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.

MOTION  

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, AIA, 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.
The ORC requires us to identify the number of signs, the spacing of signs and the type of signs.

The proposal is for twelve signs.

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.

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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
early side. But they were the only one that was earlier than the 9:00 a.m. start time. There were a couple of outliers that were close to the 10:00 / 11:00 p.m. end time.

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 Bendorad 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 is 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 for 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 out 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.

/s/ D. Kay Thress
Clerk of Council

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

/s/ Bonnie D. Michael
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 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.