



6550 N. High Street
Worthington, Ohio 43085

T: 614-436-3100

Worthington City Council Agenda

Louis J.R. Goorey Municipal Building
John P. Coleman Council Chamber

Monday January 14, 2019 ~ 7:30 PM

CITY COUNCIL MEMBERS

Bonnie D. Michael
President

Scott Myers
President Pro-Tem

Rachael Dorothy
Council Member

Douglas Foust
Council Member

Beth Kowalczyk
Council Member

David Robinson
Council Member

Douglas Smith
Council Member

CITY STAFF MEMBERS

Matthew Greeson
City Manager

D. Kay Thress
Clerk of Council

1. Call To Order

2. Roll Call

3. Pledge of Allegiance

4. Visitor Comments

5. Special Presentation(s)

5.A. Oath of Office - Fire Captain and Fire Lieutenant

Executive Summary: The Oath of Office will be administered to Chris Craig who has been promoted to the rank of Fire Captain and Pat Toole who has been promoted to the rank of Fire Lieutenant.

6. Reports of City Officials

6.A. Policy Item(s)

6.A.I. Financial Report - December 2018

Executive Summary: The Finance Director will present the Financial Report for the month of December, which is attached.

Recommendation: Motion to Accept as Presented

6.B. Discussion Item(s)

6.B.I. Mural Task Force Report & Discussion

Executive Summary: A memorandum from the Mural Task Force will be reviewed and discussed.

7. Reports of Council Members

8. Other

9. Executive Session

10. Adjournment



STAFF MEMORANDUM
City Council Meeting - January 14, 2019

Date: January 11, 2019

To: Matthew H. Greeson, City Manager

From: Robyn Stewart, Assistant City Manager

Subject: **Oath of Office - Fire Captain and Fire Lieutenant**

EXECUTIVE SUMMARY

The Oath of Office will be administered to Chris Craig who has been promoted to the rank of Fire Captain and Pat Toole who has been promoted to the rank of Fire Lieutenant.

BACKGROUND/DESCRIPTION

Section 9.02 of the City of Worthington Charter requires that every employee take and subscribe to the oath of office of the City. The Division of Fire and EMS has recently conducted a promotional process to fill a vacant Captain position and a vacant Lieutenant position. Chris Craig has been promoted to Captain and Pat Toole has been promoted to Lieutenant. The Fire Chief and City Manager are excited by the opportunity to introduce our newest Captain and newest Lieutenant, administer the oath of office and conduct a badge pinning ceremony at the beginning of the City Council meeting.



Department of Finance

December 2018 Financial Report

Quick Facts

All Funds

<u>12/31/2018</u> Cash Balances \$30,338,812 (January 1, 2018 balance: \$26,697,378)	<u>12/31/2018</u> Unencumbered Balance \$21,846,645
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General Fund

<u>12/31/2018</u> Cash Balance \$14,667,073 (January 1, 2018 balance: \$13,491,664)	<u>12/31/2018</u> Unencumbered Balance \$13,613,822 (49% of prior year expenditures)
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Highlights & Trends for December 2018

Income Tax Collections

- Year to Date (YTD) income tax collections are below 2017 YTD income tax collections \$-193,068 or -0.74%. This is largely attributed to a decrease in net profit collections.
- YTD Income tax collections are above estimates by \$270,763 (1.05%).
- Refunds issued in December totaled \$25,726 with year to date refunds totaling \$584,383.

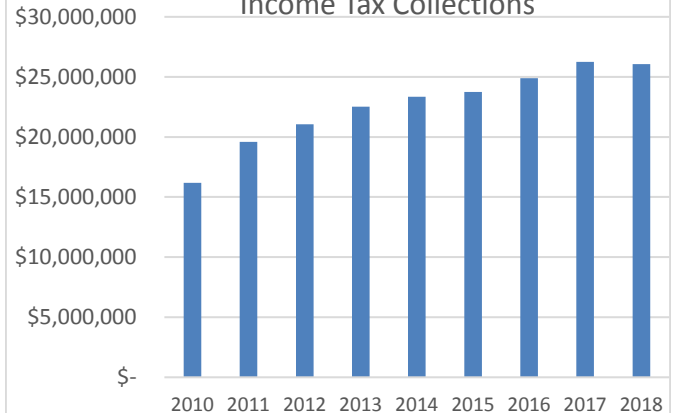
Income Tax Revenue by Account Type

- For December of 2018:
- Withholding Accounts – 93.06% of collections
 - Individual Accounts – 4.76% of collections
 - Net Profit Accounts – 2.19% of collections
- For December of 2017:
- Withholding Accounts – 83.51% of collections
 - Individual Accounts – 7.97% of collections
 - Net Profit Accounts – 8.52% of collections

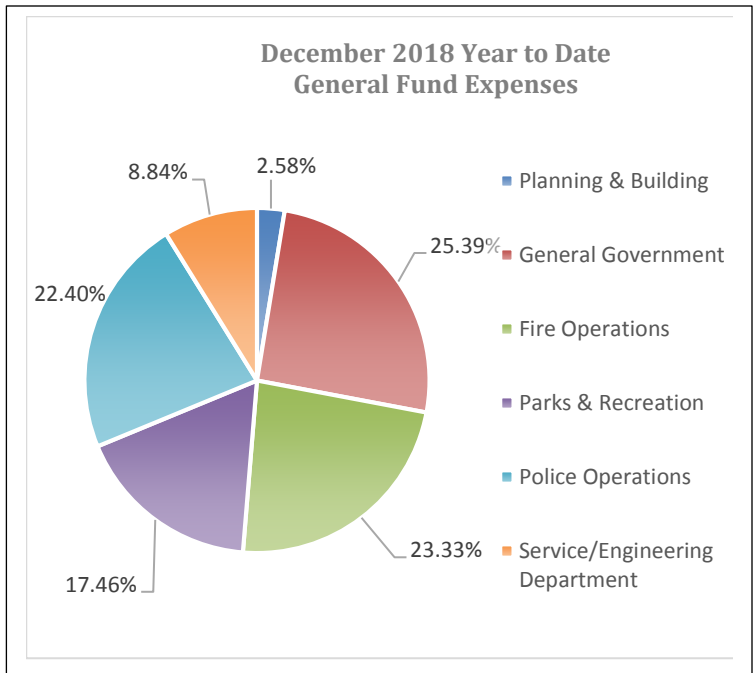
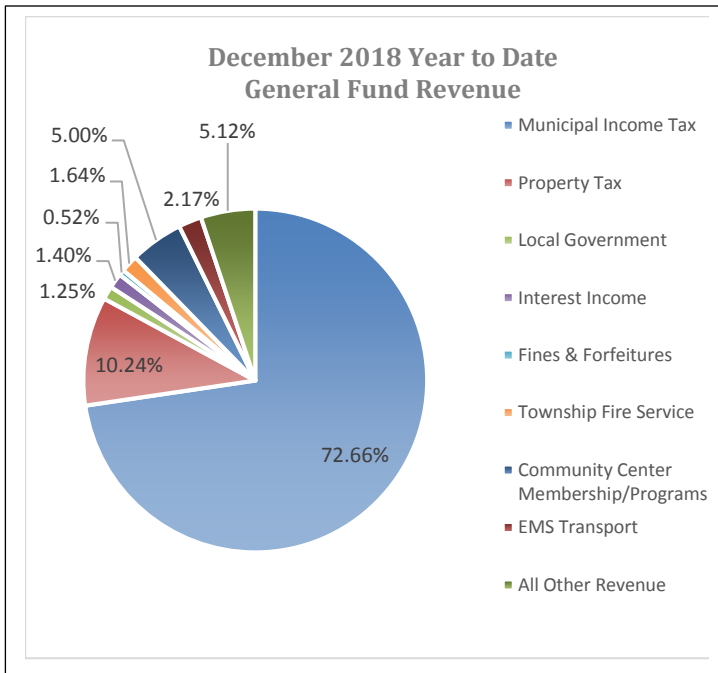
Income Tax Refunds as of December



December Year to Date
Income Tax Collections



Highlights & Trends for December 2018 (continued)



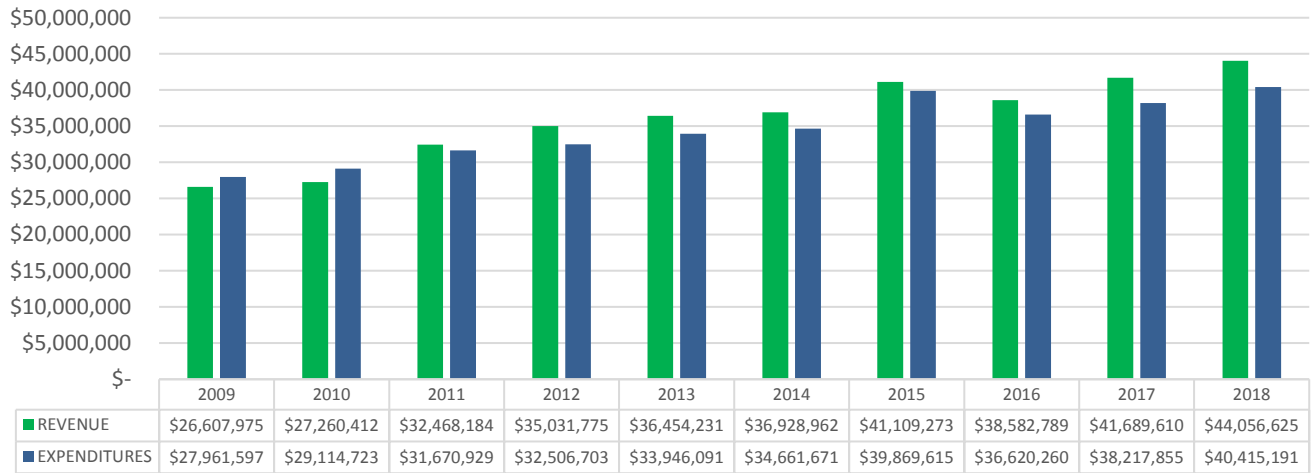
Notable Initiatives & Activities

- Fund balances for all funds increased from \$26,697,378 on January 1, 2018 to \$30,338,812 as of December 31, 2018, with year to date revenues exceeding expenditures for all funds by \$3,641,433. Excluding \$4,460,000 in bond proceeds, expenditures exceeded revenue by \$818,566.
- For the month of December, fund balances for all funds decreased from \$30,628,683 as of December 1, 2018 to \$30,338,812 as of December 31, 2018, with expenditures exceeding revenues by \$289,872.
- The General Fund balance increased from \$13,491,664 as of January 1, 2018 to \$14,667,073 as of December 31, 2018, with revenues exceeding expenditures by \$1,175,408.
- For the month of December, the General Fund balance decreased from \$14,982,086 on December 1, 2018 to \$14,667,073 as of December 31, 2018, with expenditures exceeding revenues by \$544,797.
- As of December 31, 2018, General Fund expenditures were 91.23% of appropriations.

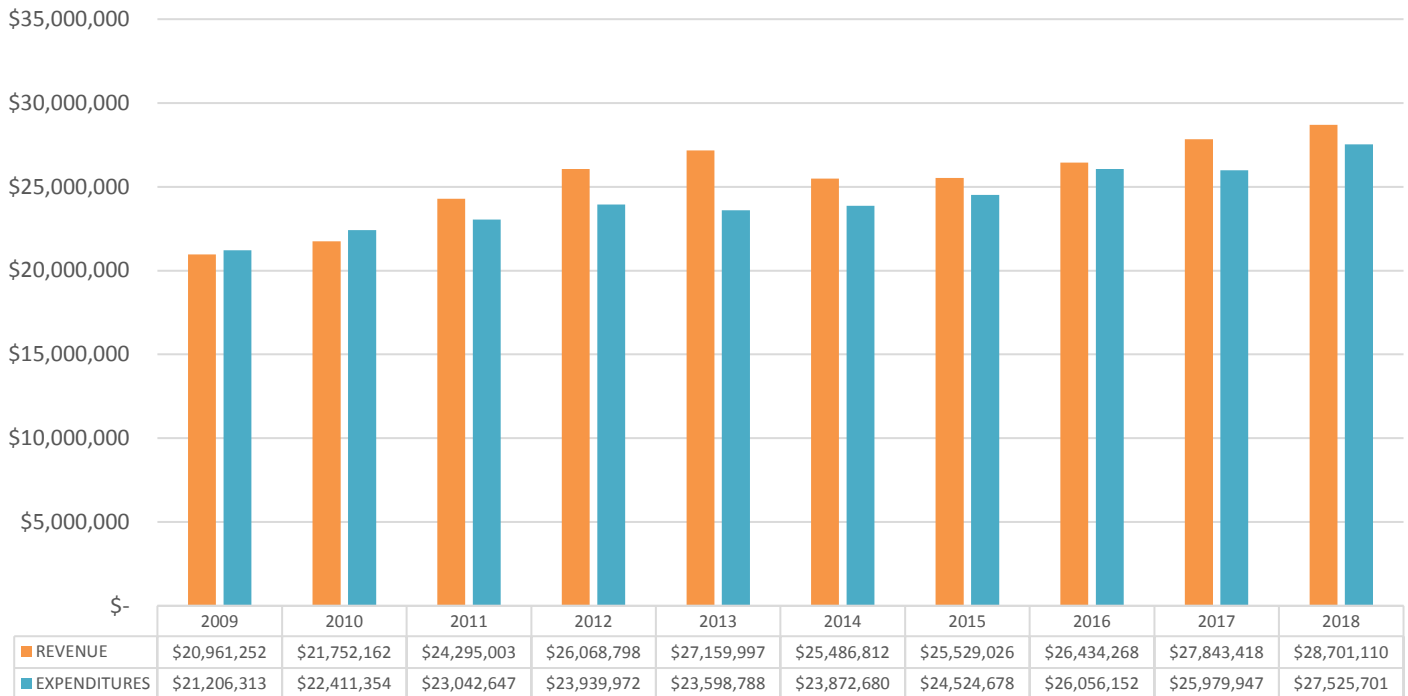


Financial Tracking

December Year to Date Revenue to Expenditures All Funds



December Year to Date General Fund Cash Position





December 2018 Cash Reconciliation



Total Fund Balances:		\$30,338,811.70
Depository Balances:		
General Account:	\$ 8,542,954.92	
Total Bank Balances:		\$8,542,954.92
Investment Accounts:		
Certificates of Deposits:	\$ 6,879,000.00	
Certificates of Deposits (EMS)	2,094,000.00	
Star Ohio/Star Plus	5,289,653.46	
Fifth Third MMKT/CDs	7,531,613.32	
Total Investment Accounts:		\$21,876,283.92
Petty Cash/Change Fund:		1,590.00
Total Treasury Balance as of December 31, 2018		\$30,338,811.70
Total Interest Earnings as of December 31, 2018		\$402,430.54
Average Interest Earnings		2.12%

Debt Statement

<u>Issuance</u>	<u>Purpose</u>	<u>Maturity</u>	<u>Rate</u>	<u>Principal Balance</u>
2015	2015 Refunding Bonds	December 2021	1.62%	\$2,300,000.00
2017	2017 Various Purpose Bonds	December 2032	2.21%	\$3,525,000.00
2008	OPWC 0% Loan – ADA Ramps	December 2028	0%	\$ 70,290.45
2015	OPWC 0% Loan – Kenyonbrook	December 2045	0%	\$ 541,320.76
2018	2018 Bond Anticipation Notes	September 2019	2.11%	\$ 4,460,000.00
	Total Principal Debt Balance			\$10,896,611.21



**City of Worthington
Fund Summary Report
as of December 31, 2018**

FUND		1/1/2018 Beginning	Year to Date	Year to Date	12/31/2018	Unencumbered	
		Balance	Actual Revenue	Actual Expenses	Cash Balance	Encumbrances	Balance
101	General Fund	\$ 13,491,664	\$ 28,701,110	\$ 27,525,701	\$ 14,667,073	\$ 1,053,251	\$ 13,613,822
202	Street M&R	3,573	884,589	831,516	56,646	56,461	\$ 184
203	State Highway	14,156	143,476	107,840	49,792	151	\$ 49,641
204	Water	87,817	123,674	190,713	20,778	13,650	\$ 7,128
205	Sewer	66,268	41,591	76,320	31,539	6,364	\$ 25,175
212	Police Pension	596,983	520,391	618,179	499,195	-	\$ 499,195
214	Law Enforcement Trust	71,890	10,319	17,772	64,438	-	\$ 64,438
215	Municipal MV License Tax	167,714	123,026	150,000	140,740	-	\$ 140,740
216	Enforcement/Education	48,817	1,363	-	50,181	-	\$ 50,181
217	Community Technology	80,000	-	66,971	13,029	13,029	\$ -
218	Court Clerk Computer	234,893	12,174	14,161	232,906	4,797	\$ 228,109
219	Economic Development	561,016	330,102	327,833	563,285	109,217	\$ 454,068
220	FEMA Grant	15,884	-	15,884	-	-	\$ -
221	Law Enf CED	7,480	12,880	-	20,360	800	\$ 19,560
224	Parks & Rec Revolving	427,916	946,089	967,916	406,090	22,320	\$ 383,770
229	Special Parks	27,654	12,368	-	40,023	25,000	\$ 15,023
253	2003 Bicentennial	71,536	1,030	-	72,566	-	\$ 72,566
306	Trunk Sewer	375,149	-	-	375,149	-	\$ 375,149
308	Capital Improvements	8,606,289	10,316,775	8,072,533	10,850,531	7,181,281	\$ 3,669,249
313	County Permissive Tax	-	-	-	-	-	\$ -
409	General Bond Retirement	1,063,223	1,242,377	1,114,272	1,191,328	-	\$ 1,191,328
410	Special Assessment Bond	278,448	-	-	278,448	-	\$ 278,448
825	Accrued Acreage Benefit	82,141	51,751	122,784	11,108	5,019	\$ 6,089
830	OBBS	2,074	4,273	4,338	2,009	826	\$ 1,183
838	Petty Cash	1,530	60	-	1,590	-	\$ 1,590
910	Worthington Sta TIF	11,705	26,131	296	37,540	-	\$ 37,540
920	Worthington Place (The Heights)	285,098	173,439	25,673	432,863	-	\$ 432,863
930	933 High St. MPI TIF Fund	16,460	81,047	918	96,589	-	\$ 96,589
935	Downtown Worthington MPI TIF	-	138,648	7,279	131,369	-	\$ 131,369
940	Worthington Square TIF	-	27,873	27,315	558	-	\$ 558
945	W Dublin Granville Rd. MPI TIF	-	97,091	96,000	1,091	-	\$ 1,091
999	PACE Fund	-	32,977	32,977	-	-	\$ -
Total All Funds		\$ 26,697,378	\$ 44,056,624	\$ 40,415,191	\$ 30,338,811	\$ 8,492,167	\$ 21,846,645



**City of Worthington, Ohio
General Fund Overview
as of December 31, 2018**

		2017 Year End Actual	2018 Original Budget	2018 Revised Budget	2018 Y-T-D Estimates	2018 December Y-T-D Actual	2018 Variance Over/(Under)	Variance as % of Budget
Revenues								
Municipal Income Tax	1	\$ 21,006,562	\$ 20,635,497	\$ 20,635,497	\$ 20,635,497	\$ 20,854,635	\$ 219,138	1.06%
Property Tax	2	2,628,416	2,783,850	\$ 2,930,879	2,930,879	2,939,140	\$ 8,261	0.28%
Local Government	*	351,928	350,000	\$ 350,000	350,000	358,938	\$ 8,938	2.55%
Inheritance Tax	2	-	-	\$ -	-	-	\$ -	0.00%
Interest Income	*	215,776	210,000	\$ 210,000	210,000	402,431	\$ 192,431	91.63%
Fines & Forfeitures	*	157,159	200,000	\$ 200,000	200,000	150,200	\$ (49,801)	-24.90%
Township Fire Service	2	304,448	475,000	\$ 475,000	475,000	469,460	\$ (5,540)	-1.17%
Community Center Membership/Progr	*	1,263,448	1,455,500	\$ 1,455,500	1,455,500	1,435,227	\$ (20,273)	-1.39%
EMS Transport	*	671,816	675,000	\$ 675,000	675,000	621,898	\$ (53,102)	-7.87%
All Other Revenue	*	1,243,865	1,203,794	\$ 1,203,794	1,198,294	1,469,183	\$ 270,889	22.61%
Total Revenues		\$ 27,843,417	\$ 27,988,642	\$ 28,135,671	\$ 28,130,170	\$ 28,701,110	\$ 570,940	2.03%
Expenditures								
Planning & Building		\$ 658,913	\$ 777,207	\$ 855,210	\$ 855,210	\$ 675,224	\$ (179,986)	78.95%
General Government		6,639,741	7,155,413	\$ 7,167,413	\$ 7,245,143	6,639,309	\$ (605,834)	91.64%
Fire Operations		6,066,466	6,786,356	\$ 6,786,356	\$ 6,786,356	6,101,062	\$ (685,294)	89.90%
Parks & Recreation		4,444,601	4,893,143	\$ 4,893,143	\$ 4,893,143	4,566,131	\$ (327,012)	93.32%
Police Operations		5,589,964	6,102,395	\$ 6,202,395	\$ 6,202,395	5,856,535	\$ (345,860)	94.42%
Service/Engineering Department		2,087,607	2,679,803	\$ 2,679,803	\$ 2,679,803	2,310,552	\$ (369,251)	86.22%
Total Expenditures		\$ 25,487,293	\$ 28,394,316	\$ 28,584,317	\$ 28,662,050	\$ 26,148,813	\$ (2,513,237)	91.23%
Excess of Revenues Over (Under) Expenditures		\$ 2,356,125	\$ (405,674)	\$ (448,646)	\$ (531,880)	\$ 2,552,297		
Fund Balance at Beginning of Year		\$ 11,628,193	\$ 13,491,663	\$ 13,491,663	\$ 13,491,663	\$ 13,491,663		
Unexpended Appropriations (98.0%)			567,886	571,686	524,046			1 - Income Tax budget based on individual monthly projections.
Expenditures versus Prior Year Enc		492,655	1,647,970	1,647,970	1,510,639.03	1,376,887		2 - These revenue budgets are based on semi-annual payments.
General Fund Balance		\$ 13,491,663	\$ 12,005,905	\$ 11,966,733	\$ 11,973,190	\$ 14,667,073		* - All other revenue budgets are spread equally over each month.
								All expenditure budgets are spread equally over each month.



STAFF MEMORANDUM
City Council Meeting - January 14, 2019

Date: January 11, 2019
To: Matthew H. Greeson, City Manager
From: Lee Brown, Director of Planning and Building
Subject: **Mural Task Force Report**

EXECUTIVE SUMMARY

A memorandum from the Mural Task Force will be reviewed and discussed.

BACKGROUND/DESCRIPTION

At the request of City Council, a task force was convened to evaluate policy options related to murals on exterior walls in Worthington. This agenda item provides an opportunity to discuss the information from the task force that was provided in a September memorandum, which is attached. Next steps by City Council may include further discussion of this topic in light of other Council priorities at the annual City Council retreat, the scheduling of a follow up discussion to invite public comment on the topic, or direction to staff and the Code Review Committee to draft regulations based on recommendations framed by the task force.

ATTACHMENTS

Memorandum summarizing the work of the Mural Task Force



MEMORANDUM

TO: Matthew H. Greeson, City Manager

FROM: R. Lee Brown, Lynda Bitar & Tom Lindsey

DATE: September 4, 2018

SUBJECT: Mural Task Force

At the request of City Council, a task force was convened to provide recommendations on policy options, which may include a process to consider murals or a decision to prohibit murals in the City of Worthington. City Council may then direct staff and the Code Review Committee to draft regulations based on recommendations framed by the task force. The mural task force was created in February 2018, and starting meeting in March 2018 to discuss murals in the City of Worthington. The Mural Task Force is made up of the following: Christy Caine, Karen Wilson, Gail Caldwell, Beth Dekker, Kate LaLonde, Jon Cook, Mikel Coulter and Scott Myers.

Again, this Mural Task Force was created to help develop policy options, not recommend for or against murals in the City. The group had a lengthy discussion on the following items:

- Legal
 - First Amendment Rights
 - VARA
 - Sign & Mural Definition
 - Easement Program
- Location
 - Citywide, Historic District & Architectural Review District
 - Commercial, Industrial & Residential Areas
 - Visibility from the public right-of-way
 - Visibility from residential areas
- Size of murals
- Number of murals
- Maintenance
- Types of buildings
- Mural materials
- Timeframe

Legal:

The group had lengthy discussions around all the legal issues regarding First Amendment Rights. The end result is that we are not legally able to regulate the design and content of a mural if we permit murals in the City. We also discussed VARA (Visual Artists Rights Act), which deals with the artist's rights to the mural, regardless of any subsequent physical ownership of the work itself. City staff reached out to other jurisdictions throughout Ohio, Kentucky, Georgia, Indiana, Oregon, and Tennessee to name a few to see how exactly how other jurisdictions handle murals in their jurisdiction.

The majority of these jurisdictions provide a definition of a mural and a definition of a sign; this helps alleviate any confusion as it pertains to what is a sign, and what is a mural. Many jurisdictions provide a definition of a mural, and still do not permit them in their code. Several jurisdictions that have a strong mural program have exempted murals from their Code, and thus does not require approval from a City Board or Commission. There are also examples where the jurisdiction requires approval from an Architectural Review Board or Planning Commission, however these jurisdictions are not able to review the content and design, they have looked to see if the placement of a mural would harm the building it is to be placed on once installed. We looked at examples where a jurisdiction has created an Arts Commission that reviews proposals instead of going before an Architectural Review Board or Planning Commission for approval, however there is still little ability to control the content and design of a mural.

Chapter 1170 (Signs) of the Worthington Planning & Zoning Section of the Codified Ordinances defines murals as a type of sign. Chapter 1177 (Architectural District) identifies the purpose and standards for review for a Certificate of Appropriateness to determine that an application under consideration promotes, preserves and enhances the distinctive historical village character of the community. Currently, any proposed mural would need ARB approval, and approval from the Board of Zoning Appeals (BZA) for a variance to deviate from the requirement of no more than 4 colors for a sign. A variance for size would also typically be needed.

Several of the jurisdictions were able to regulate the content and design of murals as they were placed on either City, State and/or Federally owned property. I.e. Portsmouth, Ohio murals are located on the floodway that protects the City from the Ohio River.

Portland, Oregon permits murals in a very unique way compared to other jurisdictions. They have an easement program that involves the City working with the property owners to get an easement for the placement of art that is funded by the City. The City then works with their Arts Commission to facilitate artwork being placed on predetermined locations throughout the City. The City and the Arts Commission then have the ability to have more control over the design, content, location and placement on a building.

Location:

The group discussed murals in the following locations: permitted citywide, prohibited citywide, only in the Historic District, outside of the Historic District and outside or inside of the Architectural Review District. We also discussed the location of murals in commercial, industrial and residential areas of the City. The group felt that if murals are to be permitted that they should not be permitted in residential districts. There was also a lengthy discussion on the

visibility of a mural from a residential area as a discussion item that would need to be further explored. The industrial area seemed to be the area of the City that the group had little concerns over the placement of a mural, however they did feel that rules and regulations would need to be crafted to move things forward.

The Historic District consumed the majority of our discussion as it pertains to the placement of a mural on any existing structure in the District. The group had a lengthy discussion related to a mural that would be visible from the public right-of-way of High Street, New England Avenue, Dublin-Granville Road (SR-161) and the Village Green Drives. Some members felt that murals at New England Avenue and High Street would possibly change the character of the community by drawing attention away from the architecture of Old Worthington and to the murals. Several of the jurisdictions that we looked at did not permit murals to be visible from key roadways in their community, while permitting them to be visible from side streets and other roadways. The group had a lengthy discussion related to possible mural locations in Old Worthington, more specifically in the Central Business District (CBD) and what factors might need to be addressed if murals were permitted on these buildings. The group also discussed the pros and cons of murals on some of the blank walls in Worthington. However, our inability to regulate the content and design of these murals remained a significant concern. The placement of murals on certain building materials was also a major concern of many, due to the possible damage depending on how it was attached.

Several jurisdictions prohibited murals on the fronts of buildings, while permitting them on the sides and rear of buildings throughout their community. The group seemed to have a similar feel that murals should only be permitted on the sides and rear of a building. We did have a discussion on the placement of murals throughout the community that could act as a hidden treasure map in the City. The group discussed obscure locations similar to the walkway between Old Bag of Nails and the Speckled Inn Market.

Size of Murals:

The group looked at a variety of murals, from a variety of other jurisdictions. Some murals were very small in scale, while others were the entire side of a 1-3-story building. The group felt that the murals need to be appropriate in size, and in scale with the building. We also looked at murals that were hidden on the sides of buildings, only visible from a pedestrian. We had an interesting discussion related to this concept of hidden sides of buildings as it pertains to the area behind the old Worthington Hardware building, and the little walkway next to the Old Bag of Nails. The group was supportive of something in this location to enhance the pedestrians' experience as they would walk from the parking lot to High Street. We also discussed the backside of these buildings as a blank canvas for potential murals. Again, the group felt that the size of murals in relation to the scale of the building would need to be appropriate. The architectural features on the buildings would need to be protected, and everyone felt that the architectural features of a building may actually limit the overall size of a mural. The type of installation and placement of a mural would also be another limiting factor to the size and location. The Architectural Review Board typically approves smaller size signs in Old Worthington than what is permitted by Code.

Number of Murals:

The group had a discussion on the number of murals that would be possible throughout the City. The main focus was on Old Worthington, however we did discuss the main corridors (Dublin-Granville Road (SR-161), High Street and Wilson Bridge Road). The discussion comments seem to be valid citywide. We discussed the possibility of limiting the number of murals in Old Worthington, or in other corridors of the City to avoid an over abundance of murals distracting from the architectural beauty of the community. The thought was to possibly place a limit on the number of murals by location and/or district. We discussed the ability to legally regulate the number of murals, and the ramifications of permitting them in one location, but not another. There would need to be a further discussion around the legal ways to limit the number of murals in the City.

We discussed the Portland easement program as an option in limiting the number of murals in an area. Possibly limiting the number by corridor, and looked at limiting the size of murals as a way of not having too many murals in the City. There was also a discussion around creating a treasure map type event that could get you to all the different murals throughout Old Worthington, or citywide. We also discussed limiting the number of murals per building. The architectural features and building materials of a structure may limit the number of potential locations of murals throughout the City.

Maintenance:

Maintenance of a mural was extremely important to all those involved in the discussion. The discussion focused around the continued care of a mural, whether that be 1-year, or indefinitely. The group discussed scenarios related to general maintenance on how to handle graffiti on a mural. Staff discussed with the group how we handle Property Maintenance issues today, and how we handle properties that are not in compliance with approved ARB and MPC approved plans. Overall, staff felt that we would be able to address any issues with the maintenance of murals through our existing structure for enforcement. Short term and long term maintenance of these murals should be a factor that would need to be discussed as a way to maintain and preserve these murals if that is the desire of the community. We discussed that the property owner of the building on which the mural would be located would ultimately be the one responsible for the maintenance of the mural. There are scenarios from other jurisdictions where there is an Arts Commission that is publically funded that monitors and maintains the murals throughout their jurisdiction. Many of these jurisdictions have City money allocated to their program.

Types of Buildings:

The group had a lengthy discussion related to the placement of a mural on a variety of styles and materials of buildings. The group felt that the installation of murals on certain buildings, whether they be historical or new, should be reviewed on a case-by-case basis. There were too many variables to consider in reviewing what type of building material would be appropriate for what building. Many felt that murals should not be placed on wood buildings, however that could be depended on the type and style of the mural, and how it would be attached to the building. We discussed the vinyl shrink-wrap type of mural, painted directly on the building mural and those that are similar to a banner type mural attached to a building. The group overwhelming felt that a mural should not be affixed to any building where it could possibly

damage the building, and where it could possibly impact the architecture of the building. The focus of this discussion was really geared towards the buildings in Old Worthington, however the group did discuss the impacts on any building citywide. The group felt that brick buildings should not have murals directly painted on brick or stone, although other options might be appropriate.

Mural Materials:

The majority of murals that we discussed were murals that were painted directly on the buildings and walls, however there were several examples where the murals were made out of vinyl. The vinyl wall murals were similar to what COhatch used for their sign on the Kilbourne Building on High Street and Dublin-Granville Road (SR-161), and also used by Zaftig Brewing Co. on Huntley Road for their sign. Several jurisdictions had murals that were on banners, and then the banners were attached to the building. We have something similar with the banners that are installed at the McConnell Arts Center on the corner of Evening Street and Dublin-Granville Road (SR-161). The group did not really discuss a preference, however the use of the vinyl shrink-wrap that would be directly attached to a building was a concern as it pertains to the adhesive that might be used to attach it to the building. The main thought was to not damage the underlying material of the building if the mural was removed in the future.

Timeframe:

There was a lengthy discussion related to the length of time a mural should be permitted. We discussed everything from 1-year, 5-years to permanently in place. Several members of the group felt that there should be a rotation of murals, and that maybe a permanent mural would not be the way to go. Maintenance of these murals were a big focus related around the timeframe. We discussed the ability to permanently maintain these murals over the years. An ongoing evaluation on the value of the murals to the community over the years would be interesting to monitor. There was a discussion on requiring the building owner to fund the maintenance, and the possibility of having a bond/deposit placed on the project for future maintenance. Timeframes varied from jurisdiction to jurisdiction. Many had separate funds set aside for maintenance, and/or required the property owner to maintain the mural as part of a Property Maintenance, ARB or MPC approval associated with that jurisdiction. One scenario that was discussed focused on the limited number of mural locations identified throughout the City, and then the murals could rotate after a given time period. This would permit new artist to display their artwork for a time period.

Next Steps:

Again, the City is not legally permitted to regulate the content of murals and how they are to be designed. There are instances where cities have been sued on First Amendment grounds over trying to regulate the content and design of a mural. We cannot approve a mural in one location, and then deny another mural in another similar location just because it may have questionable content, or that they are not visually appealing to all. However, reasonable time, place, and manner restrictions applicable to all murals are permitted.

A change to the Planning & Zoning Code and the Worthington Design Guidelines might be the appropriate way to handle murals, rather than considering on an individual basis. Community and resident input is an extremely important part of this process.

After a public discussion, if City Council is so inclined to permit murals, they can direct staff to draft language to move things forward with certain guidelines and standards that are non-content and design related. Again, we are not legally permitted to regulate the content and design of the murals.

If City Council decides to prohibit murals, they can direct staff to draft additional language to the Planning & Zoning Code and the Worthington Design Guidelines clarifying the City's desire to not have murals.

The Mural Task Force felt that there were really only 5-options that seemed reasonable to propose to City Council as a way to move things forward. They are the following:

- Status Quo
- No Murals Permitted
- Murals Permitted
- Murals on Private Property – Easement
- Murals only on Public Property

*See options below

Options:

#1	#2	#3	#4	#5
Status Quo	No Murals Permitted	Murals Permitted	Murals on Private Property - Easement	Murals Only on Public Property
Change nothing in the Code	Draft Code language to strictly prohibit murals	Draft Code language to permit murals	Create an Easement Program	
		Determine Preferred Location: <ul style="list-style-type: none"> • Citywide • Old Worthington • Outside of Old Worthington • Outside of the Architectural Review District 	Determine Preferred Location: <ul style="list-style-type: none"> • Citywide • Old Worthington • Outside of Old Worthington • Outside of the Architectural Review District 	Determine Preferred Location: <ul style="list-style-type: none"> • Citywide • Old Worthington • Outside of Old Worthington • Outside of the Architectural Review District
		Permitted in Commercial & Industrial Areas	Permitted in Commercial & Industrial Areas	
		Prohibited in Residential Areas	Prohibited in Residential Areas	
		Determine visibility from the public ROW: <ul style="list-style-type: none"> • High Street • Granville Road (SR-161) • Village Green Drives • Other Roadways 	Determine visibility from the public ROW: <ul style="list-style-type: none"> • High Street • Granville Road (SR-161) • Village Green Drives • Other Roadways 	Determine visibility from the public ROW: <ul style="list-style-type: none"> • High Street • Granville Road (SR-161) • Village Green Drives • Other Roadways
		Number of Murals	Number of Murals	Number of Murals
		Mural Material	Mural Material	Mural Material
		Type of Building	Type of Building	Type of Building
		Maintenance	Maintenance	Maintenance
		Size of Murals	Size of Murals	Size of Murals