



**CITY OF WORTHINGTON**  
**Worthington City Council Minutes**

July 2, 2018

6550 N. High Street  
Worthington, Ohio 43085

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**CALL TO ORDER – Roll Call, Pledge of Allegiance**

Worthington City Council met in Regular Session on Monday, July 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 p.m.

**ROLL CALL**

**Members Present:** Rachael R. Dorothy, Beth Kowalczyk, Scott Myers, David Robinson, Douglas K. Smith, and Bonnie D. Michael

**Member(s) Absent:** Douglas Foust

**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, Chief of Police Jerry Strait, Chief of Fire John Bailot, Clerk of Council D. Kay Thress, Assistant City Clerk Ethan Barnhardt

There were 11 visitors present.

**PLEDGE OF ALLEGIANCE**

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

**VISITOR COMMENTS**

**Paul Dorothy – 179 Kenbrook Drive**

Mr. Dorothy said that he was hoping for a clarification, he completed a public records request with the City regarding the letter from six members of the Council dated May 7<sup>th</sup>, 2018 to the Honorable Stephanie Kunze and the Honorable Mike Duffy. He was at the meeting where this letter was approved for submission to the two representatives. At that time Councilmember Smith made an amendment to that motion that the comments of those who were in attendance that night would be attached to the letter. He is holding in

his hand only the letter. He questioned why Council did not follow through with their adopted resolution.

*President Michael said that this was the first she has heard of this and asked Mr. Greeson to respond since the sending of the letter was delegated to staff. Mr. Greeson said that he would look into it and if it was not done, then they will do it.*

Mr. Dorothy pointed out that this is one of the reasons why it is a significant concern for citizens like him who continually stand in front of the Council and question how they do business when something like this occurs. This was a contentious issue within the community and it should have been paid more than lip-service.

## **APPROVAL OF THE MINUTES**

- Regular Meeting – June 18, 2018

**MOTION** Ms. Kowalczyk moved, Ms. Dorothy seconded a motion to approve the aforementioned meeting minutes as presented.

**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. 35-2018** Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund and Water Fund Unappropriated Balances.

**The foregoing Ordinance Title was read.**

*Mr. Greeson stated that annually the City budgets about \$50,000 for water main repairs. We own the system but contract for the provision of water services with the City of Columbus. There is process by which they cover the costs of many of the repairs and anything over and above what is referred to as the equivalent maintenance ratio, the City of Worthington is charged for breakages that occur. We had breakages that exceeded the amount budgeted and it is necessary for the City to appropriate an additional \$78,000 for water main repairs.*

*Ms. Dorothy asked what was the total number of breaks have occurred this year. Mr. Whited stated that he was unsure but it was between 30-40 and one or two were significantly more expensive than others. Ms. Dorothy stated that it appears that we have excess breaks over at least the past six years and we know that we are looking at replacing the East Wilson Bridge line. She asked if we are looking at repairing any*

*others in the future and if it would be included in the CIP. Mr. Whited stated that it is his hope that we provide additional funding in the CIP to address the frequent waterline breaks in hotspot areas. Ms. Dorothy said that we want to make sure we are maintaining our infrastructure, looking at the overall lifecycle costs and by repairing individual breaks and not looking at the whole system, we will just have to repair more and more breaks unless we plan to replace it all. Mr. Whited agreed. Ms. Dorothy said that we would be looking at additional funds to replace the systems at some future point. She then asked about the funding for this and inquired about the water fund. Mr. Bartter replied that the Water Fund receives a water surcharge of seventy five cents per thousand cubic feet of water. That accounts for approximately \$45,164 in the water fund. The rest is transferred in from the general fund, so it is supplemented primarily by income tax revenue. Ms. Dorothy asked where the \$127,000 is coming from. Mr. Bartter stated that the \$127,000 is the bill from the City of Columbus. We have only appropriated \$50,000 so the \$78,000 covers the remaining portion. There is not enough money in that fund generated only from the water surcharge, so we have to appropriate additional funds from the General Fund to the Water Fund.*

**There being no additional comments, the clerk called the roll on Ordinance No. 35-2018. The motion carried by the following vote:**

**Yes 6** Robinson, Kowalczyk, Dorothy, Smith, Myers, and Michael

**No 0**

**Ordinance No. 35-2018 was thereupon declared duly passed and is recorded in full in the appropriate record book.**

**Ordinance No. 36-2018**

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 Municipal Building Roof Project (680-18) and the Fire Station Roof Project (648-17) and all Related Expenses and Determining to Proceed with said Projects.

**The foregoing Ordinance Title was read.**

*Mr. Greeson explained that there needs to be a motion to table since the City did not receive any bids. Staff is working with the consultant and contractors to ascertain why there were no bids. Any changes that need to be made will be completed and it will be re-bid when appropriate.*

**MOTION**

Mr. Myers moved, seconded by Mr. Smith that Ordinance No. 29-2018 be tabled because no bids were received.

**The motion to table Ordinance No. 29-2018 carried unanimously by a voice vote.**

**Ordinance No. 37-2018**

Kemper House (800 Proprietors Road) TIF  
Legislation

**The foregoing Ordinance Title was read.**

*Mr. McCorkle introduced Rob McCarthy from Bricker and Eckler who is representing the City and Greg Cini representing the developer for the Kemper House. Both are available to answer any questions from Council. Mr. McCorkle explained that the Tax Increment Financing (TIF) brought today is a parcel TIF that is being discussed for the proposed redevelopment of 800 Proprietors Road. The staff is recommending a 10-year, 75%, non-school TIF. Tax Increment Financing works by setting a baseline value for a project and the TIF is a percentage of the property valuation over and above that baseline value. The County Auditor comes back after the work is completed and sets the new valuation and a certain percentage, in this case 75%, of that increased valuation goes into a separate fund that goes towards public infrastructure improvements.*

*Mr. McCorkle explained that the City was approached in 2017 by Don Kenny Jr. and his team about this opportunity. The developer proposed building a 50,000 square foot Alzheimer's, dementia and memory care facility. The development would provide a neighborhood of fifty-four private and semi-private rooms that would be 400 square feet each. The site has been consolidated from three separate parcels into one. The developer of the Kemper House has requested a TIF to help fund several public improvements including things such as cleanup and replanting of vegetation along the hillside on SR 161, brick wall repair and clean-up repairs at the intersection of 161 and Proprietors, and construction of a multi-use path along Proprietors. The recommended TIF assistance package is \$200,000 to cover their costs of these public improvements. The total expected valuation of the project is over \$6,000,000 and we expect that the TIF will generate more than \$200,000, but closer to \$400,000 to \$500,000. Any additional TIF proceeds could be used for additional costs that Council deems appropriate for public infrastructure projects that could be completed at that corner or directly benefits this parcel. The projection is for this project to also generate \$35,000 per year in income taxes from employees that will be working at the Kemper House.*

*This TIF will not affect the schools and they will bring in approximately \$125,000 a year in property taxes from this project. Per the revised code, the Worthington City Council must adopt this ordinance, specifying 75% for ten years; the public infrastructure improvements must be designated in the ordinance for the aforementioned costs, and state law requires that we provide Worthington City Schools with at least fourteen days' notice, which was provided on June 7<sup>th</sup>. There is no compensation agreement with the schools, the developer continues to pay property taxes and schools are paid directly from the county. The Worthington City Council will establish a fund for this and the owners of the TIF parcels will enter into an agreement with the city and the City will submit all required documents. This revenue is estimated at \$45,000 per year and once the*

*development is completed, the developer would be fully reimbursed \$200,000 by year five after construction.*

*Mr. Robinson asked if these improvements have already been incorporated into the Planned Unit Development (PUD). Mr. Myers replied that these improvements were required under the PUD ordinance, there had to be certain benefit to the public as part of the PUD legislation. Mr. Brown added that the PUD requires things such as benches, trashcans, bike racks, and lighting. From staff's standpoint since they are required under the PUD ordinance the City should not be offsetting that cost. The other proposed items, while built into the PUD, it was felt they had more of a community benefit than onsite benefit. Mr. Robinson commented that if this is already included under the PUD then why are we now voting to give \$200,000 to a private entity if they have agreed to do this work? Mr. McCorkle said that the conversations about the TIF and the PUD were going on at the same time. It has been an understanding between the City and the developer that we are working in good faith towards this joint resolution. Mr. Robinson said in the future he believes that the TIF should be brought to Council earlier to be discussed because at this point it seems like a fait accompli and members are not voting to approve anything because it has already been decided.*

*Mr. Myers noted that many of these things are not going directly to benefit that property. They are to benefit the City. When the ARB and MPC started on this project, one of their big concerns was the hillside. The City has been maintaining it at public expense and they have agreed to take over that responsibility. By cleaning up one of the gateway areas, it will benefit the broader community. Those are the types of things that TIFs typically go towards. The hillside is going to make that property look better, and the clock would be a landmark to direct towards their facility. Oftentimes with TIFs there is a dual benefit. This one will benefit the whole community. Mr. Myers agreed with Mr. Robinson that possibly this should be brought up earlier.*

*Mr. Myers stated that the work done would be completed and the developer would pay for it before seeking reimbursement from the TIF fund if it fits the parameters of what is being voted on tonight. Mr. McCorkle reported that many communities have used TIFs as a financing tool, but historically Worthington has used it as a reimbursement. The developer will incur the cost, they show the invoice and proof of payment that they incurred the cost and that there is a public benefit within the scope of work laid out. The exception is Worthington Station which had a sound wall installed. The City paid The \$150,000 up front and then was reimbursed with TIF proceeds over the years.*

*Mr. Myers shared that one of the things this is going to pay for is building a multi-use trail that has been wanted for a long time. Additional funds from this TIF may be used to extend this path further north. Mr. McCorkle explained that the amount reimbursed to the developer is capped at \$200,000. There is the anticipation that there will be another \$100,000 – \$200,000 generated after year five that can be used for other improvements. Mr. Myers said that larger TIFs, such as the one used for the Mall, can be used as an asset when applying for financing. It can be counted as an asset when talking to the*

bank. Mr. McCorkle added that the same scenario would be seen in the future when discussing the Holiday Inn.

President Michael referred back to Mr. Robinson's point that TIF materials should be brought up a little bit sooner.

Ms. Kowalczyk inquired as to what funding is being diverted since this is a non-school TIF. Mr. McCorkle explained that it would primarily be social service dollars from Franklin County property taxes. Ms. Kowalczyk then asked what happens if all the money is not spent. Mr. McCorkle explained that once the developer has received their reimbursement, the City has the option of terminating the TIF or those dollars can be used to invest in public infrastructure. Funds are created for each individual TIF and TIF dollars are meant for public infrastructure improvements that benefit that parcel. If they are not used, they will just sit in the fund and nothing will happen. Ms. Kowalczyk asked if there is a process of periodic review. Mr. McCorkle stated that the Tax Incentive Review Council (TIRC) is made up of officials from the schools, the township, the county, and City staff. They meet once a year to review all tax abatements and TIFs, deciding whether or not to continue or terminate based upon their performance. Their recommendations are then brought to council to approve or modify.

Mr. Robinson asked what happens if any of the improvements are completed unsatisfactorily. Mr. McCorkle replied that dollars are not reimbursed until the work has been done, so he would guess that the City can put the developer's feet to the fire to make sure that the work has been done satisfactorily before any reimbursement occurs.

**MOTION** Mr. Smith moved, Mr. Robinson seconded a motion to accept the amended Ordinance No. 37-2018 as submitted.

**The motion to accept the amended ordinance carried unanimously by a voice vote.**

**There being no additional comments, the clerk called the roll on Ordinance No. 37-2018 (As Amended). The motion carried by the following vote:**

<b>Yes</b>	<b>6</b>	Myers, Robinson, Kowalczyk, Dorothy, Smith, and Michael
<b>No</b>	<b>0</b>	

**Ordinance No. 37-2018 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.**

**NEW LEGISLATION TO BE INTRODUCED**

**Resolution No. 38-2018** Authorizing the City Manager to Enter into an Agreement with the Worthington City School District for School Resource Officer Services and Amending the Staffing Chart of the City of

Worthington to Increase by One the Number of Police Officer Positions in the Division of Police.

**Introduced by Ms. Dorothy.**

**MOTION** Mr. Myers made a motion to adopt Resolution No. 38-2018. The motion was seconded by Mr. Smith.

*Mr. Greeson explained that at a previous meeting City and school staff discussed with the Council the concept of the School Resource Officer (SRO). Since then the School Board has voted and the Worthington Schools are formally requesting that the City of Worthington provide and support a SRO for Thomas Worthington High School. As background, the City of Worthington Division of Police has a long standing partnership with Worthington Schools. Our collaborative partnership has evolved over time, but it currently includes the City assigning a third of a patrol officer's time to working on school matters. They are requesting that we expand that support to have a full time presence with stated goals to:*

- Make the campus safe for learning
- Foster a positive relationships between students, staff, and the law enforcement
- Encourage more cooperation between students and the police
- Reduce juvenile crime
- Seek alternative methods of enforcement that hold youth responsible for their actions while providing life enhancing skills to address conflict

*The City and the Division of Police see this as an expansion of the efforts already in the schools and an extension of the established community oriented policing approach. The schools are vital partners and it is critical that law enforcement work to develop proactive relationships with administrators and teachers, and positive relationships with students. This resolution would authorize increasing the Division of Police staffing chart by one and authorize the City Manager to enter into a contract with the Worthington Schools for SRO services. Upon approval by the City Council, the position would be posted and an experienced officer with the Division of Police would be selected by the Chief for this specialized position. The increase in the staffing chart would allow the hiring of a new employee that would be trained to be part of the City's patrol operations.*

*Chief Strait explained that the City the Worthington Police have had a presence in the schools since the 1970s. There have been DARE officers at both the elementary and middle school level and interactions at the high school level for many years. Many success stories have come back to the Division which has been beneficial for the Division, the City, and the students. Often times these are undocumented and there have been many great outputs from interactions with our SROs. Officers in the schools have provided comfort, particularly in light of some national trends and have served as mentors.*

## **Paul Dorothy – 179 Kenbrook Drive**

Mr. Dorothy explained that he wanted to speak in favor of the resolution to provide a SRO in Thomas Worthington High School. An SRO must wear multiple hats; they must be friendly and approachable, able to work with troubled kids in a positive manner while maintaining the respect of the rest of the school community. But first and foremost they must be the first line of defense for our children. That is the part of the job that has not been talked about yet when listening to the School Board testimony that was given. We must as a community embrace this need and ensure that it is supported. It should be a priority for us. Since 1950, 97.8% of all mass public shootings have occurred in so called gun free zones, such as a school. 98% of all active shooter events occur in jurisdictions with 100 officers or less. An active shooter generally shoots someone once every twenty seconds. Worthington's response time under normal circumstances is still 2.5 minutes for a patrol unit to arrive at the building. As of now, 70% of all active shooter events have been stopped by just one officer or an armed citizen. Non-gang, non-suicide on campus firearms deaths for K-12 has been decreasing steadily since 1992. Part of that can be attributed to a greater emphasis on having armed SROs present on campus. There are those in the community that cannot see the need for an armed SRO. We are one of the only schools in the region that does not employ armed SROs.

The shooter in Aurora, Colorado that attacked the Cinemark Century 16 theatre did not select the theatre with the largest audience or the theatre closest to his apartment. He did select the only theatre within a 20-mile radius that forbid armed citizens from carrying concealed and did not have armed security. He chose the softest target. Right now in this region, Worthington Schools is the soft target. That can be fixed tonight.

Over the last three months, what could have been public shootings at Dixon High School in Illinois and Great Mills High School in Maryland, were stopped by armed SROs. This should have been three in a row except for the cowardly actions of the Broward County Deputy Scott Peterson who arrived on the scene at Marjory Stoneman Douglas High School one minute after the attack started but refused to enter the building. It was another ten minutes before responding officers entered the school. These cases underscore the importance of having an SRO that is a known quantity and can be counted on to act in times of danger.

He applauded the city's proposal to appoint an existing, known officer to fill the SRO position. The importance of this selection cannot be underestimated. The other importance of the proper selection of the SRO is their ability to evaluate the existing preparedness of the school and serve as the dedicated liaison with the school. Answering questions such as whether there are adequate trauma kits in the building? Is there enough staff with medical training to make effective use of them? Are the keycard locked doors being circumvented? How good is the plan after an event when the need to access the wounded must be balanced with exposing first responders? Have we trained on rescue task force concepts? We can be better.

Do not forget the next step is training. In the US roughly 40% of mass public shootings have been “Basic Events” with one perp, one handgun, and one location. The remaining 60% have been complex events with multiple perps, explosive, chemical and smoke munitions, denial of entry tactics, ballistic armor, and long guns. What might be coming are highly complex events, where teams of perps simultaneously hit multiple locations within a single jurisdiction. He explained there is a saying in his community, “You fight how you train.” We need to make sure our SRO has the training necessary to make a difference as a mentor, and as a protector. There is no substitute for realistic and regular training, but this training is different than standard patrol tactics. We must ensure that any SRO has the specialized training to be effective if called upon. Tonight Council has an opportunity to provide Worthington’s children with the only thing proven to stop a bad guy with a gun --- A good guy with a gun.

*Mr. Robinson stated that he has heard many numbers, expressing many different viewpoints, making claims about SROs. He asked about the efficacy of SROs in case of an active shooter event. Chief Strait replied that Mr. Dorothy is correct that our response time of two and a half minutes versus the national average response time of eight to ten minutes. It is an excellence response time however, most active shooter events, according to the numbers since Columbine, have occurred in less than 90 seconds. So you still need to buy time to get the police there and that depends on what is going on in the city. That minute and a half extra in our response time can make quite a difference. Mr. Robinson asked how many of the schools where recent shootings have occurred have had SROs. Chief Strait replied that he does not know. There have been a few recently where a combination of SROs and teachers have stopped events. Shooters are not looking for people to resist; they are looking for soft targets.*

*Mr. Robinson asked Mr. Scully to speak to the proposal, stating that he is confused as to the real motive behind the request. He asked about the role of active shooter incidents in motivating this and if there were no school shootings would we even be talking about this.*

### **Pete Scully – Principal, Thomas Worthington High School**

Mr. Scully stated that Mr. Robinson had a great question and he cannot fathom what it would look like if they were not present. His guess is that they would not be talking about this because sixty years ago SROs were not common in schools. From his perspective as a principal the strength of an SRO is that there is somebody who is in the schools every day, in the environment, listening and building relationships. If he is doing his job well, what happens with an SRO is that because they are so integrated in the community they hear things that are happening and can help prevent a school shooting from ever happening. The benefit of having an officer present on a daily basis is that you can plan, work together, and use that officer. Even though the current part time officer is scheduled to be there, some days they are and others they are not.

By having an SRO, you have a true partner who is present and building relationships. Just having the person present is prevention. If this person is the right person, they will

be so integrated into the fabric of the schools they can help prevent a tragedy from happening. He stated that he has things that he is worried about. Every time you introduce a person into the school that is not an employee of the school district and has some things counter to the school's approach such as carrying a weapon, he is worried about the impact. He is worried about how kids feel about law enforcement. However, he sees a tremendous upside by having that person present and potentially building bridges, building a culture, and building some understanding between the City, school district, and the community. He said that SROs coming as a response to school shootings is a factor, but to him it looks like a great partner. He has no interest in sending a bunch of kids downtown with criminal charges, or criminalizing behavior that they have typically handled themselves. He understands that those are legitimate concerns that are out there. As a school district employee and as an administrator, he needs to resist the urge of handing someone else his job and if he does not do that he does not believe you will see those outcomes.

*Mr. Robinson asked Mr. Scully about how the program would be evaluated after the first year and what metrics would be used for reviewing the effectiveness of the SROs. He explained that it would be meaningful if there could be an independent committee or working group created to assess the program and provide a report to the public. This could have credibility for providing multiple voices rather than coming directly from the school district. He is also interested in seeing a schoolwide student survey that shows the impact the SRO has on the student body. He asked Mr. Scully to think about the need to provide independent and objective evaluations to help assess the program after a year. Mr. Scully responded that the School Board and the City are investing a tremendous amount of money, so they want to make sure that the results are positive and meaningful. He believes that Mr. Robinson's ideas are good ones and that they are trying to figure out what the evaluation and the metrics will look like. There are quite a few parties who are interested in knowing what the impact of the SRO will be. He hopes that they will be able to come back in a year with clear data from the school population and the community on how the program is going.*

*Ms. Kowalczyk commented that she is concerned about the timing of the proposal. Because it was during the summer months no input was gathered from students or parents before this proposal was presented. As a parent of a student at Thomas Worthington High School there was not anything conveyed to them about this discussion. She asked if there was a focus group or some effort to get feedback before this proposal was presented. Mr. Scully stated that he was not aware of any. This was part of a package of ideas and changes intended to look at their security measures after the Marjory Stoneman Douglas tragedy. In addition to three additional mental health specialists and staff training, SROs are seen as part of a comprehensive approach to safety.*

*Ms. Dorothy asked if we have looked at our contract and whether we will be able to reduce our force if the schools decide they no longer want an SRO. Mr. Greeson reported that it was discussed. A review would occur after the first school year in addition to frequent administrative discussions to ensure things are going well. From a*

*contract standpoint, it has been discussed to include notice provisions that ensure there is reasonable notice provided if either side wants to be removed from the contract. It would need to be decided how long that notice is and we would want to treat any impacted employee fairly. Likewise, if the City wanted to get out of the contract, the schools would need to adjust their policies, protocols, and practices for school security to factor in not having an SRO. All of that takes some time, so he does not recommend that we have a hard stop, rather we should have notice provisions.*

*Mr. Myers explained that he grew up in a different time where he had a different attitude towards police officers. He thinks it interesting that we have lost our perspective on law enforcement. He noted that Mr. Scully made an interesting point about how kids feel about law enforcement nationally. We have lost the opinion of law enforcement that they are on our side. We see on the television the 2% who have made a bad choice, when 98% are making good choices. He sees this as an opportunity to get an officer out of a cruiser, interacting with kids in a positive way and building positive relationships. He does not know if stopping an active shooter is the primary goal. It is more about stopping that child who may become an active shooter and changing student's views about law enforcement. The City is in the service business and we have had a citizen come to us asking for help in order to provide an SRO. If we had a citizen call in about break-ins asking to double patrols in the area, we would not be having this discussion --- we would double the patrols. We have had someone with boots on the ground in the schools and we have been asked for help and we should do it. As far as the evaluation process goes, he would charge staff to reach a hard and fast date to make a decision to proceed for another year. We would need an evaluation matrix by the end of this year so that we know what to look for. We then need to have the data, whether it is surveys or focus groups, available by the first of May to make an evaluation. He asked staff to come back to Council before the August recess, with deadlines and how to go towards the renewal of the contract next year. Mr. Greeson said that he would work with our partners to shape that.*

*Mr. Robinson said he is not clear if under the proposal a vote would be required to continue the program. Mr. Myers replied a vote would be required to renew or not terminate the contract. The contract can be crafted in many different ways. If we style it as an automatically renewing contract, then the emphasis is on us initiating the termination. He would ask that we have all of the information thirty days prior to the contract renewing to allow the opportunity to terminate it. Mr. Robinson clarified his affirmative vote is contingent on there being a vote to continue the contract. Mr. Myers responded that he is fine making this a one year contract to get Mr. Robinson's vote. Mr. Robinson explained that he is not persuaded that a SRO is the best way to achieve the multiple goals outlined. He can be persuaded, but he needs the chance to evaluate it over the course of a year. He does not want to normalize having an SRO without examining the data and having a vote. To him having guns in school is something he can agree to but with only the greatest regret and remorse that we are at this place in our society. Mr. Myers replied that he does not see this as much as a gun in the school, but rather a uniform in the school and the understanding the impact having a uniformed officer can bring to a child if done right. If done wrong, it goes haywire and it needs to be evaluated*

*at the end of a year. Mr. Greeson stated that he would recommend a significantly longer notice provision to be respectful to the employee hired for this job and our community partners. He asks that he be given the latitude necessary to craft reasonable notice provisions for both parties. We hope to attract many officers who can do these duties exceptionally well. He is optimistic that we will be back in a year reporting good outcomes and good feelings. We also want to project to those officers that this is a desirable position that will be around longer than a year. Mr. Myers said that he understands that we are putting fiscal and managerial obstacles in the way, but this is a new endeavor and it is unclear how it is going to work. Council wants the opportunity to objectively review how this works.*

*President Michael stated that she hears that a lot of people are concerned about the notice timeline and she asked that Mr. Greeson and the schools work together and get back to Council as soon as possible with a reasonable timeline.*

*Ms. Dorothy reported that the reason she brought up making sure the provision had an annual review is in looking at the contract between the City of Columbus Police and Schools, they had a two year contract and she wanted to make sure we had something in there to follow suit with the schools. She believes that the schools are a great partner and we want to continue that partnership. However, she wants to address this as a significant investment and make sure there are provisions in the contract. She understands this is an ongoing process and she wants staff and the schools to have some leeway when negotiating the contract.*

*Ms. Kowalczyk stated that she is still not convinced. She has the utmost respect for Mr. Scully, Chief Strait and the Division of Police for having the student's best interests at heart. She understands why an SRO is seen as helpful and not seen as a potential problem from their personal experiences, or the people they have talked to. She watched the first School Board meeting, attended the meeting last week and was impressed with the testimony given, particularly in regard to national statistics and experiences with the juvenile justice system. She understand that people want to feel safe, but individuals who spoke to the School Board, some of them experts in juvenile justice and advocacy for youth, spoke about how the data does not show that safety has increased with the addition of SROs. The results at best are mixed and there is no data that an SRO in school would reduce crime in the school. The data actually shows that when SROs are present, there is an increased tendency to criminalize student behaviors, especially with an adverse impact on students of color, low-income students, and students with disabilities. There is a rationale being put forth that we want to promote better, positive relationships between students, but she has not heard that there has been a problem with that relationship now or that we need to as the City expand the police presence at the high school with an armed officer there fulltime. She does not know how you measure success under that rationale. She sees this at the point where the School Board has already made the decision that they want the SROs. The policy has been decided so our role is to decide whether we support providing that officer and whether that includes 50% of the cost on an ongoing basis. We did not initiate this request, it was not identified as a priority for us and we did not determine it to be a funding priority. It is moving*

*quickly and she is concerned about the lack of community input, particularly from parents and students that may be adversely impacted. Too many things have still not been resolved. There have only been estimates of costs, but we don't have a clear understanding of the costs moving forward. She stated that if the schools support this and are interested in making this a priority, then they should fully support it with 100% of the costs.*

*Mr. Smith asked what the percentage is of Thomas Worthington students who are Worthington residents. Mr. Robinson replied approximately 600 of 1600 students.*

*Chief Strait shared that he reached out to other central Ohio Chiefs and heard that there was no increase in arrests based upon SROs. He added that Hilliard and Dublin are increasing their SROs into the middle schools. While there are no hard statistics, all accounts show no spikes in arrests. Gahanna has had SROs for over 15 years and been very successful. Local Chiefs say it is a very well received program.*

*Ms. Kowalczyk reported that according to testimony presented to the School Board, schools will report certain numbers about arrests while different numbers will be reported by the juvenile court. There is a challenge getting accurate data from the different parties, making it difficult to get a true picture of what is going on. She appreciates Chief Strait reaching out to the various police chiefs to get that data, but it is anecdotal and does not counter the assertion that we lack hard data to support the SROs. Chief Strait reported having discussed with Mr. Scully how those numbers are derived. As a new program, there will be first numbers up front. The department maintains some of that data. Last year only one person was transported from Thomas Worthington because the individual had a gun. The rest of them are from teachers, staff, and sometimes the SRO, as well as from the parents wishing to file charges and the offense itself occurred at one of the high schools or the middle schools. We have to take that into consideration as well and the way we document that as an administrative charge or criminal charge. We can try to backtrack and see what kind of numbers we had for the past few years and attempt to give the best numbers we can. Mr. Myers shared that we do not have hard numbers in Worthington because we have not done this before and we have to start somewhere. We have had a request to start and we will know in a year whether or not this works.*

*President Michael said that Council has given comments to the City Manager that they want input into part of the contract including how it is worded, the timing, and notification. Ms. Kowalczyk clarified that the contract includes 50% of the cost as well. President Michael reported that being correct.*

*Mr. Myers and Ms. Kowalczyk debated the cost issue. Ms. Kowalczyk wants to be clear that Council is voting on picking up half the cost of the SRO. Mr. Greeson recommended the resolution with the understanding that he is authorized to enter into a contract that will look substantially similar to the City of Columbus's contract. Staff will work on specific and unique notice provisions rather than a hard two-year contract and he requested flexibility to work with the schools on that. The City is unable to post that*

*position until we have approval to move forward, which would be with the adoption of this resolution.*

*Mr. Robinson asked if the resolution being voted on would include an automatic termination of the agreement pending the vote of City Council or if it would continue in perpetuity until terminated. Mr. Myers stated that it is neither; it instructs staff to draft the agreement based on the comments tonight. Mr. Robinson responded that he cannot vote in the affirmative without seeing the agreement.*

*President Michael said that Council could amend the resolution to authorize the City Manager to prepare an agreement to be voted on. Mr. Lindsey reported the challenge as one of the timing for posting this job, hiring, and the need for input from the schools. This person also needs to attend a training that is coming up quickly so there are time constraints. He recommends amending the resolution with the key points mentioned tonight including stating that it should be a one year contract to start with and include adequate notice provisions. He anticipates notice provisions with six to nine months' notice in an ideal situation versus the thirty to sixty days utilized for other contracts. There are significant costs to get this program up and running. Therefore, we would need an evaluation point early enough to come back at least six months before the contract would terminate. In fairness to both parties there needs to be an adjustment time if there is a decision by either party to terminate during the first year.*

**MOTION** Mr. Myers moved, Mr. Smith seconded a motion to amend Resolution No. 38-2018, to read: SECTION 1: That the City Manager is hereby authorized and directed to negotiate and execute an agreement with the Worthington School District for school resource officer services at Thomas Worthington High School, subject to approval to form by the Law Director and subject to the instructions of Council as set forth tonight including but not limited to; that the contract be for a period of one year with adequate notice of termination provisions and that staff is further instructed that within a timeframe that allows Council to act within the period of the contract, staff report back on a matrix to judge deliverables and that those deliverables be reported to Council so that we may make an informed decision as to whether renew the contract at the end of the one year term.

*Mr. Robinson asked if the contract is for a period of one year, does that mean it terminates. Mr. Myers said that by terminate, he meant non-renew. It will terminate on its own terms after one year unless Council renews by City Council vote. Staff is instructed to give Council all the information needed to make that decision within a time period consistent with that contract. Council must take affirmative action to extend the program on an objective basis.*

**The motion to accept the amended resolution carried unanimously by a voice vote.**

**There being no additional comments, the motion to adopt Resolution No. 38-2018 passed by a 5-1 voice vote with Ms. Kowalczyk voting against the resolution.**

**Resolution No. 39-2018**

Authorizing an Amendment to the Final Development Plan for 350 West Wilson Bridge Road and Authorizing a Variance (Tim Spencer/Trivium Worthington LLC).

**Introduced by Mr. Robinson.**

**MOTION**

Mr. Smith made a motion to adopt Resolution No. 39-2018. The motion was seconded by Mr. Myers.

*Mr. Brown explained that one of our success stories on Wilson Bridge Road is 350 W. Wilson Bridge Road. It was originally developed in the 1970s as part of the Officescape development; it was Mettler Toledo headquarters for years before sitting vacant for a decade. City staff began working with Mr. Spencer in 2014 to begin its redevelopment. It sits on the north side of W. Wilson Bridge on four and a half acres. When a property is subject to a development plan and a variance is required, it is required to go to City Council for approval. The structure is 53,000 square feet in size and staff has been working with Mr. Spencer to get tenants in the building. The proposal is for a new monument sign. The original approval was for a monument sign on W. Wilson Bridge Road, but it was never installed. Per the Wilson Bridge Road Corridor code, they are actually permitted to have two sixty square foot per side signs. The applicant's request is for one sign, ten square feet per side (a total of twenty square feet) over what is permitted by code. Two of the tenants are already in the building, Central Ohio Urological Group and Wheels Up. Mr. Spencer has been working with two additional tenants to relocate to the building, providing sixty-three full time equivalent employees and an additional \$5,000,000 in payroll for a total of \$12,000,000 for the building. With those additional tenants the building will be 96% occupied, so there will be 3,500 square feet of office space left to be filled. The request for variances went before the Municipal Planning Commission and was approved on June 14 to go to City Council.*

*When asked by Ms. Dorothy how important it is for each individual business to have a sign, Mr. Spencer replied that it is very important. The primary reason that Orthopedic Foot and Ankle is willing to relocate from their longtime location in Westerville to a new municipality is for roadway and/or monument signage. Having branding and identification is paramount to these folks. They are relocating for better branding which is why he is talking to them.*

*Mr. Robinson said that he believes this is a great idea. President Michael said that they are pleased with what the building has done for the corridor. Mr. Spencer responded that he has spoken to the folks at Wheels Up and their employment numbers are through the charts. They saw a 55% increase through the activity from the Masters this year over the previous years with their flight operations growing. The vacancy Mr. Brown alluded*

*to is actually expansion space for Wheels Up. We are going to have a good corporate partner there for a long time.*

**There being no additional comments, the motion to adopt Resolution No. 39-2018 passed unanimously by a voice vote.**

**Ordinance No. 38-2018** To Enact New Chapter 955 “Small Cell Technology in the Right of Way” of the Codified Ordinances of the City of Worthington

**Introduced by Ms. Dorothy.**

**Ordinance No. 39-2018** Amending Chapter 1501 of the Codified Ordinances of the City of Worthington Concerning the Enforcement of the Ohio Fire Code; and to Repeal or Amend Sections of the Codified Ordinances in Conflict Therewith.

**Introduced by Ms. Kowalczyk.**

**Ordinance No. 40-2018** 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 Surveying for the East Wilson Bridge Road Shared-Use Path and to Proceed with said Project.

**Introduced by Mr. Robinson.**

**Ordinance No. 41-2018** Adjusting Annual Budget for TIF Appropriations

**Introduced by Mr. Smith.**

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:*

- 1) There is an upcoming early-bird deadline for the National League of Cities conference.
- 2) Swag-It, our new video streaming vendor has installed cameras in Council chambers. During the month of July, we will be doing some testing to work out

the technological kinks before going live for the public in September. Staff has prepared some information for Council to review that includes City Council video tips.

- 3) He would like to request an executive session regarding board and commission appointments, economic development incentive negotiations, property acquisition, and pending litigation.

*President Michael said that before moving to Reports of Council Members, she been meeting with some of the various council members and has heard some great suggestions and ideas. One of the suggestions that came up was the concept of adding a place in the agenda, not at the end of the night, where Councilmembers can voice their ideas and make comments on what they would like Council to do.*

*Mr. Robinson said that he likes the idea, but recommends doing it once a month during the second meeting of the month. If it is done every meeting it may dominate the agenda.*

*Mr. Myers shared that he likes the idea in concept, but not in execution. He would like council members individually having greater input into adding items into the agenda. If items are able to be placed on the agenda, it can then be out there for the public and it is framed within the parameters of our normal Council, rather than free flowing, anyone can say whatever they want for an hour and a half. President Michael responded that she envisioned it as an opportunity for a council member to add something to the agenda. Ms. Dorothy commented that when we have been doing Reports of Council Members, we have had new business come up without any structure whatsoever.*

*Ms. Kowalczyk said that she would appreciate knowing prior to getting the agenda that a councilmember has a new business item or that it at least appears on the agenda posted on Fridays rather than it coming up under a new business item. She agrees with the concept of new business, but she also wants to know what that new business is.*

*Mr. Myers asked if it would be possible for individual members to put things on the agenda and keep only to things they want on the agenda. He does not want this to turn into an hour discussion. Ms. Dorothy replied that the whole point is to get ideas out there and have Council acknowledge that it exists, but not necessarily put it on the agenda. There was a retreat where Council prioritized and then we have had other things sneak in. She would like it to become more thoughtful how items get on the agenda. President Michael responded that when someone says they would like to have something on the agenda there needs to be some discretion as to which agenda it gets added to. It is not always known what things staff has time limits and timelines on, so it might be better to plan which agenda an item goes on.*

*Mr. Greeson explained that item ten on the agenda simply says "OTHER." That could be more actively defined as a time in the agenda to talk about these things. Mr. Myers recommended that during the Committee of the Whole meetings, we add another item "Discussion of Potential Agenda Items." It would be once a month and members could be prepared beforehand in order to be concise.*

*President Michael said that she is getting the feeling that people like the idea. Mr. Myers reported being frustrated for some time that he has never had any input on the agenda. There are times where they bring forth ideas, but since they are not sitting in the President's seat, they do not get the option to add them to the agenda unless they bring it up at the end of the night. President Michael replied that is why she thought the person who mentioned the idea to her; had such a great idea.*

*Mr. Greeson added that next week Katie White the director of Age Friendly Franklin County is coming in for an educational presentation. President Michael asked that the Community Relations Commission members know that this is going on.*

## **REPORT OF COUNCIL MEMBERS**

*Mr. Robinson stated he appreciates that President Michael bringing the topic up about adding items to the agenda and he applauds her leadership.*

*Mr. Smith said that thanks to a resident email earlier in the day and a quick reply from Mr. Lindsey, he learned that we are by code unable to have Nigerian Goats in the City.*

*Mr. Myers reported that a 32-unit medium density development on Wilson Bridge Road was brought to Municipal Planning Commission last week. A vote on a final plat will be done in September. It is being developed by the same person who is developing the Kemper House. It needs to be tweaked, but it is a good product. When asked by President Michael if there would be single floor living space, Mr. Brown acknowledged that some of them will be.*

*Ms. Dorothy attended a Bike and Pedestrian meeting, but there was not a quorum. There was an open house about the Ozem Gardner and there was quite a bit of public comment. The building is stabilized but they have a long way to go for planning the entire master plan. The McConnell Arts Center is slowly getting out of its line of credit, incrementally paying it off. We as a city are still looking at giving the same amount of funding, but that is decreasing year over year as a percentage of their overall budget since the MAC is increasing their funds from other outside revenue sources. She invited members to visit the MAC, 10,000 additional people visited last year. The Worthington International Friendship Association is coming along. There is a partnership with Worthington Interfaith Neighbors (WIN) for the picnic August 26<sup>th</sup> at Selby Park. The mayoral delegation is coming October 1<sup>st</sup> and there are two parties that Council is invited to. She also wanted to thank the Service and Engineering department, a tree fell down and within minutes a service crew was on site to remove it.*

*Ms. Kowalczyk said thank you to staff for their support on the Old Worthington Partnership's Picnic with the Partnership. It was a great time and it is being called the best ever.*

*President Michael said that she has had some wonderful meetings with Council Members and she has a couple more to go. She looks forward to finishing up the final two.*

**EXECUTIVE SESSION**

**MOTION** Mr. Myers moved, Ms. Dorothy seconded a motion to meet in Executive Session to discuss Purchase of Property, Pending Litigation, Appointment to a Board or Commission, and Economic Development Incentives.

**The clerk called the roll on Executive Session. The motion carried by the following vote**

**Yes 6** Dorothy, Smith, Myers, Robinson, Kowalczyk, and Michael

**No 0**

Council recessed at 9:28 p.m. from the Regular meeting session.

**MOTION** Mr. Robinson moved, Ms. Dorothy seconded a motion to return to open session at 9:58 p.m.

**The motion carried unanimously by a voice vote.**

**ADJOURNMENT**

**MOTION** Ms. Kowalczyk moved, Mr. Myers seconded a motion to adjourn.

**The motion carried unanimously by a voice vote.**

President Michael declared the meeting adjourned at 9:59 p.m.

/s/ Ethan Barnhardt  
Assistant City Clerk

*APPROVED by the City Council, this  
16<sup>th</sup> day of July, 2018.*

/s/ Bonnie D. Michael  
Council President