director of Planning & Building will determine the number, spacing, and type of signage necessary.

Signage Example:

9” x 6” Acrylic Sign
Magnetic Strips

Heavy Duty Stanchion
Black Finish
Special Events
The City will use its existing Special Events permitting process to determine the number, spacing, and type of signage for each event. The City’s Director of Service & Engineering and the Director of Planning & Building will determine the specific needs of each event. While each event has its own needs and may vary, it is anticipated that approximately (17) signs will be needed to mark the DORA boundaries:
EXHIBIT C

QUALIFIED PERMIT HOLDERS & HOURS OF OPERATION

In accordance with O.R.C. 4301.82(B)(3), the DORA will encompass not fewer than four qualified permit holders. Worthington has identified (8) qualified permit holders that will be included in the area:

<table>
<thead>
<tr>
<th>Business Name</th>
<th>DBA</th>
<th>Business Address</th>
<th>Permit Types</th>
<th>Permit #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harolds American Grille Ltd.</td>
<td>Harolds American Grille</td>
<td>673 High Street</td>
<td>D5 &amp; D6</td>
<td>3614301</td>
</tr>
<tr>
<td>PIBB &amp; BEAN LLC</td>
<td>Whitney House</td>
<td>666 High Street, 1st Floor &amp; Basement</td>
<td>D5 &amp; D6</td>
<td>6897007</td>
</tr>
<tr>
<td>Old Bag of Nails Pub Inc.</td>
<td>Old Bag of Nails</td>
<td>663 High Street</td>
<td>D1, D2, D3, D4</td>
<td>6528523</td>
</tr>
<tr>
<td>WI Restaurant Operations LLC</td>
<td>Worthington Inn</td>
<td>649 High Street &amp; Patios</td>
<td>D5 &amp; D6</td>
<td>9726301</td>
</tr>
<tr>
<td>La Marquise Inc.</td>
<td>La Chatelaine</td>
<td>627 High Street, 1st Floor &amp; Patio</td>
<td>D1, D2, D3, D6</td>
<td>49492700005</td>
</tr>
<tr>
<td>AED Enterprises LLC</td>
<td>Dewey's Pizza &amp; Patio</td>
<td>640 High Street</td>
<td>D1, D2, D6</td>
<td>00661240095</td>
</tr>
<tr>
<td>*Taste of Vietnam LLC</td>
<td>Taste of Vietnam</td>
<td>652 High Street</td>
<td>D5 &amp; D6</td>
<td>8788450</td>
</tr>
<tr>
<td>Grapeful Jane LLC</td>
<td>House Wine</td>
<td>644 High Street &amp; Patio</td>
<td>D5 &amp; D6</td>
<td>3329356</td>
</tr>
</tbody>
</table>

*As of May 9, 2017, the Division of Liquor Control shows both the D5 & D6 permits as “Pending”.

In accordance with O.R.C. 4301.82(F)(1)(c), the hours of the operation for the area are:

<table>
<thead>
<tr>
<th>Day</th>
<th>Start Time</th>
<th>End Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday</td>
<td>9:00 AM</td>
<td>10:00 PM</td>
</tr>
<tr>
<td>Tuesday</td>
<td>9:00 AM</td>
<td>10:00 PM</td>
</tr>
<tr>
<td>Wednesday</td>
<td>9:00 AM</td>
<td>10:00 PM</td>
</tr>
<tr>
<td>Thursday</td>
<td>9:00 AM</td>
<td>10:00 PM</td>
</tr>
<tr>
<td>Friday</td>
<td>9:00 AM</td>
<td>11:00 PM</td>
</tr>
<tr>
<td>Saturday</td>
<td>9:00 AM</td>
<td>11:00 PM</td>
</tr>
<tr>
<td>Sunday</td>
<td>9:00 AM</td>
<td>10:00 PM</td>
</tr>
</tbody>
</table>
DORA Special Events may include, but are not limited to the following:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date of Event</th>
<th>Host Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farmers Market</td>
<td>Saturday Mornings (May through October)</td>
<td>Old Worthington Partnership</td>
</tr>
<tr>
<td>Picnic with The Partnership</td>
<td>24-Jun-17</td>
<td>Old Worthington Partnership</td>
</tr>
<tr>
<td>Illuminating Shopping</td>
<td>Dec-17</td>
<td>Old Worthington Partnership</td>
</tr>
<tr>
<td>The Chocolate Walk</td>
<td>Feb-18</td>
<td>Old Worthington Partnership</td>
</tr>
<tr>
<td>*Market Day</td>
<td>23-Sep-17</td>
<td>Worthington Area Chamber of Commerce</td>
</tr>
</tbody>
</table>

*Inclusion as an eligible DORA event does not necessitate participation. Each host organization will have the opportunity to decide if the event will participate in the DORA process.

The City of Worthington staff may consider approval of additional events on a continual basis, as well as special events held on private property within the DORA. Additional events will be subject to local permitting processes and regulated by the approved boundaries and hours of operation established in this Resolution.
In accordance with O.R.C. 4301.82(B)(4), the uses of land within the DORA are zoned C-5 (Central Commercial), C-3 (Institutions & Offices), or are a PUD (Planned Unit District) and are in accord with Worthington’s master zoning plan:
EXHIBIT D

PUBLIC HEALTH & SAFETY PLAN

In accordance with O.R.C. 4301.82(F)(1)(d), the number of personnel and plan needed to ensure public health and safety within the DORA shall include:

Outdoor Dining in Right of Way
Qualifying permit holders that desire to sell alcoholic beverages as part of providing an outdoor dining area in the City of Worthington’s right of way (adjacent to the establishment), must obtain a Right of Way permit and meet the requirements of the Codified Ordinances for right of way use, the DORA and the City’s Outdoor Dining Policy. These policies will require the Qualified Permit Holders to submit sanitation and signage plans and a physical layout of the tables, chairs and other facilities. It is anticipated that busing of tables will be required and/or adequate trash cans be in place, and the permitting process will regulate where and how those services and facilities will be provided. Additionally, the permit review will ensure that there are adequate pedestrian passageways and that ingress/egress for emergency services is adequate. Failure to comply with the requirements of the permit can result in revocation. The City does not anticipate the need for additional personnel to execute this portion of the Public Health & Safety Plan.

Special Events
The City of Worthington requires that each special event receive a permit. As is the City’s practice, each event will be reviewed by the City’s Departments/Divisions. Permit requirements may differ between events depending on their size, layout, use of right of way, and program. However, each event will be reviewed to ensure that adequate sanitation, signage and public safety requirements are established. The necessity for portable bathrooms, handicap accessibility, pedestrian mobility, police, fire and emergency medical ingress and egress, crowd control, DORA boundary management and trash management (dumpsters, cans, pick-up, etc.) will be addressed. Event organizers may be required to pay for special duty officers or overtime for public service or safety workers if necessary to ensure adequate health and public safety requirements.

Outdoor Dining and/or Events on Private Property within the DORA
Each of the Qualified Permit Holders whose private property lies within the DORA boundary currently operates pursuant to a Conditional Use Permit. To the extent necessary, the Conditional Use Permit could be amended to allow for these establishments to operate in compliance with DORA regulations. For special events held on private property within the DORA, approval of a Temporary Use Permit will ensure that adequate sanitation, signage and public safety requirements are established. Notwithstanding inclusion within the DORA, such establishments also must comply with ADA requirements regulating pedestrian passage along the sidewalk adjacent to the businesses if they wish to offer outdoor dining. The City does not anticipate the need for additional personnel to execute this portion of the Public Health & Safety Plan.

The City of Worthington will review the results of the DORA after (1) calendar year and determine if any changes are warranted.
EXHIBIT E

SANITATION PLAN

In accordance with O.R.C. 4301.82(F)(1)(e) and 4301.82(F)(1)(f), the sanitation plan that will help maintain the appearance and public health of the area, as well as the number of personnel needed to execute the plan within the DORA shall include:

Outdoor Dining in Right of Way
The City intends to use a combination of the existing Right of Way permitting process and an amended Outdoor Dining Policy to keep downtown Worthington strong and vibrant. Each Right of Way permit will be reviewed by the City’s Director of Service & Engineering to ensure the appearance and health of downtown Worthington is not adversely effected by the DORA. By combining the Right of Way permitting process with localized Outdoor Dining Policy requirements, the City’s Sanitation Plan will address the busing of tables, trash can location and emptying, litter and debris removal and sidewalk/pavement cleanliness. Because the Qualified Permit Holders are required to bus the tables, it is not anticipated that additional trash receptacles will be needed to support daily outdoor dining. The City does not anticipate the need for additional personnel to execute this portion of the Sanitation Plan.

Special Events
The City intends to use the existing Special Event permitting process to support the success of local events while also maintaining the beauty of downtown Worthington. Each Special Event permit will be reviewed by the City’s Director of Service & Engineering to ensure the appearance and health of downtown Worthington is not adversely effected by the DORA event. By using the existing Special Event permitting process, the City’s Sanitation Plan will address the need for additional trash receptacles, trash receptacle location and frequency of emptying, dumpster locations, portable bathrooms, litter and debris removal and street and sidewalk cleanliness. Additional City personnel may be needed to execute this portion of the Sanitation Plan, and will be determined on a case-by-case basis.

Outdoor Dining and/or Events on Private Property within the DORA
Each of the Qualified Permit Holders whose private property lies within the DORA boundary currently operates pursuant to a Conditional Use Permit. To the extent necessary, the Conditional Use Permit could be amended to allow for these establishments to operate in compliance with DORA regulations. The City does not anticipate the need for additional personnel for outdoor dining activities on private property. For special events held on private property within the DORA, approval of a Temporary Use Permit will ensure that adequate sanitation requirements are established to uphold the appearance and health of downtown Worthington. Evaluating the need for trash receptacles and directing their location and frequency of emptying, determining whether portable bathrooms will be necessary, and addressing litter and debris removal will be established as part of the Temporary Use Permit process. It is anticipated that additional City personnel may not be needed for these smaller special events, but that determination will be made when a Temporary Use Permit application is submitted.
TO: Worthington City Council
FROM: Matt Greeson, City Manager
DATE: June 1, 2017
SUBJECT: Resolution 30-2017 – Designated Outdoor Refreshment Area (DORA)

This memo is intended to provide City Council with an overview of the statutory requirements (Section 4301.82 of the Ohio Revised Code) associated with the creation of a “Designated Outdoor Refreshment Area” (DORA) and an update on the next steps in the process.

The legislation is summarized as follows:

- Effective 4/30/17 for communities of 35,000 or less in population;
- Only (1) area permitted for communities of 35,000 or less in population;
- No minimum acreage for area;
- Maximum area shall not exceed 150 contiguous acres;
- Serving container material must be plastic; and
- Minimum of (4) qualified permit holders (A1, AIA, Alc, A2, or D).

At the April 10, 2017 meeting, City Council was briefed on a request the City received from the Old Worthington Partnership to consider enacting a DORA in downtown Worthington. The Ohio Revised Code requires the City Manager to formally file an application with City Council to start the evaluation process. At that April 10, 2017 meeting, City Council directed the City Manager to proceed with filing the application. The City Manager formally filed the DORA application on April 11, 2017.

At the May 15, 2017 meeting, City Council held a public hearing on the issue. City staff presented Council with the proposed logistics of the DORA. After hearing public testimony, City Council
conducted numerous motions to establish recommended policies that were to be included in a formal Resolution at the June 5, 2017 meeting.

At the June 5, 2017 meeting, Resolution 30-2017 to create the DORA as recommended will be presented to City Council. The Resolution encompasses the following statutory requirements:

- The specific boundaries of the area, including street addresses;
- The hours of operation for the area;
- The number, spacing, and type of signage designating the area;
- The number of personnel needed to ensure public safety in the area;
- A sanitation plan that will help maintain the appearance and public health of the area; and
- The number of personnel needed to execute the sanitation plan.

These variables are addressed in Resolution 30-2017 as follows:

- Exhibit A – Boundaries
- Exhibit B – Signage
- Exhibit C – Qualified Permit Holders, Hours of Operation & Land Use
- Exhibit D – Public Health & Safety Plan
- Exhibit E – Sanitation Plan

If Resolution 30-2017 is approved at the June 5, 2017 meeting, it will be sent to the Division of Liquor Control and the Department of Public Safety for issuance of outdoor refreshment area designations to each qualified liquor-permit holder located within the DORA.
APPLICATION TO THE
WORTHINGTON CITY COUNCIL

— for the establishment of a —

DOWNTOWN WORTHINGTON
DESIGNATED OUTDOOR
REFRESHMENT AREA

O.R.C. 4301.82

Office of the City Manager

The Office of the City Manager of the City of Worthington, Ohio, respectfully submits the following application to the Worthington City Council to approve and enact the Downtown Worthington Designated Outdoor Refreshment Area, in accordance with O.R.C. 4301.82.

Submitted April 10, 2017

By Matthew H. Greeson, City Manager
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I. INTRODUCTION AND SUBMITTAL OF APPLICATION

Section 4301.82 of the Ohio Revised Code (ORC) authorizes, effective April 30, 2017, municipalities under 35,000 in population to create Designated Outdoor Refreshment Areas or “DORAs.” In order to consider creation of a DORA, the City Manager must file an application with the Worthington City Council (City Council) which meets certain statutory requirements. The application filing must be advertised for two consecutive weeks in a newspaper of general circulation. Not earlier than 30 days, but not later than 60 days, after the initial publication of the notice, the City Council may approve or disapprove of the application by ordinance or resolution.

On March 13, 2017, the Old Worthington Partnership (Partnership) submitted a letter requesting the City Council adopt legislation to create a DORA in Old Worthington. The Partnership expressed that enactment of such legislation would help “maintain the experiential nature of our historic downtown” by enhancing outdoor dining and special events.

The City Council discussed this request and was provided background related to creation of a DORA on April 3, 2017. The City Council provided input and expressed general support for the concept and indicated by its discussion a desire for this application to be prepared as the next step in considering enactment of a DORA.

Following the April 3, 2017 City Council meeting, City staff conferred with legal counsel and further discussed the request with the Partnership, as well as the Division of Police. These conversations led to modifications of the DORA proposal, which are reflected in this application. In summary, this application includes the following:

- Creation of a DORA in Old Worthington, mostly along the High Street right of way from Village Green Drive South to South Street (see Section II Boundaries for more detail).
- The DORA would ease or make more accessible outdoor dining in front of liquor permit holding establishments. It would allow such establishments to serve alcoholic beverages in a plastic cup pursuant to the law within a designated area in front of their establishment during certain hours. Creation of the DORA and subsequent amendment of the City’s Outdoor Dining Policy would relieve these establishments of current requirements for fencing around a dining area. Signage, sanitation and safety requirements would be established by permit.
- The Worthington DORA would provide the ability during permitted Special Events for individuals to walk around the DORA boundaries with an alcoholic beverage purchased from a liquor permit holding establishment. This authority – subject to issuance of individual permits – would be limited, initially, to the following events: Farmer’s Market, The Picnic with the Partnership, Market Day, The Chocolate Walk, and Illuminating Shopping. Signage, sanitation and safety requirements would be established by permit for each Special Event.
II. BOUNDARIES

In accordance with O.R.C. 4301.82(B)(1)(b), the boundaries of the DORA are depicted below:

Commencing at the northern side of the intersection of South Street and High Street, traveling north along High Street, widening westerly at the intersection of New England Avenue and High Street to 41 W. New England and easterly to 26 E. New England, continuing north along High Street to Village Green Drive South, and again widening along the southwestern sidewalk at the intersection of Village Green Drive South and High Street to 695 High Street and along the southeastern sidewalk to 692 High Street. Said description contains approximately 4.06 acres.
III. **NATURE OF ESTABLISHMENTS**

In accordance with O.R.C. 4301.82(B)(2), the nature and types of establishments that will be located within the DORA are listed below.

The types of establishments located within or adjacent to the DORA are primarily businesses in the retail, dining or services sectors. Examples include:

<table>
<thead>
<tr>
<th>Establishment Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Retail</strong></td>
<td></td>
</tr>
<tr>
<td>Haddad Oriental Rugs</td>
<td>559 High Street</td>
</tr>
<tr>
<td>Peacock Lane Home</td>
<td>615 High Street</td>
</tr>
<tr>
<td>Fritzzy Jacobs</td>
<td>635 High Street</td>
</tr>
<tr>
<td>House Wine</td>
<td>644 High Street</td>
</tr>
<tr>
<td>The Candle Lab</td>
<td>646 High Street</td>
</tr>
<tr>
<td>RIDEhome</td>
<td>650 High Street</td>
</tr>
<tr>
<td>Grid Furnishings</td>
<td>661A High Street</td>
</tr>
<tr>
<td>Vernacular</td>
<td>663 High Street</td>
</tr>
<tr>
<td>Denig Jewelers</td>
<td>677 High Street</td>
</tr>
<tr>
<td>Worthington Jewelers</td>
<td>692 High Street</td>
</tr>
<tr>
<td><strong>Dining</strong></td>
<td></td>
</tr>
<tr>
<td>Dewey's Pizza</td>
<td>640 High Street</td>
</tr>
<tr>
<td>La Chatelaine</td>
<td>627 High Street</td>
</tr>
<tr>
<td>The Worthington Inn</td>
<td>649 High Street</td>
</tr>
<tr>
<td>A Taste of Vietnam</td>
<td>652 High Street</td>
</tr>
<tr>
<td>Graeter's Ice Cream</td>
<td>654 High Street</td>
</tr>
<tr>
<td>Jets Pizza</td>
<td>660 High Street</td>
</tr>
<tr>
<td>The Whitney House</td>
<td>666 High Street</td>
</tr>
<tr>
<td>Sassafras Bakery</td>
<td>657 High Street</td>
</tr>
<tr>
<td>Bubbles Tea &amp; Juice Company</td>
<td>661 High Street</td>
</tr>
<tr>
<td>Old Bag of Nails Pub</td>
<td>663 High Street</td>
</tr>
<tr>
<td>Harolds American Grille</td>
<td>671 High Street</td>
</tr>
<tr>
<td>Highline Coffee</td>
<td>691 High Street</td>
</tr>
<tr>
<td><strong>Services</strong></td>
<td></td>
</tr>
<tr>
<td>First Financial Bank</td>
<td>547 High Street</td>
</tr>
<tr>
<td>COhatch</td>
<td>659 High Street</td>
</tr>
<tr>
<td>Magic Cruises</td>
<td>656 High Street</td>
</tr>
<tr>
<td>HER Realtors</td>
<td>681 High Street</td>
</tr>
<tr>
<td>Snap Fitness</td>
<td>661 High Street</td>
</tr>
<tr>
<td>Olde Village Barbers</td>
<td>669 High Street</td>
</tr>
<tr>
<td>U.S. Bank</td>
<td>688 High Street</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td></td>
</tr>
<tr>
<td>United States Postal Service</td>
<td>597 High Street</td>
</tr>
<tr>
<td>Worthington United Methodist Church</td>
<td>600 High Street</td>
</tr>
</tbody>
</table>
IV. QUALIFYING PERMIT HOLDERS

In accordance with O.R.C. 4301.82(B)(3), the DORA will encompass not fewer than four qualified permit holders.

Worthington has identified (8) qualified permit holders that will likely be included in the DORA:

<table>
<thead>
<tr>
<th>Business Name</th>
<th>DBA</th>
<th>Business Address</th>
<th>Permit Types</th>
<th>Permit #</th>
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</tr>
</tbody>
</table>

*As of April 10, 2017, the Division of Liquor Control shows both the D5 & D6 permits as "Pending"."
V. LAND USE & ZONING

In accordance with O.R.C. 4301.82(B)(4), the uses of land within the DORA are zoned C-5 (Central Commercial), C-3 (Institutions & Offices), or are a PUD (Planned Unit District) and are in accord with Worthington's master zoning plan:
VI. PUBLIC HEALTH & SAFETY

In accordance with O.R.C. 4301.82(B)(5), the proposed requirements for the purpose of ensuring public health and safety within the DORA shall include:

Outdoor Dining in Right of Way: Qualifying permit holders that desire to sell alcoholic beverages as part of providing an outdoor dining area in the City of Worthington’s right of way (adjacent to the establishment), must obtain a right of way permit and meet the requirements of the Codified Ordinances for right of way use, the DORA and the City’s Outdoor Dining Policy. These policies will require the qualifying permit holder to submit sanitation and signage plans and a physical layout of the tables, chairs and other facilities. It is anticipated that bussing of tables will be required and/or adequate trash cans be in place. Additionally, the permit review will ensure that there are adequate pedestrian passageways and that ingress/egress for emergency services is adequate. Failure to comply with the requirements of the permit can result in revocation.

Special Events: The City of Worthington requires that each special event receive a permit. As is the City’s practice, each event will be reviewed by the City’s Departments/Divisions. Permit requirements may differ between events depending on their size, layout, use of right of way, and program. However, each event will be reviewed to ensure that adequate sanitation, signage and public safety requirements are established. The necessity for portable bathrooms, handicap accessibility, pedestrian mobility, police, fire and emergency medical ingress and egress, crowd control, DORA boundary management and trash management (dumpsters, cans, pick-up, etc.) will be addressed. Event organizers may be required to pay for special duty officers or overtime for public service or safety workers if necessary to ensure adequate health, public and safety requirements.

Outdoor Dining and/or Events on Private Property within the DORA: Each of the qualifying permit holders whose private property abuts the DORA boundary currently operate pursuant to a Conditional Use Permit. To the extent necessary, the Conditional Use Permit could be amended to allow for these establishments to operate in compliance with DORA regulations. Notwithstanding inclusion within the DORA, such establishments also must comply with ADA requirements regulating pedestrian passage along the sidewalk adjacent to the businesses if they wish to offer outdoor dining.
RESOLUTION NO. 31-2017

Providing for Adoption of the Tax Budget for the
Fiscal Year Beginning January 1, 2018

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

SECTION 1. That the Tax Budget for the fiscal year beginning January 1, 2018, as submitted and now on file in the office of the City Clerk, which Tax Budget is incorporated herein and made a part hereof by reference, be and the same hereby is accepted and adopted, and that said Tax Budget be submitted by the Clerk for consideration and action by the Budget Commission of Franklin County, Ohio.

SECTION 2. That the Clerk be and hereby is instructed to record this Resolution in the appropriate resolution book.

Adopted ______________

___________________________________
President of Council

Attest:

___________________________________
Clerk of Council
MEMORANDUM

TO:        Members of Worthington City Council  
           Matt Greeson, City Manager

FROM:      Scott Bartter, Finance Asst.

DATE:      June 5th, 2017

SUBJECT:   2018 County Tax Budget

The County Tax Budget is required to be submitted to the County Auditor on or before July 20 of each year in accordance with Ohio Revised Code Section 5705.30. The 2018 County Tax Budget for the City of Worthington will be presented to Council during the regular council meeting held on June 5th, 2017. This will serve as the public hearing for the resolution providing for the adoption of the Tax Budget for the year 2018. The County Tax Budget is primarily utilized as a planning tool which establishes general guidelines for the subsequent operating budget, which is passed in December of each year.

The 2018 Tax Budget details the three (3) funds that receive real property taxes as a revenue source. These funds are the General, Police Pension, and General Bond Retirement Funds. They are shown in a four-year capsule with two (2) years of actual and two (2) years of projected revenue and expense data. All other budgetary funds are shown in summary form for 2018 with estimated revenues and expenses. Also, included for your review is a combined 2018 Tax Budget Fund Summary that depicts all funds for budget years 2017 and 2018. This statement shows actual beginning cash balance at January 1, 2017, estimated revenues and expenses for both years, encumbrances as of December 31, 2016, and estimated cash fund balances at each year end. This statement mirrors the information included in the 2018 Tax Budget.

Included with this memo are the following:

- Resolution providing for the adoption of the County Tax Budget for 2018 (Public Hearing 06/05/2017)
- 2018 Tax Budget Fund Summary
- 2018 Tax Budget
- 2016 Fund Statement for All Funds
- 2017 Fund Statement for All Funds as of April 30, 2017.
## City of Worthington
### 2018 Tax Budget Fund Summary

<table>
<thead>
<tr>
<th></th>
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<td>General</td>
<td>$11,628,193</td>
<td>$27,081,826</td>
<td>$28,183,911</td>
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<td>$9,780,417</td>
<td>$28,067,619</td>
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<td>$9,361,498</td>
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### Special Revenue:

- **202 Street M & R**: $10,387, 985,000, 988,028, 7,321, 38, 940,000, 919,760, 20,278
- **203 State Highway**: 13,098, 161,500, 140,659, 47, 33,882, 156,500, 143,403, 46,989
- **204 Water**: 102,963, 71,000, 86,218, 9,214, 78,531, 71,000, 91,521, 58,010
- **205 Sanitary Sewer**: 95,484, 71,000, 74,718, 89,353, 71,000, 80,021, 80,332
- **212 Police Pension**: 426,258, 771,000, 650,000, 47, 38, 156,500, 143,403, 70,258
- **214 Law Enforcement**: 57,707, 2,500, 12,500, 47, 12,500, 37,180, 45,872
- **215 M.M.V.L.T.**: 196,427, 115,000, 150,000, 161,427, 115,000, 126,427
- **216 Enforcement & Education**: 47,872, 2,500, 3,500, - 46,872, 2,500, 3,500, 45,872
- **217 Community Technology**: 80,000, - - 80,000, - 80,000, -
- **218 Court Clerk Computer**: 228,451, 20,000, 53,500, 481, 194,469, 9,500, 204,969
- **219 Economic Development**: 602,172, 350,000, 583,000, 233,313, 158,858, 463,000, 22,858
- **220 FEMA Grant**: 8,935, - - 8,935, - -
- **221 Law Continuing Education**: - 7,480 - 7,480, - 7,480, -
- **224 P & R Revolving**: 269,596, 980,000, 1,001,843, 19,038, 248,714, 980,000, 977,124, 251,590
- **225 Special Parks**: 22,746, 10,000, - - 32,746, 10,000, - 42,746
- **226 Bicentennial Trust**: 253,233, 250, - 71,273, 250, 71,523, -
- **229 TIF Fund**: 40, 125,000, 125,000, 0, 40, 130,000, 40, 140,279

### Capital Project:

- **306 Trunk Sewer**: 375,149, - - 375,149, - 375,149, -
- **308 Capital Improvements**: 7,139,921, 4,950,994, 4,140,150, 2,732,054, 5,218,711, 5,276,331, 5,447,132, 5,047,909

### Debt Service:

- **400 General Bond Retirement**: 1,348,041, 2,505,000, 2,448,016, - 1,405,025, 1,045,000, 1,092,013, 1,358,012
- **410 Special Assessment**: 278,448, - - 278,448, - 278,448, -

### Trust & Agency:

- **825 Accrued Acreage Benefit**: 58,801, 20,000, 20,000, 58,800, 1, 20,000, 20,000, 1
- **830 O.B.B.S.**: 2,103, 7,500, 7,500, 1,621, 482, 7,500, 7,500, 482
- **838 Petty Cash**: 1,530, - - 1,530, - 1,530, -

### Total All Funds

- **$23,225,623**, **$38,428,550**, **$38,866,478**, **$3,810,521**, **$18,975,174**, **$38,261,200**, **$38,875,512**, **$18,360,862**
This budget must be adopted by the Council or other legislative body on or before July 15th, and two copies must be submitted to the County Auditor on or before July 20th. FAILURE TO COMPLY WITH SEC.5705.28 R.C. SHALL RESULT IN LOSS OF GOVERNMENT FUND ALLOCATION.

To the Auditor of said County:
The following Budget year beginning January 1, 2018 has been adopted by Council and is hereby submitted for consideration of the County Budget Commission.

Signed

Title Director of Finance

---

**SCHEDULE A**

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX**

**APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR’S ESTIMATED RATES**

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<thead>
<tr>
<th>For Municipal Use</th>
<th>For Budget Commission Use</th>
<th>For County Auditor Use</th>
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<tr>
<td><strong>FUND</strong></td>
<td>Budget Year Amount</td>
<td>Budget Year Amount</td>
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<tr>
<td>(Include only those funds which are</td>
<td>Requested of Budget</td>
<td>Approved by Budget</td>
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<tr>
<td>requesting general property tax</td>
<td>Commission</td>
<td>Commission</td>
</tr>
<tr>
<td>revenue)</td>
<td>Inside/Outside Limitation</td>
<td>Inside 10 Mill Limit</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Column 1</td>
<td>Column 2</td>
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</table>

<table>
<thead>
<tr>
<th>GOVERNMENT FUNDS</th>
<th>Column 1</th>
<th>Column 2</th>
<th>Column 3</th>
<th>Column 4</th>
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<td>GENERAL FUND</td>
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<td>GEN BOND RETIREMENT</td>
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<tr>
<td>PROPRIETARY FUNDS</td>
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<td>FIDUCIARY FUNDS</td>
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<td>TOTAL ALL FUNDS</td>
<td>$ 2,919,178</td>
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### SCHEDULE B

**LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

<table>
<thead>
<tr>
<th>FUND</th>
<th>Maximum Rate Authorized to be Levied</th>
<th>Estimate of Yield of Levy (Carry to Sch. A, Column 3)</th>
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<tr>
<td><strong>GENERAL FUND:</strong></td>
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<tr>
<td>Current Expense Levy authorized by voters on / / , not to exceed years. Authorized under Sect. , R.C.</td>
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<tr>
<td>Current Expense Levy authorized by voters on / / , not to exceed years. Authorized under Sect. , R.C.</td>
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<tr>
<td>Current Expense Levy authorized by voters on / / , not to exceed years. Authorized under Sect. , R.C.</td>
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<tr>
<td>Current Expense Levy authorized by voters on / / , not to exceed years. Authorized under Sect. , R.C.</td>
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<tr>
<td>Current Expense Levy authorized by voters on / / , not to exceed years. Authorized under Sect. , R.C.</td>
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<tr>
<td>Current Expense Levy authorized by voters on / / , not to exceed years. Authorized under Sect. , R.C.</td>
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<tr>
<td>Current Expense Levy authorized by voters on / / , not to exceed years. Authorized under Sect. , R.C.</td>
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<tr>
<td>Current Expense Levy authorized by voters on / / , not to exceed years. Authorized under Sect. , R.C.</td>
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<tr>
<td>Current Expense Levy authorized by voters on / / , not to exceed years. Authorized under Sect. , R.C.</td>
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<tr>
<td><strong>TOTAL GENERAL FUND OUTSIDE 10 MILL LIMITATION</strong></td>
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<td><strong>SPECIAL LEVY FUNDS:</strong></td>
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<tr>
<td>Fund, Levy authorized by voters on / / , not to exceed years. Authorized under Section , R.C.</td>
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<tr>
<td>Fund, Levy authorized by voters on / / , not to exceed years. Authorized under Section , R.C.</td>
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<tr>
<td>Fund, Levy authorized by voters on / / , not to exceed years. Authorized under Section , R.C.</td>
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<tr>
<td>Fund, Levy authorized by voters on / / , not to exceed years. Authorized under Section , R.C.</td>
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<tr>
<td>Fund, Levy authorized by voters on / / , not to exceed years. Authorized under Section , R.C.</td>
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<tr>
<td>Fund, Levy authorized by voters on / / , not to exceed years. Authorized under Section , R.C.</td>
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<td>Fund, Levy authorized by voters on / / , not to exceed years. Authorized under Section , R.C.</td>
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<td>Fund, Levy authorized by voters on / / , not to exceed years. Authorized under Section , R.C.</td>
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</tbody>
</table>
**FUND NAME: GENERAL FUND**  
**FUND TYPE/CLASSIFICATION: GOVERNMENTAL--GENERAL**

This Exhibit is to be used for the General Fund Only

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>2015 Actual</th>
<th>2016 Actual</th>
<th>Current Year Estimated for 2017</th>
<th>Budget Year Estimated for 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUES</strong></td>
<td>(1)</td>
<td>(3)</td>
<td>(4)</td>
<td>(5)</td>
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<tr>
<td>Local Taxes</td>
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<tr>
<td>General Property -- Real Estate</td>
<td>$ 2,260,993</td>
<td>$ 2,284,097</td>
<td>$ 2,450,000</td>
<td>$ 2,462,250</td>
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<td>Municipal Income Tax</td>
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<td>19,907,180</td>
<td>19,749,766</td>
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<td>Income Tax-Restricted Reserve</td>
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<td>Other Local Taxes</td>
<td>234,010</td>
<td>217,658</td>
<td>215,000</td>
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<td>Total Local Taxes</td>
<td>$ 21,488,508</td>
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<td>$ 22,414,766</td>
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<td>Intergovernmental Revenues</td>
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<td>$ 350,000</td>
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<td>Estate Tax</td>
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<td>Cigarette Tax</td>
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<td>187</td>
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<tr>
<td>License Tax</td>
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<tr>
<td>Liquor and Beer Permits</td>
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<td>28,969</td>
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<td>Total Intergovernmental Revenues</td>
<td>$ 782,338</td>
<td>$ 759,990</td>
<td>$ 772,200</td>
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<td>Property Tax Allocation</td>
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<td>Library and Local Government Support Fund</td>
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<td>Total State Shared Taxes and Permits</td>
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<td>Federal Grants or Aid</td>
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<td>State Grants or Aid</td>
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<td>Other Grants or Aid</td>
<td>5,512</td>
<td>35,886</td>
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<td>Total Intergovernmental Revenues</td>
<td>$ 782,338</td>
<td>$ 759,990</td>
<td>$ 772,200</td>
<td>$ 698,800</td>
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<tr>
<td>Special Assessments</td>
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<td>661,026</td>
<td>758,000</td>
<td>692,000</td>
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<td>Miscellaneous</td>
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<td>Other Financing Sources</td>
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<td>Proceeds from Sale of Debt</td>
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<td>Transfers</td>
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<td>Advances</td>
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<td>Other Sources</td>
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<tr>
<td><strong>TOTAL REVENUE</strong></td>
<td>$ 25,529,026</td>
<td>$ 26,434,269</td>
<td>$ 27,081,826</td>
<td>$ 28,067,619</td>
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<td>DESCRIPTION (1)</td>
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<td>For 2016 Actual (3)</td>
<td>Current Year Estimated for 2017 (4)</td>
<td>Budget Year Estimated for 2018 (5)</td>
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<td>----------------------------------------------</td>
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<td>EXPENDITURES</td>
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<td>Security of Persons and Property</td>
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<tr>
<td>Personal Services</td>
<td>$ 10,353,274</td>
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<td>Contractual Services</td>
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<td>603,057</td>
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<td>Supplies and Materials</td>
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<td>Capital Outlay</td>
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<td>Total Security of Persons and Property</td>
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<td>Public Health Services</td>
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<tr>
<td>Personal Services</td>
<td>$ -</td>
<td>-</td>
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<tr>
<td>Travel Transportation</td>
<td>$ 51,832</td>
<td>83,093</td>
<td>60,000</td>
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<td>Contractual Services</td>
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<tr>
<td>Supplies and Materials</td>
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<td>Capital Outlay</td>
<td>$ 51,832</td>
<td>83,093</td>
<td>60,000</td>
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<tr>
<td>Total Public Health Services</td>
<td>$ 51,832</td>
<td>$ 83,093</td>
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<tr>
<td>Leisure Time Activities</td>
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<tr>
<td>Personal Services</td>
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<td>59,775</td>
<td>72,700</td>
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<td>Total Leisure Time Activities</td>
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<td>$ 4,483,495</td>
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<td>Community Environment</td>
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<td>$ 569,458</td>
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<td>Supplies and Materials</td>
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<td>Total Basic Utility Services</td>
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<td>Budget Year Estimated for 2018</td>
</tr>
<tr>
<td>------------------------------</td>
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<tr>
<td>Travel Transportation</td>
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<tr>
<td>Contractual Services</td>
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<tr>
<td>Total Transportations</td>
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<td>515,750</td>
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<td>$ -</td>
<td>$ -</td>
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<td>Total Debt Service</td>
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<td>$ 26,056,152</td>
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<td>11,250,080</td>
<td>11,628,197</td>
<td>9,780,420</td>
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<td>$ 11,250,080</td>
<td>$ 11,628,197</td>
<td>$ 9,780,420</td>
<td>$ 9,361,502</td>
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<td>Estimated Encumbrances (outstanding at year end)</td>
<td>897,416</td>
<td>745,691</td>
<td>-</td>
<td>-</td>
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<td>Restricted Reserve (included in Carryover Balance)</td>
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<td>1,500,000</td>
<td>1,500,000</td>
<td>1,500,000</td>
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<tr>
<td>Estimated Ending Unencumbered Fund Balance</td>
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<td>$ 9,382,506</td>
<td>$ 8,280,420</td>
<td>$ 7,861,502</td>
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*Use Cash Balance
## REVENUE

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<th>For 2016 Actual</th>
<th>Current Year Estimated for 2017</th>
<th>Budget Year Estimated for 2018</th>
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</thead>
<tbody>
<tr>
<td>Local Taxes:</td>
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<td></td>
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<td></td>
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<tr>
<td>General Property Tax -- Real Estate</td>
<td>$159,893</td>
<td>$151,270</td>
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<td>$150,000</td>
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<td>Tangible Personal Property</td>
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<td>$1,000</td>
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<td>$151,270</td>
<td>$151,000</td>
<td>$151,000</td>
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<tr>
<td>Intergovernmental Revenues:</td>
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<td></td>
</tr>
<tr>
<td>Property Tax Allocation</td>
<td>10,038</td>
<td>19,905</td>
<td>20,000</td>
<td>20,000</td>
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<td>Other Financing Sources:</td>
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<tr>
<td>Transfers In</td>
<td>550,000</td>
<td>575,000</td>
<td>600,000</td>
<td>650,000</td>
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<tr>
<td>Refunds</td>
<td>-</td>
<td>-</td>
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<td>-</td>
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<tr>
<td>TOTAL REVENUE</td>
<td>$721,565</td>
<td>$746,176</td>
<td>$771,000</td>
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## EXPENDITURES

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<tr>
<th>PROGRAM</th>
<th>OBJECT</th>
<th>For 2015</th>
<th>For 2016</th>
<th>Current Year Estimated for 2017</th>
<th>Budget Year Estimated for 2018</th>
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<tbody>
<tr>
<td>Security of Persons and Property:</td>
<td>$582,157</td>
<td>$582,691</td>
<td>$650,000</td>
<td>$667,000</td>
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Total Security of Persons and Property: $582,157 $582,691 $650,000 $667,000

## Revenues Over (Under) Expenditures

$139,408 $163,485 $121,000 $154,000

## Ending Cash Balance

$262,773 $426,258 $547,258 $701,258

Estimated Ending Unencumbered Fund Balance: $262,773 $426,258 $547,258 $701,258
<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>For 2015 Actual</th>
<th>For 2016 Actual</th>
<th>Current Year Estimated for 2017</th>
<th>Budget Year Estimated for 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUE</strong></td>
<td>XXXXXXXX</td>
<td>XXXXXXXX</td>
<td>XXXXXXXX</td>
<td>XXXXXXXX</td>
</tr>
<tr>
<td>Local Taxes:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Property Tax -- Real Estate</td>
<td>$ 98,504</td>
<td>$ 85,713</td>
<td>$ 85,000</td>
<td>$ 85,000</td>
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<tr>
<td>Tangible Personal Property</td>
<td>50</td>
<td>3,980</td>
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<td>-</td>
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<td>Total Local Taxes</td>
<td>$ 98,554</td>
<td>$ 89,693</td>
<td>$ 85,000</td>
<td>$ 85,000</td>
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<tr>
<td>Intergovernmental Revenues:</td>
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<td></td>
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<td></td>
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<tr>
<td>Property Tax Allocation</td>
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<td>15,259</td>
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<td>10,000</td>
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<tr>
<td>Other Financing Sources:</td>
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<tr>
<td>Transfers In</td>
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<td>950,000</td>
<td>950,000</td>
<td>950,000</td>
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<td>6,250,257</td>
<td>1,560,000</td>
<td>1,460,000</td>
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<td>TOTAL REVENUE</td>
<td>$ 7,304,495</td>
<td>$ 2,614,952</td>
<td>$ 2,505,000</td>
<td>$ 1,045,000</td>
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<table>
<thead>
<tr>
<th>EXPENDITURES</th>
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<th>XXXXXXXX</th>
<th>XXXXXXXX</th>
<th>XXXXXXXX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt Service:</td>
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<tr>
<td>Redemption of Principal</td>
<td>$ 7,031,743</td>
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<td>$ 2,340,000</td>
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<td>90,441</td>
<td>108,016</td>
<td>132,013</td>
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<td>Fire Department Note:</td>
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<td></td>
</tr>
<tr>
<td>Principal</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest</td>
<td>-</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Debt Service</td>
<td>$ 7,213,853</td>
<td>$ 2,480,441</td>
<td>$ 2,448,016</td>
<td>$ 1,092,013</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TOTAL EXPENDITURES</th>
<th>$ 7,213,853</th>
<th>$ 2,480,441</th>
<th>$ 2,448,016</th>
<th>$ 1,092,013</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>Revenues Over (Under) Expenditures</th>
<th>$ 90,643</th>
<th>$ 134,511</th>
<th>$ 56,984</th>
<th>$(47,013)</th>
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</table>

| Beginning Unencumbered Fund Balance | 1,122,886 | 1,213,529 | 1,348,040 | 1,405,024 |

<table>
<thead>
<tr>
<th>(Use Actual Cash Balance in Col. 2 and 3)</th>
</tr>
</thead>
</table>

| Ending Cash Balance | $ 1,213,529 | $ 1,348,040 | $ 1,405,024 | $ 1,358,011 |

| Estimated Encumbrances (outstanding at end of year) | - |

| Estimated Ending Unencumbered Fund Balance | $ 1,213,529 | $ 1,348,040 | $ 1,405,024 | $ 1,358,011 |
## EXHIBIT III

### FUND

List All Funds Individually Unless Reported on Exhibit I or II

<table>
<thead>
<tr>
<th>FUND</th>
<th>Estimated Unencumbered Fund Balance 1/1/2018</th>
<th>Budget Year For Expenditures</th>
<th>Total Available</th>
<th>Budget Year Expenditures and Encumbrances</th>
<th>Estimated Unencumbered Fund Balance 12/31/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GOVERNMENTAL:</strong></td>
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<td>Bicentennial Trust</td>
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<td>$71,523</td>
<td>$185,851</td>
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<td>Street Maintenance and Repair</td>
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<td>$940,000</td>
<td>$940,038</td>
<td>$733,909</td>
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<td>$33,892</td>
<td>$156,500</td>
<td>$190,392</td>
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<td>$149,531</td>
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<td>$71,000</td>
<td>$160,353</td>
<td>$57,021</td>
<td>$80,332</td>
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<td>M. M. V. L. T.</td>
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<td>$3,155,329</td>
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</table>

### DEBT SERVICE FUNDS

| Special Assessment | $278,448 | - | $278,448 | - | $278,448 | - | $278,448 |

**TOTAL DEBT SERVICE FUNDS** | $278,448 | - | $278,448 | - | $278,448 | - | $278,448 |

### CAPITAL PROJECT FUNDS

| Trunk Sewer | $375,149 | - | $375,149 | - | $375,149 | - | $375,149 |
| Capital Improvements | 5,218,711 | 5,276,331 | 10,495,042 | - | 5,447,132 | 5,447,132 | 5,047,910 |
| Permissive License Tax | - | - | - | - | - | - | - |

**TOTAL CAPITAL PROJECTS** | $5,593,860 | 5,276,331 | $10,870,191 | - | 5,447,132 | 5,447,132 | 5,423,059 |
<table>
<thead>
<tr>
<th>FUND</th>
<th>Estimated Fund Balance 1/1/2018</th>
<th>Budget Year Estimated Receipt</th>
<th>Total Available For Expenditures</th>
<th>Budget Year Expenditures and Encumbrances</th>
<th>Estimated Unencumbered Balance 12/31/2018</th>
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<td>$ -</td>
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<td>7,982</td>
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<td>$ 27,983</td>
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<tr>
<td>TOTAL FOR MEMORANDUM ONLY</td>
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<td>$ 8,327,581</td>
<td>$ 15,568,524</td>
<td>$ 1,474,978</td>
<td>$ 7,154,983</td>
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<tr>
<td></td>
<td>$ 8,629,961</td>
<td>$ 6,938,563</td>
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</tbody>
</table>
# STATEMENT OF PERMANENT IMPROVEMENTS

(Do Not Include Expense to be Paid from Bond Issue)

(Section 5705.29. Revised Code)

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>Estimated Cost of Permanent Improvement</th>
<th>Amount to be Budgeted During Current Year</th>
<th>Name of Paying Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Street/Sidewalk/Traffic Improvements</td>
<td>$875,000</td>
<td>$875,000</td>
<td>Capital Improvements</td>
</tr>
<tr>
<td>CBD Improvements</td>
<td>65,000</td>
<td>65,000</td>
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<tr>
<td>Building Improvements</td>
<td>150,000</td>
<td>150,000</td>
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<tr>
<td>Traffic Signal Improvements</td>
<td>50,000</td>
<td>50,000</td>
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<tr>
<td>Park &amp; Playground Area Improvements</td>
<td>11,500</td>
<td>11,500</td>
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<tr>
<td>Vehicle/Equipment New and Replacement</td>
<td>1,724,200</td>
<td>1,724,200</td>
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<tr>
<td>Community Wayfinding Signage</td>
<td>50,000</td>
<td>50,000</td>
<td>Same</td>
</tr>
<tr>
<td>Bike &amp; Pedestrian Improvements</td>
<td>100,000</td>
<td>100,000</td>
<td>Same</td>
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<tr>
<td>Sanitary Sewer Relocation</td>
<td>113,000</td>
<td>113,000</td>
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<tr>
<td>Street Light &amp; Mast Arm Replacement</td>
<td>85,000</td>
<td>85,000</td>
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<tr>
<td>Fuel Dispensing System &amp; Tank</td>
<td>175,000</td>
<td>175,000</td>
<td>Same</td>
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<tr>
<td>Fleet Garage Floor System and Lift</td>
<td>100,000</td>
<td>100,000</td>
<td>Same</td>
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<tr>
<td>Community Center Parking Lot</td>
<td>175,000</td>
<td>175,000</td>
<td>Same</td>
</tr>
</tbody>
</table>

**TOTAL**                                         | **$3,673,700**                         | **$3,673,700**                           |                       |

For the year being budgeted, list each contemplated disbursement for permanent improvements, exclusive of any expense to be paid from bond issues, by the fund from which the expenditures are to be made. Examples for describing the permanent improvements are: window replacement, vehicle purchase, furnishing offices, appliances for fire department kitchen.
### STATEMENT OF AMOUNTS REQUIRED FOR PAYMENT OF FINAL JUDGEMENTS

(Section 5705.29. Revised Code)

<table>
<thead>
<tr>
<th>DESCRIPTION OF JUDGEMENT</th>
<th>AMOUNT OF JUDGEMENT</th>
<th>FUND PAYING JUDGEMENT</th>
</tr>
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<tr>
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</tbody>
</table>

**TOTAL**

List the amounts required for the payment of each judgement expected to be paid during the year being budgeted.
<table>
<thead>
<tr>
<th>PURPOSE OF BONDS AND NOTES</th>
<th>Authority for Levy Outside 10 Mill Limit*</th>
<th>Date of Issue</th>
<th>Date Due</th>
<th>Ordinance or Resolution</th>
<th>Serial Term</th>
<th>Rate of Interest</th>
<th>Amounts of Bonds &amp; Notes Outstanding Standing at Beginning of Budgeted Year Jan 1, 2018</th>
<th>Amount Required for Principal and Interest 1/1/18 to 12/31/18</th>
<th>Amount Receivable from Other Sources to Meet Debt Payments 1/1/18 to 12/31/18</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payable from Bond Retirement Fund:</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX</td>
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</tr>
<tr>
<td>INSIDE 10 MILL LIMIT:</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX</td>
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<td></td>
</tr>
<tr>
<td>Refunding Limited Tax Various Purpose (2015-2021)</td>
<td>12/01/15</td>
<td>12/01/21</td>
<td>41-2015</td>
<td>1.62%</td>
<td>3,040,000</td>
<td>789,248</td>
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<tr>
<td>Various Purpose Bonds, Series 2017 01/18/17 @ 2.210%</td>
<td>01/18/17</td>
<td>12/01/32</td>
<td>42-2016</td>
<td>2.21%</td>
<td>$ 3,745,000</td>
<td>$ 302,765</td>
<td>$</td>
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<tr>
<td>(2017-2032)</td>
<td>43-2016</td>
<td>44-2016</td>
<td>44-2016</td>
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<td></td>
<td></td>
<td></td>
<td>$ 6,785,000</td>
<td>$ 1,092,013</td>
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<tr>
<td>OUTSIDE 10 MILL LIMIT:</td>
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<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXX</td>
<td>XXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX XXXXXXXXXXXXX</td>
<td></td>
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</tr>
</tbody>
</table>

TOTAL

If the levy is outside the 10 Mill limit by vote enter the words "by vote" and the date of the election.

If outside the 10 mill limit without a vote, enter the reference to the statute under which the levy is exempt from the 10 mill limit.
OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

The Budget Commission of Franklin, County, Ohio makes the following Official Certificate of Estimated Resources for the city/village of Worthington for the BUDGET YEAR beginning January 1st, 2018.

<table>
<thead>
<tr>
<th>FUND</th>
<th>Estimated Unencumbered Balance 1-Jan-18</th>
<th>Real Estate Property Tax</th>
<th>Personal Property Tax</th>
<th>Local Government Money</th>
<th>Rollback, Homestead Personal Property Tax Exemption</th>
<th>Other Sources</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>GOVERNMENTAL FUND TYPE</td>
<td></td>
<td></td>
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<tr>
<td>General Fund</td>
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<tr>
<td>Special Revenue Funds</td>
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<tr>
<td>Debt Service Funds</td>
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<tr>
<td>Capital Project Funds</td>
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<tr>
<td>Special Assessment Fund</td>
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<tr>
<td>PROPRIETARY FUND TYPE</td>
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<tr>
<td>Enterprise Funds</td>
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<tr>
<td>Internal Service Funds</td>
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<td>FIDUCIARY FUND TYPE</td>
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<tr>
<td>Trust and Agency Funds</td>
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<tr>
<td>TOTAL ALL FUNDS</td>
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</tr>
</tbody>
</table>

The Budget Commission further certifies that its action on the foregoing budget and the County Auditor's estimate of the rate of each tax necessary to be levied within and outside the 10 mill limitation is set forth in the proper columns of the preceding pages and the total amount approves for each fund must govern the amount of appropriation from such fund.

Date:

________________________, 20___

_______________________________ Budget Commission
<table>
<thead>
<tr>
<th>FUND</th>
<th>Estimated Unencumbered Balance January 1, 20__</th>
<th>Real Estate Tax</th>
<th>Personal Property Tax</th>
<th>Local Government Money</th>
<th>Rollback, Homestead Personal Exemption</th>
<th>Other Sources</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>GOVERNMENT FUNDS:</strong></td>
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<tr>
<td>General Fund</td>
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<td>XXXXXXXX</td>
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<td>XXXXXXXX</td>
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<tr>
<td><strong>SPECIAL REVENUE FUNDS:</strong></td>
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<tr>
<td>Street Maintenance &amp; Repair</td>
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<td>State Highway Improv. Fund</td>
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<tr>
<td>Cemetery Fund</td>
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<tr>
<td>Parks &amp; Recreation Fund</td>
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<td>Federal Grant Fund</td>
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<tr>
<td>State Grant Fund</td>
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<td>Law Enforcement Trust Fund</td>
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<td>Drug Law Enforcement Fund</td>
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<tr>
<td>Other Special Revenue Funds</td>
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<tr>
<td><strong>TOTAL SPECIAL REVENUE FUNDS</strong></td>
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<tr>
<td><strong>DEBT SERVICE FUNDS:</strong></td>
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<td>General Obligation Bond Fund</td>
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<tr>
<td>Other Debt Service Funds</td>
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<tr>
<td><strong>TOTAL DEBT SERVICE FUNDS</strong></td>
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<tr>
<td><strong>CAPITAL PROJECT FUNDS:</strong></td>
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<td>Construction Fund</td>
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<td>Federal Grant Fund</td>
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<td>Other Capital Project Funds</td>
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</tr>
<tr>
<td><strong>TOTAL CAPITAL PROJECTS FUNDS</strong></td>
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<tr>
<td>FUND</td>
<td>Estimated Unencumbered Balance January 1, 2018</td>
<td>Real Estate Property Tax</td>
<td>Personal Property Tax</td>
<td>Local Government Money</td>
<td>Rollback, Homestead Personal Exemption</td>
<td>Other Sources</td>
<td>Total</td>
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<tr>
<td>SPECIAL ASSESSMENT FUNDS:</td>
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<td>Special Assessment Bond Retirement</td>
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<tr>
<td>Other Special Assess. Funds (specify)</td>
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<tr>
<td>TOTAL SPECIAL ASSESSMENT FUNDS</td>
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<tr>
<td>Water Fund</td>
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<td>Sanitary Sewer Fund</td>
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<td>Other Enterprise Funds</td>
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<td>TOTAL ENTERPRISE FUNDS</td>
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<tr>
<td>TOTAL INTERNAL SERVICE FUNDS</td>
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<tr>
<td>FUND</td>
<td>Estimated Unencumbered Balance January 1, 20__</td>
<td>Real Estate Property Tax</td>
<td>Personal Property Tax</td>
<td>Local Government Money</td>
<td>Rollback, Homestead Personal Exemption</td>
<td>Other Sources</td>
<td>Total</td>
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<td>XXXXXXXX</td>
<td>XXXXXXXX</td>
<td>XXXXXXXX</td>
<td>XXXXXX</td>
</tr>
</tbody>
</table>

TOTAL TRUST & AGENCY FUNDS

TOTAL ESTIMATED RESOURCES
(Memorandum only)
## COUNTY AUDITOR’S ESTIMATE

### Tax Levies and Rates for 2018, in Worthington City

**Tax Valuation $________________**

<table>
<thead>
<tr>
<th>Levies Within 10 Mill Limitation</th>
<th>Amount Approved By Budget Commission</th>
<th>County Auditor’s Estimate of Rate in Mills</th>
</tr>
</thead>
<tbody>
<tr>
<td>County</td>
<td>XXXXXXXX</td>
<td>XXXXXXXX</td>
</tr>
<tr>
<td>Township</td>
<td></td>
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<tr>
<td>School</td>
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<tr>
<td>Village</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Levies Outside of 10 Mill Limitation

| County                           |                                      |                                          |
| Township                         |                                      |                                          |
| School                           |                                      |                                          |
| Village                          |                                      |                                          |
| City                             |                                      |                                          |
| State                            |                                      |                                          |
| **Total**                        |                                      |                                          |

**Total Levy for All Purposes**
FRANKLIN COUNTY

BUDGET OF

CITY OF WORTHINGTON

FOR FISCAL YEAR
BEGINNING JANUARY 1, 2018

___________________________, 20____

County Auditor

___________________________

Deputy Auditor
## City of Worthington
### 2016 Fund Balance Report

<table>
<thead>
<tr>
<th>Fund</th>
<th>Fund Description</th>
<th>Fund Balance as of 01/01/2016</th>
<th>2016 Revenue</th>
<th>2016 Expenses</th>
<th>Fund Balance as of 12/31/16</th>
</tr>
</thead>
<tbody>
<tr>
<td>101</td>
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<td>Law Enforcement Trust Fund</td>
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<td>220</td>
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<td>-</td>
<td>8,934.79</td>
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<tr>
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<td>-</td>
<td>-</td>
<td>71,022.84</td>
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<tr>
<td>306</td>
<td>Trunk Sewer Fund</td>
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<td>-</td>
<td>-</td>
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<td>Capital Improvements Fund</td>
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<td>-</td>
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<tr>
<td>409</td>
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<td>1,348,041.39</td>
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<td>410</td>
<td>Special Assmnt Bond Ret Fund</td>
<td>278,447.93</td>
<td>-</td>
<td>-</td>
<td>278,447.93</td>
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<tr>
<td>825</td>
<td>Accrued Acreage Benefit Fund</td>
<td>5,019.93</td>
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<td>58,800.93</td>
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<td>830</td>
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<td>381,535.03</td>
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<td>140,279.20</td>
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</tbody>
</table>

**Totals** $21,263,094.63 $38,582,788.82 $36,620,259.94 $23,225,623.51
# City of Worthington
## April 2017 Fund Balance Report

<table>
<thead>
<tr>
<th>Fund</th>
<th>Fund Description</th>
<th>Fund Balance as of 04/01/2017</th>
<th>April 2017 Revenue</th>
<th>April 2017 Expenses</th>
<th>Fund Balance as of 04/30/17</th>
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<tr>
<td>101</td>
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<tr>
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<td>220</td>
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<td>221</td>
<td>Law Enforcement Trust Fund</td>
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<tr>
<td>224</td>
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<td>253</td>
<td>2003 Bicentennial Fund</td>
<td>71,022.84</td>
<td>-</td>
<td>-</td>
<td>71,022.84</td>
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<td>306</td>
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<td>-</td>
<td>-</td>
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<tr>
<td>308</td>
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<td>-</td>
<td>-</td>
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<td>-</td>
<td>58,800.93</td>
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<td>830</td>
<td>O.B.B.S. Fund</td>
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<td>288.53</td>
<td>337.08</td>
<td>1,988.22</td>
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<td>1,530.00</td>
</tr>
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<td>910</td>
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<td>18,185.20</td>
<td>-</td>
<td>15,341.26</td>
<td>2,843.94</td>
</tr>
<tr>
<td>920</td>
<td>Worth Place MPI TIF Fund</td>
<td>212,689.49</td>
<td>-</td>
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<tr>
<td><strong>Totals</strong></td>
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<td>$2,296,272.96</td>
<td>$2,256,219.95</td>
<td>$26,958,856.08</td>
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</tbody>
</table>
RESOLUTION NO. 32-2017

Adjusting the Annual Budget by Providing for a Transfer of Previously Appropriated Funds.

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Legislation, providing that such amendment does not authorize the expenditure of more revenue than will be available;

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

SECTION 1. That there be and hereby is made the following transfer of previously appropriated funds:

<table>
<thead>
<tr>
<th>From Account No.</th>
<th>To Account No.</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>308.8110.560978</td>
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<td>308.8110.560978</td>
<td>409.9010.571902</td>
<td>51,500.00</td>
</tr>
</tbody>
</table>

Total Transfers $226,500.00

SECTION 2. That the Clerk be and hereby is instructed to record this Resolution in full in the appropriate resolution book.

Adopted ______________

____________________________________
President of Council

Attest:

______________________________
Clerk of Council
Please include the attached Transfer Resolution on the Council agenda for June 5, 2017. The following accounts need to be modified in order to provide funding for the debt service obligations due on December 1, 2017. The reallocation of these funds does not increase the total annual appropriations for the 2017 Operating Budget.

On January 18, 2017 bonds were issued to JP Morgan Chase in the amount of $3,960,000 for various public purpose improvements, as identified in Ordinances 42-2016, 43-2016 and 44-2016. These bonds were issued for 15 years at 2.210% interest. The first principal payment obligation is due on December 1, 2017. The actual principal obligation amount was not known at the time of the 2017 Operating Budget approval.

The 2017 Annual Operating Budget includes $950,000 to be transferred from the Debt Service transfer account in the CIP Fund (Fund 308) to the General Bond Fund (Fund 409) as a revenue transfer-in to support the principal and interest payment obligations paid out of the General Bond Fund. The transfer resolution requested would reallocate $226,500 of the total $950,000 appropriation as follows to satisfy the principal and interest payment obligations due on December 1 for the 2017 $3,960,000 bond issuance payment obligations. There would then be a subsequent reduction in the transfer-in (revenue account) from the CIP Fund to the General Bond Fund.

From: 308.8110.560978 Debt Service Transfer - CIP Fund $175,000.00
To: 409.9010.571901 Principal Retirement – General Bond $175,000.00

From: 308.8110.560978 Debt Service Transfer - CIP Fund $ 51,500.00
To: 409.9010.571902 Interest – General Bond $ 51,500.00

Total Transfer $226,500.00
RESOLUTION NO. 33-2017

Authorizing an Amendment to the Final Development Plan for 350 E. Wilson Bridge Road and Authorizing a Variance (MedVet Associates).

WHEREAS, MedVet Associates has submitted a request for an amendment to the Final Development Plan for 350 E. Wilson Bridge Road; and,

WHEREAS, Sections 1175.02 (f) and 1107.01 of the Codified Ordinances of the City of Worthington provide that when an applicant wishes to change, adjust or rearrange buildings, parking areas, entrances, heights or yards, following approval of a Final Development Plan, and variances are included, the modification must be approved by the City Council; and,

WHEREAS, the proposal has received a complete and thorough review by the Municipal Planning Commission on May 25, 2017 and approval has been recommended by the Commission.

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

SECTION 1. That the amendment to the approved Final Development Plan at 350 E. Wilson Bridge Road as per Case No. ADP 04-17, Drawings No. ADP 04-17 dated May 11, 2017 attached hereto as Exhibit “A” be approved.

SECTION 2. That there be and hereby is granted a variance from Code Section 1181.05(e)(2)(B), to allow for the total sign area to exceed the allowable in the Code on a freestanding monument sign in the Wilson Bridge Corridor.

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

Adopted _________________

President of Council

Attest:

______________________________

Clerk of Council
EXHIBIT "A"

Med Vet Admin & Education Building - 350 E. Wilson Bridge Rd. Worthington, OH

Custom Monument Sign (internal illumination)
Installation including electrical

- Aluminum sign body cabinet
- Built with aluminum SignComp extrusion
- Faces to be 1.25 aluminum - single piece
- CNC waterjet routed copies and hogs
- Backed with transparent white polycarbonate
- Illuminated with bright white LED

Sign built to mount atop of existing monument footing
- Sign will bolt to existing base with appropriate hardware
- Existing granite monument to be covered
- With white aluminum skin
- IDEXX letters - stud mounted (1/4" thick aluminum)
- Sign wired to existing electrical

Cost for permit not included
- Electrical must be within 8" of sign location
- Shop drawings and sign application is included

APPROVED WORTHINGTON MUNICIPAL PLANNING COMMISSION
DATE 5/25/17

CLERK OF COMMISSION

CITY OF WORTHINGTON
DRAWING NO.
DATE 5-11-17

Please check your art carefully and advise OSC Design Inc. & Sansday Signs Inc. of any needed graphic changes to this rendering.

Your signature is acknowledged and your account is subject to the terms and conditions that are detailed in your existing agreement or past practice agreement with OSC's administration. To avoid any inconvenience or misunderstanding, we strongly encourage you to contact OSC's administrative offices to confirm the accuracy of any data or information included in this document. OSC Design Inc. and Sansday Signs Inc. are not responsible for any errors or omissions in this document.

ADP 04-07
MEMORANDUM

TO: Matthew H. Greeson, City Manager
FROM: R. Lee Brown, Director
DATE: May 31, 2017
SUBJECT: Resolution for Amendment to Development Plan and Variance – 350 E. Wilson Bridge Road (MedVet Associates) (ADP 04-17)

Findings of Fact & Conclusions

Background & Request:
This building was constructed in 1985 as part of the Cascade Corporate Center on a parcel which is about 3.8 acres in size. It was purchased in 2015 by MedVet Associates, which is located at 300 E. Wilson Bridge Rd. The building houses offices for MedVet and Idexx Laboratories.

Approval is requested to allow the freestanding sign to be modified to a size larger than is permitted by Code.

Project Details:
1. There is an existing monument sign that sits west of the access drive to the building, the building sits near I-270 over 400’ from E. Wilson Bridge Rd. The stone sign has been refaced several times over the years. Most recently, it was covered with white aluminum, and ¼” thick, 10” high gray letters with a red accent spelling “IDEXX” were added.
2. Mounted on top of the existing sign would be a new 40’ high x 12’ wide x 12” deep blue aluminum cabinet. Routed characters backed with white polycarbonate identifying “MEDVET” and “ADMINISTRATIVE OFFICES & EDUCATION CENTER” would illuminate white at night. Individual address numbers are proposed on the existing concrete base, which is about 6” in height.
3. The above grade height of the proposed sign would be less than 6’.
4. The total sign area would be 60 square feet per side, which is 10 square feet per side larger than is allowed per the Code. A variance is required, and must be granted by City Council.
**Land Use Plans:**

Development Plan Amendment Ordinance

When an applicant wishes to make modifications following approval of a Final Development Plan, and variances are included, the modification must be approved by the City Council.

2005 Worthington Comprehensive Plan

This area is designated as the commercial office center of Worthington. The advantage of this area is the freeway visibility and access. Reinvestment in the existing buildings is encouraged to make the buildings more competitive in the market place.

Chapter 1181 – Wilson Bridge Corridor

The purpose is to promote the redevelopment of the Wilson Bridge Road Corridor into an area that will generate new economic growth within the City. The requirements are intended to foster development that strengthens land use and economic value; to encourage a mix of uses; to enhance the livability of the area; to augment pedestrian and bicycle connections; and to promote construction of high-quality buildings and public spaces that help create and sustain long-term economic vitality.

Signs:

(1) General
A. All new signs, including sign face replacement, shall be subject to the provisions herein.
B. The provisions in Chapter 1170 shall apply to all signs in the WBC unless otherwise stated in this section.
C. Exterior lighting fixtures are the preferred source of illumination.

(2) Freestanding Signs
A. There shall be no more than one freestanding sign on parcels less than 2 acres in size, and no more than two freestanding signs on parcels 2 acres in size or greater.
B. Freestanding signs shall be monument style and no part of any freestanding sign shall exceed an above-grade height of 10’. Sign area shall not exceed 50 square feet per side, excluding the sign base. The sign base shall be integral to the overall sign design and complement the design of the building and landscape.
C. Freestanding signs may include the names of up to eight tenants of that parcel.
D. Light sources shall be screened from motorist view.

**Recommendations:**

Staff is recommending *approval* of this application as the sign would be in character with the development. Although the size of the sign exceeds the requirement, the base is low enough to allow the sign to appear smaller.

On May 25, 2017 the Municipal Planning Commission recommended *approval* to City Council on an Amendment to Development Plan with a Variance.

*The Architectural Review Board/Municipal Planning Commission meeting minutes for May 25, 2017 were not available at the time of this report.*
Amendment to Development Plan Application

1. Property Location: 350 E Wilson Bridge Rd, 43085
2. Present Use & Proposed Use: Office Building
3. Present & Proposed Zoning:
   Address: 300 E. Wilson Bridge Rd 43085
   Phone: 614-310-1726
5. Property Owner: MedVet Associates
   Address: 300 E. Wilson Bridge Rd 43085
   Phone: 614-846-5800
6. Project Description: MedVet Monument Sign
7. Variances Requested:
   Increase the sign size from 50sf to 60sf.
   Backlit sign instead of ground lighting.

PLEASE READ THE FOLLOWING STATEMENT AND SIGN YOUR NAME:

The information contained in this application and in all attachments is true and correct to the best of my knowledge. I further acknowledge that I have familiarized myself with all applicable sections of the Worthington Codified Ordinances and will comply with all applicable regulations.

Applicant (Signature):

Date: 5/11/17

Property Owner (Signature):

Date:

MPC Approval Date: 5/25/17

City Council Approval Date:
ABUTTING PROPERTY OWNERS
FOR
350 E. Wilson Bridge Rd.

Material Properties LLC
330 EWB LLC

370 E. Wilson Bridge Rd.
330 E. Wilson Bridge Rd.
Worthington, OH 43085
Worthington, OH 43085
City of Worthington
Worthington Planning & Building
374 Highland Ave, Worthington, OH 43085

MedVet Associates
300 E. Wilson Bridge Rd. Worthington, OH 43085

Application for a Monument Sign Variance
350 E. Wilson Bridge Rd. Worthington, OH 43085

Sign Size:
We would like to increase the size of the sign an additional 10sf from 50sf to 60sf so will have better visibility from the road.

Sign Lighting:
We would also like to use a backlit sign to have consistency with our other backlit MedVet sign one building to the west.

Visibility:
Idexx has 24/7 hours, during which time they receive deliveries and supplies and visibility is very important to them.

This MedVet sign informs the public that this location is administrative and not for emergency veterinary services. Minutes count in an animal health situation.

There are two evergreen trees near and above the 350 E. Wilson Bridge Rd. sign that makes the sign more difficult to see both during the day and at night.

Thank you for your assistance,

Terry Eddy
Facilities Manager
MedVet Associates
350 E. Wilson Bridge Rd.

100-005943 12/12/2013
PLEASE CHECK YOUR ART CAREFULLY.

MedVet Admin & Education Building - 350 E. Wilson Bridge Rd. Worthington, OH

Plat of Survey

350 E. Wilson Bridge Rd.

Sign location at parking lot entrance

APPROVED
WORTHINGTON MUNICIPAL
PLANNING COMMISSION
DATE 5/25/17

CLERK OF COMMISSION

CITY OF WORTHINGTON
DRAWING NO. 04-17
DATE 5-11-17

Please check your art carefully and advise QSC Design Inc. or Sameday Signs Inc. of any needed graphic changes to this rendering.

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Med Vet Admin & Education Building - 350 E. Wilson Bridge Rd. Worthington, OH

Custom Monument Sign (internal illumination)
Installation including electrical

- Aluminum sign body cabinet
- built with aluminum SignComp extrusion
- faces to be 1/25 aluminum - single piece
- CNC waterjet routed copy and hogs
- backed with translucent white polycarbonate
- illuminated with bright white LED

Sign built to mount atop of existing monument footing
sign will bolt to existing base with appropriate hardware
existing granite monument to be covered
with white aluminum skin
IDEXX letters - stud mounted (3/4" thick aluminum)
sign wired to existing electrical
cost for permit not included
electrical must be within 8' of sign location
shop drawings and sign application is included

APPROVED
WORTHINGTON MUNICIPAL
PLANNING COMMISSION
DATE 5/25/17

CLERK OF COMMISSION

CITY OF WORTHINGTON
A DP 04-17
DRAWING NO.
DATE 5-11-17

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PLEASE CHECK YOUR ART CAREFULLY.

Med Vet Admin & Education Building - 350 E. Wilson Bridge Rd. Worthington, OH
Day / Night Rendering

APPROVED
WORTHINGTON MUNICIPAL
PLANNING COMMISSION
DATE 5/25/17
CLERK OF COMMISSION

CITY OF WORTHINGTON
DRAWING NO.
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QSC Design Inc. and Sameday Signs Inc. are represented in the acquisition of QSC Design Inc. and Sameday Signs Inc. by QSC Design Inc. and Sameday Signs Inc. are represented in the acquisition of QSC Design Inc. and Sameday Signs Inc. by QSC Design Inc. and Sameday Signs Inc. are represented in the acquisition of QSC Design Inc.
1. grade
2. existing concrete footing
3. existing granite monument
4. stud mounted sign letters
5. new sign cabinet
6. LED modules
7. LED drivers
8. on/off switch
9. existing electrical stub out
10. concrete bolt and anchor
Hi Linda,

Please review the following information for the variance request for the sign at 350 E. Wilson Bridge Rd.

Would you notify me if there is other information that is needed or suggestions that I should make to this package of variance information?

Thanks, Terry

Terry Eddy
Facilities Manager
MedVet Associates
614-310-1726
RESOLUTION NO. 34-2017

Amending Resolution No. 58-2016 to Include a Compensation Rate for Part-time Staff Designated as Personal Trainer.

WHEREAS, Resolution No. 58-2016 establishes compensation for classified positions in the City; and,

WHEREAS, it is desirable and necessary to amend Resolution No. 58-2016 to include a compensation rate for part-time staff designated as Personal Trainer;

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

SECTION 1. That Resolution No. 58-2016 be and the same is hereby amended to include a compensation rate for part-time staff designated as Personal Trainer.

SECTION 2. That Section 12 of Resolution No. 58-2016, shall be amended to state:

Part-time staff designated as private swim instructor, corporate fitness instructor or personal trainer shall be compensated at $30.00 per hour as assigned for these specific duties.

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

Adopted__________________

President of Council

Attest:

Clerk of Council
RESOLUTION NO. 35-02017

Amending the Position Description for Director of Law.

WHEREAS, City Council wishes to amend the position description for the position of Director of Law; and,

WHEREAS, it is necessary to amend the position description for the position of Director of Law to properly reflect the duties of this position;

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

SECTION 1. That the position description for the position of Director of Law (Class Specification No. 226) as per the description attached hereto be and the same is hereby amended.

SECTION 2. That the Clerk of Council be and hereby is instructed to record this Resolution in the appropriate record book.

Adopted____________________

President of Council

Attest:

Clerk of Council
CITY OF WORTHINGTON
POSITION DESCRIPTION

General Statement of Duties

Under the direction of the City Manager, the Director of Law serves as the chief legal advisor and attorney for the City and for its officers and departments in all matters relating to their official duties and powers. The Director of Law is responsible for the preparation, review and/or approval of contracts, documents pertaining to real property issues and public improvements, ordinances, resolutions and other written instruments in which the City is concerned. The Director of Law is responsible for oversight of all outside legal services, represents the City in all civil cases in which it is a party; and is involved in the City’s land use management and economic development initiatives.

Essential Functions of the Position:

Serves as legal counsel to the City Manager, Assistant City Manager, all departments of the City, City Council, Municipal Planning Commission, the Board of Zoning Appeals, and all other commissions and boards of the City.

Attends all regular and special City Council meetings.

Attends regular and/or special City board and commission meetings as requested.

Drafts ordinances, resolutions and contracts to be made or entered into by the City upon request of the City Manager, and approves the form of such instruments.

Provides legal advice to City officials as necessary.

Oversees contract for prosecutorial services in Mayor’s Court and municipal court.

Oversees contracts for all other needed outside legal services including bond counsel and personnel/labor counsel.

Responds to City Manager and Staff inquiries.
Attends meetings and discussions with City, County, State and Federal officials and other governmental officials.

Attends meetings with the development community and staff.

Reviews and approves all contracts, ordinances, and resolutions.

Reviews and approves written correspondence as necessary.

Responsible for the prosecution or defense in all civil suits or cases in which the City may be a party.

Performs all legal services incident to public improvements and the issuance of notes and bonds in payment thereof or makes arrangements for the hiring of special counsel.

May assist with negotiations and other issues involving the City’s collective bargaining agreements and may assist with employee discipline and termination issues

**Knowledge, Skills and Abilities:**

Thorough understanding of Home Rule, Title VII of the Ohio Revised Code, the statutory law of Ohio relating to Municipal Corporations; other statutes of the state and federal governments relating to municipal law; case decisions relating to municipalities; and the Codified Ordinances of the City of Worthington.

Ability to collect information, plan, organize, develop and prepare detailed reports, and correspondence.

Strong oral and written communication skills.

Ability to establish and maintain effective working relationships with the public, City officials, and other City employees. Shows respect for broad and diverse opinions and attitudes.

Ability to conduct accurate legal research and to prepare legal opinions.

Ability to effectively prepare and conduct litigation on behalf of the City.

Ability to provide concise and accurate information regarding complex issues.

Experienced and effective negotiator with demonstrated skill and success in managing and structuring agreements and working relationships.
Minimum Requirements of the Position:

Must be an attorney-at-law in good standing and admitted to the practice of law in the State of Ohio. Five years of experience working with an Ohio municipal corporation on local government issues.

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

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

Adopted by Resolution No. 35-2017; Effective
ORDINANCE NO. 20-2017

Amending Section 529.07 of the Codified Ordinances of the City to Limit Opened Containers in the Designated Outdoor Refreshment Area to Locations as Authorized by the Permit Holder during Outdoor Dining Activities.

WHEREAS, City Council has approved the creation of a designated outdoor refreshment area (“DORA”) for Downtown Worthington pursuant to Ohio Revised Code §4301.82; and,

WHEREAS, the DORA is authorized for special events within the downtown area and is intended to enhance the experience of patrons of the restaurants who choose outdoor dining offered by those businesses; and,

WHEREAS, while the ORC generally permits opened containers within a DORA, the City’s approval of the Downtown Worthington DORA limits patrons of establishments offering outdoor dining to remain within the area immediately adjacent to such establishment with their permitted beverages; and,

WHEREAS, in order to implement and enforce this limitation, an amendment to the open container provisions of the Codified Ordinances is necessary.

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

SECTION 1. That Section 529.07(c)(7) of the Codified Ordinances of the City of Worthington be and hereby are amended to read as follows:

529.07 OPEN CONTAINER PROHIBITED.

(c)(7) A. Except as provided in subsection (c)(7)(C) hereof, a person may have in the person’s possession an opened container of beer or intoxicating liquor at an outdoor location within an outdoor refreshment area created under Ohio R.C. 4301.82, if the opened container of beer or intoxicating liquor was purchased from a qualified permit holder to which both of the following apply:
   1. The permit holder’s premises is located within the outdoor refreshment area.
   2. The permit held by the permit holder has an outdoor refreshment area designation.

   B. Subsection (c)(7) of this section does not authorize a person to do either of the following:
      1. Enter the premises of an establishment within an outdoor refreshment area while possessing an opened container of beer or intoxicating liquor acquired elsewhere;
      2. Possess an opened container of beer or intoxicating liquor while being in or on a motor vehicle within an outdoor refreshment area, unless the motor vehicle is stationary and is not being operated in a lane of vehicular travel or unless the possession is otherwise authorized under subsection (d) or (e) of this section.
ORDINANCE NO. 20-2017

C. Subsection (c)(7) of this section does not authorize a person to have in the person’s possession an opened container of beer or intoxicating liquor purchased from a permit holder that has an outdoor refreshment area designation in an outdoor location except as allowed by that permit holder pursuant to and in accordance with the authority granted by the City and as specified by signage posted at the permit holder’s premises.

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

Passed ______________________

________________________________
President of Council

Attest:

_____________________________
Clerk of Council
ORDINANCE NO. 21-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for An Appropriation from the General Fund Unappropriated Balance.

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

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

SECTION 1. That there be and hereby is appropriated from the General Fund unappropriated balance to:

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>101.4030.540569</td>
<td>Custodial Services – Community Center</td>
<td>$ 7,800.00</td>
</tr>
</tbody>
</table>

**General Fund Totals**  
$7,800.00

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

Passed ______________

_______________________________
President of Council

Attest:

_______________________________
Clerk of Council
The City entered into a contract for Community Center Custodial Services after a bidding process with Cummins Facility Services on February 1, 2017. The contract was for 12 months through January 31, 2018. The monthly fee paid to Cummins was $8,311.64 which included nightly cleaning of the facility. After four months of service, it has been mutually agreed between the parties that continuing with the contract is not in the best interest of either. As a result, a separation agreement has been reached and the City is interested in contracting with Capital Services, Inc., a local company that has provided cleaning services to us in the past, for the duration of the term. Their monthly rate is $10,622. The difference in the monthly fee for these services is $2,319.36 per month for seven months which results in the need for an additional appropriation to this line item. As a result, staff are requesting an additional appropriation of $7,800 be made to the corresponding line item in the Parks and Recreation budget. The City will receive $12,000 from Cummins Facility Services per the terms of the separation agreement to offset this additional expenditure.
ORDINANCE NO. 22-2017

Amending Ordinance No. 45-2016 (As Amended) to
Adjust the Annual Budget by Providing for
Appropriations from the General Fund and Water
Fund Unappropriated Balances.

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

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

SECTION 1. That there be and hereby is appropriated from the General Fund and Water Fund unappropriated balances to:

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund #101</td>
<td>Operating Transfer - Transfers</td>
<td>$ 80,000.00</td>
</tr>
<tr>
<td>Water Fund #204</td>
<td>Water Main Repairs – Water</td>
<td>$ 80,000.00</td>
</tr>
<tr>
<td>Total All Funds</td>
<td></td>
<td>$160,000.00</td>
</tr>
</tbody>
</table>

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

Passed ____________________

_______________________________
President of Council

Attest

_______________________________
Clerk of Council
MEMORANDUM

TO: Matthew Greason, City Manager
FROM: Dan Whited, P.E., Director of Service & Engineering
DATE: June 2, 2017
SUBJECT: Supplemental appropriation, Water Fund

The water contract we currently hold with the City of Columbus requires that their maintenance crews repair water main breaks as they occur. While the lines are owned by the City of Worthington, the water contained in them is owned by the City of Columbus necessitating this arrangement. The contract includes a provision stating the City of Worthington will pay for repairs exceeding the 150% Equivalent Maintenance Ratio (EMR) occurring throughout the City of Columbus water distribution system. Our operating budget currently includes $25,000 to cover the expense of the excess water main breaks.

In 2016 the EMR for the Worthington portion of the distribution system was 18 breaks. A total of 35 breaks were experienced in Worthington resulting in 17 excess breaks at a repair cost of $83,089.90. A supplemental appropriation of $80,000 is requested to cover the balance due to the City of Columbus for these repairs as well as other water system repair charges that were not anticipated at the time the budget was adopted.
MEMORANDUM

TO: Matt Greeson
FROM: David McCorkle
DATE: June 2, 2017
SUBJECT: Economic development-related transfer of liquor permits into Worthington

This is intended to provide you with information and my recommendation to acknowledge the requested transfer of one liquor permit for Diamond Wolves LLC (“Diamond Wolves”) as an economic development project (“TREX”) into Worthington.

Liquor Permit TREX:

State law allows for the transfer of the ownership and location of liquor permits from one municipality to an economic development project located in another municipality in Ohio.1 Such a transfer may occur when no quota-based permits, of the same class as is sought, remain available within the new municipality. Transferring a permit to an economic development project in a new municipality is known as TREX.

To TREX a liquor permit, an applicant must notify the new municipality of the proposed transfer, and in turn, the new municipality must acknowledge, in writing, that the liquor permit will be transferred to an economic development project.2

The Superintendent of Liquor Control ultimately determines whether the transfer qualifies as an economic development project. Factors used in his or her decision-making include, but are not limited to: the architectural certification of the plans and the cost of the project; the number of jobs to be created; the projected earnings of the project; the projected tax revenues from the project; and the amount of project investment.3

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1 Ohio Revised Code (ORC) §4303.29(B)(2)(b).
2 ORC §4303.29(B)(2)(b)(i).
3 ORC §4303.29(B)(2)(b)(ii).
For the “new” municipality’s written acknowledgement of the economic development nature of the pending transfer, the Ohio Division of Liquor Control allows for either (1) signature by an authorized Worthington representative on the applicant’s TREX application form (filed with the State) or (2) by separate writing from the City addressed to the State.

Staff has taken the following steps to review the TREX application:

1. Applicant provided to the City its TREX application, to be submitted to the Ohio Division of Liquor Control, with all relevant portions completed and the document was signed and dated;
2. City economic development staff collected relevant project information, including the business concept, location, hiring plans, the proposed level of fixed asset investment, and other relevant items of information; and
3. City economic development staff coordinated with Worthington Police Department, the Department of Law and the Department of Engineering concerning the appropriateness of the pending TREX application.

Proposed Project:

Diamond Wolves intends to be among the first tenants of the Linworth Crossing development, located at 2233-2299 W. Dublin-Granville Road, the site of the former Segna Motors Volvo dealership. The applicant intends to bring two distinctively different concepts to the development, occupying approximately 4,800 total square feet at the western end of the property.

The first concept will be “Tomatillos Authentic Mexican”, a restaurant offering authentic Mexican cuisine. Adjacent to the restaurant will be “Diamonds Ice Cream”, a truly unique ice cream parlor concept known for their natural fruit paletas (popsicles). The operational breakdown will be approximately 70% restaurant and 30% ice cream parlor.

The Managing Member behind Diamond Wolves, Jose R. Torres, has 20+ years in the restaurant business. His concept began in 2015 with a location in Columbus (Sawmill). Mr. Torres opened a second location in Hilliard and has plans to open two additional stores in Westerville and Worthington.

Other locations managed by Diamond Wolves include Caballeros (Galloway), Plaza Mexican Bar & Grill (University District), La Guacamaya (Milford), Verapaz (Marysville), and Taco Loco & Patio (Bethel).

Diamond Wolves seeks to TREX a D-2 liquor permit from the Donatos in Grove City, Franklin County, to the new Worthington location. This permit will allow for the sale and on-premises consumption of wine and mixed beverages until 1:00 a.m.

City staff worked with Diamond Wolves’ attorney to determine the plans for on-site alcohol service. Plans include opening hours (Monday through Sunday: 11:00 am to 10:00 pm) and offering a menu of beer, wine and spirituous liquor to accompany food items.
In their TREX application, Diamond Wolves describes the following economic development impacts to the City of Worthington from the project:

- Total investment: $40,000 plus build-out costs
- Total number of jobs to be created: 12
- Payroll (annual): $250,000 ($6,250 collected in income taxes at 2.5%)
- Estimated sales tax collections (annual): $80,000

The Worthington Police Department expressed no opposition to the proposed liquor permit transfer. The Department of Law provided City economic development staff with relevant, publicly available information concerning the business and the owners.

**Recommended Action:**

On the bases of (1) notice to the City of the proposed TREX location and (2) the projected new jobs to be created, I recommend the City Manager acknowledge, by signature on Diamond Wolves LLC’s TREX application, that this request represents an economic development project within the City of Worthington.
ECONOMIC DEVELOPMENT (TREX) TRANSFER FORM

Ohio Revised Code 4303.29 allows for the transfer of location or the transfer of ownership and location of a C-1, C-2, D-1, D-2, D-3, or D-5 permit from municipal corporation or the unincorporated area of a township to an economic development project located in another municipal corporation or the unincorporated area of another township in which no additional permits of that class may be issued to the applicant under the permit quota. However, the transfer may occur only if the applicant notifies the municipal corporation or township to which the location of the permit will be transferred regarding the transfer and the municipal corporation or township acknowledges in Section B of this form OR in writing to the Division of Liquor Control, that the transfer will be to an economic development project. A permit may be transferred to a different owner at the same location, or to the same owner or a different owner at a different location in the same municipal corporation or in the unincorporated area of the same township. NOTE: The statute requires the applicant to provide the endorsement by the municipal corporation or township at the time the application for the transfer is filed with the division, therefore once Section B is completed return this form to the applicant so they may attach this information to their transfer application.

Seller(s) - Current Permit Holder - (Individual, Corp., LLC or Partnership)  
Donatos Pizzeria LLC

Buyer(s) - Prospective Permit Holder - Individual, Corp., LLC or Partnership  
Diamond Wolves LLC

Permit Number: 22506630300

CHECK Class(es) of Permit(s) Being TREX Transferred:  
[ ] C-1  [ ] C-2  [ ] C-2X  [ ] D-1  [X] D-2  [ ] D-2X  [ ] D-3  [ ] D-3A  [ ] D-5  [ ] D-6

SECTION A: (To be completed by the Applicant)

NOTE: Section A is for you to provide information to the local legislative authority (City, Village or Township Office) in which this Economic Development Project (TREX) will be located. In addition to the below information, you may be required to provide a projected earnings statement (brand new business), or a profit and loss statement (existing business), and a copy of building plans/drawings outlining any construction plans. The Division will also use this information to determine if you qualify and meet the criteria outlined under Section 4303.29(B)(2)(b).

1. The total amount invested in this project is $40,000 (+T/I allowance)

2. The total number of jobs that will be created by this economic development project is 12 FTE (plus TBD PT)

3. Existing or Estimated Tax Revenue generated by this project is:  
   Property Tax  $TBD (part of $8M project)  
   Est Sales Tax  $80,000  
   Est Payroll Tax  $9,000  
   Est City Income Tax  $6-7,000

On behalf of the applicant as indicated above I am signing below and certifying that all the information provided with this application is complete and accurate to the best of my knowledge.

Jose R. Torres  
Print or Type Name

5/22/2017  
Date

Managing Member

SECTION B: (The applicant MUST have this Section completed by the City, Village or Township Office in which this Economic Development Project (TREX) will be located. This MUST accompany the application).

Based upon the factors outlined above, the City/Village/Township of (City, Village or Township Name) hereby endorses and acknowledges that this transfer will be to an economic development project.

Print or Type Name  
Signature of Mayor, Legislative Office Holder or Law Director

Date  
Title (e.g., Mayor, Clerk of City Council, Fiscal Officer or Law Director)