



CITY OF WORTHINGTON
Worthington City Council Minutes
September 3, 2019

6550 N. High Street
Worthington, Ohio 43085

CALL TO ORDER – Roll Call, Pledge of Allegiance

Worthington City Council met in Regular Session on Tuesday, September 3, 2019, 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, Douglas Foust, Beth Kowalczyk, Scott Myers, David Robinson, Douglas K. Smith, and Bonnie D. Michael

Member(s) Absent:

Also present: City Manager Matt Greeson, Assistant City Manager Robyn Stewart, Director of Law Tom Lindsey, Director of Finance Scott Bartter, Director of Service & Engineering Dan Whited, Director of Parks & Recreation Darren Hurley, Chief of Fire & EMS John Bailot, Clerk of Council D. Kay Thress, Assistant City Clerk Ethan Barnhardt

There were 5 visitors present.

PLEDGE OF ALLEGIANCE

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

VISITOR COMMENTS

There were no visitor comments.

APPROVAL OF THE MINUTES

- Regular Meeting – July 15, 2019

MOTION Mr. Robinson moved, Mr. Foust seconded a motion to approve the aforementioned meeting minutes as presented.

The motion to approve the minutes as presented carried unanimously by a voice vote.

PUBLIC HEARINGS ON LEGISLATION

Ordinance No. 28-2019

Amending Ordinance No. 52-2018 (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 Police Building Modification Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 695-19)

The foregoing Ordinance Title was read.

Ms. Stewart detailed how this past spring we conducted an evaluation about whether to join the Northwest Regional Emergency Communications Center (NRECC) for 911 call answering and safety dispatching services. Council decided to make that change which will be implemented in about a year from now. There are several steps that need to be made before then to be prepared for those changes. This includes modifications to the front entrance of the police building to create a secure vestibule area, expenses including the installation of cameras and other changes at the police building. A small portion of the funds may be used for minor modifications to the Fire Station as well. Also included are dollars for the architectural design work and for implementing those changes. There are also some air quality challenges in the Police building and this appropriation includes design work for HVAC improvements to address those challenges.

Ms. Dorothy asked about the air quality for the building. She understands they are improving the HVAC and asked about any other improvements and how long we will be monitoring the air quality. Mr. Whited said that they are looking at other issues, including air quality, outside of the HVAC and the efficiency of the system. We are looking at energy efficiency along with ABM for that component, potentially including it in our energy initiative. Ms. Dorothy said she wants to see us look at all facets and she wants to make sure we will be following up on the safety of the air quality. Mr. Whited replied that Lyle Laboratories would be working on this throughout the process. Prater Engineering have some great ideas and we are confident in their abilities to do the job for us.

Mr. Smith questioned how confident we are with the estimate of \$200,000, remarking that the number seems low. Ms. Stewart responded that this is only for the design work. The actual HVAC construction will need to come back to Council later on for another appropriation. Mr. Smith asked if it could be folded into the energy savings program. Mr. Whited replied potentially. It will have to be analyzed to make sure it has the payback.

There being no comments, the clerk called the roll on Ordinance No. 28-2019. The motion carried by the following vote:

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

No 0

Ordinance No. 28-2019 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 29-2019 Amending Ordinance No. 52-2018 (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 NE Gateway – Rush Run Lower Reach Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 602-14)

The foregoing Ordinance Title was read.

Mr. Whited detailed how this project is interesting because it is between the Northeast Gateway project and goes almost to the Huntley Bowl. We had EMH&T put together some plans that will clean out that section of the stream, but also put some benching in to make it more of a natural stream and able to handle different flooding conditions. This project once completed will accommodate the Northeast Gateway and set the tone for the remaining work to be done downstream.

MOTION Mr. Smith moved, seconded by Mr. Myers to amend Ordinance No. 29-2019 to include the dollar amount not to exceed \$514,000 and Mark Haynes Construction, Inc. and Civil & Environmental Consultants, Inc.

The motion passed unanimously by a voice vote.

Ms. Dorothy inquired when the project would start and finish. Mr. Whited said it is going to begin in October and will take approximately 90 days.

MOTION Mr. Smith moved, seconded by Mr. Myers to amend the earlier motion to include the dollar amount of \$537,000.

The motion passed unanimously by a voice vote.

There being no comments, the clerk called the roll on Ordinance No. 29-2019 (As Amended). The motion carried by the following vote:

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

No 0

Ordinance No. 29-2019 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 30-2019

Amending Ordinance 53-2018 to Establish Compensation for the Unclassified Position of Deputy Director of Safety/Police Chief.

The foregoing Ordinance Title was read.

MOTION

Ms. Dorothy moved, seconded by Ms. Kowalczyk to table Ordinance No. 30-2019.

The motion passed unanimously by a voice vote.

Ordinance No. 31-2019

Amending Ordinance No. 52-2018 (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 NE Gateway – Asbestos Remediation Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 602-14)

The foregoing Ordinance Title was read.

MOTION

Mr. Robinson moved, seconded by Mr. Foust to amend Ordinance No. 31-2019 to insert the dollar amount of \$125,000 and the firm name of S.G. Loewendick & Sons.

The motion passed unanimously by a voice vote.

Mr. Whited explained that this is for 7200 Huntley Road and 431 Wilson Bridge Road which were acquired as part of the Northeast Gateway Project. Both structures need to be removed to accommodate the construction of the gas lines as well as the intersection which will be built as part of the project. This project will commence as soon as possible in order to move forward with other parts of the project.

There being no comments, the clerk called the roll on Ordinance No. 31-2019 (As Amended). The motion carried by the following vote:

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

No 0

Ordinance No. 31-2019 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 32-2019

Amending Ordinance No. 52-2018 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund Unappropriated Balance.

The foregoing Ordinance Title was read.

Mr. Greeson detailed how we issued a request for proposals for consulting services in March. City Council underwent a rigorous process before selecting Poggemeyer Design Group (PDG) for facilitation services related to our Community Visioning process that has been launched. A blank ordinance was introduced, and staff was authorized to negotiate a contract and a revised scope of services. One addition was specifically listing out the planning documents that PDG needs to review. Also, there is an increase in the total number of stakeholder interviews to be conducted, which reflects a desire to reach more people in the community. There is an addition in Phase One, Task E regarding the desire to do a great deal of community education up front and outreach to get people connected to the planning process. There are also additional communications strategies and process improvements. There is an important phase, Phase Five, Task D which seeks online feedback on proposed visioning statements. Lastly is the inclusion of a community engagement software named Bang the Table which was found to be the most robust.

Lauren Falcone – Poggemeyer Design Group

Ms. Falcone explained how nothing was subtracted from the original scope, but there are additions included to help get out to people, raising the price to \$92,360 which includes \$5,000 for the Bang the Table software.

Mr. Greeson described that there are several things they did not have clarity whether they should be included, which were then costed out, but not included in the overall scope. That includes a statistically valid phone survey of residents, creation of a door hanger, a door to door engagement effort, and the creation of materials for a show on the road for committee members to conduct personal outreach. Those are alternates that can be added to the scope that is recommended. We request Council's feedback on those items. After that there are multiple options you can take tonight. One is approving the scope for \$92,360 as presented, or as modified. You can add some or all of the alternatives and we can calculate the revised amount. Or you could approve the scope or some modified version that would allow us to move forward and refer some of the alternates to the CVC for their recommendation and then amend the amount later.

Ms. Kowalczyk asked for a refresher about non-online process for feedback. Ms. Falcone detailed that Phase One is discovery. This includes document review and inviting stakeholders in. Phase Two is project design including a communications plan, op-ed pieces, letters to editor, custom meeting fliers, social media, press releases, and newsletters. In Phase Three is a community scan which would be done both online and in print. There will be an educational workshop that physically invites people in and getting ideas. This can be done online and with custom fliers around town. There will be four focus groups to talk about visioning. There will also be an online survey and an Instagram challenge. There will be a visioning session that invites people citywide to get ideas. Also there will be a citywide charette. Phase Five will be completed all online. There will be a physical meeting with the CVC during that phase. We will test the visioning statement with the residents. If that is where we need to add another meeting, we can do that. Ms. Kowalczyk asked if there would be any going out into the community. Ms. Falcone replied that the American Planning Association encourages going out into the community,

wherever people are gathering. The goal is getting as many people talking to us as possible. Ms. Kowalczyk said she would be inclined to talk about that with the CVC. She knows we have talked about reaching as many people as possible and online is somewhat limited in that respect.

Ms. Dorothy stated that it would make sense to approve the funds for the show on the road materials and she would be in favor of doing that.

Mr. Smith articulated that he is a fan of door to door. He asked to be talked through what that looks like, including what phase it would be and when. Ms. Falcone responded that it is a labor-intensive process including the CVC, and she likens it to a levy campaign, getting information out. She said that it can be difficult to survey people for 10-15 minutes. They are focusing more on targeted fast facts and information. If someone wants to talk, that is great, but if they do not want to talk we recognize that. Doing a survey would take a lot of time to hit 80% of the households. Mr. Smith asked what phase that would be. Ms. Falcone reported the cost at \$31,200 to go to 80% of the houses and talking for 10 minutes with a survey. It could be put at the very beginning when talking about discovery or put later into more of the visioning process. We would do it after the SWOT but before the focus groups. They are doing three things, educating, inviting, and asking questions. Mr. Smith said he is in favor of doing that.

Mr. Foust said we do not know what we do not know. Spending \$90,000 may get us a certain confidence level closer to 60% but we could potentially spend additional money to get a higher confidence level closer to 80-90%, then that could be money well spent. However, he would like to leave it somewhat open ended and look to PDG as a guide. As you get through this process and you come to Council saying we are not where we want to be, here is why, and here is a proposed solution, he expressed that he would prefer we make a decision midstream if we need to apply additional assets to get the job done 100%. That way we can walk away from this exercise knowing we have something we can stand by and that we did the job we set out to do in the first place.

President Michael remarked that her only concern is within the professional services agreement we need to put a not to exceed number to put the contract in place. Mr. Foust stated that he wants to leave the door open that if we find that we are not getting where we need to be, we know that, and we can be flexible enough to revisit what we have done. President Michael explained that if we need to come back and amend something there is no difficulty doing that. Ms. Falcone said they put that in Phase Two, we are going to review Phases One through Seven, which is the whole process, with the information gathered in Phase One to make sure we are on the right track.

Ms. Kowalczyk agreed with Ms. Dorothy and wants to put in the \$700 for the kit to go out to the community and agrees with Mr. Foust about wanting to be flexible if we need to do something more costly.

Mr. Myers asked if this has been discussed with the CVC and whether they had a recommendation. Mr. Falcone said they had not given the CVC the scope at the meet and

greet. It could be reviewed with them as this moves into a more formal format. Mr. Myers said he likes Mr. Foust's suggestion and there is nothing that would prohibit Council from signing a second contract for additional services. If we are doing door to door, we would be relying on the CVC to do that and he would hate to mandate to them that they go door to door. He would rather the recommendation come from them. We want to oversee this project but not micromanage the project. We have put in place good people that we can trust. Ms. Falcone said her impression is the CVC would have no problem jumping in.

President Michael again stated that Council needed to decide the not to exceed number at this time.

Mr. Foust said that he hears the \$93,360 plus an additional \$1,400 for the door hangers and the show on the road kit.

Mr. Smith said that he is fine with anything as long as the CVC knows they have eminence over this domain.

Mr. Robinson said he had expected during the six-week Council break that the scope of services would be modified to include elements that were important but also include the relative roles of PDG and the CVC. He is concerned that the CVC is taking a subservient role to the consultant. His impression was that PDG would offer expertise in a support function to the CVC, and maybe developing a draft of a scope of service for the CVC to work off of, but as is laid out now, the CVC is not set to convene until some date in October. If we question the relative prioritization of the consultants, then other elements of Phase One become questionable. He expressed that he does not know why it is important for Poggemeyer to be immersed in historic planning documents or why they are tasked with doing interviews of key stakeholders. If we want to retain those functions so they get a greater sense of our community, the interviews could be done by interviewing the 13 members of the CVC. If we have them read documents, then planning documents are not of a high priority and they are part of the issues we are trying to deal with through the visioning process. Perhaps, greater immersion in the history of our City, the origins of Harding, Stafford, Colonial Hills, and UMCH would really give them a sense of our community. He would urge that we accelerate the process by bringing together the CVC soon with PDG facilitating their meeting where they organize. Then the CVC in conjunction with PDG review their scope of services and come back with a request that has been vetted and approved by the CVC, so they become the drivers of this process.

Ms. Falcone said that they could meet with the CVC as soon as you want. This is part of the framework that was given as part of the proposal responding to what Council wanted. PDG is giving them a framework and then they are going to go. She does not know if the CVC knows how to develop all the tools to do this and as a professional consultant, she has tools that they can use. What she likes to do is hand it to them and have them say if it works and if not, then rip it up and start again. Mr. Robinson said that he supports PDG helping the CVC develop these tools and techniques, and not necessarily providing the entire structure or determining what is of greatest value and worth in accessing and reaching the community. Ms. Falcone said that goes back to Phase Two where they are

seeing if they are on track. There are a lot of catches to make sure they're moving forward in the right track and the CVC is on board with what they are doing in the community with this community engagement. Mr. Robinson posed if someone were recruited to be on the CVC and they are not meeting until October and you are being presented with a fait accompli of the design of the structure, he would feel pretty disempowered. Ms. Falcone suggested bumping it up into the end of September.

Joe Sherman – 6603 McBurney Place, Worthington, OH 43085

Mr. Sherman expressed that he is a member of the CVC, but he is not speaking on their behalf tonight. He detailed how the CVC is supposed to be the primary body governing this process, but currently the CVC is in subsidiary role. He conveyed that he feels that the CVC should be driving the process with PDG's assistance. When reading the resolution that was submitted in February 19th, it called for a citizen-led, comprehensive visioning process to include all stakeholders to gain a thorough understanding of a broad cross-section representing the will of the people. There is then a published mission statement for the CVC that says the administrative purpose is to manage the visioning process in close consultation with Council and the community. While he has the utmost respect for PDG, the CVC should be respected too. Lastly, he commented on the ongoing delay for the start date. The initial working meeting was slated for September, but then at the kick-off it was shown to be pushed into October with no specific start date given. He feels that the CVC needs a start date to be finalized with no more delays.

Mr. Myers brought up one of the options detailed by Mr. Greeson to ask the CVC to review the scope of services and for them to affirm or reject parts of it. He asked if that is something the CVC could and would do and then bring it back to Council as a revised scope of services. Mr. Sherman agreed that makes a lot of sense, he cannot speak for the other committee members, but he would be personally willing to take that on. Ms. Falcone said that is a great idea and she expressed that maybe the CVC needs more input on the scope. However, they do need guidance on how to get that community engagement and what phases do we follow. Mr. Myers said that if the CVC thinks it is appropriate for PDG to review land use docs, they can say that. We are trying to get away from Council saying that in an attempt to make this valid. Whatever the answer is, we want to make sure Council can stand on the answer and take action. Ms. Falcone explained how in the scope of services, there were new columns added for the CVC and the City Council role is very light. Mr. Myers stated that the scope of services today is close to how this will pan out, but he wants that to come from the CVC, not from Council.

Mr. Lindsey said that part of the ordinance is the appropriation so there is a dollar amount that needs to be appropriated regardless of how much the contract could be for. The proposed contract is terminable by the City upon seven days' notice. We would then only pay for what they did. There is the possibility to agree for a reduced amount for the initial phase and we can appropriate enough and then come back via resolution. The ordinance appropriates money and allows the City Manager to enter into contract. The contract would then have a scope of services attached.

President Michael explained how it is good to have the scope to work from. People come in and have not done this type of work and this is a good outline to work from. They may add or change things, but it is a good starting block for the committee to work from.

Mr. Sherman said that the CVC can start in two weeks and their homework is the scope of services with the goal of coming to the meeting to talk about it.

Mr. Greeson said instead of having to come back for an additional piece of legislation that would require an introduction and a second hearing, Council can amend this ordinance to put in a dollar amount of \$140,000 and state in section two that the City Manager is authorized to engage with PDG in an amount not to exceed \$10,000. That way we have appropriated the full budget but have only authorized a limited amount. Then when the CVC wants to access more dollars, we can amend via resolution.

Ms. Kowalczyk explained that the first deliverable for the \$10,000 is the scope of work produced by the CVC. Mr. Greeson said the CVC and Council must buy into what is to be accomplished with that.

MOTION Mr. Myers moved, seconded by Ms. Dorothy to amend Ordinance No. 32-2019 to insert in Section 1. the amount of \$140,000 and in Section 2. the firm of Poggemeyer Design Group. Section Two should also include at the end of the first sentence the phrase “in an amount not to exceed \$10,000.”

The motion passed unanimously by a voice vote.

Mr. Smith asked about the timing of the meetings and mentioned that at first it seemed Mondays work for most but there was a concern about conflicting with Council and he expressed that he has no concerns with that. Mr. Greeson explained how regardless of the dates selected, there needs to be proper records management. Mr. Sherman noted that the CVC members recognized Council meets on Mondays and the committee members indicated that Tuesday night was the leading candidate.

There being no comments, the clerk called the roll on Ordinance No. 32-2019 (As Amended). The motion carried by the following vote:

Yes	7	Dorothy, Smith, Myers, Robinson, Kowalczyk, Foust, and Michael
No	0	

Ordinance No. 32-2019 was thereupon declared duly passed and is recorded in full in the appropriate record book.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 50-2019 Approving an Agreement and Permit for and between Citynet, a Delaware Limited Liability

Company, to Operate and Maintain a Telecommunications System Within the City of Worthington Pursuant to and Subject to the Provisions of Chapter 949 of the Codified Ordinances of the City of Worthington.

Introduced by Mr. Smith.

MOTION Mr. Myers made a motion to adopt Resolution No. 50-2019. The motion was seconded by Ms. Dorothy.

There being no additional comments, the motion to adopt Resolution No. 50-2019 passed unanimously by a voice vote.

Resolution No. 51-2019 Authorizing the Acquisition of Certain Real Estate Interests Involving Parcel 21 for the Northeast Gateway Intersection Improvement Project. (Project No. 602-14)

Introduced by Ms. Kowalczyk.

MOTION Mr. Robinson made a motion to adopt Resolution No. 51-2019. The motion was seconded by Mr. Foust.

Mr. Lindsey explained how this is the property located at 7057-7079 Huntley Road. The amount was over the fair market value estimates, so by the process previously established by Council, it needed to come back for approval. This amount was approved by ODOT administrators as being reasonable.

There being no additional comments, the motion to adopt Resolution No. 51-2019 passed unanimously by a voice vote.

Resolution No. 52-2019 Adjusting the Annual Budget by Providing for a Transfer of Previously Appropriated Funds.

Introduced by Mr. Smith.

MOTION Mr. Myers made a motion to adopt Resolution No. 55-2019. The motion was seconded by Ms. Dorothy.

There being no additional comments, the motion to adopt Resolution No. 52-2019 passed unanimously by a voice vote.

Ordinance No. 33-2019

Authorizing and Directing the Elimination of a Special Accounting Fund Entitled “Parks and recreation Revolving Fund”.

Introduced by Ms. Kowalczyk.

Ordinance No. 34-2019

Amending Ordinance No. 58-2018 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of Curb Improvements at Wilson Bridge Road & the Railroad Crossing for the NE Gateway Intersection Improvement Project and all Related Expenses with said Project. (Project No. 602-14)

Introduced by Mr. Robinson.

Ordinance No. 35-2019

An Ordinance Authorizing the City Manager or His Designee to Enter Into Agreements with the Ohio Department of Transportation State Infrastructure Bank to Complete the Upgrade to the Intersection of Worthington-Galena Road, Huntley Road and East Wilson Bridge Road (the "Northeast Gateway") and Authorizing the Execution of All Documents to Effectuate the Same.

Introduced by Mr. Foust.

Ordinance No. 36-2019

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

Introduced by 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

Policy Item(s)

- Application for State Infrastructure Bank Loan

Mr. Bartter explained how this authorization is to apply to the State Infrastructure Bank for a loan to bridge finance between the time when funds are necessary to begin construction of the Northeast Gateway and the time when federal funds come available.

President Michael asked if this is interest bearing. Mr. Bartter said it is interest bearing and his understanding is we would only pay a portion of the interest and MORPC would be covering the other portion of the interest.

MOTION Ms. Dorothy moved, seconded by Ms. Kowalczyk to permit staff to apply for the State Infrastructure Bank Loan.

The motion passed unanimously by a voice vote.

Mr. Greeson remarked that Mr. Hurley's team has conducted a successful summer concert series, the Summer in the 614 festival, and cleaning of the Community Center during the shutdown. The 2019 Citizens Academy is beginning this week to connect more to our residents. Additionally, on September 11 there will be the annual remembrance ceremony and the addition of a flag planting ceremony.

REPORT OF COUNCIL MEMBERS

Ms. Dorothy said the cemetery board is hosting an open house at Ozem Gardner House on Tuesday from 6:00 p.m. to 8:00 p.m. to show the master plans to the public. Currently the plans are not online. She expressed her thanks to everyone for keeping the City running so smoothly during the Council recess.

Ms. Kowalczyk reminded everyone that tomorrow is another First Wednesday with a theme of the dog days of summer. Paws in the Park is also coming up in a few weeks. She thanked staff for their support closing East New England during Farmers Market. She expressed her gratitude for all of staff's efforts in responding to emails and inquiries about traffic issues in the city.

President Michael thanked staff for their work over this break. She explained how she is glad visioning is going forward.

EXECUTIVE SESSION

MOTION Mr. Robinson moved, Mr. Foust seconded a motion to meet in Executive Session to discuss labor relations and collective bargaining, economic development incentives, and the appointment and compensation of personnel.

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

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

No 0

Council recessed at 8:42 p.m. from the Regular meeting session

MOTION Mr. Smith moved, Ms. Dorothy seconded a motion to return to open session at 9:26 p.m.

The motion carried unanimously by a voice vote.

ADJOURNMENT

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

President Michael declared the meeting adjourned at 9:26 p.m.

/s/ Ethan C. Barnhardt
Clerk of Council

*APPROVED by the City Council, this
16th day of September, 2019.*

/s/ Bonnie D. Michael
Council President