City Council Meeting Agenda

Monday, September 18, 2017 ~ 7:30 P.M.

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

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

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

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

Roll Call

Pledge of Allegiance

VISITOR COMMENTS

APPROVAL OF MINUTES

1) September 5, 2017 – Regular Meeting
2) September 11, 2017 – Committee of the Whole Meeting

PUBLIC HEARINGS ON LEGISLATION

3) Ordinance No. 29-2017

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 Northbrook Relief Sewer Phase II Project Design Update and Determining to Proceed with said Project. (Project No. 656-17)

Introduced September 5, 2017
P.H. September 18, 2017

4) Ordinance No. 30-2017

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 Old Worthington Street Light and Mast Arm Rehabilitation Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 655-17)

Introduced September 5, 2017
P.H. September 18, 2017
5) **Ordinance No. 31-2017**

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 South End Roof Replacement Project and Determining to Proceed with said Project. (Project No. 650-17)

Introduced September 5, 2017  
P.H. September 18, 2017

6) **Ordinance No. 32-2017**

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the 933 High Street TIF Fund Unappropriated Balances.

Introduced September 5, 2017  
P.H. September 18, 2017

7) **Ordinance No. 33-2017**

An Ordinance Enacted by the City of Worthington, Franklin County, Ohio, in the Matter of the Stated Described Project, (FRA-IR270-21.69 PID 76467). (Repaving of SR 315)

Introduced September 5, 2017  
P.H. September 18, 2017

8) **Ordinance No. 34-2017**

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 North Districts Sewer Study and Determining to Proceed with said Project. (Project No. 657-17)

Introduced September 5, 2017  
P.H. September 18, 2017
9) **Ordinance No. 35-2017**

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 Additional Design and Engineering Services for the NE Gateway Intersection Improvement Project and all Related Expenses with said Project. (Project No. 602-14)

Introduced September 5, 2017
P.H. September 18, 2017

10) **Ordinance No. 36-2017**

Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor.

Introduced September 5, 2017
P.H. September 18, 2017

**NEW LEGISLATION TO BE INTRODUCED**

11) **Ordinance No. 37-2017**

Accepting a Permanent Easement for Warning Signage at 587 Fox Lane, Worthington, Ohio 43085.

**REPORTS OF CITY OFFICIALS**

Discussion Item(s)

12) Schedule – 2018 Budget & 2018-2022 Capital Improvements Program Workshops

**REPORTS OF COUNCIL MEMBERS**

**OTHER**

**EXECUTIVE SESSION**

**ADJOURNMENT**
City Manager Report to City Council for the Meeting of Monday, September 18, 2017

APPROVAL OF MINUTES

1) September 5, 2017 – Regular Meeting
2) September 11, 2017 – Committee of the Whole Meeting

Recommendation: Approval of Minutes as Presented

PUBLIC HEARINGS ON LEGISLATION

3) Ordinance No. 29-2017 – Appropriation – Northbrook Sewer Design

The Southeast District Sanitary Sewer Study conducted in 2009 recommended a number of projects. One of the projects involves the Northbrook Sewer which runs underneath High Street at Kenyonbrook Drive and continues west. A competitive process was conducted in 2009 to select the firm to complete the study. EMH&T was selected as a result of that process. Staff recommends EMH&T perform the design work for this project due to the knowledge they obtained during the study. This Ordinance appropriates the funds for the design and authorizes the City Manager to enter into an agreement with EMH&T for the work. Additional information is included in the attached memorandum from the Director of Service & Engineering.

Recommendation: Approval of the Ordinance as Introduced

4) Ordinance No. 30-2017 – Appropriation – Street Lights & Mast Arms Rehabilitation

This year’s Capital Improvement Program includes funding for the painting of street light supports and decorative mast arm traffic signal supports in the City, and the conversion of the Old Worthington street light system to LED. Staff has solicited quotes for the work and is seeking an appropriation of $48,000. Additional information is included in the attached memorandum from the Director of Service & Engineering.

Recommendation: Approval of the Ordinance as Introduced
5) **Ordinance No. 31-2017 – Appropriation – Community Center South End Roof**

This year’s Capital Improvements Program (CIP) includes the replacement of the south end roof at the Community Center. GPD Group has finalized design plans for the project and City Council authorized the solicitation of bids on September 5, 2017. This Ordinance appropriates funds for the project. The project is still out to bid, so this item needs to be tabled until October 2, 2017 at which time staff will have the bid results and a recommended firm and amount.

**Recommendation:** Motion to Table the Ordinance until October 2, 2017

6) **Ordinance No. 32-2017 – Appropriation – 933 High Street TIF Reimbursement**

This Ordinance appropriates funds related to the Tax Increment Financing (TIF) agreement at 933 High Street. The TIF was established when the site was redeveloped and was structured as a “non-school” TIF which means the property tax payments derived from the improvements were to be paid directly to Worthington Schools by Franklin County. However, the County incorrectly disbursed the entire amount to the City. An appropriation is needed to pay the Schools their amount.

This appropriation also includes funds for costs assessed by Franklin County for the collection and distribution of the funds for the TIF. Attached is a memorandum from the Director of Finance that provides additional information.

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

7) **Ordinance No. 33-2017 – Consent for SR-315 Resurfacing**

This Ordinance provides consent for the Ohio Department of Transportation (ODOT) to perform pavement maintenance on SR-315 within the city limits of Worthington. ODOT plans to resurface SR-315 between SR-161 and I-270. ODOT will manage and fund the project. Additional information is included in the attached memorandum from the Director of Service & Engineering.

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

8) **Ordinance No. 34-2017 – Appropriation – North District Sanitary Sewer Study**

Per the Ohio Environmental Protection Agency (OEPA) Director’s Final Findings & Orders issued in 2009, the City of Worthington is required to evaluate its entire sanitary sewer system. We have broken our system down into separate sewer sheds and are in the midst of conducting the studies. The Southeast Sewer Shed and the Central District Sewer Shed studies have been completed. The next study involves the North District. Staff has conducted a competitive process involving qualifications and proposals from engineering consultants for the work. Staff recommends EMH&T be selected to perform the study. This Ordinance appropriates the funds for the study and authorizes the City Manager to enter into
an agreement with EMH&T for the work. Additional information is included in the attached memorandum from the Director of Service & Engineering.

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

9) **Ordinance No. 35-2017 – Appropriation – Northeast Gateway Project**

As the detailed design of the Northeast Gateway Project at the intersection of Huntley, Wilson Bridge and Worthington Galena Roads continues, there have been a number of items arise that were unanticipated at the start of the work and thus not included in the scope of services with the engineering consultant. This Ordinance provides additional funding for the design work. More information about the items that have arisen is included in the attached memorandum from the Director of Service & Engineering.

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

10) **Ordinance No. 36-2017 – Accept Amounts and Rates**

This Ordinance accepts the tax rates and amounts as determined by the Franklin County Budget Commission. This is an annual action by the City as required by State law and the rates and amounts are based on the tax budget that was submitted in July. The property tax rate remains unchanged for 2018. Attached is a memorandum from the Finance Director that provides additional information.

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

**NEW LEGISLATION**

11) **Ordinance No. 37-2017 – Easement Acceptance – 587 Fox Lane**

Staff has negotiated an easement to facilitate the installation of a warning sign near the lowhead dam which crosses the Olentangy River near Antrim Park and Fox Lane. The sign warns people on the river that they are approaching the dam. This easement authorizes the City to access the property where the sign is located. This Ordinance accepts the easement and authorizes the City Manager to execute and deliver documents associated with the easement.

**Recommendation:** Introduction for Public Hearing on October 2, 2017
REPORTS OF CITY OFFICIALS

Discussion Item(s)

12) Schedule – 2018 Budget & 2018-2022 Capital Improvements Program Workshops

Staff will discuss a draft workshop schedule for October and November for discussion of the 2018 Budget and the 2018-2022 Capital Improvements Program.

EXECUTIVE SESSION
Meeting Minutes

Tuesday, September 5, 2017 ~ 7:30 P.M.

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

City Council

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

D. Kay Thress, Clerk of Council
CALL TO ORDER – Roll Call, Pledge of Allegiance

Worthington City Council met in Regular Session on Tuesday, September 5, 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.

Ms. Michael appointed Robyn Stewart Temporary Clerk of Council for this evening’s meeting.

MOTION Councilmember Norstrom made a motion to appoint Robyn Stewart Temporary Clerk of Council. The motion was seconded by Councilmember Myers.

The motion to appoint Robyn Stewart Temporary Clerk of Council carried unanimously.

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

Also present: City Manager Matthew Greeson, Acting Director of Law Dan Guttman, Assistant City Manager Robyn Stewart, Director of Finance Scott Bartter, 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 thirty-two visitors present.

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

VISITOR COMMENTS

President Michael reported that there is one individual who wishes to address City Council regarding an item that is not on the agenda.

Paul Dorothy, 179 Kenbrook Drive

Mr. Dorothy wished to address the situation regarding the removal of the Ripley House Marker. He felt that he was ashamed to say he was resident of Worthington after City leadership removed the marker. It was a bad decision by appointed and elected leaders, and failed to include any public voices to be heard other than the “Mob” that overtook the voices of Worthington residents. Mr. Dorothy stated that he had a discussion with the City Manager Mr. Greeson and was told that there was a threat of ANTIFA protestors
with a history of violence, and that the City could not promise safety of persons and property.

Mr. Dorothy then repeated the oath of office taken by officials and that this has been forgotten. He noted the fact that this event goes against the history of Worthington residents standing up for what is right. We are forsaking the memory of those men who have sacrificed in the Civil War based upon the threat of violence. In his earlier conversation with Mr. Greeson he stated that it is difficult to control the protests. Mr. Dorothy questioned the Council on how will Worthington respond going forward? Will there be an ordinance passed requiring the removal of masks and additional Police contingency plans drafted? When will this be addressed in future meetings because it is not on the agenda tonight?

Mr. Norstrom responded to Mr. Dorothy that he potentially does not understand all the facts regarding the removal of the Ripley sign. Mr. Greeson had discussions with the property owner and it was not an easy decision to take the sign down, however we were not afraid, it was a discussion based upon the potential effects on the City.

Ms. Michael stated that the community did not have much advance notification regarding the potential for ANTIFA protestors with a history of arriving with weapons and a lack of respect for police or public property. The sign is currently in safe keeping. However, there will be a community dialogue going forward on how to address what the right thing to do is with the Ripley sign.

Mr. Foust commented that he also weighed in on the decision and when he was informed that there were individuals prone to violence, it was a clear decision to be made for public safety.

APPROVAL OF MINUTES

- July 10, 2017 – Committee of the Whole Meeting
- July 17, 2017 – Special Meeting
- July 17, 2017 – Joint Meeting
- July 17, 2017 – Regular Meeting

MOTION

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

The motion to approve the minutes as amended carried unanimously.
PUBLIC HEARINGS ON LEGISLATION
President Michael declared public hearings and voting on legislation previously introduced to be in order.

Ordinance No. 27-2017
To Amend the Official Zoning Map of the City of Worthington, Ohio, to Change Zoning of Certain Land from C-4, Highway and Automotive Services to WBC-3, Mixed Use (7007 North High Street), Parcel #100-001218.

The foregoing Ordinance Title was read.

Mr. Greeson recognized Mr. Jack Reynolds who represents the applicant. Mr. Reynolds spoke about the rezoning for this particular piece of property and how there has been confusion about what is being done. After talking with staff, a decision was made that the rezoning issue may be better suited to be addressed later. They have been going through the Municipal Planning Commission and Architectural Review Board process. He does not want to disrupt the process occurring currently and would like to withdraw the request and will come back after it is further along in the process.

MOTION
President Michael made a motion to withdraw Ordinance No. 27-2017. The motion was seconded by Mr. Smith.

Mr. Greeson recommended that the motion to withdraw be conducted by a roll call vote.

The clerk called the roll to withdraw Ordinance No. 27-2017:

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

NO 0

Mr. Lee Brown, Director of Planning and Building stated that there were false Facebook comments regarding the rezoning of additional property that is not part of the project to be torn down. This relates only to the Holiday Inn site itself.

Ordinance No. 27-2017 was thereupon withdrawn.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 51-2017
Approving the Subdivision of Property at 303 East New England Avenue and Approving a Subdivider’s Agreement (Bob Webb Homes & Pamela R. Johnston)

Introduced by Councilmember Smith.
MOTION  
Councilmember Myers made a motion to adopt Resolution No. 51-2017. The motion was seconded by Councilmember Dorothy.

Mr. Greeson introduced Dan Guttman who is a partner with Baker Hostetler and currently serving as acting Law Director. He also introduced his associate Steve Elliot from Baker Hostetler who works with land use issues.

Mr. Brown stated that there are three lots of record that are to be reconfigured into three new lots. He said that there will be a preservation easement created to protect the land running against Rush Creek. City staff encouraged the applicant to add the easement. There will be the creation of three new lots of record that exceed the requirements for the R-10 district.

President Michael asked Mr. Brown if the existing house will be torn down and replaced with three new home builds. Mr. Brown responded that was correct and proceeded to show pictures of the current neighboring homes and how new sidewalks will be installed along Greenwich that will connect to the cul-de-sac. He showed various photos of the site and explained that the steep slope and ravine were deemed important and the property owner worked with staff on that since it is not required in the City Code. Mr. Brown also mentioned the fact that this project went before the Municipal Planning Commission on July 27th and it met the code requirements, however some neighbors were in favor of the project and others were not sure.

Keely Croxton, 595 Greenwich Street
Ms. Croxton was recognized by President Michael. Ms. Croxton stated that she just purchased her home several months ago based upon the setting and the privacy that the property gave them. She explained that perhaps she would not have purchased this particular house if they knew that this development project was going to be made. While the preservation easement is appreciated, she requests that the easement extend along the southeast corner of the cul-de-sac to protect their privacy. Ms. Croxton has two additional requests, specifically for Bob Webb Homes. First, that they are good stewards of the neighborhood, because the sample rendering she has seen did not match the character of the neighborhood. Secondly, to consider the impact upon existing homes and the impacts upon their privacy and property values.

Jim King, 307 East New England Avenue
Mr. King would like to express his support for the applicant. He acknowledged that over the years he has had a good relationship with the neighboring property owners that allowed his family to use the vacant lot for sporting activities. He recognizes the fact that the property is that of the owners and they have the right to use it as they see fit. He does not share the concerns of Ms. Croxton.

Kirk Dennis, 10812 Buckingham Place, Powell, OH
Mr. Dennis was recognized as the representative for the builder, Bob Webb Homes. Mr. Smith asked if he has contacted the neighbors to the property regarding how the new
homes will blend in with the neighborhood. Mr. Myers remarked that Bob Webb Homes has an excellent reputation and the photos that have been shown are just stock photos, and Mr. Dennis confirmed that this is correct and the new builds will be custom homes.

Mr. Brown stated that the property is not in the Architectural Review District, so as long as the new homes conform to building and planning codes, we cannot dictate what is built. Mr. Troper stated that he appreciated the comments made by Mr. King about understanding the property owner’s rights to use the land how they please. Mr. Myers also commented on how land use decisions are some of the most difficult decisions that he has to make because of the juxtaposition between landowner rights and the general interest of the greatest good for most. However, he takes comfort in that there could be three new houses built tomorrow. We get a preservation easement out of this and houses fronting the street.

Mr. Foust commented that he is aware and sympathetic to the concerns of the property owner, Ms. Croxton, who spoke first.

Ms. Michael stated that she hopes that Bob Webb Homes will work closely with the neighbors in the immediate area, listening to the concerns expressed.

There being no additional comments, the motion to adopt Resolution No. 51-2017 carried unanimously by a voice vote.

Resolution No. 52-2017 Adjusting the Annual Budget by Providing for a Transfer of Previously Appropriated Funds.

Introduced by Councilmember Troper.

MOTION Councilmember Foust made a motion to adopt Resolution No. 52-2017. The motion was seconded by Councilmember Norstrom.

Mr. Greeson stated that they regularly transfer funds between accounts that have a surplus of appropriated funds, and move them to where there is a deficit. This is not an additional appropriation and does not increase the adopted budget. These fund transfers have allowed an intern in the City Manager’s office to assist in filling a vacant position throughout the fall. Additionally, transfers have allowed for overtime costs in Fire due to extended leaves, and a transfer in Service from a vacant salary line item have helped the ongoing renovation of streetlights in Old Worthington.

There being no additional comments, the motion to adopt Resolution No. 52-2017 carried unanimously by a voice vote.

Resolution No. 53-2017 Authorizing the City Manager to Accept Technical Assistance from the Mid-Ohio Regional Planning Commission for Development of a Complete Streets Policy through Insight 2050.
Introduced by Councilmember Smith.

MOTION Councilmember Myers made a motion to adopt Resolution No. 53-2017. The motion was seconded by Councilmember Dorothy.

Mr. Greeson stated that Mr. Whited can better explain what having a Complete Streets Policy means. Prior to the August recess, a technical assistance program through the Mid-Ohio Regional Planning Commission that helps with implementing the Insight 2050 effort was discussed. The City was successful in their work to secure the award. This effort is in line with the Bicycle and Pedestrian Advisory Board’s recommendations for the development of a Complete Streets Policy. The award is not a cash award; it is an award of technical assistance where MORPC staff and consultants will help the City develop a Complete Streets Policy.

Mr. Whited said that Mr. Greeson’s explanation did a good job describing how a Complete Streets Policy is intended. Complete Streets allows the City to create a policy that puts in place an approach to issues relating to street improvements beyond just physical infrastructure. This policy will allow for issues such as bike and pedestrian flow, bike lines and other items that may or may not be appropriate in all situations. Mr. Whited looks forward to the help that will be given to develop this policy. Mr. Greeson and Mr. Whited say that it will serve as a “Toolbox.”

Mr. Norstrom inquired whether or not there is a financial contribution and Mr. Greeson replied that MORPC will hire consultants. Mr. Myers asked how this will relate to the Bicycle and Pedestrian Board. Mr. Whited said that it will allow staff to work with Bicycle and Pedestrian Board to make sure that a Complete Streets Policy is streamlined and professionalized. It will primarily impact new developments relating to streets and sidewalks.

There being no additional comments, the motion to adopt Resolution No. 53-2017 carried unanimously by a voice vote.

Resolution No. 54-2017 Adopting the Solid Waste Management Plan for the Solid Waste Authority of Central Ohio (SWACO).

Introduced by Councilmember Troper.

MOTION Councilmember Foust made a motion to adopt Resolution No. 54-2017. The motion was seconded by Councilmember Smith.

Mr. Whited said that SWACO has been working on this update comprising a 300 page document that will have a limited impact to Worthington since the City has already been leading the charge. The update primarily focuses on a public information effort to encourage curbside yard waste pickups, drop off sites for electronics and
pharmaceuticals, and encouraging the backyard composting of food scraps. Worthington already has many of these initiatives and is leading the way.

Ms. Dorothy mentioned that there are concerns that not enough people know about what items are recyclable and those that are not. She inquired about whether there is a way to get more citizens engaged in knowing how much is currently being recycled. Maybe this information could be added to the City’s quarterly newsletter. Mr. Whited replied that SWACO has metrics about how much communities are recycling and that information can be communicated better in the future. Mr. Foust seconded Ms. Dorothy’s comment.

Mr. Norstrom voiced concerns about SWACO, referencing a Columbus Dispatch article about a request for records about company dumping. The public records request had many things blacked out and there was no movement on working together. He has concerns about the level of transparency shown by SWACO. Mr. Norstrom is not sure if the City should endorse a public agency that is not acting in the best interests of the public.

Mr. Myers stated that he has been on the other side of records requests. After responding to many public records request, it is hard to know what is really going on. Mr. Norstrom responded that approving the plan is equivalent to saying that the agency is doing a good job. Discussions with your lawyer are protected and some agencies are using their lawyers as part of the meeting so they have protection. Mr. Myers stated that the Attorney General is very aware of that concern and does not approve of it.

There being no additional comments, the motion to adopt Resolution No. 54-2017 carried by a voice vote of 6 yea (Dorothy, Foust, Michael, Myers, Smith, Troper) and 1 nay (Norstrom).

Ordinance No. 29-2017

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 Northbrook Relief Sewer Phase II Project Design Update and Determining to Proceed with said Project. (Project No. 656-17)

Introduced by Councilmember Myers.

Ordinance No. 30-2017

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 Old Worthington Street Light and Mast Arm Rehabilitation Project and all Related Expenses and
Determining to Proceed with said Project. (Project No. 655-17)

**Introduced by Councilmember Dorothy.**

**Ordinance No. 31-2017**
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 South End Roof Replacement Project and Determining to Proceed with said Project. (Project No. 650-17)

**Introduced by Councilmember Troper**

**Ordinance No. 32-2017**
Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the 933 High Street TIF Fund Unappropriated Balances.

**Introduced by Councilmember Foust.**

**Ordinance No. 33-2017**
An Ordinance Enacted by the City of Worthington, Franklin County, Ohio, in the Matter of the Stated Described Project, (FRA-IR270-21.69 PID 76467).

**Introduced by Councilmember Norstrom**

**Ordinance No. 34-2017**
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 North Districts Sewer Study and Determining to Proceed with said Project. (Project No. 657-17)

**Introduced by Councilmember Smith**

**Ordinance No. 35-2017**
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 Additional Design and Engineering Services for the NE Gateway Intersection Improvement Project and all Related Expenses with said Project. (Project No. 602-14)
Introduced by Councilmember Myers

Ordinance No. 36-2017
Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor.

Introduced by Councilmember Dorothy

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)

• Energy Efficiency Recommendations – Community Center HVAC Project and the Community Center Roof Solar Evaluation

• Request to Bid – Community Center South End Roof

Mr. Greeson addressed the fact that sustainability is a major priority for the Council. The Community Center is the largest and busiest city facility and is also the largest energy consumer. Evaluations have been done to look at upgrading the HVAC, lighting in the facility, and replacing the roof. Part of this evaluation, undertaken by GPD, included whether or not adding solar to the Community Center roof would be appropriate. Three different elements were looked at in the evaluation to make that determination: energy savings, economic sustainability, particularly return on investment, and the effect on the patrons of the facilities.

Mr. Whited stated that he and Mr. Hurley have been working closely on this evaluation. GPD discovered that the solar array, while providing some energy generation, would not be significant due to the limited square footage on the roof; costing $150,000 to install, while only generating $7000 per year in energy savings. The rate of return and the need for components to be replaced over the lifespan of the solar panels negates any savings generated.

Ms. Dorothy asked if energy savings were considered from additional insulation. Mr. Whited replied that was not part of their scope, but was included in the HVAC evaluation. Ms. Dorothy then asked about the overall sustainability and decrease of carbon usage, moving away from fossil fuels from the installation of panels.

Mr. Greeson stated that the two are included in the evaluation on the environmental and economic impact of our City’s facilities. The major question is what decision is the wisest investment to have an environmental impact, economic energy savings and improve the experience of our patrons. The conclusion reached is that solar is not the best
recommendation due to the high upfront costs and low returns. The HVAC replacement has a significantly better return on investment. Mr. Greeson said that this is not a yea or nay on solar, but the ROI may be better further down the road as technology advances.

Mr. Myers responded that he wants to make sure that the question of efficiency and carbon footprint is asked. The decision to install solar panels is a policy decision and Worthington should be leading the way, even if it is not the most cost efficient way to do so. There is an economic decision and a policy decision at hand. He emphasizes that he wants a renewed commitment to analyze everything the City does in the decision-making process. Ms. Dorothy commented that she has been pushing since she joined Council to be a leader in this area as well, looking at life cycle costs and look at each building to see how we can save money and be on the cutting edge.

Mr. Norstrom asks about the report saying there was a 20 year payback. Mr. Whited says that there is a greater than 20 year payback that does not take into account the replacement costs every 15 years. Mr. Norstrom says that this is a starting place and asks how large of a solar array would be necessary to power the Community Center.

Mr. Whited called upon the GPD consultants to address the level of solar that would provide enough energy.

Michael Green and Steve Williams – GPD Group
Mr. Green explained that the panels would have to be extremely large to generate the necessary amount of energy required. He mentioned that significant energy generation requires a large amount of real estate.

Mr. Smith commented that he has worked with a group out of Chicago that does solar panels on government roofs. They do not use the same product GPD has proposed. He believes there are better products that are free standing that can generate more energy. Why was this particular product chosen? Mr. Green stated they tried to go with a high wattage panel that was readily available to begin a discussion. They have looked at various angles for tilt. This proposal represents a best case because of shading on the roof from large trees, creating less power production.

Mr. Smith brought up a community solar project to allow residents to buy in and receive credits. There is a 15 year payback and scalable model. The product he references could be installed after the roof.

Ms. Dorothy asked Mr. Green if solar technology will improve over time and Mr. Green stated that solar, much like computer technology is getting logarithmically better over time. However, there will be a point of diminishing returns.

Ms. Michael inquired whether the roof can be done and solar installed at a later date. Mr. Whited replied that is correct. Ms. Michael then posed the question of whether or not this is something to keep regularly on the agenda when discussing additions such as this? Mr. Norstrom said that Mr. Myers summed up the approach he would like to
advocate with this becoming a mindset of the organization. The City wants to adopt solar, but it has to become more cost efficient. We do not want to install it if we are losing money on it.

Mr. Greeson asked for a motion authorizing the advertisement of bids for the roof project as proposed.

**MOTION** Councilmember Myers made a motion to authorize a request to bid the Community Center South End Roof as proposed. The motion was seconded by Councilmember Norstrom.

There being no additional comments, the motion to authorize a request to bid the community center south end roof as proposed carried unanimously by a voice vote.

Ms. Michael gave direction to staff that the solar panel issue should be brought up again annually as part of the budget discussion. Mr. Myers inquired as to the best way for council to ensure that this is part of the decision making matrix going forward so that it becomes second nature. Mr. Greeson responded that he needs to reflect more on the topic. MORPC is proposing changes the Green Pact, which is an aspirational statement of environmental principles that communities in Central Ohio signed. Those changes may be important to this discussion going forward. Mr. Myers said he wants to start on a process where sustainability is incorporated into everything. Mr. Norstrom said that this is aspirational and does not force us to do anything.

Mr. Myers said he expects Mr. Greeson to report back to Council in a reasonable amount of time later this fall.

Mr. Whited handed the discussion on the HVAC to Mr. Hurley and Ms. Stewart for discussion.

Mr. Hurley discussed the replacement of the HVAC system in the Community Center. Dynamix completed the original evaluation conducted in 2015. This helped when working on the north end roof replacement, but also looked at the south end. The report indicated several benefits of replacement, identifying four project packages. The projects varied with upfront costs and calculated return on investment anywhere from a 9 to 13 year ROI for replacement, costing $943,000 to $1,800,000. Beyond the economic aspect, benefits of replacement are spread to patrons and equipment. There is a pressure issue from the pools with chlorine air from the pools pushing out, wreaking havoc on equipment with parts failing quickly and needing to be replaced. Mr. Hurley then turned to Ms. Stewart to discuss the process further.

Ms. Stewart stated that it had already been discussed with Council to utilize the design-build process for this project. However in the midst of that process there were questions raised by one firm that made the City take a second look at the process. Under the State statute, there is another process that more appropriately fits the project than the design-build process. Staff proposes utilizing a process that is defined for energy conservation
projects. This requires a request for proposals from at least three vendors, and then evaluation of those proposals to select the most qualified vendor. The vendor selected must provide a new report and evaluation. After the report is received, the City has the option to go with that vendor to install the recommended standards. Under the Ohio Revised Codes, the energy savings must pay for the project and the vendor has to provide a guarantee of savings and will reimburse if the savings are not met. Staff suggests moving forward under this process.

Ms. Dorothy asks how long these firms have been in business and whether or not this process has been used throughout Ohio. Ms. Stewart cannot give examples of this used in Ohio, however staff will look at the qualifications of the vendors being considered. Mr. Norstrom asked if the City must go with the selected vendor. Ms. Stewart stated the language of statue says that the City may use the vendor if desired. However the process must be explored if it is decided not to use that vendor.

Mr. Myers asked about the ability to bond for energy guarantees. Ms. Stewart commented she is unsure about the ability to do that, or what form the energy guarantees will take. Ms. Michael inquired whether or not staff is deciding to move forward to get the study done, and finding out additional answers such as bonding. Mr. Norstrom said that we do not have all of the answers yet. Mr. Greeson said that he assumes the contractors are bonded for their work, but doubt they are bonded for the savings. Mr. Myers wants to know if there is a way to require the vendors to be bonded. Mr. Guttman advised that the energy conservation process is not brand new and allows the ability to by-pass competitive bidding if there is a conservation element to the proposal allowing the City to select the best bidder, not the lowest bidder.

Mr. Myers wants to know what is being asked of the Council. Is it that the City selects the preferred vendor and they prepare a report? Ms. Stewart says that staff wants to utilize this process to select a vendor; specific action of council is not needed because previous authorization had been given, however at that time the process was to utilize design-build and now it was felt Council needed to be notified of the different process. After a vendor has been decided, it will be brought back.

Mr. Myers asked if at that point the questions that he and Mr. Norstrom asked will be answered. Mr. Norstrom stated he would prefer to have those answers before going down this path, design build was the process approved and seemed to be the best way to go. This new process seems more like hiring professional engineers where you go with the best qualified company. Mr. Greeson said that they do a study and if they have the best approach, you can choose to have them do the work. They are both the designers and the contractors. Mr. Guttman says this process is different because it has the energy conservation component, so if the bid is not the lowest it is understood.

Mr. Norstrom would like more history of where it has been in used in the state before going down this path. Mr. Guttman said that this process has been used, but he is not aware of specific examples. Mr. Whited responded that the City of Whitehall and Pickerington schools have used this process.
Ms. Michael asks if this issue should be put aside for one or two meetings before an update. Mr. Myers and Ms. Dorothy stated they were ready to move forward now. Ms. Michael asked if there needs to be a motion. Mr. Greeson said yes.

**MOTION**

Councilmember Myers made a motion to move from a Design-Build process to an Energy Conservation process under the Ohio Revised Code. The motion was seconded by Councilmember Dorothy.

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

Mr. Greeson commented that Mr. Guttman will be creating a memo answering questions asked about the process.

**REPORTS OF CITY OFFICIALS**

Mr. Greeson reported that with the help of the City Intern Mr. Barnhardt, the Worthington Citizens Academy is slated to begin with 17 participants. They are looking forward to the opportunity to expose citizens to each of our departments and their responsibilities.

Worthington Cares has started, which is a program sponsored by Drug Safe Worthington on the 4th Monday of each month. Issues such as drugs, bullying, and mental health topics are discussed and the events include food and games for youth participants.

The SR-161 process has advanced with ODOT staff and a project consultant presenting results from the advisory committee process to the Bicycle and Pedestrian Advisory Board. They had a number of recommendations to be considered in the design phase. A feasibility study will be finalized in the fall and it will be brought forward to partners at that time.

Ohio State Airport has created a technical committee for the Master Plan and is requesting a designee. Mr. Greeson stated that he has asked Ms. Stewart to serve on this committee on behalf of Worthington. He is considering the engagement of David Zoll again, an attorney from Toledo who worked with the City the last time the airport updated their master plan. He assisted with aviation advice and expertise.

The McCord Park Master Plan process is also underway and the City has asked POD Design to help with the process. Mr. Hurley stated that meetings have been held with stakeholders and the next step is to hold an open house. After receiving feedback, there will be the need to rework the plan before going to the Parks and Recreation Commission.

Ms. Michael asked for any additional comments from staff. Mr. Guttman introduced himself and his role with Baker Hostetler, and explained how he has been pleased to provide advice since the recently retired Law Director Ms. Fox left the City. The relationship with the City of Worthington is special for both the firm and himself.
personally. He started working with the City 20 years ago. Mike Minister was a partner with Baker Hostetler, as was Ms. Fox before going to Hilliard.

REPORTS OF COUNCIL MEMBERS

Mr. Norstrom shared that COTA has adopted their NextGen plan, addressing the need for high capacity corridors which is the next step for future transportation modes. He recognized Bill Lhota’s passing in August. Mr. Lhota served on the MAC Board and Charter Review Committee. Mr. Norstrom noted that he will be missed.

Mr. Smith stated that he is happy to present the sidewalk review in the next couple months. Mr. Greeson said that it has been mentioned adding sidewalks to the next agenda. This conversation does not need to be specific to Crandall Drive.

Mr. Smith commented in the past month, five different residents have asked what can be done about farmer’s market congestion. He asked if there is anything we can do to stretch it out? Mr. Norstrom said that this has been a consistent discussion for 20 years and is a penalty of success.

Mr. Norstrom mentioned that the sip and stroll policy has increased activity at night and brought even more life to downtown.

Ms. Dorothy reported that WIFA has six delegates coming from Japan to visit Worthington on Thursday October 19th. There will be a meet and greet held in the Griswold Center.

Ms. Michael mentioned the October 24th Consortium for Good Government candidate night at the McConnell Arts Center. She then shared that she wants the Council to see the research that has been done by the City’s intern on a Worthington Foundation. Mr. Greeson responded that there are other community members, along with Council, that should be brought into that discussion.

ADJOURNMENT

MOTION

Mr. Foust made a motion to adjourn the meeting at 9:20 p.m. The motion was seconded by Mr. Norstrom.

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned.

______________________________
Temporary Clerk of Council

APPROVED by the City Council, this 18th day of September 2017.

______________________________
Council President
Meeting Minutes

Monday, September 11, 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, September 11, 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.


Member(s) Absent:

Also present: Clerk of Council D. Kay Thress, City Manager Matthew Greeson, Acting Director of Law Dan Guttman, Assistant City Manager Robyn Stewart, Director of Finance Scott Bartter, Director of Public Service and Engineering Dan Whited, Director of Planning and Building Lee Brown, Director of Parks and Recreation Darren Hurley, Chief of Fire Scott Highley and Chief of Police Jerry Strait.

There were eleven visitors present.

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

President Michael shared that with this being Patriots Day she wanted to take a moment to remember all those who lost their lives on September 11th. She thanked all who came forward to help at that time including all of the first responders and our military. We know that our freedom is not free. This is a moment for us to be thankful for those who have given us our freedom by paying the ultimate price.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 55-2017  Confirming the Appointment of Thomas Lindsey to the Position of Director of Law.

Introduced by Mr. Foust.

MOTION  Mr. Norstrom made a motion to adopt Resolution No. 55-2017. The motion was seconded by Mr. Smith.

Mr. Greeson shared that it is his privilege to introduce Mr. Tom Lindsey. With Ms. Fox’s recent retirement, staff undertook an extensive process to find a new law director. A significant number of experienced attorneys were considered and Mr. Lindsey ran the gauntlet of the multi-step interview process. It is his privilege to recommend him for confirmation by the City Council.
Mr. Greeson then provided background information on Mr. Lindsey and added that his twenty-five years of government legal experience certainly makes him qualified to be our Law Director. He asked that Council approve his recommendation.

There being no additional comments, the motion to adopt Resolution No. 55-2017 carried unanimously by a voice vote.

Ms. Michael congratulated Mr. Lindsey and welcomed him to Worthington.

Mr. Lindsey thanked City Council for their support and City Manager Greeson’s confidence in his appointment of him. He is looking forward to joining the team and serving Council and the residents of Worthington.

REPORTS OF CITY OFFICIALS

Discussion Item(s)

- Tobacco 21

Mr. Greeson reported that staff conducted some research this summer on Tobacco 21, which has been an initiative of the city of Columbus related to raising the legal minimum age for the sale of tobacco products. A number of other central Ohio municipalities have also passed legislation related to this topic. City Intern, Ethan Barnhardt is prepared to brief members on the subject. He added that Keith Krinn, John Richter, and Melissa McArthur of Columbus Public Health are also present and available to answer questions.

Mr. Barnhardt shared that he did research over the summer on Tobacco 21, which is a national movement and policy approach to raise the minimum legal sales age of tobacco products. The hope is to curtail the number of young people who begin to pick up tobacco and related habits.

Research showed that tobacco usage in Ohio and Franklin County is actually high with one in four juniors and seniors reporting some use of tobacco in the past 30 days. This statistics shows that 80% of current adult smokers began to smoke before the age of twenty and 90% of those who purchase cigarettes to distribute to minors are under the age of twenty one. Our hope by raising the age is that we can curtail the number of people who are actually going to be distributing to those who are eighteen and under. The effort is geared to reducing the numbers of adult smokers and the related negative public health outcomes that come with it.

Legislation does not focus on punishing underage users but rather on business owners and the front line retail staff members who actually sell to minors. The city of Columbus passed their Tobacco 21 legislation in December 2016. He was told that they are just now beginning their enforcement efforts. A retail license with annual renewals is the primary enforcement device they are using. The license permits retailers to sell tobacco products. This retail license brings another level of accountability to the business owner.
because they can actually lose their license to sell tobacco products entirely if they are not totally compliant. Columbus Public Health also provides signage for stores (store fronts and all display cases). Columbus also has sanitarians in most of these facilities that sell tobacco products and they have the authority to issue civil penalties for non-compliant businesses that increase with each violation. Columbus Police department can begin criminal proceedings when the number of violations increase. He believes that after the third violation of the civil penalties, businesses can actually lose their retail license for up to five years.

Mr. Barnhardt reported having met with those from Columbus Public Health along with Chief Strait and Ms. Fox to discuss some of the logistics should Worthington decide to join the Tobacco 21 initiative. Since we already contract with Columbus Public Health for health services they think it would be easy for Worthington to adopt the same code that Columbus uses.

Questions:

When asked by Ms. Michael what he would recommend after doing all of this research, Mr. Barnhardt replied that he thinks it is a worthy item to take up because tobacco is a really dangerous product. It definitely is associated with negative health outcomes that get progressively worse and places a burden on society because we have to pay for those health care costs as they progress. He would recommend the initiative.

When asked by Mr. Myers how many tobacco retail establishments are in Worthington, Mr. Barnhardt replied five. They include: Kroger, UDF, BP, Marathon, and House of Cigars. He added that House of Cigars is the only outlier that doesn’t currently have Columbus Public Health sanitarians.

Mr. Smith asked if the policies that the initiative promotes is against tobacco period or does it differentiate between the different types of tobacco. Mr. Barnhardt replied that it is pretty broad based. It is tobacco products that includes cigarettes, cigars, associated paraphernalia and chewing tobacco, as well as vaping products and e-cigarettes.

When asked by Mr. Foust for clarification on whether it is the city of Cleveland that has adopted this policy or the suburbs of Cleveland, Mr. Barnhardt replied the city of Cleveland.

Mr. Norstrom reported that early in his memo Mr. Barnhardt stated that after Needham, Mass. passed this initiative high school students using tobacco dropped almost in half. He asked if we know if that same kind of statistic follows this initiative in other places. Mr. Barnhardt replied that he did not find any comparable case studies in his research but that was the primary one that was sited in most everything that he read.

Mr. Myers asked who issues the license. Mr. Barnhardt believes the license would be issued by the city of Columbus. Mr. Krinn shared that the license would come from Columbus Public Health.
Mr. Myers reiterated that Columbus Public Health would issue the license and collect the fee. Mr. Norstrom said it would be done on Worthington’s behalf. Mr. Krinn likened it to the signs program that they do for eateries in Worthington. When they instituted that initiative in 2007, Worthington asked to stand back and let them proceed for a year to see how it would go. Worthington City Council then passed a mirror ordinance only with a few nuances (violations go to Mayors Court instead of Environmental Court).

Mr. Myers commented that enforcement could be by Worthington law enforcement as well as Columbus. Mr. Krinn agreed that it could be. Mr. Myers referring to the memo, asked if the enforcement by Columbus Public Health would be by using Worthington’s code or the Columbus code. Mr. Krinn replied that the Health Department would be enforcing the Worthington ordinance. If police are needed, Worthington police will be contacted. Mr. Myers concluded that Worthington could establish its own procedures on the issue. Mr. Krinn agreed.

Ms. Dorothy asked if it is known how the other central Ohio community enforcements are doing. Mr. Krinn replied that he can’t speak to that. Ms. Dorothy asked about Columbus. Mr. Krinn shared that on October 1st Columbus will be enforcing this law. They needed a large amount of time for outreach to all of the establishments. About 75% of the places that are impacted are already in the system because they have a food license. They spent extra time with the other 25% who have not dealt with them before.

Ms. Michael asked if they have already been giving warnings or will warnings begin on October 1st. Mr. Krinn replied that warnings will begin as they are only doing outreach at this time. He shared the process that Columbus will follow.

When asked by Mr. Norstrom if he knew the answer to his previous question about whether the dramatic drop in usage that occurred in Needham follows this initiative in other places, Mr. Krinn replied that he can’t speak to that but Columbus will have its own data to either support that or not once we get into this further.

Mr. Norstrom acknowledged that Columbus had a nine month period from adoption to implementation. If Worthington were to adopt this program, he asked if Mr. Krinn would recommend a period shorter than nine months. Mr. Krinn replied yes because not many establishments are impacted in Worthington.

Mr. Norstrom remarked that he thinks members should encourage staff to bring us an ordinance on this initiative so we can hold a public hearing to see what our residents think.

Mr. Myers asked if we have reached out yet to our businesses to get a feel because it does impose an additional fee. Mr. Greeson replied not at this juncture. He added that some will already be familiar because they own sites in the city of Columbus. We will reach out to them as is our practice.
Ms. Michael noticed that penalties are different throughout the communities that have passed this kind of legislation. She asked if anyone had thoughts on whether to follow the Columbus fees or have staff look at the other communities as well.

Ms. Dorothy replied that she would want staff to at least reach out to the other municipalities to see what their thoughts have been since many of them have been established since 2015. Then we can determine the best practices. Mr. Norstrom agreed.

Mr. Greeson replied that staff will reach out to each of those communities but he thinks our research indicates that the system that creates the highest level of accountability is the one where there is an enforcement process for the sale as well as a licensure component that deals with the businesses ability to actually sell tobacco products. Those combined provide the best accountability as opposed to the other jurisdictions which do not had that retail license component.

Mr. Myers thinks since Upper Arlington already has this on the books and we have an Upper Arlington expert coming on board, we can be fully briefed on this issue.

Mr. Smith commented that he knows this is a variable potentially in the marijuana legalities coming up, but if the age for medical marijuana or whatever type of marijuana in the future is eighteen and tobacco is twenty one, he asked how that would be reconciled. Mr. Krinn replied that doesn’t know. What he does know is that the medical marijuana law does not provide for the product to be smoked. It has to be vaped.

Ms. Michael encouraged members to forward any thoughts they have on this issue to Mr. Greeson. She thanked the members of the Columbus Public Health for coming this evening.

Mr. Greeson reported that staff will work with Columbus Public Health to bring back legislation that largely mirrors theirs and we will answer the questions related to the other suburbs and get it back in a reasonable timeframe. He also thanked Mr. Barnhardt for his work on this topic.

- Community Foundation

Mr. Greeson reported that over the years the topic of a community foundation has come up. In the absence of a comprehensive community foundation a number of foundations have been formed in our community that do good work such as the Worthington Educational Foundation, the Dublin-Worthington Rotary Club Foundation and others. But this topic of whether there is a more comprehensive community foundation as well as the topic of whether we have a Parks and Recreation Foundation created keeps coming back up. At his request, Mr. Barnhardt did some research this summer and pulled information from a variety of community foundations (New Albany, Bexley, and Upper Arlington) to look at how these are created, what are their characteristics and missions, how are they managed and governed, etc. We are distributing that research tonight for members’ information. We are prepared to answer some questions about it or have
members identify additional areas of information you may desire regarding this subject matter. He would recommend that if there is an interest in facilitating a community dialog about this subject, then the next step would be to pull representatives of our Community Relations Commission (which has expressed an interest in this subject), and some of the existing not for profits and community foundations in our community who may have an interest in how this interacts with them and maybe a couple members of City Council. That is how he would approach it but he wanted to distribute this information and answer any questions and see where members want to go with it.

Mr. Smith asked when this has been brought up in the past and for what purposes.

Ms. Michael reported that being members of the community who think it would be nice to have a community foundation as a way to solicit additional funds that could be used for certain purposes for the city (maybe capital improvements or parks and bicycle/ped). They favor private donations over a bond issue. A private foundation can do its own fundraising. Some felt so strong about it that after Harvey Minton passed away they contacted the Columbus Foundation and had them earmark a way for people to donate money towards this. In order to do that there has to be a board and a group of people as officers, etc. She would see the City’s role in facilitating a group. It would be a separate, not for profit arm that is not part of the City. Going through the Columbus Foundation they would probably not have to go through the 501(c)3 application process. Several years ago there were some women who said they were going to take this effort up and start moving forward with it but they never did.

Ms. Dorothy reported there still needs to be some work in determining how a Worthington Foundation would work with other organizations. She has been a part of many organizations in Worthington and the same people are asking for service time and money from the same businesses and everyone is struggling for this. The conversations about if we could have an umbrella organization, it would be a mechanism to help direct resources. Everyone would work together. Obviously we wouldn’t want to consolidate these individual groups because they all bring a different part, aspect and perspective to Worthington but if we could have a better mechanism to pull resources of time and money for bigger projects, she thinks that would be very beneficial to Worthington.

Ms. Michael stated there being two things. One is whether or not to do a foundation that would have a board of directors. The other groups that you are talking about all have board of directors and have 501(c)3 tax status. The other idea that she is hearing from Ms. Dorothy is having more of a coordinating board where the leaders of this board would get together several times a year to discuss funding and needs. Ms. Dorothy agreed adding especially if someone made a significant contribution to the Worthington Foundation.

Mr. Troper commented that he would be in favor of the City looking at establishing our own foundation. He recognizes that these organizations all have separate needs (education, library and the arts center). If someone has lived in Worthington for a long
Mr. Foust asked Mr. Barnhardt if there is anything additional that he wants to share that isn’t in his memo. Mr. Barnhardt reported that the general feeling that he got from his research is that having a more overarching organization could help to focus some of the community needs. He definitely felt that it wouldn’t be taking away from the other organizations. The foundations that are within the City and doing good work but it could have more of a focusing affect.

Mr. Foust shared that as he looks at this he is reminded of the exercise that some Council members have gone through with the City grant money and the challenge of the competing driving forces. How that money gets allocated to some extent is colored by whoever gets chosen to participate in that exercise. As he reads the list it looks like Bexley and Upper Arlington are trying a broad range of different kinds of projects. He is not in favor of going forward with this only from the standpoint that he thinks we are creating one more kind of conundrum. He is a believer in a free market and he thinks to the extent that the Rotary and the McConnell Arts groups and the Friends of the Library want to advance their own causes rather than having money decided by a small group who may have their own particular vent, he would rather see the freedom of each of these groups make their case to the public to promote their causes, to generate excitement and activity and perhaps remain independent.

Mr. Troper shared that he is not an expert on foundations. He thinks that people can request the type of organization they want their money to go to or the need that they want to assist with. That is his understanding. Mr. Barnhardt agreed. Basically you can earmark the money you donate to go towards a specific purpose or cause.

Ms. Michael shared that currently there is no separate fund. She confirmed that a Worthington Foundation, which some believe to exist, does not exist. She has personally checked into this. Since Harvey’s passing, George Norris has contacted the Columbus Foundation to at least earmark something so if anyone wants to donate there is a place they can do that even though it doesn’t have its full structure.

Mr. Norstrom shared that the Arts Center did work in setting up a fund through the Columbus Foundation but it costs money to do that. He agrees with Mr. Foust. Having served on several not for profits, they struggle to get money and they are basically calling the same people. We have 14,000 and 7,000 or 8,000 adults and householders. There is only so much that people are going to give. If they want to give to the City they still can do that. He would like to have more information from Bexley and Upper Arlington. Maybe there is no impact but with his experience he believes there would be.

Mr. Myers wants to make sure he is on the same page as everybody else. He doesn’t see a Worthington Foundation as being established by the City for the benefit of the City. This isn’t going to be a charitable donation to the city of Worthington. This is going to be a charitable donation to a separate and distinct foundation that we may have a place
at the table or initiate the dialog. It would be for charitable purposes probably for those people already delivering charitable services in the City for some expanded outreach and not for improvements to parks or sidewalks or things like that. He doesn’t see it as a donation for City infrastructure. If that assumption is correct then he thinks the people we have to ask are those charitable organization who are already providing those services to see if they would encourage it or discourage it. If Ms. Dorothy and Mr. Norstrom are correct in that they are already struggling and this is just one more hand out then they may not really want it. They may say sure if we could have an overarching charitable foundation that collects money on our behalf that is a whole lot better and frees us up to do what we want to do. He thinks Mr. Greeson’s initial suggestion of doing some outreach to our charitable organizations, maybe put together a summit of those people, and sit down and talk to them to see if there really is a need and desire.

Mr. Greeson shared that in talking about City infrastructure, Parks Foundations are something that we have explored before. Mr. Myers thinks that is separate and distinct from what we are talking about. Mr. Greeson thinks that we would need to engage in whether or not a Parks Foundation would be something that we would do distinct and different from this or whether it would be a component part of it and measured against the priorities that the community foundation establishes.

Mr. Myers stated that if fundraising for charitable purposes is difficult in Worthington then the last thing that he wants to do is supplant those donations for city purposes. We need to stand on our own two feet and let that money go to the Pantry or to mental health or whatever the foundation deems appropriate.

Mr. Greeson concurs that we need to pull together some of those parties. Staff would be glad to do that and have an initial dialog. He thinks it would be good if Council had representation in that initial meeting.

Ms. Dorothy reported being confused of what the City’s role would be in forming the Worthington Foundation. Mr. Greeson thinks it falls into the category of us as a platform for launching and facilitating dialogs. There are numerous civic organizations in this community that got their start as an idea of leadership in the city and community calling people together.

Ms. Dorothy shared that she was thinking that many of the donations would be more from planned giving like from an estate type deal. She knows that many give annually to their charity of choice from their annual revenue but she was thinking the foundation could be more of a planned giving from an estate.

Ms. Michael commented that in looking at the memo about Upper Arlington and Bexley, much of what they have is basically augmenting city services and city funds, like Parks and Recreation, which is exactly what Mr. Myers said he didn’t feel was appropriate to be doing. One of the questions we need to ask is whether there needs to be an overall coordinating board. She thinks what she is hearing tonight is that some don’t want to have a foundation that is going to get additional funds for city projects.
Mr. Myers shared that we have a limited pool of charitable assets in the city. He doesn’t want the city to take away part of that pool to the exclusion of the charities that we already have. He is not going to know that until we talk to the charities.

Mr. Troper stated that Mr. Myers is assuming the pie is limited. Maybe this could make the pie bigger. Mr. Myers acknowledged that maybe it can but he is not in that arena of trying to solicit money so he doesn’t know.

In a caveat on his statement, Mr. Norstrom remarked that we did have a fundraiser with Lou and Nancy Goorey leading an effort to get money where the seven of us probably wouldn’t be able to do that. So there was money in this community to build the arts center. He bets there is money in this community to do something like that. That effort was a brick and mortar thing, something you could see and put your name on, etc. etc. He doesn’t know if that is what members are looking at in this context. Mr. Myers commented that both Drs. Goorey could do many things that he couldn’t do.

Ms. Michael said the takeaway that she is hearing is that somebody on staff will check with the other communities that have foundations and get some information as well as talk to some of the possible stakeholders in the community. She asked that they also include the Food Pantry and Resource Center to the list of organizations.

Information Item(s)

- McCord Park Master Plan

Mr. Greeson commented that with the assumption that not all members of Council were able to attend the McCord Park Master Plan open house this evening before the Council meeting, staff wanted to provide a quick overview of the concepts and the process. We don’t want to get too engaged in the details because ultimately the public comment process will result in recommendations that will be used for decisions. We just wanted to provide a snapshot of what is going on in this stage of the process. He asked Mr. Hurley to comment.

Mr. Hurley reiterated that he just wanted to provide a quick overview and will be happy to speak more individually if someone wants to really dig in to any of the details. We are well underway for the McCord Park Master planning process. As members recall, this was one of the primary and priority recommendations of the Parks and Recreation Commission’s Park Master Plan that included an initial listing of ideas for renovations for this park and ultimately to do a master plan led by a consultant. We have secured the services of POD Design who have completed various other projects over the years for the City. The process to date has included some stakeholder meetings with local businesses along the corridor, the Worthington Youth Boosters, our staff and certainly some of the Parks and Rec Commission members along with some of the things that we collected during the master planning process.
Mr. Hurley shared that this is just a concept. An open house was held this evening at the community center in which we had advertised throughout social media, the website, and direct mailings to all of the neighbors around the park, several of which showed up.

Mr. Hurley shared the attached concept.

Highlights include:

- Center the park entrance on E. Wilson Bridge Rd. with the entrance to MedVet across the street
- Add pull off parking
- Add a Train Observation Node (Worthington AM Rotary Club will donate a caboose and fund the development onsite)
- Proposed ½ mile paved loop that would go around the ball fields
- Completely renovate the ball diamonds that include replacing the dated restrooms and storage facility
- Reconfigure the diamonds slightly to make it a more true quad
- Shorten the drive to the west of the ball diamonds and install parking spaces by the soccer field
- Soccer field will be enlarged to full size
- Renovation of the small playground between the ball field and the Community Center is already funded. Reposition slightly to be more centrally placed.
- The parking lot is in the CIP for repaving in the next few years. We plan to tweak parking and the circle drive to allow for better traffic flow.

Mr. Hurley shared that staff showed a neighborhood pedestrian connection (path) that will run between Eastview residents and the community center. There is already a path there that comes up behind the community center to the All Children’s Playground. A connector was added that would run into the other playground and the park. Staff thinks that would be beneficial but members may hear from some of those neighbors who shared some concerns tonight so we will have to figure out how to balance that.

Mr. Hurley shared that the next steps is to share this concept with the Parks and Recreation Commission next week on Tuesday. We will take the comments that we received from the meeting and through the website and share them with the Parks Commission. They will need to decide whether to recommend any changes. If we are able to iron all of that out in their meeting then we will be sending it on to City Council, hopefully in October. If they feel there were enough differing views that they need more time to work out then we may need more time. We hope to have a cleaned up concept with some cost estimates to Council that could be talked about during the CIP process.

Ms. Dorothy asked if the parking spaces are more or less than what currently exist. Mr. Hurley replied that the net is +10 spaces overall. The major changes will be along the alternative entrance west of the ball fields. Many of those spaces will be removed but spaces will be added in the other lots. We rarely see the entire complex parked out.
Mr. Smith asked about the survey. Mr. Hurley shared that there is a link on the Parks and Recreation page where the concept is provided and comments can be made.

Ms. Dorothy shared that she has heard comments about the community garden. People want it larger or an additional one at another location. She asked if the garden will be the same size or bigger or smaller. Mr. Hurley replied that they have had a great deal of dialog on this topic that included discussions with the organizers of the community garden. There are some who believe that is a prime piece of real estate and only benefits thirty users. The current garden is about the size of Pingree Park so that is a pretty significant green space. We certainly have a very active and vibrant community garden. The recommendation of the Parks Commission was to add a community garden and not take one away. There really isn’t room in this park to relocate that many plots so at this point we are showing it as drawn. As members know going through the Dog Park discussions and the Community Garden discussions, we do not have many locations for a garden because they can’t have shade and we need access for parking. So that is an active dialog and there are opinions both ways but we just don’t have an answer yet.

Ms. Dorothy shared that she likes the idea of the path. It looks like you can also get more direct access to the community garden with that proposed path. She asked if the process is to go to the Arbor Committee to discuss all of the trees being proposed. Mr. Hurley replied that our arborist have been involved in the process and indirectly our Arbor Committee. We would certainly work with them. He reported that some clearing of honeysuckle has been done in the tree line between the ball fields and the community center parking lot. They have tried to identify the significant trees because the area is well shaded.

Mr. Myers shared that he has two general comments and will share in more detail off line at another time. But during a conversation with Representative Duffey last night he commented that some of the other towns in his district are kind of getting ahead of us in some respects. Mr. Myers wants to make certain that when we do this our finishes are not just concrete block. Put the extra finishes on it so that it looks like a Worthington park and not just a box. The second thing is that this is our principal softball park. If you know anything about softball in Worthington, one name comes up. He would hope that we could find something, whether the concession stand or one of the fields, but something should be named after Jack Brandenburg. Any who don’t know Jack was really the grandfather of everything softball in the city of Worthington for 25 years.

Mr. Hurley agreed. He added that this rendering is only a concept and not a design. Certainly that facility has been discussed at length and having it become a real focal point, not only for the baseball and softball activity but just for the park in general with nice restrooms, storage, etc. The treatment in the middle, maybe with some pavers or something to just step it up a little, has been a discussion of the Parks Commission.

Mr. Norstrom indicated that the parking lot is in our current CIP. He asked if anything else is in our current plans. Mr. Hurley replied that we have shown the $200,000 for the playground in the 2018 or 2019 CIP but none of the rest of this is currently in there.
That will be a challenge because we are looking at a large number to accommodate all of this.

Ms. Michael thanked Mr. Hurley for the presentation.

- **Financial Report**

Mr. Barter presented the July 2017 and August 2017 Financial Reports. Highlights from those reports are as follows:

- Fund balances for all funds increased from $23,225,624 on January 1, 2017 to $27,896,186 as of July 31, 2017. Further increased fund balances for all funds as of August 31, 2017 to $29,486,294.

- The General Fund balance increased from $11,628,193 as of January 1, 2017 to $13,250,084 as of July 31, 2017. Further increased the General Fund balance as of August 31, 2017 to $14,617,993.

- Expenditures across all funds are tracking at 89.79% of appropriations for July and 89.89% for August.

- General Fund expenditures are tracking at about 91.94% of appropriations for July and 91.30% for August.

- Year to date income tax collections in July are above 2016 income tax collections by $1,237,301 or 8.45% and $1,327,446 or 7.75% in August.

Mr. Barter said he would be happy to answer any questions members may have. He requested a motion to accept the July and August 2017 Monthly Financial Reports for the record.

**MOTION**

Mr. Myers made a motion to accept the July and August 2017 Monthly Financial Reports as presented this evening. The motion was seconded by Ms. Dorothy.

The motion carried unanimously by a voice vote.

Ms. Michael acknowledged a student who was in the audience who shared that she was a student at Ohio State and working on her Master’s degree. She enjoyed the discussion on Tobacco 21. Ms. Michael welcomed her to tonight’s meeting.

**Other Items**

Mr. Greeson requested an executive session to discuss pending litigation.
REPORTS OF COUNCIL MEMBERS

Mr. Smith shared that he and his family attended an event in Westerville this past weekend. There was a whole line up of police and tactical vehicles. It was a really good event. Worthington was well represented and we had one of the best tents there.

Ms. Dorothy commented that today’s Patriots Day event was very well done.

EXECUTIVE SESSION

MOTION Mr. Troper made a motion to meet in Executive Session to discuss pending litigation. The motion was seconded by Mr. Foust.

The motion carried by the following voice vote:

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

No 0

Council recessed at 8:36 p.m. from the Regular meeting session.

MOTION Mr. Norstrom made a motion to return to open session at 8:58 p.m. The motion was seconded by Mr. Troper.

The motion carried unanimously by a voice vote.

ADJOURNMENT

MOTION Ms. Dorothy a motion to adjourn. The motion was seconded by Mr. Smith.

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 8:58 p.m.

_________________________________
Clerk of Council

APPROVED by the City Council, this
18th day of September, 2017.

______________________________
Council President
ORDINANCE NO. 29-2017

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 Northbrook Relief Sewer Phase II Project Design Update and Determining to Proceed with said Project. (Project No. 656-17)

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

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8170.533385 the sum of Twenty Nine Thousand Three Hundred Dollars ($29,300) to pay the cost of the Northbrook Relief Sewer Phase II Project Design Update and all related expenses (Project 656-17).

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

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

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

Passed __________________

___________________________________
President of Council

Attest

_______________________________  P.H. September 18, 2017
Clerk of Council

Introduced September 5, 2017
MEMORANDUM

TO: Matthew Greeson, City Manager

FROM: Daniel Whited, P.E., Director of Service & Engineering

DATE: August 31, 2017

SUBJECT: Design of Northbrook Relief Sewer Phase II

In 2009 the City of Worthington conducted the study and evaluation of the Southeast Sewer Shed. The study was conducted by engineering consultants, EMH&T. During the study, several deficiencies were identified in the sanitary sewer system in that district, and many CIP projects have taken place to complete their repair and remediation. One project remaining is the design and construction of the second phase of the Northbrook Relief Sewer. This would see major upgrade to the sewer line running underneath High St. at Kenyonbrook Dr. and continuing west, tying into the improved main at the rear of 5646 Northbrook Dr. E.

Staff is seeking approval to enter into agreement with EMH&T to complete the design, as well as funding of that design work by appropriating from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8170.533385 the sum of Twenty Nine Thousand Three Hundred Dollars ($29,300) to pay the cost of the Northbrook Relief Sewer Phase II Project Design Update and all related expenses (Project 656-17).
ORDINANCE NO. 30-2017

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 Old Worthington Street Light and Mast Arm Rehabilitation Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 655-17)

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

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533384 the sum of Forty-Eight Thousand Dollars ($48,000.00) to pay the cost of the Old Worthington Street Light and Mast Arm Rehabilitation Project and all related expenses (Project 655-17).

SECTION 2. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed __________________

________________________
President of Council

Attest

________________________
Clerk of Council

Introduced September 5, 2017
P.H. September 18, 2017
MEMORANDUM

TO: Matthew Greeson, City Manager
FROM: Daniel Whited, P.E., Director of Service & Engineering
DATE: September 1, 2017
SUBJECT: Old Worthington Mast Arm and Street Light Rehabilitation

During the summer, Steve Tennant, Maintenance Superintendent, has further researched conditions of street lights and mast arms in Old Worthington, specifically along the High St. Corridor from North St. to South St., and Dublin-Granville Rd. from Evening St. to Morning St.. He has solicited quotes from painting contractors for the painting and will be executing a contract for that work in September, as weather conditions permit.

In addition, general rehabilitation of the street lights and mast arms, and electrical service line replacement and repair is required. This work will be completed with both in-house staff, and outside vendors. The cost of the work will be less than $50,000.

Staff is requesting appropriation from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533384 the sum of Forty-Eight Thousand Dollars ($48,000.00) to pay costs of the Old Worthington Street Light and Mast Arm Rehabilitation Project and all related expenses (Project 655-17) to fund the project.

Work is anticipated to take place during the fall of 2017, and possibly the spring of 2018 as any allowance for inclement weather may necessitate.
ORDINANCE NO. 31-2017

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 South End Roof Replacement Project and Determining to Proceed with said Project. (Project No. 650-17)

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

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.4010.533380 the sum of _______________ to pay the cost of the Community Center South End Roof Replacement and all related expenses (Project 650-17).

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

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

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

Passed _______________

President of Council

Attest

Clerk of Council

Introduced September 5, 2017
P.H. September 18, 2017
ORDINANCE NO. 32-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the 933 High Street TIF Fund Unappropriated Balances.

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

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

SECTION 1. That there be and hereby is appropriated from the 933 High St. TIF Fund unappropriated balance to:

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>930.9020.540528</td>
<td>County Auditor Fees – 933 High St</td>
<td>2,000.00</td>
</tr>
<tr>
<td>930.9020.540910</td>
<td>TIF Fund Reimbursement – 933 High St</td>
<td>41,000.00</td>
</tr>
</tbody>
</table>

Totals               $43,000.00

SECTION 2. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____________________

_____________________________  President of Council

Attest

_____________________________  Introduced September 5, 2017

_____________________________  P.H. September 18, 2017

Clerk of Council
MEMORANDUM

TO: Matthew H. Greeson, City Manager
FROM: Scott F. Bartter, Finance Director
DATE: August 30, 2017
SUBJECT: 933 High Street TIF – Supplemental Appropriation

Background

In 2014 the City Council passed Ordinance 24-2014 which established a Tax Increment Financing (TIF) Agreement between the City of Worthington and Insite Real Estate, LLC for the property located at 933 High St. Pursuant to ORC §5709.40(D)(1), the ordinance directed that Service Payments were to be paid to the Worthington City School District as if the property improvements at 933 High St. had not been exempted from taxation. Specifically noting,

Service Payments are to be paid to the Board by the County Treasurer in an amount equal to the property tax payments the Board would have received from the portion of the Improvements exempted from taxation had the Improvements not been exempted. Any remaining Service Payments, after payments to the Board … shall be allocated and deposited in accordance with Section 4 of this Ordinance.

This language made the 933 High St. TIF a “non-school” TIF and the portion of property taxes due to the Worthington City School District were to be paid directly by Franklin County.

August Distribution

In August 2017, the City of Worthington received our first property tax distribution derived from the improvements made at 933 High St. Franklin County erroneously remitted the entirety of the 933 TIF revenue to the City of Worthington, instead of only the applicable apportionment. The City of Worthington has contacted Franklin County to correct this moving forward, however, we need to make the payment to Worthington City School District for their portion of the property tax derived as a result of the improvements made at 933 High St. The total distribution received by the City was $56,526.26, of which $40,713.66 is due to the Worthington City School District.

Supplemental Appropriation

In accordance with Ordinance 24-2014, the City of Worthington has established the 933 High Street Municipal Public Improvement Tax Increment Equivalent Fund which receives all Service
Payments from the County Treasurer related to the improvements at 933 High St. Council action is required to allow for the appropriation of expenses within this fund. The attached appropriation ordinance is requested for Council’s consideration in order to make the necessary expenditures related to the overpayment of TIF funds and the associated direct costs assessed by the County Auditor for the collection and distribution of these funds. Please include the following legislation on the council agenda of September 5th, 2017 for introduction and set the public hearing for September 18th, 2017.
ORDINANCE NO. 33-2017

An Ordinance Enacted by the City of Worthington,
Franklin County, Ohio, in the Matter of the Stated
Described Project, (FRA-IR270-21.69 PID 76467).

WHEREAS, the State has identified the need for the described project to perform minor pavement rehabilitation (asphaltic concrete overlay with repairs) on FRA-SR315-10.61 (north of SR-161) to 11.91 (south of IR-2701).

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

SECTION 1. That it is declared to be in the public interest that the consent of Worthington City Council be and such consent is hereby given to the Director of Transportation to complete the above described project.

SECTION 2. The Worthington City Council shall cooperate with the Director of Transportation in the above described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director;

The Ohio Department of Transportation (ODOT) shall assume and bear one hundred percent (100%) of the necessary costs of the above described project.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

SECTION 3. All right-of-way within the City which is required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. Right-of-way costs include eligible utility costs. ODOT shall be responsible for 100% of all utility accommodations, relocation and reimbursement. It is further agreed that all utility accommodations, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.
ORDINANCE NO. 33-2017

SECTION 4. Upon completion of the above described project, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions; and, (4) hold said right-of-way inviolate for public highway purposes.

SECTION 5. That the City Manager is hereby directed on behalf of the City to enter into contracts with the Director of Transportation necessary to complete the above described project.

SECTION 6. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed __________________

____________________________________
President of Council

Attest:

____________________________________
Clerk of Council

Introduced September 5, 2017
P.H. September 18, 2017
MEMORANDUM

TO: Matthew Greeson, City Manager

FROM: Daniel Whited, P.E., Director of Service & Engineering

DATE: August 31, 2017

SUBJECT: S.R. 315 Resurfacing by ODOT

This past June, the City Engineer’s office received plans for ODOT’s planned pavement maintenance to State Route 315 in Worthington. The work is currently slated to take place beginning spring of 2018. Resurfacing of the pavement will be done from State Route 161 (Dublin –Granville Rd.) to I-270. While this is an ODOT managed project, and will be paid for through ODOT funding, consent legislation from the City of Worthington agreeing to the commencement and completion of the work must be enacted.
ORDINANCE NO. 34-2017

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 North Districts Sewer Study and Determining to Proceed with said Project. (Project No. 657-17)

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

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8170.533386 the sum of One Hundred Eighty Eight Thousand Dollars ($188,000.00) to pay the cost of the North Districts Sewer Study and all related expenses (Project 657-17).

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

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

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

Passed __________________

___________________________________
President of Council

Attest

____________________________   P.H. September 18, 2017
Clerk of Council
As a result of the Ohio Environmental Protection Agency’s (OEPA) Director’s Final Findings and Orders (DFFOs) issued in 2009, the City of Worthington is required to have its entire sanitary sewer system evaluated for deficiencies, overflows, inflow and infiltration and capacity. The City elected to break our sanitary sewer system into separate sewer shed basins for study, then follow up with recommended remediation, repairs and Capital Improvement Projects that ensure the life of the system, maintain contained flows, and protect our citizens and the environment from the escape of those flows. Two Sanitary System Evaluation Studies (SSES) have been completed. The Southeast Sewer Shed and the Central Sewer Shed are now undergoing projects defined in those SSES. For 2017 and 2018, the City has committed to completing the SSES of the North District Sewer Shed.

On August 23rd and 24th the consultant selection committee heard and considered presentations given by three engineering firms-EMH&T, HDR, and American Structure Point. The selection committee unanimously found EMH&T to have the greatest understanding of the project, as well as the best technical staff to complete the study. Therefore, staff recommends EMH&T be awarded the contract. This is based upon a variety of factors including project approach, experience and background, quality of similar work for other municipalities and overall responsiveness.
August 29, 2017

Mr. Dan Whited, PE
Director of Service and Engineering
City of Worthington
380 Highland Avenue
Worthington, Ohio 43085

Re: North District SSES

Dear Mr. Whited;

We are pleased to present our proposal for engineering and field services to complete the North District SSES. The intent of this project is to meet the requirements of the Ohio EPA’s Director’s Findings and Orders for the North District. We will perform flow monitoring, smoke testing, dyed water testing and manhole inspections as defined in this proposal. In addition to these SSES activities, a hydraulic model will be developed the North District Sewershed. This model will be created to help identify areas that may be hydraulically deficient and to develop a better understanding of how the system is currently operating.

SCOPE OF SERVICES

Flow Monitoring Services
EMH&T will conduct an investigation of the sanitary sewer flows in the City of Worthington’s sewer system. For the purpose of this proposal we recommend that up to eight (8) flow monitors be installed to evaluate the performance of this sewer and determine the flow characteristics from sub-basins identified. The exhibit below shows the proposed meter locations.
EMH&T will provide the following flow monitoring related services:

1. Review of existing record plan and field information to confirm suitable site conditions for flow monitoring locations. A field visit may be preformed if existing information is not adequate;

2. Installation of eight (8) flow monitors and one (1) rain gages for a period of up to six (6) months;

3. Weekly monitoring site visitations. These weekly visits will include verification of the performance of the monitoring equipment, cleaning of all sensors, and downloading of monitoring data.

4. Upon completion of the monitoring period all metering equipment will be removed and the monitoring site will be returned to its original condition.

Data Analysis Services
The data collected during the monitoring period will then be used to evaluate the performance of the collection system and determine the flow characteristics from the sub-basins within the study area.

EMH&T will provide the following data analysis related services:

1. Weekly review of metering data to insure proper function of all monitoring equipment;

2. Dry weather flow, base infiltration, and rainfall dependent inflow/infiltration (RDI/I) will be calculated for each monitoring sub-basin;

Design Calculation
EMH&T will perform a hydraulic analysis based on the existing conditions within the North District Sewer Study Area. This analysis will utilize the City of Columbus Sewer Design Standards to determine if the system is operating as designed. This analysis will also allow us to identify areas of possible capacity restrictions. The information collected during this phase will be instrumental in defining what is “acceptable I/I” for the collection system.

Hydraulic Model
EMH&T will complete the following work to prepare a hydraulic study of Worthington’s sanitary sewer system.

1. Prepare a hydraulic model of the trunk sewer to evaluate the operation of the trunk sewer. This model will be used to evaluate the:
   a. Operation of the trunk sewer
   b. Potential impacts to adjacent properties (WIBs)
   c. Proposed improvements to the system

2. The calibrated model will be used to evaluate the operation of the collection system to the 10-year flow event (consistent with the City of Columbus Wet Weather Management Plan).

3. Evaluate improvements to collection system to address hydraulic deficiencies.
**Field Services**
EMH&T will provide the following field engineering services to further investigate the possible sources of I/I into the sanitary collection system. We have assumed that detailed SSES investigation would only be required on 50% of the study area.

1. Perform smoke testing on all sanitary sewers within the areas identified as having excessive I/I (63,000 linear feet).

2. Perform manhole inspections on those manholes showing signs of defect during the smoke testing process. For the purpose of this proposal we are assuming 50% of the manholes will require a detailed manhole inspection (up to 283 Manholes).

3. Perform dye testing in areas that are suspected of having cross connection with stormwater. It is assumed for this proposal that five (5) days of dyed water testing will be required. Dye testing will be completed utilizing our CCTV inspection equipment.

4. We will coordinate with the City’s sewer crews on sewers recommended for CCTV inspection based on the other investigations. We will review the videos and incorporate the findings within our findings.

**Summary Report**
EMH&T will prepare report summarizing findings of the field investigation, hydraulic modeling, and recommendations to collection system. This report will also include cost estimate information. We will work with the City to develop an implementation schedule for the required improvements. We will provide three (3) copies of the report and submit the report the Ohio EPA for review upon completion and approval by the City.

**Contingency Flow Monitoring**
EMH&T has provided a contingency fee for installing three additional flow meters. Two meters will be installed in the West District and one meter will be installed in the Industrial District. This flow monitoring period is up to 6 months. This contingency includes completing the desktop analysis to determine if these areas are experiencing excessive I/I. If they are not experiencing excessive I/I we can include this information in the report to the Ohio EPA and no additional studying will be required.
This Scope of Services does not include detailed construction plans, detailed investigations or hydraulic modeling of the West and Industrial Districts.

**SCHEDULE**
We are prepared to begin the work identified in this proposal immediately upon receipt of Notice to Proceed.

**FEE**
Fees for the work described within the Scope of Services, shall not exceed the following without prior authorization from the City:

<table>
<thead>
<tr>
<th>Description</th>
<th>Item Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Management</td>
<td>$6,560.00</td>
</tr>
<tr>
<td>Field Data Collection</td>
<td>$26,910.00</td>
</tr>
<tr>
<td>Hydraulic Modeling</td>
<td>$42,880.00</td>
</tr>
<tr>
<td>SSES Tasks</td>
<td>$51,675.00</td>
</tr>
<tr>
<td>Summary Report</td>
<td>$39,680.00</td>
</tr>
<tr>
<td>Reimbursables (prints, mileage, phone, etc.)</td>
<td>$3,450.00</td>
</tr>
<tr>
<td><strong>Estimate Project Costs =</strong></td>
<td><strong>$171,155.00</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contingency Item</th>
<th>Item Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Three Meters for up to 6 months</td>
<td>$17,555.00</td>
</tr>
<tr>
<td><strong>TOTAL CONTRACT WITH CONTINGENCY =</strong></td>
<td><strong>$181,710.00</strong></td>
</tr>
</tbody>
</table>

If you should have any questions or require additional information, please do not hesitate to call me at (614) 775-4237.

Respectfully submitted,
EVANS, MECHWART, HAMBLETON & TILTON, INC.

Marcia M. Bland, P.E.

**Acceptance and Authorization to Proceed**

Authorized Signature

Print Name and Date
## Detailed Hour/Cost Summary
### North District SSES

<table>
<thead>
<tr>
<th>Detail</th>
<th>Project Manager</th>
<th>Senior Engineer</th>
<th>Engineer II</th>
<th>Senior Technician</th>
<th>Field Technician</th>
<th>Task Total Hours</th>
<th>Fee Per Task</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Management</td>
<td>28</td>
<td>16</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>44</td>
<td>$6,560.00</td>
</tr>
<tr>
<td>Kick-Off Meeting</td>
<td>4</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monthly Progress Meetings</td>
<td>24</td>
<td>12</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
<td>$200.00</td>
</tr>
<tr>
<td>Reimbursables</td>
<td></td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$1,000.00</td>
</tr>
<tr>
<td><strong>subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$6,760.00</strong></td>
</tr>
<tr>
<td>Field Data Collection</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>406</td>
<td>410</td>
</tr>
<tr>
<td>Review Existing Information</td>
<td></td>
<td></td>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Install Flow Meters</td>
<td></td>
<td></td>
<td></td>
<td>27</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meter Maintenance</td>
<td></td>
<td></td>
<td></td>
<td>352</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Remove Meters</td>
<td></td>
<td></td>
<td></td>
<td>27</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reimbursables (mileage)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$1,000.00</strong></td>
</tr>
<tr>
<td><strong>subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$27,910.00</strong></td>
</tr>
<tr>
<td>Hydraulic Model</td>
<td>8</td>
<td>320</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>328</td>
<td></td>
</tr>
<tr>
<td>Model Set up</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>160</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Review Flow Meter Data</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>40</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Calibrate Model</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>80</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Develop Recommendations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>Reimbursables</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$250.00</strong></td>
</tr>
<tr>
<td><strong>subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$43,130.00</strong></td>
</tr>
<tr>
<td>SSES Tasks</td>
<td>0</td>
<td>40</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>715</td>
<td>755</td>
</tr>
<tr>
<td>Manhole Inspections (Assumes 283 Manholes)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>283</td>
</tr>
<tr>
<td>Dyed Water Testing (Assumes up to 5 days)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>120</td>
</tr>
<tr>
<td>Smoke Testing (Assumes 63,000 linear feet)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>312</td>
</tr>
<tr>
<td>CCTV Review</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>40</td>
</tr>
<tr>
<td>Reimbursables</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$52,675.00</strong></td>
</tr>
<tr>
<td>Summary Report</td>
<td>40</td>
<td>160</td>
<td>0</td>
<td>160</td>
<td>0</td>
<td>360</td>
<td></td>
</tr>
<tr>
<td>Draft Report</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>24</td>
<td>120</td>
<td>120</td>
</tr>
<tr>
<td>Final Report</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>16</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td>Reimbursables</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>subtotal</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$40,680.00</strong></td>
</tr>
<tr>
<td><strong>Total Hours</strong></td>
<td>48</td>
<td>484</td>
<td>0</td>
<td>160</td>
<td>406</td>
<td>48</td>
<td></td>
</tr>
</tbody>
</table>

### Labor Classification

| Principal | $160.00 |
| Senior Engineer | $130.00 |
| Engineer II | $98.00 |
| Senior Technician | $78.00 |
| Cleaning and Televising Crew | $65.00 |

### Contingency Flow Monitoring

| West Area (2 meters) | 0 | 60 | 0 | 0 | 147 | 207 | **$17,355.00** |
| Industrial Area (1 meter) | | | 40 | 98 | | | |
| Reimbursables | | | 20 | 49 | | | **$200.00** |
| **subtotal** | | | | | | | **$17,555.00** |
ORDINANCE NO. 35-2017

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 Additional Design and Engineering Services for the NE Gateway Intersection Improvement Project and all Related Expenses with said Project. (Project No. 602-14)

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

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533330 an amount not to exceed Eighty Two Thousand Five Hundred Dollars ($82,500.00) to pay the additional design and engineering costs of the NE Gateway Intersection Improvement Project and all related expenses (Project No. 602-14).

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

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed ______________

__________________________
President of Council

Attest

__________________________
Clerk of Council

Introduced September 5, 2017
P.H. September 18, 2017
MEMORANDUM

TO: Matthew Greeson, City Manager
FROM: Daniel Whited, P.E., Director of Service and Engineering
DATE: August 31, 2017
SUBJECT: Northeast Gateway Additional Funding for Design

As further study and design of the upcoming Northeast Gateway project takes place, many unanticipated issues continue to arise. Namely, the realignment of City Corporation limits, the ownership and improvements of the signalized intersection at Worthington-Galena Rd., Sancus and Lakeview Plaza, the necessary relocation of a 12” waterline, a Right-of-Way plan, final engineering of Rush Run upstream improvements, and additional utility coordination. These items will require additional design by our consulting engineers for the project, EMH&T and subsequently additional funding.

Staff is asking Council to authorize to increase the funding available for the payment of such consulting services by $82,500.00. Supporting documentation is attached.
August 25, 2017

Mr. Dan Whited, P.E.
Director of Service and Engineering
City of Westerville
380 Highland Ave.
Worthington, Ohio 43085

Subject: Northeast Gateway – Additional Services

Dear Dan,

EMH&T is pleased to present this proposal to modify our current Professional Services Agreement dated 3/10/2016, to include additional services related to the design of improvements to the Northeast Gateway Project. The services described herein were not included in our original proposal dated 3/4/2016 and therefore, are being presented as additional services for which the scope and fee is outlined below.

A. Traffic Signal Plan (Worthington-Galena/Sancus/Lake View intersection)
As a result of the corporation limit adjustment this intersection will be located within the City of Worthington. EMH&T will design a new signal that meets all current standards and ADA requirements. The signal color and style will match the other two proposed signals currently scoped within the project. The signal design will include interconnection with all proposed signals.

B. Intersection Improvements (Worthington-Galena/Sancus/Lake View intersection)
In conjunction with the traffic signal upgrades, EMH&T will design curb and gutter, curb ramps, and sidewalk to meet ADA design requirements. The existing intersection pavement will be milled and replaced within the limits of the project. In addition, EMH&T will evaluate methods to minimize right-of-way impacts. The proposed right-of-way plans will be updated where additional right-of-way is required for the signal and curb ramp updates.

C. 12” Waterline Relocation
The project design warrants the relocation of the 12” Huntley Road waterline due to the pavement widening. The requirement to relocate the waterline was also verified with the City of Columbus Division of Water on January 13, 2017. Approximately 1600 linear feet of waterline will be designed in accordance with the City of Columbus design requirements. The waterline plan will be submitted to the City of Columbus, City of Worthington, and ODOT for review and approval.

D. Additional Funding Assistance
The base services includes preparation of MORPC update applications and the OPWC funding application. However, due to the increase in project scope and cost, MORPC requires the City to resubmit a new final attributable funds application which was not included in the
original project scope. The new attributable funds application will secure additional funding for the project.

E. **Right-of-Way Plan**
As a result of the private utility impacts, the project must replace impacted utility easements to meet all state and federal requirements for utility relocation. EMH&T will provide easement plan sheets within the right-of-way plan (15± additional plan sheets), legal descriptions (25± descriptions), and will lead the easement coordination efforts with the impacted utilities.

F. **Final Engineering (Rush Run – Upstream Reach)**
The preliminary engineering fee associated with the Rush Run improvement is included within the Rush Run Preliminary Design proposal, dated June 29, 2017. As part of this task, EMH&T will take the results of the preliminary design to final design and completion. EMH&T will develop final engineering plans and a final cost estimate of the upstream improvement. In addition, legal descriptions (up to three parcels) will be prepared to allow the improvement to occur.

G. **Additional Utility Coordination**
The base services included 150 hours for utility coordination and was based on our understanding of the project scope at that time. Since then bike lanes have been added resulting in additional utility impacts, and right-of-way research has been performed resulting in a greater understanding of the existing utility easement rights. Private utility coordination efforts have been more intensive than anticipated and we respectfully request additional fee for utility coordination to ensure the project is clear of utilities prior to construction.

H. **Corporation Limit Adjustment**
EMH&T will assist the City to perform an adjustment to the existing corporation limit along the northern portion of the proposed roadway improvements. Three legal descriptions and two project maps will be developed as required to execute the adjustment.

**Fee Summary**
Upon Authorization by the City, EMH&T will perform the services described above for the following fees:

- A. Traffic Signal Plan $17,500
- B. Intersection Improvements $5,500
- C. 12" Waterline Relocation $12,000
- D. MORPC Attributable Funds – Final Application $6,200
- E. Right-of-Way Plan $11,500
- F. Final Engineering (Rush Run – Upstream Reach) $9,000
- G. Additional Utility Coordination $10,300
- H. Corporation Limit Adjustment $3,000

**Total (A – H) = $75,000**
We sincerely appreciate the opportunity to assist the City with this project. If you approve of this proposal, please demonstrate your concurrence by signing below. If you have any questions, or require additional information, please do not hesitate to call me at (614) 775-4616 or by email at m brehm@emht.com.

Sincerely,

EVANS, MECHWART, HAMBLETON & TILTON, INC.

[Signature]

Michael Brehm, PE
Senior Project Manager,
Associate

Acceptance and Authorization to Proceed

_________________________________________  _______________________________________
Authorized Signature                          Company Name

_________________________________________
Print Name and Date

emht.com | Page 3 of 3
ORDINANCE NO. 36-2017

Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor.

WHEREAS, this Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year beginning January 1, 2018; and,

WHEREAS, the Budget Commission of Franklin County, Ohio has certified its action to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, Franklin County, State of Ohio, six-sevenths of the members elected thereto herein concurring that the amounts and rates as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further ordained that there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill tax limitation for tax year 2017 (collection year 2018) as follows:

SCHEDULE A

SECTION 1. Summary of amounts required from General Property Tax approved by the Budget Commission and County Auditor’s estimated tax rates.

<table>
<thead>
<tr>
<th>Amount to be Derived from Levies Outside 10 Mill Limitation</th>
<th>Amount Approved by Budget Commission Inside 10 Mill Limitation</th>
<th>County Auditor’s Estimate of Full Tax Rate to be Levied Inside 10 Mill Limitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$1,188,032.56</td>
<td>2.03</td>
</tr>
<tr>
<td>General Fund Charter</td>
<td>1,460,794.91</td>
<td></td>
</tr>
<tr>
<td>Bond Retirement</td>
<td>99,421.98</td>
<td>0.17</td>
</tr>
<tr>
<td>Police Pension</td>
<td>175,450.55</td>
<td>0.30</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,460,794.91</td>
<td>$1,462,905.09</td>
</tr>
</tbody>
</table>
ORDINANCE NO. 36-2017

AND BE IT FURTHER ORDAINED:

SECTION 2. That the Clerk of Council be and hereby is directed to certify a copy of this ordinance to the County Auditor of Franklin County.

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed ________________

____________________________________
President of Council

Attest

____________________________   P.H. September 18, 2017
Clerk of Council

Introduced September 5, 2017
MEMORANDUM

TO: Matthew H. Greeson, City Manager
FROM: Scott F. Barter Director of Finance
DATE: August 30, 2017
SUBJECT: Ordinance Accepting the Amounts & Rates and Authorizing the Necessary Tax Levies

Please include the attached ordinance on the September 5th agenda for introduction and set the public hearing for September 18th. This Ordinance is an annual housekeeping item required by each taxing authority within the State of Ohio for the purpose of Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor. This legislation is requested for passage as required by Ohio Revised Code Section 5705.34. In accordance with O.R.C. 5705.34, this legislation must be adopted and submitted annually to the Franklin County Budget Commission by October 1. Please note that in prior years this legislation was passed as an emergency in order to have an effective date prior to the October 1st deadline. With the 2016 changes to Section 2.19 of the City of Worthington Charter this ordinance shall be effective upon passage and publication and no longer needs to be passed as emergency legislation.

This ordinance accepts the tax rates and amounts as determined by the Franklin County Budget Commission based on the tax budget, which is submitted annually in July. The property tax rate for the City of Worthington remains unchanged for 2017 in the amount of 5.0 mills, which consists of 2.5 mills of inside millage and 2.5 mills of charter millage. The estimated tax revenues are based on current property valuations and any preliminary new construction as of January 1, 2017. Tax property valuations are not reflective of the fluctuation that will occur as a result of the 2017 Sexennial Reappraisal. Current tax revenues may increase or decrease when actual valuation and effective tax rate data become available in December 2017. These
adjustments would be reflected on the Amended Official Certificate of Estimated Resources as received in January 2018.
ORDINANCE NO. 37-2017

Accepting a Permanent Easement for Warning Signage at 587 Fox Lane, Worthington, Ohio 43085.

WHEREAS, the low head dam containing City of Worthington Sanitary Sewer lines crosses the Olentangy River posing danger to recreational river users; and,

WHEREAS, in order to install and maintain warning signage it is necessary to obtain from certain property owners permanent easements; and,

WHEREAS, John and Steffanie Haueisen have agreed to grant easements upon their property located at 587 Fox Lane, Worthington, Ohio, 43085.

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

SECTION 1. In connection with the installation and maintenance of warning signage, the City hereby accepts a permanent easement from John and Steffanie Haueisen as more specifically described and shown on Exhibit “A” attached hereto and made a part hereof.

SECTION 2. The City Manager is authorized and directed to execute and deliver any and all documents that may be necessary to evidence the authority granted in furtherance of the acceptance of this easement.

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington Ohio.

Passed ____________

____________________________________
President of Council

Attest:

____________________________________
Clerk of Council
DEED OF EASEMENT
(Warning Sign)

STEFFANIE W. HAUEISEN AND JOHN L. HAUEISEN, husband and wife (collectively “Grantor”) with a mailing address of 587 Fox Lane, Worthington, Ohio 43085, for good and valuable consideration paid by the City of Worthington, Ohio, an Ohio municipal corporation (“Grantee”), receipt of which is hereby acknowledged, hereby grants to Grantee, its successors and assigns forever, a perpetual easement in, on, through, over and across the following described “Easement Area”, which is situated on the Grantor’s real property described in the attached Exhibit “A”, which is hereby incorporated herein by reference (the “Grantor’s Property”), for the purpose of installing, improving, repairing, maintaining, removing or replacing from time to time a warning sign related to the nearby river dam and related appurtenances thereto (the “Sign”).

The “Easement Area” shall be a strip of Grantor’s Property across the entire Western boundary of Grantor’s Property, with such strip being five (5) feet above (east of) the high water line of the Olentangy River as it abuts Grantor’s Property (as determined by Grantee) and within approximately 20 feet of south property line of Grantor’s Property.

This Easement shall include reasonable rights of ingress and egress over other adjacent portions of the Grantor’s Property, as reasonably necessary for access in connection with the use and enjoyment of the rights granted under this Easement.

Grantor claims title to Grantor’s Real Property by deed recorded in Instrument Number 200301170017839 of the records of the Recorder of the County of Franklin, State of Ohio.

Grantor and Grantee understand and hereby agree that all terms and conditions contained herein shall be effective and binding upon the parties and their respective successors and assigns.

Grantor hereby releases and discharges Grantee, City of Worthington, Ohio, from further claims for just compensation pursuant to Ohio Constitution, Article I, Section 19, resulting from this easement grant or the installation and maintenance of the Sign. However, this release and discharge does not absolve Grantee, its employees, agents, representatives or contractors from liability for damages adjudged to have been caused by the culpable negligence of Grantee, its employees, agents, representatives or contractors during the installation and maintenance of the Sign. Notwithstanding the foregoing, Grantee does not waive any governmental immunity or defenses which it may have, and the foregoing shall not be construed in any manner which results in the waiver or denial of any such governmental immunity or defenses.

Grantee, as soon as is practicable after all entries made pursuant to the rights granted herein, shall cause the restoration of the Easement Area by returning the Easement Area to its former grade and restoring the surface area to its former condition as nearly as is reasonably practicable, but subject to all other terms and conditions contained herein.
The Easement rights granted herein are "exclusive" as to Grantee's rights hereunder, except as to Grantor (as set forth herein) and any previously granted rights of record. Grantor shall continue to have the full use and enjoyment of, and the obligation to maintain, the surface of the Easement Area, subject to and in conjunction with the Easement created hereunder, and provided that Grantor shall not take any actions within the Easement Area which would interfere with the rights created hereunder to use and enjoy the Easement and the Sign. Specifically, Grantor shall not cause or allow to be constructed any permanent building, structure, facility or improvement which in any way impairs the use or interferes with the installation, improvement, maintenance, repair, removal, or replacement of the Sign or access thereto. If Grantor makes any permanent or temporary improvements in or upon the subject exclusive Easement Area, save those exceptions above, Grantor shall assume the risk of such improvements being damaged or destroyed by Grantee's subsequent entries made for the purposes granted herein, and Grantee, its employees, agents representatives and contractors, shall not be liable for any damage or destruction of such Grantor's improvements during the good faith exercise of Grantee's rights herein.

Grantor hereby covenants with Grantee that Grantor has good title to Grantor's Property and has the full right and power to grant this Deed of Easement.

TO HAVE AND TO HOLD the Easement Area and the Easement rights unto Grantee, City of Worthington, Ohio, its successors and assigns forever, for the uses and purposes hereinbefore described.

IN WITNESS WHEREOF, Grantor has caused this Deed of Easement to be executed and subscribed this 30th day of August, 2017.

GRANTOR:

STEFFANIE W. HAUEISEN

JOHN L. HAUEISEN

STATE OF OHIO,
COUNTY OF FRANKLIN

The foregoing instrument was acknowledged before me this 30th day of August, 2017 by Steffanie W. Haueisen and John L. Haueisen, husband and wife.

Commission Expiration: 12-31-2018

This instrument prepared by:

Steven P. Elliott, Esq.
Baker & Hostetler, LLP
200 Civic Center Drive, Suite 1200
Columbus, Ohio 43215
(614) 462-2672
Description of Grantor's Property

Situated in the State of Ohio, County of Franklin and in the City of Worthington and bounded and described as follows:

Being 40.17 feet off the south side of Lot No. 2 and 28.67 feet off the north side of Lot No. 3 of FORREST R. DETRICK SUBDIVISION, as the same are numbered and delineated upon the recorded plat thereof, of record in Plat Book 17, page 301, Recorder’s Office, Franklin County, Ohio.

PARCEL NUMBER: 100-758 and 100-777

PROPERTY ADDRESS: 587 Fox Lane, Worthington, Ohio 43085
MEMORANDUM

To: Matthew H. Greeson, City Manager

From: Daniel W. Whited, Director of Service & Engineering

Subject: Deed of Easement-Lowhead Dam Safety

Date: September 14, 2017

In May of this year, a recreational kayaker was on the Olentangy River paddling through Worthington. The water was a bit higher than usual and obscured her view of the lowhead dam which crosses the river roughly from Antrim Park on the west, to Fox Lane on the east. With no warning signs indicating the hazard in place, she was pulled over the dam, capsized, and was sucked down and against the dam by the current. Had she not been wearing her life vest and been aided in exiting the river by a friend on shore, she may have lost her life. Given this serious state of events, it has been determined that the Service and Engineering Department should make warning signs in house and erect them along the river in such a manner as to adequately warn those using the river for recreational purposes.

The City of Worthington currently has no right of way, right of entry or easement along the river bank in which to erect the sign. Staff has met with John and Steffanie Haueisen of 587 Fox Lane, Worthington, OH. Their property extends to a line roughly in the center of the river, and the river bank behind their home has been deemed the most advantageous for sign location. The Haueisens have graciously agreed to grant a deed of easement (attached to the legislation) for the purpose of warning sign placement and subsequent sign maintenance. It was signed and notarized on August 30th, 2017.

Staff is asking Council to accept the easement by ordinance, and allow the City Manager to follow through with the execution and recording of any documents deemed necessary.