1. Call To Order

2. Roll Call

3. Pledge of Allegiance

4. Visitor Comments

5. Approval of the Minutes

5.A. Regular Meeting - April 2, 2018

Recommendation: Approve as Presented

6. Public Hearings on Legislation

6.A. Ordinance No. 15-2018 Appropriation - Olentangy Parklands Restroom Project

Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the Olentangy Parklands Restroom and all Related Expenses and Determining to Proceed with said Project. (Project No. 676-18)
Executive Summary: This ordinance appropriates $195,000 for the purchase of a new restroom facility to be placed in the Olentangy Parklands in close proximity to the tennis courts, pickleball courts, soccer field, skatepark and adjacent to the Olentangy Trail access and trailhead.

Recommendation: Motion to Amend and Approve as Amended

Legislative History: Introduced April 2, 2018

6.B. Ordinance No. 16-2018 Upper Rush Run Improvements Design Funding

Amending Ordinance No. 41-2017 (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 Upper Rush Run Stream Restoration Design and all Related Expenses with said Project. (Project No. 639-17)

Executive Summary: This Ordinance appropriates funds for design and engineering costs associated with stream restoration of the Upper Rush Run.

Recommendation: Approve as Presented

Legislative History: Introduced April 2, 2018

6.C. Ordinance No. 17-2018 Design of Northeast Gateway Aesthetics Funding

Amending Ordinance No. 41-2017 (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)

Executive Summary: This ordinance appropriates funds for the design of aesthetic elements that City Council has approved to be part of the North East Gateway Project

Recommendation: Approve as Presented

Legislative History: April 2, 2018
7. New Legislation to Be Introduced

7.A. Ordinance No. 18-2018  Authorizing the Use of Commercial Purchase Cards

Authorizing the Use of Commercial Purchase Cards and Authorizing the Finance Director to execute a Card Agreement with The Huntington National Bank.

*Executive Summary:* The City of Worthington is seeking to implement a commercial purchase card program which staff believes will bring increased efficiencies in the purchasing process, provide additional cost tracking measures, and generate a monthly rebate.

*Recommendation:* Introduce for Public Hearing on May 7, 2018

7.B. Ordinance No. 19-2018  Appropriation - Bike and Pedestrian Strategic Bicycling and Walking Implementation Plan

Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay Phase Two of the Bike and Pedestrian Master Plan and all Related Expenses. (Project No. 668-18)

*Executive Summary:* This Ordinance appropriates an additional $25,821 to supplement the $50,000 already appropriated for a Bike and Pedestrian Master Plan.

*Recommendation:* Introduce for Public Hearing

8. Reports of City Officials

8.A. Policy Item(s)

8.A.I. Strategic Bicycling and Walking Implementation Plan (Master Plan)

Authorizing the City Manager to Enter into an Agreement with Blue Zones, LLC for the Creation of a Strategic Bicycling and Walking Implementation Plan (Master Plan)

*Executive Summary:* Staff is requesting approval to move forward with Blue Zones, LLC on a Strategic Bicycling and Walking Implementation Plan.
Recommendation: Motion to Authorize the City Manager to enter into an agreement with Blue Zones, LLC to create a Strategic Bicycling and Walking Implementation Plan utilizing the $50,000 already appropriated in the 2018 Capital Improvements Program (CIP).

8.A.II. Liquor Permit Transfer - Half Pint, 673 High Street

Executive Summary: The Ohio Division of Liquor Control has notified the City of a request to transfer a liquor permit from Harold’s American Grille to Half Pint at 673 High Street. The City may request a hearing.

Recommendation: Motion to Not Request a Hearing

8.A.III. Liquor Permit Transfer - Porch Growler, 892 High Street

Executive Summary: The Ohio Division of Liquor Control has notified the City of a request to transfer a liquor permit from Noodles & Company to Porch Growler at 892 High Street. The City may request a hearing.

Recommendation: Motion to Not Request a Hearing

8.B. Discussion Item(s)

8.B.I. Discussion Regarding Gun Control Legislative Positions

Executive Summary: Discussion regarding letter on state legislative gun control issues

8.C. Information Item(s)

8.C.I. Update - Electric Aggregation

Executive Summary: Staff will provide an update on the evaluation process for an electric aggregation program.

9. Reports of Council Members

10. Other
11. Executive Session

12. Adjournment
CALL TO ORDER – Roll Call, Pledge of Allegiance

Worthington City Council met in Regular Session on Monday, April 2, 2018, in the John P. Coleman Council Chambers of the Louis J.R. Goorey Municipal Building, 6550 North High Street, Worthington, Ohio. President Michael called the meeting to order at or about 7:30 PM.

ROLL CALL


Member(s) Absent:

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

There were twelve visitors present.

PLEDGE OF ALLEGIANCE

President Michael invited all to stand and join in reciting the Pledge of Allegiance to the flag.

VISITOR COMMENTS – No Comments

SPECIAL PRESENTATION

- Good Neighbor Award – Bob and Jan Davis

Resolution No. 20-2018

To Congratulate Bob and Jan Davis on Their Recognition as Recipients of the 2017 Good Neighbor Award From the Worthington Community Relations Commission.
Introduced by Mr. Robinson.

MOTION Mr. Foust made a motion to adopt Resolution No. 20-2018. The motion was seconded by Mr. Smith.

There being no comments, the motion to adopt Resolution No. 20-2018 carried unanimously by a voice vote.

Mr. Greeson introduced Jack Minor, Chair of the Commission Relations Commission who is in attendance to present the Good Neighbor Award. He will also provide members with an update on the Commission’s work following the presentation.

Mr. Minor thanked President Michael and Council for having him. He invited Bob and Jan Davis forward and introduced them as the 2017 Recipients of the Good Neighbor Award. Mr. Minor read Resolution No. 20-2018 in its entirety and presented the couple with a certified copy.

Mr. Davis thanked the community for the honor. They have lived in Worthington a long time. They stay busy and follow the model of their denomination that says: God’s work, our hands, which is what they try to do. He is also active in Habitat for Humanities. His group builds at least one house a year.

Mrs. Davis shared that she is overwhelmed by this recognition and very thankful. She and Bob will have been married 60 years in June. They have spent 50 of them in Worthington. They have seen many changes over those years and watched many children grow up. She introduced their neighbors, Chris and Susan Hinz and their daughter Alise. She thanked Council again for the recognition.

President Michael thanked them for all that they do for the community as it takes people helping people and neighbors helping neighbors to make Worthington the great city that it is.

Update – Community Relations Commission (CRC)
Mr. Minor reported that over the last several years they have tried to raise the visibility of that award. The recipients get to ride in the Memorial Day Parade and a sign is placed in their yard that recognizes them as the Good Neighbor. So it not only promotes the award throughout the City but also in their own neighborhood.

Mr. Minor reported that the CRC is charged with serving Council as well as City staff on Community issues related to fair and equal treatment of all persons. Their specific goal is to provide opportunities to foster understanding positive relationships and a strong sense of community among people of diverse, educational, racial, ethnic, cultural and economic backgrounds. Over the last year they have done a great deal to take that mission to heart by tying some of their programming back into the core history of the CRC. They are most proud of things they have done around redlining and institutional
segregation. Earlier in the year they had a program and talked specifically about the history of redlining. How it impacted the development of the Columbus suburbs, specifically the development of Worthington and how it continues to impact the development and growth of Worthington today.

There was a great community conversation as part of that presentation. What grew out of it was an opportunity to view the movie, “Free to Ride”. Free to Ride was a documentary that specifically showed how public transportation service and the lack of access to public transportation was really impactful on the success of the African-American community around job and economic development. What that meant for a suburb that was a lot like Worthington and the surrounding communities. That really hit home for those in attendance because of the similarities between Beavercreek where the movie took place and Worthington, which is less than one hour away. It was a great opportunity to get back to the core of what we try to work on with CRC.

They are also proud of the work they were able to do this year to incorporate an educational message into our Martin Luther King (MLK) celebration. Last year was a little different in that they did a series of topics and educational talks regarding the history of the African-American community in Worthington. There was a significant numbers of discussions both nationally and locally about civil war era statues and specifically confederate recognition of confederate soldiers and generals leading up to this year’s MLK celebration. They used that as an opportunity to determine what speaker to have at our MLK celebration. This year’s speaker spoke about how freed African-Americans during the civil war were able to raise up arms and fight as part of the union army. That was a significant way to weave an important and significant topic to share with this community.

Some focus areas that have been identified for the remainder of 2018 and 2019 include working with the Worthington Police Department in an effort to build on the positive relationship that our people have with our Police Department. A series of workshops are being planned on how to be ready in various situations and to be prepared to ensure your own safety.

We also offer a series of small neighborhood grants each year that we have been able to incorporate our mission into. The grants coincide with community development. Two years ago we also focused on promoting diversity. We have added a third category that the CRC will be able to change each year. Last year’s focus was on mental health issues. This year we are getting back to the roots of our “Hi Neighbor” program. That was what really put our organization on the map in many ways. Next year they are looking to do a series of small grants that promote specific neighborhood development. Programs that welcome new neighbors and that help foster a sense of community cohesiveness.

In closing he shared a personal story. He has lived in Worthington for many years and have even raised his family here. He and his husband were able to get married here a couple of years ago. Unfortunately, nothing related to their wedding, a hall, the rehearsal dinner, flowers, the cake, etc. came from businesses in Worthington because
they never knew if they were going to be discriminated against in those services. While he knows many business people here and doesn’t think they would discriminate against him but he just really didn’t know. He didn’t want to be in a situation where the happiest day of his life was scarred with a memory of being turned away from a restaurant he loves or a court battle over a cake. He wanted to know that the city that he has put a lot of time and energy into really does welcome him as a community member and is a place where he can be proud that his family lives and excels here. In closing he challenged members to pass a non-discrimination ordinance in the City of Worthington. He encouraged Council members to partner with the CRC in the coming year to make that a reality. He thanked Council for their time and the opportunity to serve the City.

Ms. Michael thanked Mr. Minor and the entire Commission for all of the time and energy that they put into the community.

Mr. Robinson thanked Mr. Minor for his testimony and his challenge. It is a challenge that he accepts.

Ms. Kowalczyk asked Mr. Minor if he has a plan for how to present the anti-discrimination ordinance. Mr. Minor replied that they intend to meet with the law director to determine what that would look like in Worthington. They want it to be a statement of our values without it being an administrative burden.

When asked by Ms. Kowalczyk if he had some thoughts about the state law that is pending on a similar issue, Mr. Minor believes state legislation would be best for the state of Ohio. He thinks this is an opportunity for the City to send a signal. We believe in non-discrimination and we are telling others what we believe. It is also an opportunity for the City to pass legislation in support of the work that is happening at the state level. To show that it is not just something that communities believe in and value but also to emphasize that it is more easily administered at the state level then it is in smaller communities.

Mr. Myers reported being sad by what Mr. Minor shared. He just made a very compelling argument for this legislation. He appreciates Mr. Minor’s service to the community. Mr. Minor thanked him for his comments.

Ms. Dorothy concurs with Mr. Myers’ sentiment. She appreciates all of the work that he has been bringing forth for the community. She is aware of issues with new locations for bus turnarounds, possibly even evaluating the library again. She appreciates that he brought up the “Free to Ride” and she plans to be part of the bus stop conversation when it comes back. She added that giving people rights does not take away rights from anyone else. It says to her that Mr. Minor feels that way about Worthington and hopefully we can make a difference for the whole community. These are very tough issues and she is thankful that Council has the CRC to help guide and lead them through for the City.
CONSENT AGENDA

President Michael reported that Council seldom uses the Consent Agenda. Because of numerous routine items, Consent will be used tonight. She provided instructions for anyone who wishes to have an item removed from the Consent Agenda.

The Consent Agenda is comprised of the following items:

Resolution No. 22-2018  Designating Lynda Bitar to Represent the City of Worthington on the Worthington Farmers Market Advisory Board.

Introduced by Mr. Myers.

Resolution No. 23-2018  Designating Bonnie Michael and Anne Brown to Represent the City of Worthington on the Convention and Visitors Bureau of Worthington Board of Directors.

Introduced by Ms. Dorothy.

Resolution No. 24-2018  Designating Bonnie Michael, Doug Smith, Kathy Holcombe and Matt Greeson to Serve as the City of Worthington’s Representatives on the Worthington Community Improvement Corporation Board of Directors.

Introduced by Ms. Kowalczyk.

Resolution No. 25-2018  Designating Rachael Dorothy and Jack Miner to Represent the City of Worthington on the Peggy R. McConnell Arts Center Board of Trustees.

Introduced by Mr. Robinson.

Resolution No. 26-2018  Designating David McCorkle to Represent the City of Worthington on the Old Worthington Partnership Board of Directors.

Introduced by Mr. Foust.

Resolution No. 27-2018  Designating Lee Brown to Represent the City of Worthington on the Worthington Resource Pantry Board of Directors.

Introduced by Mr. Smith.
There being no request for the removal of items, the motion to approve the Consent Agenda was moved by Mr. Myers and seconded by Ms. Dorothy.

The motion to approve the Consent Agenda (Resolution Nos. 22-2018, 23-2018, 24-2018, 25-2018, 26-2018 and 27-2018) carried unanimously by a voice vote. The resolutions were thereupon declared duly adopted and are recorded in full in the appropriate record books.

APPROVAL OF THE MINUTES

- Committee of the Whole Meeting – March 12, 2018
- Regular Meeting – March 19, 2018

MOTION Ms. Kowalczyk moved to approve the aforementioned meeting minutes as presented. The motion was seconded by Mr. Robinson.

There being no additions or corrections, the motion to approve the minutes as presented carried unanimously by a voice vote.

PUBLIC HEARINGS ON LEGISLATION

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

Ordinance No. 10-2018 Amending Ordinance No. 41-2017 (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 Kenyonbrook Trunk Sewer Improvement Design Update and Determining to Proceed with said Project. (Project No. 675-18)

The foregoing Ordinance Title was read.

Mr. Whited reported this legislation being for the Kenyonbrook and Hardy Way project design. Both were included in the CIP to be taken into design. The two projects were combined because of their proximity and efficiency effectiveness of doing them together. EMH&T conducted the initial southeast sanitary sewer shed evaluation study in 2010 that identified improvements that needed to be done. This will allow us to begin the design of the improvements. They are two large projects that will be somewhat intrusive. Public Information will be included as part of this process.

Mr. Whited agreed with Ms. Michael that this project is part of the EPA mandate for correcting sanitary sewer overflows in the community.
In response to Ms. Dorothy’s question, Mr. Whited reported that design will begin approximately 20 days after the approval of this legislation. The design work will probably take 60 to 90 days. Construction will most likely begin next year. Phase II of the Northbrook sewer will be completed this year. This work will connect with that sewer.

There being no additional comments, the clerk called the roll on Ordinance No. 10-2018. The motion carried by the following vote:

Yes  7    Robinson, Kowalczyk, Foust, Dorothy, Smith, Myers, and Michael

No    0

Ordinance No. 10-2018 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 11-2018

Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of Energy Conservation Measures, Authorize the Execution and Delivery of an Energy Savings Contract, and to Proceed with said Project. (Project No. 677-18)

The foregoing Ordinance Title was read.

Ms. Stewart reported staff has been discussing this project for some time with City Council. Given that this is the public hearing, the ordinance would appropriate funds and authorize the execution of the contracts associated with this project. ABM was selected by the City to do an evaluation of all City buildings for energy efficiency measures. The measures came back and ABM presented in detail on those recommendations during the March 12th Council meeting. The proposal is to move forward with the first phase of those recommendations that relate to the Community Center, the Griswold Center, and some work in the bay of the Fire Station. The recommendations include such items as HVAC improvements, lighting retro fits, reducing air infiltration/exfiltration and some water conservation measures. Staff recommends moving forward with this first phase. Phase II includes the remainder of the City’s buildings and staff recommends that those improvements be considered as part of the CIP that will be prepared and updated later this year. Staff will bring back a proposed schedule on that at the time the CIP is presented. We are seeking authorization to move forward with Phase I. Representatives of ABM are here as well as staff to answer questions.

Ms. Dorothy asked when work will begin and when it will be finished. Ms. Stewart replied that as soon as the appropriation becomes effective and the contract is executed
then they are prepared to move forward. Some of the work will be able to be achieved very quickly with the remainder being completed throughout the remainder of the year.

Mr. Myers asked if the $2.3M appropriation amount had been budgeted in this year’s CIP or are funds being moved. Ms. Stewart reported the amount being higher than what was projected in the CIP. We anticipate the bulk of the appropriation will be included in the bonding that will occur later this year. Mr. Myers concluded that we will debt finance a portion of this work as opposed to readjusting our capital budget. Ms. Stewart agreed.

There being no additional comments, the clerk called the roll on Ordinance No. 11-2018. The motion carried by the following vote:

Yes 7    Kowalczyk, Foust, Dorothy, Smith, Myers, Robinson, and Michael

No 0

Ordinance No. 11-2018 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 12-2018

Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Design Costs of the East Wilson Bridge Road Waterline and all Related Expenses and Determining to Proceed with said Project. (Project No. 678-18)

Ms. Michael requested an amendment to update the cost.

MOTION

Mr. Robinson made a motion to insert in Section 1 an amount not to exceed Eighty One Thousand Five Hundred Five Dollars ($81,505.00). The motion was seconded by Mr. Foust.

The motion carried unanimously by a voice vote.

Mr. Greeson reported there being a breakage history on this waterline. Because this road is in need of being repaved, staff wanted to repair the waterline before doing that work. This appropriation is for the design of the project. He invited Mr. Whited to explain the project and the amendment.

Mr. Whited reported being excited about beginning this project. An amendment was needed as the project costs for design had increased because of a change in how we were hoping to approach the project with the city of Columbus. Our proposed route didn’t work so we will have to take a different route that will be a little more costly and a little more intrusive during construction but we will get it done. Design will begin in April
with construction beginning later this year. It is a very important project and staff is looking forward to getting Council approval to begin the design.

Ms. Dorothy commented that she is very aware of our aging waterlines. She asked if the life cycle of waterlines is known and how long before we will have to replace other neighborhood waterlines. Mr. Whited reported they tend to have a life cycle of thirty to fifty years if quality materials are used and construction is done well. There are other factors that play into that but he has assurances that MS Consultants will design it with those life cycle interests in mind.

Mr. Myers acknowledged being curious about his reference regarding Columbus. He asked for an explanation. Mr. Whited reported the change in approach was not because of a problem with Columbus but rather because it involved a risk that they would rather not take. It is not surprising and probably the same decision that he would have made as a department. Mr. Myers reported it being nice to hear that Columbus is working well with staff.

There being no additional comments, the clerk called the roll on Ordinance No. 12-2018 (As Amended). The motion carried by the following vote:

Yes 7 Foust, Dorothy, Smith, Myers, Robinson, Kowalczyk, and Michael

No 0

Ordinance No. 12-2018 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 13-2018

Approving the Installation of a Tree Dedication Marker on the Northeast Village Green to Recognize the Contributions of former Mayor Harvey Minton to the Worthington Community

The foregoing Ordinance Title was read.

Mr. Greeson reported that the recognition plaque will need to be 4”x 9” instead of 4”x 6” as originally thought in order to accommodate all of the words.

Ms. Michael shared that Mr. Minton was very involved in Arbor Day activities and our community. This recognition will be wonderful. When asked about the timing of this recognition, Mr. Greeson commented that it would be incorporated into the Arbor Day celebration. This idea emerged because Mayor Minton had always been very active in the tree planting ceremony along with the students from Evening Street Elementary. He enjoyed educating children about our urban forest.

There being no additional comments, the clerk called the roll on Ordinance No. 13-2018. The motion carried by the following vote:
Yes 7    Dorothy, Smith, Myers, Robinson, Kowalczyk, Foust, and Michael

No 0

Ordinance No. 13-2018 was thereupon declared duly passed and is recorded in full in the appropriate record book.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 21-2018

Amending the Staffing Chart of the City of Worthington to Provide for Twenty-six (26) Police Officer Positions in the Division of Police for up to a One Year Period.

Introduced by Mr. Smith.

MOTION

Mr. Myers made a motion to adopt Resolution No. 21-2018. The motion was seconded by Ms. Dorothy.

Mr. Greeson reported there being two vacancies in patrol officer positions at this time due to retirements at the end of last year. We are currently going through a hiring process and think we are on the path to filling those two positions in the near future. Because we are anticipating additional retirements before the end of the year and the hiring process is extensive, we would like to increase the staffing chart so that we can hire the additional officers in advance of the retirements. We anticipate that move will significantly lower overtime costs. We believe that the budget savings from a Step A officer to a Step D officer would be sufficient to cover the cost of the additional two positions between now and whenever those retirements will occur. If we need minor adjustments later in the year we will come back.

Ms. Kowalczyk asked if the costs for the additional staff also includes health insurance costs and was that taken into consideration. Mr. Bartter reported that he looked at everything. There may be an issue with health insurance costs depending on their selection of coverage (family, single coverage or they opt out). If they elect family we may have to do some transfers or additional appropriation towards the end of the year but he doesn’t foresee it being a problem.

Mr. Greeson explained that staff feels the benefits of effective planning for these positions outweigh any minor adjustments that may need to be made at the end of the year.

When asked by Ms. Michael if action will need to be taken to return the staffing chart to the appropriate number, Mr. Greeson replied that Council will adopt a new staffing chart as part of the budget project. The staffing chart will be looked at then. We are in a cycle where we will be facing these same issues next year.
Chief Strait provided additional information on the training and certification process.

When asked by Ms. Dorothy what might happen if we don’t do this, Chief Strait replied that we will pay a great deal of overtime. Doing it earlier allows the new officers to work with knowledgeable officers which is beneficial in many ways. They can provide history and constant recognition of past practices on how we have done things. Mr. Greeson added that overtime taxes our work force, which we want to avoid.

Mr. Myers shared that many officers he has talked to recently report how difficult it is to recruit minority officers particularly in the suburbs. He wants to make certain we are doing our best effort to have a diverse force. Mr. Greeson agreed that it is a challenge. Highly qualified diverse candidates are hard to find and highly desired.

Chief Strait reported it being a challenge that other chiefs are experiencing as well which is why we actually hired an outside recruiting firm to assist. They specifically recruited in colleges, local churches, community centers, and the military. Officers even attend job fairs in an effort to recruit. The addition of national testing makes it even more challenging because people can pick the areas they want to work in.

When asked by Ms. Michael if he is finding that many potential candidates aren’t even making it through because they can’t pass the beginning written test, Chief Strait replied that he only sees the final number that pass. He guesses because of the aptitude and likeability of the city of Worthington we had 148 apply for our agency. He has heard of other agencies that only had 48 and sometimes less that have applied so it speaks to the city of Worthington and the quality here.

Mr. Greeson shared that we use the National Testing background so anybody in the country can access that. He appreciates Chief Strait’s efforts to attend job fairs.

When asked by Ms. Michael how many officers will be hired, Mr. Greeson replied probably four this year. We are just in the process at this time.

There being no additional comments, the motion to adopt Resolution No. 21-2018 carried unanimously by a voice vote.

Resolution No. 28-2018 Designating Three Consultants for the Northeast Gateway Project and Directing the City Manager to Proceed with the Next Phases of the Local Public Agency Programmatic Selection Process.

Introduced by Ms. Kowalczyk.

MOTION Mr. Robinson made a motion to adopt Resolution No. 28-2018. The motion was seconded by Mr. Foust.
Ms. Michael reported this legislation is in conjunction with requirements from the Ohio Department of Transportation. Staff has reviewed proposals for consulting services for the right-of-way acquisition services. The three separate firms selected will provide three different phases of the acquisition: Identification, Appraisal and Securing of Right-of-Ways.

Mr. Whited reported this being an important step in this very big project. This legislation starts us down the road of acquiring one hundred twenty four parcels in different manners in order to be able to acquire right-of-way easement. The process through the local public agencies (ODOT and Federal Highway Administration) is called a quality bases selection process. That means that we will not see numbers until after we have made the selection of the firms based on their qualifications. Those three firms are TranSystems (Dublin) for right-of-way acquisition, Martin + Wood Appraisal Group LTD (Dublin) for the appraisal review and Heritage Land Services Inc. (Westerville) for relocation review. The next step in this process is to get together with ODOT and begin negotiations with these contractors who are all pretty qualified with ODOT who is very familiar with their work. That process will likely take a few weeks. We will then come back to Council with the finalization of that selection and make that appropriation. The process will begin approximately twenty days after that with the total acquisition process taking about eighteen months.

When Ms. Michael inquired as to who is paying the bill for this process, Mr. Whited replied that this is paid through the process in general as part of all of the other funding mechanisms. Members will see properties come to us in packets that are approving the purchase price and acquisition of those particular properties.

At Mr. Myers inquiry as to the definition of “Local Public Agency Programmatic Selection Process”, Mr. Whited explained that it is that qualification based service selection process that he described. It is a fancy name for the selection process that requires you to base your selection on their ability to perform and not on costs. Given that type of selection process, Mr. Myers inquired as to what ability we have to control costs. Mr. Whited replied integrity of those firms. Mr. Whited agreed with Mr. Myers that this process is mandated by us using state and federal funds.

There being no additional comments, the motion to adopt Resolution No. 28-2018 carried unanimously by a voice vote.

Ordinance No. 14-2018

Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the PACE Fund Unappropriated Balance to Provide Funds for the Payment of a Special Assessment to the Columbus-Franklin County Finance Authority

Introduced by Mr. Foust.
Ordinance No. 15-2018
Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the Olentangy Parklands Restroom and all Related Expenses and Determining to Proceed with said Project. (Project No. 676-18)

Introduced by Mr. Smith.

Ordinance No. 16-2018
Amending Ordinance No. 41-2017 (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 Upper Rush Run Stream Restoration Design and all Related Expenses with said Project. (Project No. 639-17)

Introduced by Mr. Myers.

Ordinance No. 17-2018
Amending Ordinance No. 41-2017 (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 Ms. 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

Information Item(s)

Mr. Greeson shared the following:

- He distributed two documents this evening
  - Council Retreat Report prepared by Management Partners
  - Memorandum from Matt Greeson about Community Visioning and Strategic Planning
Mr. Greeson reported that these two items will be included as part of the Committee of the Whole meeting next week.

- Additional topic of next week’s Committee of the Whole is Tobacco 21.

City Intern, Ethan Barnhardt will be reporting on some of the research that he conducted after receiving feedback from Council members at his last presentation. We will also hear some testimony from the American Heart Association. Staff will be seeking Council’s direction on whether to move forward with ordinance language as a follow up to that discussion.

- City of Worthington will be hosting Central Ohio Mayor and Managers Association (COMMA) later this week at the McConnell Arts Center. The main agenda item will be COMMA’s legislative agenda for the year and how we might work with our fellow Mayors and Managers to influence the legislature.
- Next Monday staff will be interviewing three electric aggregation consultants. Recommendations will be brought back to Council in relative short order after those interviews.
- On Thursday, MORPC will elect new officers and he will pass the gavel. He appreciates Council’s support while he has served as MORPC’s chair the last two years.
- Staff had the opportunity to meet recently with the new Columbus Public Health Director and she provided a great update. Highlights from Columbus Public Health’s efforts in Worthington in 2017 were distributed. It was a good meeting and they are interested in continuing a great partnership with us.

Mr. Hurley shared the following information:

- Concerts on the Green

Mr. Hurley announced that the City has its first full sponsorship for our summer concert series. President Michael and Mr. Greeson and staff received a large check for $15,000 today from FC Bank. He thanked them publicly for their sponsorship of that event. Jenny Saunders, President of FC Bank has been a great partner in wanting to get involved with the City and supporting many of our activities. They will receive several benefits in terms of marketing. We are very excited to have them as a partner.

Ms. Michael mentioned that FC Bank asked that the City not release anything on Facebook or anywhere else until after they make their announcement. Mr. Hurley concurred with Ms. Michael’s comments. He added that his staff will put something out after FC Bank does a release.

Mr. Greeson remarked that several years ago the City adopted a sponsorship guidelines policy to help guide how companies might sponsor city activities. For the last several years we have been successful in having single concert sponsors but not the whole series sponsors. Kudos to our Parks & Rec staff for being successful in that endeavor. That
amount and the Concert on the Green is specific delineated in those guidelines as an opportunity that we could pursue.

- Earth Day / Arbor Day activities
  - Tree Planting around Olentangy Parklands (Parks & Rec, FLOW and Green Columbus) – April 14 & 15 from 1 – 4 pm
  - Moses Wright Nature Area cleanup (Parks & Rec and Sustainable Worthington sponsored) – April 21 from 9 am – Noon
    - Lunch to be provided by Dewey’s Pizza
  - Arbor Day Celebration – April 27 beginning at Noon on the Northeast quadrant of the Village Green. An American beach tree will be planted to honor the late Mayor Harvey Minton.

REPORT OF COUNCIL MEMBERS

Law Director Tom Lindsey – Provided an update on the Liquor Control hearing concerning the Monkey Bar. The hearing has been continued to a later date for us to work out the details of an agreement proposed by the permit holder’s attorney. The chief has had some subsequent conversation with the permit holder about the possibility of having a restaurant at that location that does not serve alcohol. We will evaluate that further. Our initial concerns were related to the liquor license itself since that is where our authority was.

Tax litigation regarding H.B. 49 – The Stay as requested was denied. It was not a surprise. The concern the courts had was that there was really nothing to stay.

Mr. Foust - Requested to be excused from the April 9th meeting as he will be traveling.

Mr. Smith - Reported that last week he had his “Get to Know You” meeting with representatives National Church Residences. They got him thinking about the Council Retreat and what was said about Steiner. He thinks it has been three weeks since the retreat and he recalls that we should be communicating our movements with the public. He still stands by that as a communications professional. He thinks it would be wise to let those in the community know that those two properties are being talked about. It could be something as simple as we don’t know what is going to happen but we are talking with people. Mr. Greeson reported that Ms. Brown is working to update the website on both of those matters. It will be factual information for those concerned. Notices will likely go out to those who signed up for the information.

Ms. Dorothy

WIFA – The 2018 Mayoral Delegation from Sayama will be visiting from October 1st to October 5th. The particulars are still be planned. The delegation will include the Mayor and his wife and five other people. A reception is being planned for either October 3rd or 4th. Council and staff will be invited. More information to follow.
May 14th there will be a program on the Koreas at the Worthington library. They are still looking at a June date for an immigration panel at Old Worthington Library. The October 16th program will be on Bangladesh or Madagascar.

Walnut Grove / Flint Cemetery Board – One of the outbuildings on the recently acquired Ozem Gardner home property has been fixed up enough that the facility is secure and staff will be able to store internment equipment in the building. They are still working on public outreach regarding the rehabbing of the Gardner property.

Ms. Kowalczyk – Old Worthington Partnership is exploring the extension of the Farmer’s Market for another hour during June through August. The Methodist Church has also expressed an interest in the Market being extended down towards them. So they are working on those possible changes.

Ms. Michael reported on the following items:

- Convention and Visitors Bureau (CVB) – At the end of the most recent meeting that she attended, Mindy Mace (Executive Director) and Mike Clevenger (Treasurer) announced that they had turned in their resignations effective the end of April. A follow up meeting is being planned in the near future to discuss the next steps. She will keep members informed.

- Meeting scheduled next week between representatives of the City of Columbus, City of Worthington, Worthington School Board and SwimInc. to discuss the next steps for SwimInc.

- Readiness Training – She and Chief Strait have talked about some training for Council members should they encounter danger/dangerous individuals.

Chief Strait talked about a modified ALICE training program. That training would take about 1 ½ hr. of members time and potentially another 30 minutes to discuss certain aspects associated with ALICE. Staff would be glad to host that. A determination would need to be made as to whether this constitutes a meeting or not. Ms. Michael thinks that it would be a good idea to include various board/commission members as well in the training.

After some discussion, members decided that it would be better to have such a training separate from a public meeting because of some of the issues that would likely be included. Mr. Lindsey believes we can get where members want to get in terms of a non-meeting but it will be with the caveat that council members should not engage in a real discussion of what would be public business during that training.

**EXECUTIVE SESSION**
ADJOURNMENT

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

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 8:53 p.m.

___________________________________
Clerk of Council

APPROVED by the City Council, this 16th day of April, 2018.

__________________________
Council President
STAFF MEMORANDUM
City Council Meeting – April 16, 2018

Date: April 12, 2018

To: Matthew H. Greeson, City Manager

From: Darren Hurley, Parks & Recreation Director

Subject: Ordinance No. 15-2018 - Appropriation - Olentangy Parklands Restroom Project

EXECUTIVE SUMMARY
This ordinance appropriates $195,000 for the purchase of a new restroom facility to be placed in the Olentangy Parklands in close proximity to the tennis courts, pickleball courts, soccer field, skatepark and adjacent to the Olentangy Trail access and trailhead.

RECOMMENDATION
Motion to Amend to reflect the amended version of the ordinance included in this packet; Approve as Amended

BACKGROUND/DESCRIPTION
The 2018 Capital Improvements Program (CIP) included $120,000 for a new restroom facility in the Olentangy Parklands. As staff have continued planning for the installation of the restroom facility with potential vendors, it has become clear we will need additional funds to accomplish the project in a satisfactory manner. As we moved into design and more detailed quoting of the precast structure and its installation in the park, two factors have significantly increased our anticipated cost of the project. First, in working through the design and consulting with other agencies with similar restroom installations in similar park settings, we are recommending we upsize the structure from our original proposal so it has two stalls in both the men's and women's as opposed to the one we were originally proposing. Usage in the park can be heavy and with soccer, trail usage, tennis, pickleball, and the skatepark we feel having two stalls in each restroom area will be necessary. In addition, with the year round usage of the trail, the sledding hill, the skatepark, and even the early spring and late fall usage of the soccer field we have decided running electricity to the facility enabling it to have heat and be open year round is a desirable upgrade. As a result, the total cost for the project has increased to $195,000. This will allow the facility to be sized and operated to most sufficiently serve the very high volume usage in the park.
The purchase of the restroom facility and its installation would be made under 111.05(a), the Cooperative Purchasing exemption to formal purchasing, through the National Joint Powers Alliance, which the City is a member organization of as a result of prior purchases. This national public service agency offers government agencies access to competitively awarded cooperative purchasing contracts saving the individual member agency time and resources to perform the bidding process independently.

The location of the facility is proposed to be on the south side of the tennis courts between the existing storage building and the trailhead/shelter area. The restroom will then be located in close proximity to the tennis courts, pickleball courts, soccer field, skatepark and right along the Olentangy Trail access and trailhead.

The addition of a permanent restroom facility in the Olentangy Parklands was listed as one of the priority projects in the City’s Parks Master Plan. The park which experiences year round usage including over 400,000 annual users of the Olentangy Trail is currently served by two portable toilets which are located in the parking lot. These units are difficult to keep up with due to the high usage of the park which serves not only trail users but tennis, pickleball, soccer, skatepark, and sledding hill users.

FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)
The 2018 Capital Improvements Program (CIP) allocated $120,000 to this project. Due to some recommended changes to the precast facility to be installed, staff are requesting an allocation of $195,000 to complete the project. A portion of the additional funds ($25,000) will be taken from the Special Parks Fund which can only be used to fund park improvement projects.

ATTACHMENTS
Ordinance No. 15-2018
ORDINANCE NO. 15-2018

Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the Olentangy Parklands Restroom and all Related Expenses and Determining to Proceed with said Project. (Project No. 676-18)

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. 308.4010.533405 an amount not to exceed __________________________ ($________) to pay the cost of the Olentangy Parklands Restroom Project and all related expenses (Project No. 676-18).

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
ORDINANCE NO. 15-2018  
(As Amended)

Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the Olentangy Parklands Restroom and all Related Expenses and Determining to Proceed with said Project. (Project No. 676-18)

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. 308.4010.533405 an amount not to exceed one hundred seventy thousand dollars ($170,000) to pay the cost of the Olentangy Parklands Restroom Project and all related expenses (Project No. 676-18).

SECTION 2. That there be and hereby is appropriated from the Special Parks Fund Unappropriated Balance to Account No. 229.4010.533071 an amount not to exceed twenty five thousand dollars ($25,000) to pay the cost of the Olentangy Parklands Restroom Project and all related expenses (Project No. 676-18)

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 April 2, 2018
P.H. April 16, 2018
STAFF MEMORANDUM
City Council Meeting – April 16, 2018

Date: April 12, 2018

To: Matthew H. Greeson

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

Subject: Ordinance No. 16-2018 - Upper Rush Run Improvements Design Funding

EXECUTIVE SUMMARY
This Ordinance appropriates funds for design and engineering costs associated with stream restoration of the Upper Rush Run.

RECOMMENDATION
Approve as Presented

BACKGROUND/DESCRIPTION
In conjunction with the North East Gateway Project, staff has identified severe impairment of the Upper Rush Run that is included in the gateway area. EMH&T was hired in 2017 to conduct a study of the area and make recommendation for needed improvements. They have presented preliminary concepts with a proposal for design services totaling $59,100. This legislation authorizes an agreement with EMH&T for the design of said improvements and appropriates funds for the cost of design services.

FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)
The cost of the design services is $59,100. The 2017 Capital Improvements Program included $25,000 for this work. This Ordinance provides the additional funds needed for the design work.

ATTACHMENTS
Ordinance No. 16-2018
ORDINANCE NO. 16-2018

Amending Ordinance No. 41-2017 (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 Upper Rush Run Stream Restoration Design and all Related Expenses with said Project. (Project No. 639-17)

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. 308.8140.533369 an amount not to exceed Thirty Five Thousand Dollars ($35,000.00) to pay the additional design and engineering costs of the Upper Rush Run Stream Restoration Design Project and all related expenses (Project No. 639-17).

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
Date: March 28, 2018

To: Matthew H. Greeson

From: Daniel Whited, P.E. Director of Service and Engineering

Subject: Ordinance No. 17-2018 – Design of Northeast Gateway Aesthetics Funding

EXECUTIVE SUMMARY
Staff is introducing and requesting Council approval of an ordinance to fund the design of aesthetic upgrades to the Northeast Gateway Project.

RECOMMENDATION
Approve as Presented

BACKGROUND/DESCRIPTION
The City Council has previously approved conceptual designs for the aesthetic upgrade of the Northeast Gateway project, including an entry sign, façade finishes, brick paver treatments and other important gateway features. Costs associated with these elements are not covered within the parameters of the grant funding we are receiving for the project. This legislation funds the design of them from the Capital Improvements Project Fund at a cost of $41,000.

FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)
$41,000

ATTACHMENTS
Ordinance No. 17-2018
ORDINANCE NO. 17-2018

Amending Ordinance No. 41-2017 (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 Forty One Thousand Dollars ($41,000.00) 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
EXECUTIVE SUMMARY
The City of Worthington is seeking to implement a commercial purchase card program which staff believes will bring increased efficiencies in the purchasing process, provide additional cost tracking measures, and generate a monthly rebate.

RECOMMENDATION
Introduce for Public Hearing on May 7, 2018

BACKGROUND/DESCRIPTION
The Finance Department has been working to develop a policy and implement a commercial purchase card program since the summer of 2017. As a result of that effort, the City Manager authorized the attached administrative regulation which regulates the use of City issued purchase cards. As stated in the policy, the recommended uses of the purchase card includes the purchase of: travel, dues and subscriptions, and supplies.

Vendor Selection
As we have worked through this process we contacted five (5) purchase card vendors about utilizing their services. We received no response from two (2) vendors and discussed the options available with the three respondents. We based our selection upon the following criteria:

- Online access and expense tracking
- Real-time credit limit control
- Purchase type control
- Fee Structure and minimum spending requirement
- Reward structure.
Based upon the above criteria, Huntington National Bank was selected as the vendor of choice. Additionally, Huntington provides purchase cards for multiple Central Ohio Municipalities who all responded to our inquiry with positive reviews of the services offered.

**Increased Efficiency**
Current practice dictates that almost all of the payments made by the City of Worthington to various vendors are made through the issuance of a paper check. The implementation of a purchase card program allows the City to bundle multiple purchases and only issue one check to the purchase card merchant (Huntington). By allowing purchases via purchase card we can significantly reduce the number of checks issued each month. Additionally, our process is streamlined because the City would be issuing far fewer reimbursement checks.

**Additional Cost Tracking Measures**
Through the use of Huntington’s online portal the Finance Department will be able to track purchases in real-time, control spending limits and limit purchases by type.

**Monthly Rebate**
The City anticipates being able to pay multiple recurring expenses via purchase card in order to keep our monthly spend volume above levels that avoid a monthly fee for use. By meeting monthly spending thresholds the City becomes eligible to receive a rebate of between .25% - .75% of monthly spending volume.

**ATTACHMENTS**
Administrative Regulation 6.0 - Purchase Cards and On-Accounts
ADMINISTRATIVE REGULATION 6.0

Subject: Purchase Cards and On-Accounts

Section 1. Purpose

a. The purpose of this regulation is to establish a clear regulation for use of the City of Worthington’s purchase cards and on-accounts. Issuance of a Purchase Card or On-Account is an efficient method of payment and recordkeeping for city expenditures. Purchase card/on-account transactions are to be used responsibly and in a manner consistent with the City’s mission, applicable laws and ethical practices.

Section 2. Authority

a. The authority for this administrative regulation is based upon the Codified Ordinances of the City of Worthington § 131.02, which authorizes the City Manager to issue general rules and regulations for City operations. Further authority also resides in § 111.11, which notes in part: The Director of Finance shall establish and may amend any rules and regulations which he deems necessary to the operation of the purchasing function.

Section 3. Guidelines

a. Issuance and Cancellation

i. All purchase cards and on-accounts must be initiated and approved by the Finance Department. All purchase cards and on-accounts shall be established in the name of the City of Worthington or if applicable the authorized purchasing users.

ii. Any employee allowed to purchase on behalf of the City, may be chosen at the discretion of the Finance Department and the Department Director based on the need of the employees job functions.
iii. All purchasing users must be current employees of the City of Worthington and have signed a purchasing card/on-account acknowledgement form for authorization of use prior to using a purchasing card or on-account.

iv. Purchase cards and on-accounts may be canceled at any time at the sole discretion of the Finance Director and/or City Manager, including but not limited to situations involving a cardholder's job status, misuse, abuse, or other improper use.

v. Any benefits from usage of such purchasing cards (cash or points) from any purchasing card incentive program is the property of the city.

b. Limitations and Restrictions
   i. The purchasing card limit shall be determined by the Finance Department. If applicable, an on-account limit is determined by the vendor itself.

   ii. Utilization of a purchase card as form of payment does not supersede the requirement of pre-approval of a purchase order for the purchase but is intended to streamline the acquisition and accounts payable procedures for the City. The use of the purchase card for electronic commerce must be pre-approved by the submission of a purchase order requisition and an approved purchase order prior to purchase.

   iii. In the event where a purchase is an emergency and a formal process of securing a purchase order isn’t readily available, the purchase will be subject to a Then & Now statement by the Director of Finance.

c. Recommended Uses (but not limited to)
   i. City business travel, meetings, lodging, and training seminars.
   ii. Dues and subscriptions
   iii. Supplies*
       *If supply expenditures are intangible (ex: food/drinks). Additional detail is required with submitted receipts for the applicable event (ex: the number of individuals registered for the applicable event.)

d. Unauthorized Use
   i. The general types of purchase card violations include abuse, misuse, negligence and fraud.
   ii. Persons using the purchase card for personal, non-authorized or undocumented expenditures are held personally responsible for
those expenditures. Abuse of the purchasing card is subject to disciplinary procedures, up to and including termination.

iii. The use of the purchase card is prohibited for the following items, this list is not all inclusive:
   1. Payment of any fines, penalties or personal liabilities incurred by the cardholder or anyone else.
   2. Cash advances.
   3. Alcoholic beverages and tobacco products.
   4. Items for personal use and items for non-City purposes.
   5. Meal allowances for local or non-local travel.

e. Card Security
   i. When in use, it is the authorized cardholder’s responsibility to safeguard the purchasing card and purchasing card account number at all times.

   ii. If a purchase card is realized to be lost or stolen, emergency notification to the purchasing card vendor must take place to suspend/cancel the compromised card. The employee will then notify the Finance department during office hours or notify via email during non-office hours of the lost/stolen card.

Section 4. Procedure

a. The Finance Department will receive a statement directly from the Purchase Card or On-account provider. The City department(s) staff must approve all itemized purchase receipts and submit the receipts to finance in a timely manner to be reconciled with the statement in finance.

   i. Review each charge to verify accuracy & legitimacy.
   ii. Attach supporting itemized sales/credit receipts along with completed purchase card purpose form. Purchase card purpose form will not be required where Travel Authorization form has been completed under Administrative Regulation 2.4.
   iii. Have the appropriate department support person verify the purchase order being used for the purchase and department director approve the sales/credit receipts.
   iv. Forward the approved sales/credit receipts to the Finance Department for payment.

b. Examples of proper documentation for itemized receipts are:
   i. Original itemized paid receipts indicating amount paid, the vendor, and the itemized description of the purchase.

6.0 Purchase Cards and On-Accounts - Page 3
ii. Copy of the order form and packing slip or any other applicable receiving document that includes the amount of the purchase.

iii. A hard copy print out of items ordered on-line.

c. Examples of documentation not allowed are:
   i. Non-itemized credit card receipt that indicates no description of the purchase.
   ii. Handwritten requests for reimbursement without receipts or other verification.

Section 5. **Internal Controls**

a. Prior to issuing a card to an employee, the Finance Department will determine how the purchasing cards will be used, who can use them, and setting credit limits. Once these parameters are determined by the Finance Department, the purchasing card will then be issued to the authorized employee by the Director of Finance.

b. A quarterly review of purchase card transactions will be conducted by the Finance Analyst by comparing transactions to the types of purchases set forth in 5(a) for the specific employee and who is being issued purchasing cards.

Section 6. **Effective Date**

This Administrative Regulation shall be effective on and after April 1, 2018.

Matthew H. Greeson
City Manager
ORDINANCE NO. 18-2018

Authorizing the Use of Commercial Purchase Cards and
Authorizing the Finance Director to Execute a Card
Agreement with The Huntington National Bank.

WHEREAS, Chapter 111 of the Codified Ordinances of the City provides for
procedures by which the City makes purchases and disposes of equipment; and,

WHEREAS, Purchases for supplies, materials and equipment below the fifty
thousand dollar formal purchasing threshold may be made in accordance with the rules
and regulations determined by the City Manager; and,

WHEREAS, the City Manager has issued Administrative Regulation 6.0
governing the use, limitations, recommended uses, procedure, and internal controls for
the use of a commercial purchase card.

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

SECTION 1. Authorization. This Council hereby authorizes the use of
Commercial Purchase Cards within the constraints outlined by the City Manager in the
City’s Administrative Regulations.

SECTION 2. Authorized Person to Execute Agreement. That the Finance
Director is fully authorized to execute a Card Agreement with the Huntington National
Bank.

SECTION 3. It is hereby found and determined that all formal actions of this
Council concerning and relating to the passage of this ordinance were taken in an open
meeting of this Council, and that all deliberations of this Council and of any of its
committees that resulted in such formal action, were in meetings open to the public, in
compliance with all legal requirements including Section 121.22 of the Ohio Revised
Code.

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.

Adopted ______________

President of Council

Attest:

_______________________
Clerk of Council
STAFF MEMORANDUM
City Council Meeting – April 16, 2018

Date: April 12, 2018

To: Matthew H. Greeson, City Manager

From: Darren Hurley, Parks & Recreation Director

Subject: Ordinance No. 19-2018 - Appropriation - Bike and Pedestrian Strategic Bicycling and Walking Implementation Plan

EXECUTIVE SUMMARY
The 2018 Capital Improvements Program (CIP) included $50,000 in funding for a Bike and Pedestrian Master Plan. Staff and representatives from City Council and the Bike and Pedestrian Advisory Board have reviewed proposals and interviewed consultants and are recommending a contract be awarded to Blue Zones, LLC for the planning process. The proposed cost to perform the work exceeds the $50,000 allocation which has already been appropriated. As a result, staff are recommending an additional allocation of $25,821 to fund the recommended planning process. The total contract amount is $75,821.

RECOMMENDATION
Introduce for Public Hearing

BACKGROUND/DESCRIPTION
The Bicycle and Pedestrian Advisory Board has established as one of its top priorities the creation of a Bike and Pedestrian Master Plan. The Master Plan, which has been titled the Strategic Bicycling and Walking Implementation Plan, will engage the community and serve as a guiding document for the development of a network of bicycle and pedestrian routes linking activity centers within the City, as well as to the larger regional network.

FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)
The Ordinance will require the allocation of an additional $25,821 from unappropriated funds. There is $100,000 available in the 2018 Capital Improvements Program for bicycle and pedestrian improvements. After these additional funds are provided for the plan, there will be $74,179 available for other improvements.

ATTACHMENTS
Ordinance No. 19-2018
ORDINANCE NO. 19-2018

Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay Phase Two of the Bike and Pedestrian Master Plan and all Related Expenses. (Project No. 668-18)

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. 308.4010.533396 an amount not to exceed Twenty Five Thousand Eight Hundred Twenty Five Dollars ($25,825.00) to pay Phase Two of the Bike and Pedestrian Master Plan and all Related Expenses. (Project No. 668-18).

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

Passed ______________

President of Council

Attest:

__________________________
Clerk of Council
Date: April 12, 2018

To: Matthew H. Greeson, City Manager

From: Darren Hurley, Parks & Recreation Director

Subject: Strategic Bicycling and Walking Implementation Plan (Master Plan)

EXECUTIVE SUMMARY
Staff is requesting approval to move forward with Blue Zones, LLC on a Strategic Bicycling and Walking Implementation Plan.

RECOMMENDATION
Motion to Authorize the City Manager to enter into an agreement with Blue Zones, LLC to create a Strategic Bicycling and Walking Implementation Plan utilizing the $50,000 already appropriated in the 2018 Capital Improvements Program (CIP).

BACKGROUND/DESCRIPTION
The Bike and Pedestrian Advisory Board has established as one of its top priorities the creation of a Bike and Pedestrian Master Plan. The Master Plan, titled the Strategic Bicycling and Walking Implementation Plan, is designed to engage the community in the creation of a guiding document for the development of a network of bicycle and pedestrian routes linking activity centers within the City, as well as to the larger regional network. The network will not only make bicycling and walking a more viable mode of transportation, but will contribute to an enhanced quality of life in the City and its resultant benefits to existing residents and economic development.

City staff and representatives from City Council and the Bike and Pedestrian Advisory Board reviewed responses to a Request for Proposals (RFP) and participated in interviews with three firms to select a preferred vendor. Blue Zones, LLC is the firm being recommended to create the plan. The original appropriation for the planning process in the Capital Improvements Program (CIP) was $50,000. The proposed amount to do the work from our preferred vendor, Blue Zones, LLC, is $75,821. As a result, we are seeking a motion to authorize the City Manager to enter into an agreement with Blue Zones, LLC to perform phase one of the plan for $50,000. In a separate agenda item we are beginning the
process of requesting the additional $25,821 which if approved would allow us to enter into phase two of the planning process with the additional funds.

**FINANCIAL IMPLICATIONS/FUNDING SOURCES** (if applicable)
The 2018 Capital Improvements Program includes $50,000 for this plan.
STAFF MEMORANDUM
City Council Meeting – April 16, 2018

Date: April 12, 2018
To: Matthew H. Greeson, City Manager
From: Robyn Stewart, Assistant City Manager
Subject: Liquor Permit Transfer - Half Pint, 673 High Street

EXECUTIVE SUMMARY
The Ohio Division of Liquor Control has notified the City of a request to transfer a liquor permit from Harold's American Grille to Half Pint at 673 High Street. The City may request a hearing.

RECOMMENDATION
Motion to Not Request a Hearing

BACKGROUND/DESCRIPTION
This is a request to transfer D5 and D6 liquor permits from Harold’s American Grille to 673 High Street LLC DBA Half Pint at 673 High Street. The D5 permit is for spirituous liquor for on premises consumption only; beer, wine and mixed beverages for on premises, or off premises in original sealed containers; until 2:30 a.m. The D6 permit is for the sale of intoxicating liquor on Sunday between the hours 10:00 a.m. or 11:00 a.m. and midnight.

ATTACHMENTS
Notice from Ohio Division of Liquor Control
### Liquor Permit Transfer - Half Pint, 673 High Street

**Notice to Legislative Authority**

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<td>HAROLDS AMERICAN GRILLE LTD</td>
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<td>673 HIGH ST &amp; BSMT &amp; PATIO SUITE 100</td>
<td>WORTHINGTON OH 43085</td>
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**Important Notice**

Please complete and return this form to the Division of Liquor Control whether or not there is a request for a hearing. Refer to this number in all inquiries.

Transaction & Number: B TREX 8201023

**Mailed:** 03/21/2018

Responses must be postmarked no later than: 04/23/2018

**Important Notice**

We request a hearing on the advisability of issuing the permit and request that the hearing be held in our county seat. In Columbus.

We do not request a hearing. Did you mark a box? If not, this will be considered a late response.

Please sign below and mark the appropriate box indicating your title:

---

(Signature) (Title) - Clerk of County Commissioner (Date)

- Clerk of City Council
- Township Fiscal Officer

CLERK OF WORTHINGTON CITY COUNCIL
KAY THRESS
6550 NORTH HIGH STREET
WORTHINGTON OHIO 43085
OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. For best results, search only ONE criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

| Permit Number | 8201023 |
| Permit Name / DBA | |
| Member / Officer Name | |

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<tr>
<td>PATRICK KEITH MORELAND</td>
<td>MANAGE MEM</td>
<td>VICE PRES.</td>
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| Permit Number | 8201023; Name: 673 HIGH STREET LLC, DBA: DBA HALF PINT; Address: 673 HIGH ST SUITE 100 WORTHINGTON 43085 |

- Ohio.Gov
- Ohio Department of Commerce

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STAFF MEMORANDUM
City Council Meeting – April 16, 2016

Date: April 12, 2018
To: Matthew H. Greeson, City Manager
From: Robyn Stewart, Assistant City Manager
Subject: Liquor Permit Transfer - Porch Growler, 892 High Street

EXECUTIVE SUMMARY
The Ohio Division of Liquor Control has notified the City of a request to transfer a liquor permit from Noodles & Company to Porch Growler at 892 High Street. The City may request a hearing.

RECOMMENDATION
Motion to Not Request a Hearing

BACKGROUND/DESCRIPTION
This is a request to transfer D5 and D6 liquor permits from Noodle Shop Co Colorado Inc DBA Noodles & Company at 6599 E. Broad Street to Porch Growler LLC at 892 High Street. The D5 permit is for spirituous liquor for on premises consumption only; beer, wine and mixed beverages for on premises, or off premises in original sealed containers; until 2:30 a.m. The D6 permit is for the sale of intoxicating liquor on Sunday between the hours 10:00 a.m. or 11:00 a.m. and midnight.

On January 16, 2018, City Council heard from a representative of Porch Growler, and endorsed and acknowledged this transfer as an economic development project.

ATTACHMENTS
Notice from Ohio Division of Liquor Control
8.A.III. - Liquor Permit Transfer - Porch Growler, 892 High Street

**NOTICE TO LEGISLATIVE AUTHORITY**

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**TO**

Porch Growler LLC
892 N High St
Worthington OH 43085

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**FROM** 04/03/2018 **SAFEKEEPING**

Noodle Shop Co Colorado Inc
DBA Noodles & Company
6599 E Broad St
Columbus OH 43213

**MAILED** 04/03/2018

**RESPONSES MUST BE POSTMARKED NO LATER THAN** 05/04/2018

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL WHETHER OR NOT THERE IS A REQUEST FOR A HEARING. REFER TO THIS NUMBER IN ALL INQUIRIES.

**MUST MARK ONE OF THE FOLLOWING**

- WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT THE HEARING BE HELD □ IN OUR COUNTY SEAT. □ IN COLUMBUS.
- WE DO NOT REQUEST A HEARING. □

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

**PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:**

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<tr>
<th>(Signature)</th>
<th>(Title)</th>
<th>(Date)</th>
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<td>Clerk of City Council</td>
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<td>Township Fiscal Officer</td>
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</table>

Clerk of Worthington City Council
Kay Thress
6550 North High Street
Worthington Ohio 43085
OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. For best results, search only ONE criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

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<tr>
<td>7028647</td>
<td>PORCH GROWLER LLC, DBA</td>
<td>WILLIAM S ADAMS</td>
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</table>

- Ohio Gov
- Ohio Department of Commerce

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STAFF MEMORANDUM  
City Council Meeting – April 16, 2018

Date: April 15, 2018  
To: City Council  
From: Matthew H. Greeson, City Manager  
Subject: Discussion Regarding Gun Control Legislative Positions

EXECUTIVE SUMMARY  
Discussion regarding letter on state legislative gun control issues

BACKGROUND/DESCRIPTION  
At the last City Council meeting, Council Member Myers asked that the attached letter be placed on the agenda for discussion.

Additionally, I have attached the latest Ohio Municipal League (OML) Legislative Bulletin which provides a number of updates on gun control related legislation.

ATTACHMENTS  
Draft Letter  
OML Legislative Bulletin
Dear Representative Duffey,

In an age of increasing violence and animosity amongst people, sometimes we must remind ourselves that as elected officials our primary goal is to protect the health, safety and welfare of those who put us in positions of leadership. This is one of those times.

In this year alone there have been 58 mass shootings, 694 police involved shootings resulting in the death of 71 uniformed officers and 917 children killed, all from gun violence.\footnote{Gun Violence Archive, 2018. \url{www.gunviolencearchive.org}}

As the elected leaders of Worthington, we take an oath to uphold the Constitution of the United States. We therefore, acknowledge the right of law-abiding citizens to keep and bear arms as set forth in the Second Amendment. However, the right to bear arms is not limitless.

In the seminal case of \textit{D.C. v. Heller}\footnote{\textit{District of Columbia v. Heller}, 554 U.S. 570, 128 S.Ct. 2783, 171 L.Ed. 2d 637 (2008)}, Justice Scalia acknowledged that the right to bear arms was not absolute. He wrote the right is “not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.” \textit{Heller} at 626. More recently, last term the Supreme Court denied jurisdiction in a case involving an assault style weapons ban and just last week the United States District Court of the District of Massachusetts
upheld a state ban on assault style weapons and large capacity magazines. In so holding the Court wrote “The AR-15 and its analogs, along with large capacity magazines, are simply not weapons within the original meaning of the individual constitutional right to "bear Arms." In fact Congress itself passed a ban on assault weapons in 1994 only to have it expire of its own terms. Accordingly, reasonable, fair gun control legislation is not a matter of law but rather of political will.

Given this backdrop and at the urging of our constituents, we, the elected representatives of the Citizens of Worthington, ask that you take meaningful steps to enact responsible, reasonable gun control legislation. Specifically we ask:

- For the ban of assault style weapons such as the AR-15. Of the ten deadliest shootings over the last decade, seven involved the use of assault style weapons.
- A prohibition on the sale of high-capacity magazines. States that ban such magazines have half as many shootings involving three of more victims as states that allow them.
- Require universal background checks for the purchase of guns eliminating the “gun-show” loophole. 97% of Americans support such action.
- Enacting a red flag law that will allow weapons to be confiscated from individuals exhibiting defined warning signs until the individual can show-cause why the weapons should be returned.

If the General Assembly is unwilling or unable to advance this simple request then at a minimum appreciate that not all citizens support an unfettered right to carry any type of weapon in any place at any time and restore each city’s ability to carry out the wishes of their

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constituents by amending R.C. 9.86 and legislatively overturning *Ohioans for Concealed Carry v. Clyde*. The citizens of Worthington see no reason why it is necessary or permissible for an individual to openly carry an AR-15 into a Worthington Park where our children play. However, that is precisely what Ohio law currently allows. It is our responsibility to speak not only for the rights of law abiding gun owners but also for those who believe that reasonable restrictions are both appropriate and necessary.

We therefore, ask for your support in advancing reasonable, rational, fair gun control legislation.

Respectfully,

On Behalf The Citizens of Worthington

By: ____________________________
Bonnie Michael
President
Worthington City Counsel
OML UPDATE AT-A-GLANCE

Here are the top three things you need to know from this past week:

- House Speaker Cliff Rosenberger (R - Clarksville) announced this week he will be resigning effective immediately. His resignation comes in the wake of the revelation of an FBI inquiry into travel and expenses.

- "The American Society of Civil Engineers estimates that Ohio will require more than $12 billion to be invested in water systems and more than $14 billion in waste water infrastructure over the next 20 years." Rep. Tim Ginter (R - Salem) shared this information through his sponsor testimony to a senate committee studying HB 422, legislation he co-sponsored with Rep. John Rogers (D - Mentor-on-the-Lake) providing for the acquisitions of municipal waterworks and sewage systems.

- The Ohio Department of Transportation announced it will spend $2.5 billion on approximately 1,000 construction projects, mainly preserving existing roads and bridges, in 2018. The department plans to replace or repair 5,645 miles of road and work on 1,040 bridges throughout the state.

OML REGIONAL CONFERENCES COMING SOON

In the next few months, the OML will be holding regional conferences throughout the state to bring important elements of our Annual Conference right to the doorstep of the local leaders who serve Ohio's cities and villages.

The goal of these Regional Conferences is to provide an opportunity for League members prevented from attending our three-day Annual Conference held in downtown Columbus by either distance or time constraints but know it is important to receive the timely information and access to resources that the conference provides. In an attempt to reach our members unable to attend the Annual Conference, we have put
together a single day program of general session topics with presentations by featured speakers who are experts in their municipal sectors.

The regional conferences are an invaluable opportunity for municipal officials statewide to have the ability to be presented with critical information directly related to the success of their own communities, as well as connect and network with other local leaders in their area. This opportunity is not limited to League members who cannot come to Columbus but is a great opportunity for all municipal and local government officials to refresh their skill sets and get the most recent information on critical topics.

Registration information including the conference agenda can be accessed HERE. The dates and locations for the four Regional Conferences are as follows:

- Southeast: Friday, May 18th at the Ohio University Conference Center in Athens.
- Southwest: Friday, June 8th at the Manor House Banquet Center in Mason.
- Northeast: Friday, June 29th at the Pro Football Hall of Fame in Canton.
- Northwest: Friday, August 17th at the Hancock Hotel in Findlay.

We encourage you to sign up as soon as possible, as space will be limited, and we look forward to seeing you there!

**SMALL CELL INFRASTRUCTURE BILL HEADS TO GOVERNOR'S DESK FOR SIGNATURE**

This week marked the end of a months-long collaboration between municipal leaders and the telecommunications industry to create legislation governing the deployment of small cell wireless infrastructure within a municipality's right-of-way. HB 478, sponsored by Rep. Smith (R - Bidwell) and Rep. LaTourette (R - Chesterland), passed out of Senate committee this week and headed before the full chamber, where it was voted out 26-7. The bill then went back to the House that same day, where it was concurred upon 72-17. HB 478 now heads to the desk of Governor Kasich for his signature. A copy of the most recent legislative analysis for the bill can be found HERE.

While the bill was in the Senate Public Utilities Committee, several amendments were added, including clarifying the definition of a small cell facility operator; ensuring that an organization who doesn't meet that definition is still allowed to request municipal consent to either build a wireless support structure, collocate on or alter an existing one; and requiring that a municipality include a line disclosing who owns a
facility or structure on both the license and the application. The League is neutral regarding these changes.

Although the legislation is not perfect, the predictable and orderly deployment and implementation of new technologies is crucial to promoting economic development in cities and villages and enhances the quality of life for municipal residents. The municipal representatives who worked long hours to craft the legislation remained focused on respecting the operational processes, capabilities and capacities of cities and villages as the new technologies are being deployed. Great attention was given to make sure that the billions of municipal taxpayer dollars that has been invested in local infrastructure was protected, preserving the local character of neighborhoods and historic districts.

The League wants to thank all who were involved in the creation and passage of this legislation, from the Representatives and Senators whose involvement and votes were crucial, to the municipal coalitions and telecommunication industry representatives who spent many long hours these past several months working towards a viable compromise.

"STAND-YOUR-GROUND" GUN BILL ADDS LOCAL PREEMPTION

This week, HB 228, legislation sponsored by Rep. Johnson (R - McDermott) and Rep. LaTourette (R - Chesterland), which would assign to the prosecution the burden of disproving a self-defense or related claim, expand the locations at which a person has no duty to retreat before using force under both civil and criminal law, and modify the Concealed Handgun Licensing Law regarding a licensee's duty to keep the licensee's hands in plain sight, change the penalties for illegally carrying a concealed firearm or improperly handling firearms in a motor vehicle, and amend laws regarding the posting of warning signs regarding the possession of weapons on specified premises was amended to include the preemption of local firearm regulations. During the fourth hearing Tuesday, the amendment was added which states that if any local firearm regulation interferes with an individual's right to bear arms; inhibits their ability to protect themselves, their families or others from intruders and attackers; or inhibits the legitimate use of firearms, then that regulation is preempted by the state.

Additionally, the substitute bill states any person or group or entity that claims to be adversely affected by a local ordinance or rule that a local government exacts or enforces in violation of this preemption, may sue that local government and be awarded actual damages and declaratory or injunctive relief. Those damages would be paid by that local government.
The amendment, which was part of a larger substitute bill offered by Rep. Merrin (R - Monclova Township), was adopted in this week's House Federalism and Interstate Relations Committee. No testimony was heard on either the bill or the substitute bill.

At this moment, the League is working to get a better understanding of how expansive the language is and will provide greater detail on the liabilities the new language would present to Ohio municipalities in future legislative bulletins.

**TAX EXPENDITURE REVIEW COMMITTEE MEETS TO DISCUSS SALES TAX EXEMPTIONS**

Members of the Tax Expenditure Review Committee met this week to discuss tax credits and exemptions in the Ohio Revised Code, which totals roughly $9 billion annually. Of the 5 tax breaks up for discussion and testimony during committee, the ones that received proponent testimony were the exemptions for manufacturing and packaging tangible personal property, which is the single largest tax expenditure listed in the report. The Legislative Service Commission (LSC) compiled a memo and chart [HERE](#) of the five first exemptions of the report and the amount of tax revenue deferred by exemptions extended to churches, the state, political subdivisions and manufacturing.

According to the Ohio Department of Taxation's Tax Expenditure Report, manufacturers did not pay $2.2 billion in taxes last year due to a sale tax exemption dealing with equipment and machinery. An additional $255.2 million in sales tax on packaging and packaging equipment was exempted. In testimony, representatives from the Ohio Manufacturers' Association, the Ohio Chamber of Commerce and the Manufacturers Policy Alliance testified that these tax breaks in turn generate revenue for the state because they keep manufacturing companies in Ohio instead of neighboring states.

The League will continue to report on the discussions and findings of the Tax Expenditure Review Committee as they continue to meet.

**MUNICIPAL BILLS ON THE MOVE THROUGH THE OHIO GENERAL ASSEMBLY**

It was another busy week in the legislature for municipal issues. The Ohio House will not be in session next week so there will be no committee meetings and is not scheduled to have another session date until May 16th. The schedule may change as the situation warrants due to the appointment of a new Speaker of the House. The House is scheduled to be in session May 16th, 23rd and 24th and on an "if needed" basis May 30th, 31st, June 6th, 7th, 13th and 14th. The Senate will hold committee meetings next
week but will not hold a voting session. Before the senate takes their legislative recess for the summer, Senators are scheduled to be in session April 25th, May 16th & 23rd. Session dates are scheduled on an “if needed” basis for May 9th, 22nd, June 6th, 13th and 27th.

The following are the bills that were passed out of either the full House or Senate chambers this week.

- **SB 208 - WEAPON POSSESSION.** Sponsored by Sen. Terhar (R - Cincinnati), this bill would allow a law enforcement officer or investigator, whether on or off duty, to carry a weapon on certain premises open to the public. During its fourth hearing before the Senate Judiciary Committee, it was amended to include measures like allowing law enforcement to carry weapons when consuming alcohol if it is part of their duties - for example, when an officer is undercover. It was then voted out and sent before the entire Senate chamber where it was voted out 30-3. The bill will now head to the House. The League is neutral on this legislation.

- **SB 239 - REGIONAL COUNCILS OF GOVERNMENT.** This bill, sponsored by Rep. Dolan (R - Chagrin Falls), would modify the law concerning regional councils of governments. During its sixth hearing before the Senate Government Oversight and Reform Committee, no testimony was given on this bill. The bill moved out of committee and sent to the Senate chamber, where it was voted out unanimously. The bill will now head to the House. The League is supportive of this legislation.

- **HB 251 - SUBDIVISION INVESTMENTS.** Sponsored by Rep Greenspan (R - Westlake), this bill would increase from five to ten years the maturity period of other political subdivision's bonds and obligations eligible for investment of a subdivision's interim moneys, a county's inactive moneys, and money in the county public library fund. It was voted unanimously out of the full Senate Chamber and will head to the desk of the Governor. The League is supportive of this legislation.

- **HB 122 - ECONOMIC STUDY COMMITTEE.** Sponsored by Rep. Hambley (R - Brunswick) and Rep. Rogers (D - Mentor-on-the-Lake), this bill would establish a Regional Economic Development Alliance Study Committee to study the benefits and challenges involved in creating regional economic development alliances. During its fourth hearing before the Senate Government Oversight and Reform Committee, four amendments were added: changing the length of the committee from 5 to 10 years; adding 5 non-voting members; allowing municipalities to put in joint police and fire levies on the ballot and allows three municipalities to create certified entertainment districts by modifying the definition a historic district. It then went before the full Senate Chamber, where it was voted out 89-2. The League is supportive of this legislation.

- **HB 378 - OHIO BROADBAND DEVELOPMENT.** Sponsored by Rep. Smith (R - Bidwell) and Rep. Cera (D - Bellaire), this bill would create the Ohio Broadband
Development Grant Program, to encourage the Department of Transportation to work with telecommunications providers to lay fiber optic cable and make an appropriation. It was passed out of the full House chamber 85-11 and will now head before the Senate. The League is supportive of this legislation.

- HB 263 - DOGS ON PATIOS. This bill, sponsored by Rep. Lanese (R - Grove City), this bill would generally allow an owner, keeper, or harborer of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. This bill was voted out of the full House chamber 86-10 and will now head to the Senate. The League is neutral on this legislation.

**COMMITTEE RECAP: HEARINGS FOR BILLS OF MUNICIPAL INTEREST**

Here are the bills that impact municipalities that received committee hearings this week:

- HB 38 - CRIMINAL OFFENSES. This bill, sponsored by Rep. Greenspan (R - Westlake), would provide that purposely causing the death of a first responder or military member is aggravated murder and to require an offender to serve the prison term imposed for felonious assault on a peace officer, investigator, first responder, or military member consecutively to the prison term imposed for any related offense. During its fourth hearing before the Senate Judiciary Committee, a representative from the Fraternal Order of Police testified saying retired police officers deserved to have these same protections extended to them as well. The North Ohio Fire Fighters and the Ohio Association of Fire Chiefs spoke to firefighters targeted for violence when responding to the call of duty. The League is supportive of this bill.

- SB 180 - FIREARM LAWS. This bill, sponsored by Sen. Uecker (R - Loveland) and Sen. Hottinger (R - Newark), this bill would assign to the prosecution the burden of disproving a self-defense or related claim, expand the locations at which a person has no duty to retreat before using force under both civil and criminal law, and modify the Concealed Handgun Licensing Law regarding a licensee's duty to keep the licensee's hands in plain sight, the penalties for illegally carrying a concealed firearm or improperly handling firearms in a motor vehicle, and the posting of warning signs regarding the possession of weapons on specified premises. During its fourth hearing before the Senate Judiciary Committee, opponents testified against the bill, including
the State Highway Patrol, the League of Woman Voters, the Ohio Coalition Against Gun Violence and other. The League is neutral on this bill.

- **HB 422 - MUNICIPAL WATER-WORKS.** Sponsored by Rep. Ginter (R - Salem) and Rep. Rogers (D - Mentor-on-the-Lake), this bill would govern the acquisitions of municipal water-works and sewage disposal system companies by certain larger nonmunicipal water-works or sewage disposal system companies. During its first hearing before the Senate Public Utilities Committee, the sponsors spoke to the bill's alternative solution to the lack of funding facing much of Ohio's municipal infrastructure. The League is supportive of this legislation.

- **HB 553 - THEFT IN OFFICE.** Sponsored by Rep. Cupp (R - Lima), this bill would expand the increased penalties for theft in office based on the amount of property or services stolen and to include as restitution certain audit costs of the entity that suffered the loss involved in the offense. During its first hearing before the House Criminal Justice Committee, the bill's sponsor spoke to the bill's goal of holding those who steal taxpayer dollars accountable. The League is neutral on this legislation.

- **HB 171 - EMS WORK HOURS.** Sponsored by Rep. Patmon (D - Cleveland), this bill would limit the hours worked in a work shift and to require work breaks for emergency medical service providers. During its first hearing before the House Economic Development Committee, the bill's sponsor explained that the measure seeks to protect EMTs and paramedics as well as private ambulance drivers. A substitute bill was adopted which would also require a CPR-certified additional driver in an ambulance as well as anti-retaliatory provisions for drivers during their shift's last hour. The League is neutral on this legislation.

- **HB 522 - LIQUOR PERMITS.** Sponsored by Rep. Lanese (R - Grove City), this bill would allow an outdoor refreshment area to include F liquor permit holders. During its third hearing before the House Government Accountability and Oversight Committee, the bill was voted unanimously out of committee. The League is supportive of this legislation.
HB 342 - LOCAL BALLOTS. This bill, sponsored by Rep. Merrin (R - Monclova Township), this bill would permit local tax-related proposals to appear only on general and primary election ballots and not on an August special election ballot and to modify the information conveyed in election notices and ballot language for property tax levies. During its fifth hearing before the House Government Accountability and Oversight Committee, the bill was not brought up and no testimony was given so the interested parties on the bill could continue to discuss proposed changes. The League is opposed to this bill.

HB 469 - MIXED-USE TAX CREDITS. Sponsored by Rep. Schuring (R - Canton), this bill would authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed-use development projects. During its sixth hearing before the House Government Accountability and Oversight Committee, a substitute bill was adopted which expands the criteria of what qualifies as a "transformational mixed-use development" so more cities across the state would be able to have local development projects that qualify. The League is supportive of this bill and it grateful to Rep. Schuring and the committee for ensuring more local downtowns have the opportunity to encourage development and placemaking within their communities.

HB 484 - HEALTH DISTRICTS. This bill, sponsored by Rep. Brenner (R - Powell), would authorize city and general health districts to use credit cards in accordance with prescribed requirements. During its fourth hearing before the House State and Local Government Committee, a substitute bill was adopted which aligned large portions of the bill with HB 312, a bill that passed the House last year regulating the use of credit and debit cards by local governments. The League is supportive of this bill.

HB 530 - LOCAL OFFICIALS. Sponsored by Rep. Hambley (R - Brunswick) and Rep. Arndt (R - Port Clinton), this bill would authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices. During its fourth hearing before the House State and Local Government Committee, the bill received proponent testimony. The League is neutral on this legislation.

HB 543 - PROSECUTING ATTORNEYS. This bill, sponsored by Rep. Perales (R - Beavercreek) and Rep. Hambley (R - Brunswick), would allow a county prosecuting
attorney to enter into a contract with a regional airport authority, port authority, or regional planning commission to be its legal adviser. During its second hearing before the House State and Local Government Committee, proponents from the Ohio Aviation Association, the Ohio Association of Regional Councils, and representatives from international and regional airports testified in support of the bill. The League is neutral on this legislation.

- SB 182 - DOGS ON DINING PATIOS. Sponsored by Sen. Coley (R - Liberty Township), this bill would generally allow an owner, keeper, or harboree of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation. During its third hearing before the Senate Health, Human Services and Medicaid Committee, a substitute bill was adopted which, among other changes, clarified that dogs may only exit and enter a patio via a patio gate, not through the restaurant. The League is neutral on this bill.

- HB 253 - CONCEALED WEAPONS. This bill, sponsored by Rep. Householder (R - Glenford) and Rep. Lanese (R - Grove City), would permit law enforcement officers to carry firearms off duty in places otherwise prohibited for concealed handgun licensees. During its fourth hearing before the House Federalism and Interstate Relations Committee, a substitute bill was adopted which prohibits establishments from restricting a peace officer from carrying their gun on the premises, allows them to carry guns in courthouses and allows them to carry guns into liquor establishments if doing so is within the scope of their job. The League is neutral on this legislation.

- HB 133 - DISASTER WORK. Sponsored by Rep. Ryan (R - Newark), this bill would create the Disaster Relief Act to exempt out-of-state disaster businesses and qualifying out-of-state employees from certain taxes and laws with respect to disaster work on critical infrastructure performed in this state during a declared disaster. During its second hearing before the Senate Ways and Means Committee, proponent testimony was given by the Buckeye Institute and the former director of the Emergency Management Agency. The League is neutral on this legislation.

- SB 268 - THEFT IN OFFICE. Sponsored by Sen. Wilson (R - Maineville), this bill would expand the increased penalties for theft in office based on the amount of
property or services stolen and to include as restitution certain audit costs of the entity that suffered the loss involved in the offense. During its first hearing before the Senate Government Oversight and Reform Committee, the bill's sponsor said increased penalties would serve to hold thieves of taxpayer dollars appropriately accountable. The League is neutral on this legislation.

- **HB 419 - SOVEREIGN IMMUNITY.** Sponsored by Rep. Henne (R - Clayton), this bill would modify the defense to the liability of a member of a police or fire department or emergency medical service of a political subdivision for the negligent operation of a motor vehicle in response to an emergency by requiring that the vehicle has its lights and sirens simultaneously activated. During its third hearing before the House Civil Justice Committee, no testimony was given on this bill. The League is neutral on this legislation.

- **HB 585 - FIREARM LAWS.** Sponsored by Rep. Henne (R - Clayton), this bill would expand the definition of dangerous ordnance to include armor piercing ammunition and expand the definition of an automatic firearm to include any device within the federal definition of machine gun; create additional conditions under which an individual may not possess a firearm or dangerous ordnance and eliminate the process by which an individual may apply for relief from a weapons disability; generally prohibit a person from buying, purchasing, obtaining, or furnishing a firearm on behalf of a third party; provide for the entry of protection orders into the federal NCIC database and LEADS; and provide for the issuance by a court of an extreme risk protection order. During its first hearing pending referral to the House State and Local Government Committee, the sponsor explained the rationale for the legislation, explained the ongoing process of changing the legislation and fielding questions from several skeptical committee members. The League is currently neutral on this legislation.

**NEW LEGISLATION OF MUNICIPAL INTEREST INTRODUCED**

- **SB 288 - FIREARM LAWS.** Sponsored by Rep. Eklund (R - Chardon) and Rep. Kunze (R - Hilliard), this bill would expand the definition of dangerous ordnance to include armor piercing ammunition and expand the definition of an automatic firearm to include any device within the federal definition of machine gun; create additional conditions under which an individual may not possess a firearm or dangerous ordnance and eliminate the process by which an individual may apply for relief from a
weapons disability; generally prohibit a person from buying, purchasing, obtaining, or furnishing a firearm on behalf of a third party; provide for the entry of protection orders into the federal NCIC database and LEADS; and provide for the issuance by a court of an extreme risk protection order.

- HB 583 - OCCUPATIONAL LICENSING. Sponsored by Rep. Henne (R - Clayton), this bill would limit the occupational license and registration requirements and fees that a political subdivision may impose on state-regulated occupations, to establish a waiver exempting certain persons from paying occupational license or registration fees, and to revise the licensing restrictions applicable to individuals convicted of criminal offenses. This bill is another significant preemption of municipal Home Rule rights and local control authorities.

- HB 594 - LOCAL GOVERNMENT PAYMENTS. Sponsored by Rep. Ramos (D - Lorain), this bill would provide for payments to municipalities or school districts for their lost income tax revenue after a business lays off 50 or more employees within their jurisdiction.