



City Council Meeting Agenda

Tuesday, February 21, 2017 ~ 7:30 P.M.

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

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

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

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

CALL TO ORDERRoll CallPledge of Allegiance**VISITOR COMMENTS****APPROVAL OF MINUTES**

- 1) **January 17, 2017 – Regular Meeting**
- 2) **February 6, 2017 – Regular Meeting**

NEW LEGISLATION TO BE INTRODUCED**3) Ordinance No. 04-2017**

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Design Costs of the Community Center South Roof Replacement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 650-17)

4) Ordinance No. 05-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Railroad Crossing Preliminary Engineering and Design Costs of the NE Gateway Intersection Improvement Project and all Related Expenses with said Project. (Project No. 602-14)

5) Ordinance No. 06-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the Perry Park Field 3 Improvement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 649-17)

6) Ordinance No. 07-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the FEMA Fund and Law Enforcement CED Fund Unappropriated Balances.

REPORTS OF CITY OFFICIALSPolicy Item(s)

- 7) Liquor Permit – Stock Change for Colleli Corporation (dba Villa Nova Ristorante)
- 8) Liquor Permit – TREX for Roadhouse 66 Bar & Grille

Discussion Item(s)

- 9) Meeting Schedule for considering changes to regulations related to Solar Panels in the Architectural Review District

REPORTS OF COUNCIL MEMBERS**OTHER****EXECUTIVE SESSION****ADJOURNMENT**



Office of the City Manager

City Manager Report to City Council for the Meeting of Tuesday, February 21, 2017

APPROVAL OF MINUTES

- 1) **January 17, 2017 – Regular Meeting**
- 2) **February 6, 2017 – Regular Meeting**

NEW LEGISLATION

- 3) **Ordinance No. 04-2017 – Appropriation – Design Costs for Community Center South Roof Replacement Project**

The Ordinance appropriates \$125,000 to pay the design costs of the Community Center South Roof Replacement Project and authorizes the City Manager to enter into an agreement with GPD Group for the provision of the services. This project is included in the 2017 Capital Improvements Program. It will replace the rubber membrane roof above both gymnasiums and the sloped shingle roofing along the peaks at the south end of the Community Center. The design will also include an evaluation of solar panels on the roof. The existing roof is over 20 years old and is leaking. Staff conducted a qualifications based process and evaluated proposals from multiple firms. Staff recommends the selection of GPD Group for the work. Additional information is included in the attached memorandum from the Director of Service & Engineering.

Recommendation: Introduction for Public Hearing on March 6, 2017

- 4) **Ordinance No. 05-2017 – Appropriation – Railroad Crossing Preliminary Engineering & Design for Northeast Gateway Project**

The City is in the midst of the design for the Northeast Gateway project at the intersection of Wilson Bridge, Worthington Galena and Huntley Roads. This project includes roadway modifications and the extension of bicycle and pedestrian facilities across the railroad tracks at Wilson Bridge Road and Huntley Road. The changes must be reviewed and approved by CSX and Norfolk Southern railroads. The railroads require the City to pay the cost of the plan review. This Ordinance appropriates the funds needed for the review by the railroads.

Additional information is included in the attached memoranda from the Director of Service & Engineering.

Recommendation: Introduction for Public Hearing on March 6, 2017

5) Ordinance No. 06-2017 – Appropriation – Perry Park Field 3 Improvements

This Ordinance appropriates funds to pay the cost of improvements to Perry Park Field 3. This project is included in the 2017 Capital Improvements Program. It is the third of three projects to improve the ball diamonds at Perry Park, including laser grading of the infield, drainage and irrigation improvements, and a new backstop and dugouts. Additional information is included in the attached memorandum from the Director of Parks and Recreation.

Recommendation: Introduction for Public Hearing on March 6, 2017

6) Ordinance No. 07-2017 – Appropriation – FEMA & Law Enforcement Trust Funds

The City has received grant funds from two sources, the Federal Emergency Management Agency (FEMA) and law enforcement training funds from the State of Ohio. These funds need to be appropriated before they can be utilized for the designated purpose. Additional information is included in the attached memorandum from the Director of Finance.

Recommendation: Introduction for Public Hearing on March 6, 2017

REPORTS OF CITY OFFICIALS

Policy Item(s)

7) Liquor Permit – Stock Change – Villa Nova Ristorante

This is a request for Colleli Corporation DBA Villa Nova Ristorante at 5545 N. High Street. The request is for a stock change for their liquor permits from Colleli Family Trust and Donna Colleli to John Colleli and Frank Colleli. Their permits are D1 which is for beer only for on premises consumption or in original sealed containers for carry out only until 1:00 a.m., D2 which is for wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00 a.m., D3 which is for spirituous liquor for on premises consumption only until 1:00 a.m., and D6 which is for sale of intoxicating liquor on Sunday between the hours 10:00 a.m. or 11:00 a.m. and midnight. City Council is requested to make a motion regarding whether to object. The liquor permit request is attached. Staff is unaware of any reason to request a hearing related to this change.

Recommendation: Approval of a Motion to NOT request a hearing for the stock change related to the Liquor Permit

8) Liquor Permit – TREX

Kristine DePriest with EMKAE intends to purchase the Roadhouse 66 Bar & Grille located at 480 E. Wilson Bridge Road. She has contacted the City to request the transfer or TREX of a D5 liquor permit into Worthington for use at this new location, since Worthington is at quota for population-based D5 permits. This permit would allow spirituous liquor for on premises consumption only, with beer, wine and mixed beverages for on-premises, or off-premises in original sealed containers until 2:30am. The D5i liquor permit that is currently held by Roadhouse 66 requires beer and spirits sales of no more than 25% of total revenues, and will not support the business model that Ms. DePriest intends to operate. Ms. DePriest has indicated that the slightly higher alcohol revenues that the D5 permit provides are critical to successfully operating her sports bar concept.

The TREX application requires the City's support and acknowledgement of the transfer for economic development purposes. Additional information on this item is provided in the attached memorandum from the Economic Development Manager.

Recommendation: Approval of a Motion to Endorse and Acknowledge this Transfer as an Economic Development Project

Discussion Item(s)

9) Meeting Schedule for considering changes to regulations related to Solar Panels in the Architectural Review District

It is necessary to review the current schedule for discussing solar panels in the Architectural Review District. It has come to our attention that not all members of the City Council will be available at all the meetings on the subject. Therefore, staff wants to review whether the schedule should be adjusted to encourage full participation in this important subject.

EXECUTIVE SESSION

An executive session is necessary for the purposes of discussing the employment of personnel.



Meeting Minutes

Tuesday, January 17, 2017 ~ 7:30 P.M.

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

City Council

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

D. Kay Thress, Clerk of Council

CALL TO ORDER – Roll Call, Pledge of Allegiance

Worthington City Council met in Regular Session on Tuesday, January 17, 2017, in the John P. Coleman Council Chambers of the Louis J. R. Goorey Worthington Municipal Building, 6550 North High Street, Worthington, Ohio. President Michael called the meeting to order at or about 7:30 p.m.

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

Member(s) Absent:

Also present: Clerk of Council D. Kay Thress, City Manager Matthew Greeson, Director of Law Pamela Fox, Assistant City Manager Robyn Stewart, Director of Finance Molly Roberts, Director of Public Service and Engineering Dan Whited, Director of Parks and Recreation Darren Hurley, Chief of Fire Scott Highley and Chief of Police Jerry Strait.

There were six visitors present.

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

VISITOR COMMENTS

SPECIAL PRESENTATION

- COTA – Transit System Redesign

Mr. Greeson reported that Curtis Stitt and Belinda Taylor were present to update Council on the Transit System Redesign. He acknowledged Mr. Norstrom as serving on the Board of COTA as well as Paul Feldman, former Assistant City Manager who has served as an appointee to an advisory committee on behalf of the City.

Mr. Stitt gave a brief update on the Transit System Redesign and provided flyers with the information to share. He thanked the Worthington Community, City Manager Matt Greeson and City Council for their support of COTA and the work they are doing.

Mr. Stitt then shared that in 2008, the COTA Advisory Panel was created after COTA reorganized to include Dublin. It was created so that each jurisdiction could have continuous representation between COTA and City. Mr. Feldman was one of the first to serve on that advisory panel. He served from 2008 to 2016 when he stepped aside to spend more time with his grandchildren. Mr. Stitt thanked Council and the City administration for appointing and allowing Mr. Feldman to serve COTA in the way that he has served over the last eight years. He has done a tremendous job and has been one of the most engaged members on the panel. He has kept the City Manager informed of

the work of COTA as well as COTA apprised of things going on the City. He thanked Mr. Feldman for his service.

Ms. Taylor presented Mr. Feldman with a beautiful award in recognition of his dedication and service on the panel. Mr. Feldman was very surprised as he didn't think recognition was the reason that he was invited to attend tonight's meeting. He thanked Council and Mr. Greeson for the experience. He learned a great deal about public transit. He shared that he felt like a spectator who got to watch firsthand the outstanding work that COTA does for central Ohio. They are very, very important to the future of central Ohio as it is a tool for economic development and provides a transportation option in an ever increasingly congested central Ohio urban area. He noted that it provides transportation for our neighbors who do not have options. He greatly appreciates the opportunity.

Members congratulated Mr. Feldman on his contribution on behalf of the City.

APPROVAL OF MINUTES

- November 21, 2016 – Regular Meeting
- December 5, 2016 – Joint Meeting

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

The motion to approve the minutes as presented carried unanimously.

PUBLIC HEARINGS ON LEGISLATION

Ordinance No. 01-2017 Amending Certain Sections of the Codified Ordinances of the City to Allow for Electronic Notification to the Public of the Dates of Public Meetings, of Vacancies in Personnel Positions in the City, of a Water Conservation Emergency, and of Applications Heard Pursuant to Part 11 of the Codified Ordinances.

The foregoing Ordinance Title was read.

Mr. Greeson shared that this code change reflects the discussion that members had regarding public notice procedures. It allows for electronic notification of the dates of public meetings, vacancies, and personnel positions, water conservation emergencies and agenda items of the Municipal Planning Commission (MPC), Architectural Review Board (ARB) and Board of Zoning Appeals (BZA).

Ms. Fox agreed that there has been a great deal of discussion about the publication of certain items in newspapers of general circulation and the changing times and wide

variety of vehicles that are available to notify the general public of certain things that are happening within the City. For some time staff has been interested in examining the codified ordinances to determine what sections could be changed from newspapers to electronic communication methods to publish these notices. Shortly after Council decided to move to electronic notification we were able to pull together some provisions in the code that we were interested in moving in that direction. The MPC/ARB and BZA notifications are probably the most significant in terms of cost savings to the City because every agenda item is included in those notices. In addition to the notifications they also placard the properties with the blue signs and in certain instances send mailings to adjoining/abutting property owners or property owners within a certain distance of a property that is the subject of the application.

Ms. Fox stated that the bulk of Ordinance No. 01-2017 deals with those items for MPC, BZA, and ARB. Staff also advertises the dates and times of Council meetings. Current code requires the publishing of an annual calendar of the meetings of all municipal bodies that are listed in the code. This ordinance would move the posting of that calendar to our website instead of in a newspaper of general circulation. Because the 2017 calendar of meetings has already been completed, if approved, this change will occur in 2018. We are also proposing to place those calendar meetings in the four places where we publish the notice of passage of ordinances, which would be this building, the Community Center, the Griswold Center and the Library.

Ms. Fox added that Section 109.06 also requires that notices of special meetings be published in a newspaper. We would propose that those meetings also be noticed on the city's website and in those four places as we would with the annual calendar.

Ms. Dorothy commented that varying where we place our notices is one thing we can do. We still have to have a minimum amount but we are trying to do more and figure out which way is best to inform the public as best as possible. This is the purpose as well as hoping to reduce our cost. Ms. Fox agreed. Currently with respect for publishing the annual calendar of meetings we advertise in the newspaper and only post those notices at City Hall. So the only thing this ordinance is doing is changing that publication in the newspaper to a posting on our website and requiring that they be physically posted in those four locations. Ms. Dorothy concluded that there are additional requirements but we think that this will have a greater impact in our immediate public vicinity where we know that people will come and circulate. Ms. Fox replied that staff hopes so. We had this discussion about the public hearing notices. We are not sure how many people are showing up at the meetings because they read about it in the newspaper as opposed to contacting us or looking on our website. She also shared that the City is undergoing an upgrade to our website and we have been discussing where to place these notices on that website. We think if there is a more prominent place on the website where they can look for public notices for meetings of all public bodies that perhaps might have a better impact than the newspaper of publication.

Mr. Norstrom commented that the legislation states city hall and the library. The Worthington library actually has three branches. He assumes what we mean is the main library. Ms. Fox agreed that the reference is for the Old Worthington library.

Ms. Fox reported that the legislation also includes changes to the following sections:

- Section 139.07 Recruitment and Selection

Ms. Fox noted that our personnel director already advertises vacancies on the website because she believes that is the better way to get the word out. She added that she also took the opportunity to eliminate some references to outdated requirements.

Other sections that reference advertising in a newspaper of general circulation are:

- Section 925.02 Water Conservation Emergency; Restrictions.

Ms. Fox thinks that we would be much better served in a water conservation emergency situation to post the emergency on our website instead of in a newspaper.

Ms. Fox commented that the next five sections deal with the following MPC and BZA items:

- Section 1127.03 Conditional Use Permits
- Section 1129.03 Hearings
- Section 1145.02 Procedure for Change in Zoning Districts
- Section 1174.08 PUD Procedures
- Section 1177.03 Application and Notice

In each of those sections, the only changes that were made were to posting the notice on the City's website. The placard requirement is maintained for those procedures as well as the specific notifications that the Director of Planning and Building makes to abutting and/or nearby property owners.

Mr. Myers commented that in his reading of the ordinance the language appears to be consistent with the recommendations that came out of the Charter Review Commission and the two months or so of discussions that Council has had on this issue. He thinks it has been very well vetted and is consistent with what Council has recommended all along.

There being no additional comments, the clerk called the roll on Ordinance No. 01-2017. The motion carried by the following vote:

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

No 0

Ordinance No. 01-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ms. Fox informed members that because Ordinance No. 01-2017 has changes to Chapter 11, it will not go into effect for 60 days. During that period of time staff will try to run parallel processes and try to hone that process.

Ordinance No. 02-2017

Amending Chapter 111 of the Codified Ordinances of the City to Establish Procedures for the Purchase of Supplies, Materials and Equipment and the Construction of Public Improvements.

The foregoing Ordinance Title was read.

Mr. Greeson shared that this is an additional follow up to the Charter changes that were recommended by the Charter Review Commission and approved by the voters. It helps modernize our purchasing practices, particularly as it relates to procurement of various things including contracting for construction services. He asked Ms. Fox to comment.

Ms. Fox noted that Chapter 111 authorizes the City to make purchases of supplies, materials and equipment and to contract for the construction of public improvements by any method that is authorized by the State of Ohio for public entities. At this time staff is recommending amendments to our purchasing code sections 111.03, 111.04, and 111.05. This maintains the \$50,000 limitation that Council passed several years ago for the threshold but then it authorizes additional methods for procuring those supplies and services in addition to competitive bidding.

Ms. Fox briefly went through the recommended changes to the three sections of:

- 111.03 Purchasing Threshold
- 111.04 Formal Purchasing Methods
 - a. Competitive bidding
 - b. Design-build
 - c. Construction Manager or Construction Manager At-Risk
 - d. Reverse Auction
 - e. Other State of Ohio Authorized Methods.
- 111.05 Exceptions to Formal Purchasing
 - a. Cooperative Purchasing; Shared Services
 - b. Purchases from Other Political Subdivisions
 - c. Used Equipment
 - d. Professional Service Selection.

Ms. Fox noted that the legislation provides for a fairly comprehensive change but it is not anything that we haven't talked about for a while and unfamiliar with. She thinks that having all of this in one section could be very useful.

Mr. Norstrom commented that there is nothing in the legislation that would require notification to City Council of a purchase over \$50,000 through one of these methods. Ms. Fox confirmed that all of the methods require the City Manager to establish rules and procedures for purchasing. She doesn't think staff comes to Council now each and every time we want to make a purchase from the state bid and is part of the budget.

Mr. Greeson reported that most construction projects involve City Council. A good portion of our equipment is purchased through State contract, which means it is State issued bids and we are allowed to piggyback on those bids. The council controls essentially through the appropriation. Members approve the Capital Improvements Plan and appropriate by piece of equipment an amount that staff is then authorized to spend. Then we procure it in the most effective and efficient manner that we can, which is many cases is by state contract.

Mr. Norstrom commented that he does remember that. He asked if in the past year we have purchased any equipment off the state contract or in other ways that was over \$50,000. Mr. Greeson replied yes. It is not hard to get over the \$50,000 threshold with the type of equipment we buy.

Mr. Myers recalls during the budget discussions there being distinct line items for some of the major equipment purchases that members had input on. Members certainly have discussions on items like fire trucks that need bonded.

Ms. Michael recapped that through the Capital Improvements budget funds have been appropriated for the purchase of set items at estimated prices. These changes give staff more options to be able to spend the City's money a little wiser.

Mr. Greeson agreed. This makes our purchasing regulations a little more flexible for some of those items, which presumably would help us get better deals. He thinks what Mr. Norstrom's raising is how often does staff come back and report to Council how the purchasing effort went and were we able to save money on any of the appropriations. That is something that staff can incorporate into our practices or our procedures if members are interested in that information.

Mr. Myers stated that as he understands Mr. Norstrom's comment, he also wants to make certain that as the ultimate keepers of the purse strings, that we have a system that has the right checks and balances in it and notification to Council would be the first step of those checks and balances. Mr. Norstrom agreed with Mr. Myers comments.

Mr. Greeson reported that the first step being the capital plan. The second step is the appropriation, which starts to implement some of the plan. Mr. Myers shared that he

understands that but he just wants to make sure we are being transparent to the public and that he understands the process.

Mr. Myers pointed out that this particular ordinance, like the one before it, has been the subject of a rather lengthy discussion during the budget process and as part of the Charter Review. He doesn't think there is anything included in the language that comes as any great surprise or is not a move forward into the 21st century.

Mr. Greeson suggested that staff incorporate any major capital purchases over \$50,000 as a quarterly report item. He thinks that is a good place for it. Several members agreed.

Mr. Norstrom shared that he has complete faith that the existing staff would come back to Council when equipment costs exceeds estimated prices. Mr. Greeson shared that staff is required to do that if we exceed our appropriation.

Mr. Norstrom agrees with Mr. Myers that the language does bring us into the 21st century and he is supportive of the changes.

There being no additional comments, the clerk called the roll on Ordinance No. 02-2017. The motion carried by the following vote:

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

No 0

Ordinance No. 02-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 02-2017 Amending the Position Description for Maintenance Supervisor.

Introduced by Mr. Smith.

MOTION Mr. Myers made a motion to adopt Resolution No. 02-2017. The motion was seconded by Ms. Dorothy.

Mr. Whited shared that with the retirement of Tom Gilkey a few months back, Steve Tennant was promoted to Maintenance Superintendent. He is doing a great job but is currently doing the job of two, his former and his current positions. His promotion provides a great opportunity to update the job description of Maintenance Supervisor. We have a highly qualified staff and he would like to open it up a little bit. The change to the job description is from two years to one year of being an employee with the City.

Nearly all of the staff have previous supervisory experience in similar jobs and he would like to give them the opportunity to apply if they wish.

There being no additional comments, the motion to adopt Resolution No. 02-2017 carried unanimously by a voice vote.

Ordinance No. 03-2017

Enacting a Moratorium on the Consideration of Certificates of Appropriateness for the Installation of Solar Panels on Structures in the Architectural Review District.

Introduced by Mr. Troper.

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:

- Compliments on the Martin Luther King Jr. event. He thanked the Community Relations Commission (CRC) and staff members Lori Trego and Anne Brown for all of their work on the 30th year celebration of that event.
- February 15th the CRC will host a public forum on the history of development in our City that will be held at the McConnell Arts Center. All Board and Commission members are invited.
- Council Retreat – He plans to have a facilitator and a final date selected for the Retreat by the end of this week and will provide members with an update.
- Compliments to the Police Department who effectively planned for an unexpected protest event this weekend and did a responsible job.
- Training is currently underway for staff members on the updates to the new website, with plans to roll that out in February.

Mr. Greeson asked Ms. Roberts to provide an update on our debt issuance for a variety of things that we have been rolling notes for. That debt was issued last week and he signed the papers for it today.

Ms. Roberts shared that we were able to secure a fifteen year fixed rate loan at 2.201% interest with J.P. Morgan Chase in the amount of \$3,960,000 for various purpose bonds. We were able to obtain the great rate because the market is currently very competitive. She is thankful that we received the bids that we did. She added that we did not use an investment advisor or expend fees in that regard and we were not required to.

Mr. Norstrom and Mr. Greeson congratulated Ms. Roberts.

REPORTS OF COUNCIL MEMBERS

Mr. Norstrom noted that Council received a memo at our places tonight. He asked Ms. Fox what the appropriate action would be for us to take. Ms. Fox replied that she has sent an e-mail to Greg Dunn requesting that he contact her. She thinks we might want to have him in to advise Council about the details that he lists in his memo and the PowerPoint. She imagines that many communities will be having discussions about the next steps in the next several weeks.

Mr. Norstrom shared for the benefit of the public that his comments are regarding Senate Bill 331. Ms. Fox, Ms. Michael and Mr. Greeson expounded further on the topic.

Mr. Greeson commented that staff will see if Mr. Dunn is available to comment on this issue at our next meeting. He believes there will be many communities across the state including central Ohio giving strong consideration to litigation.

When asked by Mr. Norstrom when the public hearing would be held on the ordinance that was introduced tonight, Mr. Greeson replied that it would be on February 6th. Mr. Norstrom expressed his satisfaction because he is very interested in the subject and will not be in attendance at the meeting of the 13th.

Mr. Smith shared that he attended a CIC meeting last week and felt that it was a very positive meeting. Mr. Norstrom added that he thinks the CIC will be taking a more aggressive approach in the coming year. Ms. Michael interjected that they also talked about whether the city should do land banking as well as updates of various businesses. They celebrated COhatch moving into the Kilbourne Memorial building. Since the meeting was held at COhatch, the owner had a lot of fun providing information about their business. It was very exciting.

Mr. Norstrom commented that Mr. Smith makes a good point in that other council members should contemplate sitting back and looking at all of the development that has occurred during the last year and that is coming this year. The city in some ways is booming.

Mr. Myers agreed. He encouraged members to look at the agendas for the MPC/ARB meetings over the last year. They have been very full. We have had some very late meetings although last Thursday was not one of those. He briefed members on the projects that were presented and discussed at that meeting. Elections of officers also occurred. Mr. Coulter remains the Chair and Ms. Holcombe remains as Secretary. They have a new Vice-Chairperson in Tom Reis.

Ms. Dorothy shared that she attended the Bike and Pedestrian meeting. They have been able to check many items off their list and would expect them to present before council. She also attended the Martin Luther King event. It was very well done in partnership with the library, the schools, and the CRC.

Mr. Troper shared that the WIFA dinner is at the end of this month on the 27th. He invited members to attend.

Mr. Greeson informed members that staff believes the Holiday Inn will submit additional information for further discussion during the January 26th meeting.

Ms. Michael added her praise for the excellent Martin Luther King program that Ms. Dorothy already mentioned. She added that several people came up to her after that event and asked that she thank those responsible for maintaining the bike trail. They are doing a tremendous job and the residents truly appreciate it.

Ms. Michael asked Mr. Greeson to provide members with the list of retreat topics that they came up with during a brainstorming meeting. She asked that members review the list and provide additional suggestions and feedback on that effort.

Mr. Greeson announced that he had one last thing. There was a death over the weekend of a former employee, Dan Murphy. He asked Chief Strait to provide additional information. Chief Strait shared that Mr. Murphy served 26 years with the Division of Police. He has also been very active with the American Legion and the VFW. He has been battling cancer for roughly a year and he passed Saturday evening. Services will be held tomorrow. Many retirees from throughout the City attended the viewing today. He was well liked and did an outstanding job for the City. Mr. Greeson added that he was one of the organizers of the Memorial Day parade as a Legion volunteer. Ms. Michael offered her condolences.

EXECUTIVE SESSION

MOTION Mr. Foust made a motion to meet in Executive Session to discuss personnel compensation. The motion was seconded by Mr. Norstrom.

The motion carried by the following voice vote:

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

No 0

The motion carried unanimously by a voice vote.

Council recessed at 8:43 p.m. from the Regular meeting session.

MOTION Mr. Foust made a motion to return to open session at 8:54 p.m. The motion was seconded by Mr. Norstrom.

The motion carried unanimously by a voice vote.

Resolution No. 03-2017

Approving Appointments to the Community Relations Commission.

Introduced by Ms. Dorothy.

MOTION

Mr. Foust made a motion to adopt Resolution No. 03-2017. The motion was seconded by Mr. Norstrom.

There being no additional comments, the motion to adopt Resolution No. 03-2017 carried unanimously by a voice vote.

ADJOURNMENT

MOTION

Mr. Troper made a motion to adjourn. The motion was seconded by Mr. Smith.

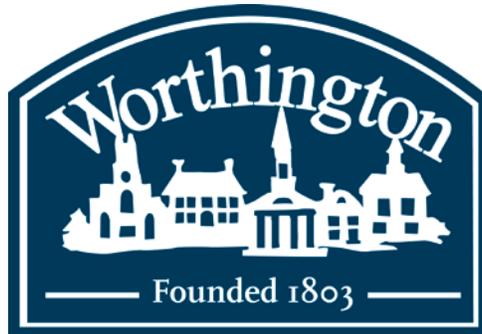
The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 8:57 P.M.

Clerk of Council

*APPROVED by the City Council, this
21st day of February, 2017.*

Council President



Meeting Minutes

Monday, February 6, 2017 ~ 7:30 P.M.

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City Council

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David M. Norstrom
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Michael C. Troper

D. Kay Thress, Clerk of Council

CALL TO ORDER – Roll Call, Pledge of Allegiance

Worthington City Council met in Regular Session on Monday, February 6, 2017, in the John P. Coleman Council Chambers of the Louis J. R. Goorey Worthington Municipal Building, 6550 North High Street, Worthington, Ohio. President Michael called the meeting to order at or about 7:30 p.m.

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

Member(s) Absent:

Also present: City Manager Matthew Greeson, Director of Law Pamela Fox, Assistant City Manager Robyn Stewart, Director of Finance Molly Roberts, Director of Planning and Building Lee Brown, Director of Parks and Recreation Darren Hurley, Chief of Fire Scott Highley and Chief of Police Jerry Strait.

There were approximately 60 visitors present.

President Michael invited all those in attendance to stand and join in the recitation of the Pledge of Allegiance. After the Pledge, she welcomed the Boy Scout troop in attendance.

SPECIAL PRESENTATION

Small Cell Wireless Facilities in the Right of Way

Greg Dunn of Ice Miller LLP presented a summary of Senate Bill 331's Micro Wireless Facility Provisions. He began with a history of the situation. About 15 years ago, in almost exactly the same manner, the legislature changed the rules on right of way management and gave utilities full rights to utilize the right of way. Upper Arlington and Dublin sued over the legislation and won on the basis of home rule and two subjects in one bill. The state legislature then passed a new bill that became law that was much less onerous. Dublin, Worthington & Columbus were the only three cities in the state at that time that had right of way ordinances on the books that were grandfathered under the state law.

The legislature acted this time on Senate Bill 331 without committee hearings and acted in lame duck session, thus there was little time or public input. Mr. Dunn proceeded to highlight the current legislation that has been passed and the problems with it. The legislation addresses small cell or micro wireless facilities. These facilities are under 50 feet and support a facility about the size of a small refrigerator. Under the new state legislation, utilities can place these in the right of way of cities.

Mr. Dunn stated that small cell facilities are coming; citizens want them. The idea is a good one and we need it, especially for 5G. However, the way they've done it is terrible.

They have taken away all city control. They can operate in right of way. Cities have 90 days to act on an application and they are prohibited from having a zoning review.

Ms. Dorothy asked if the Architectural Review District regulations apply to these facilities. Mr. Dunn replied they probably do not.

Mr. Dunn further overview the state legislation references cities' authority for health, safety and welfare but then takes that away too. Cities can't charge more than \$250 for fees. They can't ask for information about the request or even whether it is needed. They can't ask applicant to use facilities that are already in existence close by. They can't ask them to co-locate with other utilities.

Mr. Myers asked if these facilities are towers. Mr. Dunn responded they are towers under 50 feet in height. Under this legislation, utilities can put up a 50' tower with refrigerator-size box on it.

Ms. Michael asked Mr. Dunn to define right of way for the boy scouts in the audience. Mr. Dunn explained it is the land where road is located and the land adjacent to the road.

Mr. Dunn continued his overview by explaining cities can't ask for screening or landscaping that is unreasonable. Usually cities can ask for a bond if an entity is in your right of way and/or using your facilities. However, the legislation does not have a bonding requirement. The definition of public utility is so vague under Ohio law that virtually anyone can get a public utility certificate and thus have these rights. Cities can't push them onto the city's own property such as poles that are already in the right of way. There is no limit on the duration of the permit. Cities can require setbacks different from that for other facilities in the right of way. They can't impose regulations for radio frequencies and they can't dictate separation distance from other facilities or keep them out of residential areas. Cities also can't have moratorium related to this issue.

Mr. Dunn commented he thought the reason this was done was because they could do it in Ohio. There hasn't been a problem with placing facilities here in this state. He expects the utilities will take the Ohio legislation to California where they are having problems getting approval to install.

When asked by Mr. Troper if other states have similar legislation, Mr. Dunn replied no. he believes Ohio has been reasonable about this issue.

Mr. Dunn further explained utilities can attach to a wireless support structure owned by a municipal corporation for no more than \$250 per year. This includes mast arms, stop signs, and any other facility in the right of way that you own. Ms. Dorothy stated this would apply to the city's special order, decorative mast arms.

Mr. Dunn said the version of the legislation that was passed was slightly better than what was originally introduced. Originally, the utilities could put the equipment on any municipal facility, now just in right of way.

Mr. Dunn went on to report the legislation does not apply to townships or counties. This appears to have been for political reasons given the large number of legislators from townships and counties. It creates a legal problem with the bill. The general rule is cities have home rule authority unless it is a matter of general statewide concern. An example of this is concealed carry in which people will travel across jurisdictional boundaries. It is difficult to understand how small cell wireless facilities can be a statewide concern when it does not affect townships.

Mr. Dunn commented on the potential of lawsuit by cities. It would have the two main components as the previous lawsuit, home rule and two subjects in one bill. This legislation was included in the Petland bill and most of the subjects in that bill had to do with animals.

Ms. Dorothy asked when the legislation will go into effect. Mr. Dunn responded that it will be effective in the middle of March, which is 90 days from passage. Ms. Michael confirmed that the legislation will be effective on March 19th.

Ms. Fox shared that we think of these tall facilities as being mostly along High St. and SR-161. She asked if it is likely that these facilities also would be placed within our residential neighborhoods. Mr. Dunn replied that they will start on the high density areas like High St. and SR-161. As demand increases for the services then yes they will migrate to the neighborhoods. It may not happen for three to five years but everybody has been wrong all along on how fast this stuff rolls out.

Ms. Michael asked about the lawsuit. Mr. Dunn responded that cities won the last one. He thinks this case is stronger than the previous one so he thinks they have a pretty good chance of success. Last time, the cities weren't prepared for success and the utilities went right back to legislature to have new legislation passed and cities still got things that weren't great. This time he would suggest that be considered a lobbying function. He would like to have basic rules and include reasonable fees.

When asked by Mr. Norstrom if they can build the new tower in the same location as existing ones, Mr. Dunn explained that they leave the towers or macros in place and connect the micros by fiber optics down the right of way and back to the macros.

Ms. Michael asked about the underground facilities associated with this equipment. Mr. Dunn responded that cities can regulate them based on existing ordinances.

Ms. Dorothy commented that one of the first locations of interest will probably be at SR-161 & High Street which is right in middle of Worthington's historic district.

Mr. Norstrom asked about other cities that are pursuing this issue and about lobbying efforts. Mr. Dunn commented that he is talking to Cleveland and Toledo. Cities are still discussing the strategy of multiple lawsuits filed in multiple locations or everyone joining together on one lawsuit. Central Ohio cities will file in Franklin County. Cities may want to enhance lobbying efforts beyond the Ohio Municipal League efforts.

Ms. Michael commented that this issue was discussed at the last Central Ohio Mayors and Managers group (COMMA). At that meeting, the cities of Bexley, Whitehall, Gahanna, Grove City, Dublin, Upper Arlington, Delaware, and Westerville indicated they are committed to moving forward with a lawsuit. There were a few others in attendance that hadn't fully discussed the issue to decide whether to join a lawsuit or not. The cities are asking for consistency across the various suits filed.

Mr. Myers asked if the intent is to file prior to effective date and ask for a stay. Mr. Dunn responded yes, but he is not sure they will get the stay.

Mr. Smith asked if there are any municipalities in favor of the law. Mr. Dunn commented the utilities originally came in with an even worse piece of legislation that allowed for placement on any municipal facility, with larger sized equipment, and the only appeal was to Public Utilities Commission of Ohio which has a very long decision timeframe. The bill was changed to allow for appeals to Common Pleas Court, reduced the size of the equipment and could only place them in right of way. The threat of the original legislation caused the Ohio Municipal League to agree to a compromise and go neutral on the issue. Mr. Greeson stated the City of Worthington did not go neutral on the issue and asked Representative Duffey to vote against it, which he did.

Ms. Michael commented on the quickness of the legislation. It was only out there for a few days and then it was passed.

Mr. Norstrom asked if staff has prepared a resolution on the subject. Mr. Greeson responded staff has not done so at this point.

Mr. Myers stated he is opposed to this action beyond just the small cell issue. Home rule has been beaten up. He would like to have estimate on the cost of a lawsuit and a rundown on who else is involved. He'd like to hear about the ultimate strategy and understand who will be the lead plaintiff. Mr. Dunn responded that last time the lawsuit cost about \$125,000 total. The cost would be split across everyone who participates. He expects Cleveland to file in Cuyahoga County. He is not sure what Toledo plans to do. The Ohio Mayors Alliance, which includes the 30 largest cities, has organized a strategy.

Mr. Norstrom and Mr. Myers asked for a resolution on joining the lawsuit and any additional background on the issue.

Mr. Greeson commented that COMMA has designated a committee to work through the details and recommend how costs will be divided.

Ms. Michael stated she has heard a consensus from City Council to bring back a resolution next week which provides support for the concept and the lawsuit pending the City's cost.

Ms. Dorothy commented that she is in support of the effort to file something on the issue.

Mr. Dunn explained home rule to the boy scouts in the audience. In Ohio, municipalities have certain inherent powers of self-government, which is called home rule. Ms. Michael added that the state legislature continues to tear away at the ability of cities to rule themselves.

A woman in the audience stated that the crux of the objection appears to be the impact on home rule. However, isn't there an economic benefit to the community if it facilitates 5G extra high speed. Mr. Dunn responded that the utilities will argue that it is so important that it is necessary to have statewide approval. However, he is not sure how you do that by excluding townships and counties.

Mr. Greeson stated the City of Worthington is highly interest in facilitating technology. Historically, the City has worked with companies to roll it out. We're open to working with providers, we just don't think this legislation is the methodology to achieve it. Mr. Dunn added that the roll out needs to be good for both the community and the company. Mr. Norstrom stated that utility companies want to be here.

Mr. David Robinson asked from the audience about any precedence where private enterprise has such unconstrained access to public facilities. Mr. Donn replied that cable television has access but in that case they have the requirement of five percent (5%) revenue sharing in recognition of the value of the right of way usage. Industries have over time received freer and freer use of the facilities municipalities have paid to obtain.

Ms. Michael thanked Mr. Dunn for the presentation.

Ms. Michael asked for a motion to appoint Robyn Stewart as Temporary Clerk of Council for this evening's meeting.

MOTION Mr. Foust made a motion to appoint Robyn Stewart as Temporary Clerk of Council for this evening's meeting. The motion was seconded by Mr. Norstrom.

There being no additional comments, the motion to appoint Robyn Stewart as Temporary Clerk of Council carried unanimously by a voice vote.

Mr. Foust offered comments to the boy scouts in the audience. He completed his Eagle Scout in 1972. There has not been a day where he hasn't done something in his life using what he learned. They are on a good path and he encouraged them to stay with it.

VISITOR COMMENTS

There were no visitor comments.

APPROVAL OF MINUTES

- December 5, 2016 – Regular Meeting
- December 12, 2016 – Committee of the Whole Meeting
- December 19, 2016 – Regular Meeting
- January 3, 2017 – Regular Meeting
- January 9, 2017 – Special Meeting
- January 9, 2017 – Committee of the Whole Meeting
- January 17, 2017 – Special Meeting

Ms. Dorothy noted two corrections: in the December 19th minutes the word “interim” should be “intern” and December 3rd the word “charter” should be “character”. Mr. Smith noted the January 9th minutes stated he voted against the motion on golf carts and he actually voted in favor of it. Mr. Foust noted a typo in the January 9th meeting which he already shared with the City Clerk, “antidote” should be “anecdote”.

MOTION Mr. Troper made a motion to approve the aforementioned minutes as corrected. The motion was seconded by Ms. Dorothy.

The motion to approve the minutes as corrected carried unanimously.

PUBLIC HEARINGS ON LEGISLATION

Ordinance No. 03-2017 Enacting a Moratorium on the Consideration of Certificates of Appropriateness for the Installation of Solar Panels on Structures in the Architectural Review District.

The foregoing Ordinance Title was read.

Mr. Myers encouraged a yes vote on the moratorium, but not because we don't all support alternative energy. Following the last Architectural Review Board (ARB) and City Council action, there was a great deal of discussion, some confusion, and many questions about where panels should be located. We need to take a pause, enact the moratorium for only 90 days, and go through a deliberative process to discuss whether we have right ordinances and guidelines in place. He suggested the following schedule. On February 13th, staff present the research it has conducted about how other municipalities approach this issue. He thinks this night is not discussion but more for information. Then, they should take time to digest the research that is shared. During that time, they should hold interested party meetings. He volunteered to be part of the interested party meetings since he is the Council liaison on Architectural Review Board

and was involved with the development of the solar panel guidelines in 2010. He would anticipate a City Council Committee of the Whole meeting on March 13th for the public at large to give views. All the interested parties can give prepared testimony too. Then toward end of March, City Council can have its debate in public. At the first meeting of City Council in April, legislation can be presented as necessary. City Council can vote on any legislation by the end of April and dissolve moratorium. He stated he is going into this discussion with a very open mind and wants to hear everyone's point of view. He doesn't know whether design guidelines should change, stay the same, or have additions/subtractions. The ARB's decisions have been four to three and they need guidance. He stated he wants to deliberatively and cautiously come up with what will work for Worthington.

Ms. Dorothy asked if there are any current applications. Mr. Brown replied there are not. Ms. Dorothy asked how many there have been in the last five years. Mr. Brown replied two.

Ms. Dorothy clarified that this ordinance proposes a 90 day moratorium. Once enacted, it would go into effect until early May.

Mr. Myers asked if it would go into effect in 30 days or immediately. Ms. Fox replied it could be passed by emergency, otherwise it would go into effect 23 days from passage.

Mr. Myers stated he thinks this issue could be done in 60 days. Ms. Fox replied the Ordinance was written to last 90 days unless City Council chooses to revoke it early.

Ms. Dorothy referenced a memorandum from Ms. Fox that suggested if the issue is resolved prior to May 31, City Council can revoke the moratorium by a separate piece of legislation. She commented that she does not think that will be necessary given there have only been two applications.

Ms. Michael asked if any of the Council Members think the Ordinance should be passed by emergency. After a pause, she indicated she is not seeing anyone.

Mr. Myers called for the question.

The clerk called the roll on Ordinance No. 03-2017. The motion carried by the following vote:

Yes 5 Foust, Norstrom, Smith, Myers, and Michael

No 2 Troper and Dorothy

Ordinance No. 03-2017 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ms. Michael asked staff to follow the process suggested by Mr. Myers for moving forward. Mr. Greeson responded that staff is prepared to present its research next week and do a question and answer session but not a full blown public hearing. The focus will be on what staff found in the research. It would be helpful to know if there are additional areas of research after that discussion. Staff will engage with the Old Worthington Association, Worthington Historical Society, Sustainable Worthington, Old Worthington Partnership and any other interested party passionate about this issue. They will try to have a manageable-sized meeting with representatives of those groups. They will come back in March for public testimony and then seek Council's direction.

Mr. Smith mentioned Mr. Norstrom sent out an email recently about live streaming council meetings. He asked if we can record our meeting next week so that stakeholders that want to hear it can do so.

Mr. Greeson responded that staff will look into it.

Mr. Norstrom added that it would not necessarily be for the whole meeting, but focused on that portion.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 04-2017

Authorizing Amendments to the Policy & Procedures of the City's Re-emergent Corridor Assistance Program.

Introduced by Mr. Myers.

MOTION

Mr. Smith made a motion to adopt Resolution No. 04-2017. The motion was seconded by Mr. Norstrom.

Mr. McCorkle provided an overview of the proposed changes to the 2017 Re-emergent Corridor Assistance Program (ReCAP) and highlighted the program to date. Since the program began in 2014, there have been 12 projects; seven on Huntley Road, two on Proprietors Road, two on Worthington Galena Road and one on Schrock Road. The total amount awarded in grants and loans from the program is \$218,762.

Mr. McCorkle showed before and after photos of the completed projects and the ones which have been approved but construction is not yet complete. He made specific comments regarding a few properties. At 6955 Worthington Galena, some work has been performed by the City. We have requested the repayment of a portion of the award for failure to install the awnings. The Community Improvement Corporation (CIC) discussed this particular applicant coming back with a new owner. If a new project is a substantial improvement, the CIC did not see a problem with them re-applying. They suggested reducing the award amount by the amount already received. At 7046 Worthington Galena, the City also asked for funding to be returned because they did not perform the portion of the project related to the windows, doors, and landscaping.

Mr. McCorkle presented the proposed changes for the 2017 ReCAP program, which were reviewed and recommended by the CIC in January. The grant would become reimbursable in which the recipient would need to prove the work was performed and provide evidence of invoice amounts and payment prior to receiving the grant funds. The program will place more emphasis on non-deferred maintenance. Applicants will not be required to accept the loan portion of the award. A couple potential applicants have asked to forego the loan and simply receive the 25% grant. This will result in less money coming into the revolving loan fund but it will also allow the program to fund more projects which the CIC would like to do. Mr. Norstrom commented that this will have budgetary impacts for the City.

Mr. McCorkle continued his presentation of program changes by overviewing changes to the scoring sheet. The number of possible points for the current physical condition and exterior appearance and the scope of work have been increased to provide more emphasis on impactful, lasting benefits rather than deferred maintenance. The scoring will take into account whether the property is owner occupied, which is an emphasis the CIC would like to see. The possible points for the quality of the application have been decreased to de-emphasize it. Additionally, there is general cleanup of the application.

Ms. Dorothy asked if the staff is tracking any metrics such as rental rates and vacancy rates. Mr. McCorkle replied he has both and he does a comparison across the city's corridors. Vacancy rates in the industrial corridor are quite low, in the five to six percent range.

Mr. Myers commented that part of the reason for the program was to make it look better. They are also trying to drive rental rates higher and occupancy rates lower. He would like to see those trends over the life of this program.

Mr. Troper commented on the portion of the scoring sheet related to the applicant's length of operation in Worthington and suggested "for some time" be clarified. Mr. McCorkle replied that they can look at that.

Ms. Dorothy expressed appreciation for the changes, especially movement toward reimbursement for the grant.

There being no additional comments, the motion to adopt Resolution No. 04-2017 carried unanimously by a voice vote.

REPORTS OF CITY OFFICIALS

Discussion Item(s)

- Grant Review Committee

Mr. Greeson introduced this item by stating the City Council authorized staff to announce and distribute the grant application materials for community groups in December. The materials were distributed to groups that previously indicated interest in the program and they were placed on the City's website.

Ms. Stewart reported the City received 12 applications totaling about \$51,000 in requests. The City has a budget of about \$31,000, thus the application need to be screened. Mr. Greeson commented that the City Council has expressed an interest in using a review committee as they did last year and wanted to know if City Council wanted to have the same committee composition as last year, which consisted of two City Council members and a representative from the Community Relations Commission, the Griswold Center and Worthington Schools.

Mr. Troper stated the committee's primary questions last year were related to a lack of clarity on the priorities. Ms. Dorothy commented that the application materials contained the priorities for this year.

Ms. Michael asked if the Council wanted the same makeup of the committee.

Mr. Myers asked if Mr. Troper and Mr. Foust would be willing to serve on the committee again. Mr. Troper commented he thinks City Council should do the screening rather than using a Committee. Ms. Michael asked if anyone besides Mr. Troper wanted the full council to review rather than committee. Mr. Myers stated he is assuming City Council will get all the materials to be able to review in addition to the committee's recommendations.

Mr. Smith volunteered for the committee and Mr. Foust indicated he is willing to serve again.

MOTION Mr. Norstrom made a motion to utilize the same committee composition as last year, with Doug Smith and Doug Foust serving as the City Council representatives. The motion was seconded by Mr. Myers.

There being no additional comments, the motion carried by a voice vote.

REPORTS OF COUNCIL MEMBERS

Mr. Norstrom reported that the Old Worthington Partnership is sponsoring a chocolate walk on Thursday night. The cost is \$15 and people can get tickets online. The Columbus Dispatch had an article on the Ohio State University airport and the commitment of the OSU Board of Trustees to keep the airport and to upgrade facilities. A key issue of concern for Worthington is the extension of the north runway. That was not addressed at this point in time but a master plan will be developed and he expects the runway to be part of the consideration.

Mr. Myers reported that the Ohio Health Building at the UMCH property is back on the agenda for the Architectural Review Board on Thursday night.

Ms. Dorothy reported on her participation in the Cemetery Board meetings. The Board had a member from City of Columbus & Franklin County Soil and Water talk about the erosion issue on the City of Columbus property along Rush Run. The erosion is eating into the bank at the cemetery and is an ongoing issue. It is a multi-jurisdictional issue in that the property is in the city limits of Worthington, the park is owned by the City of Columbus, the cemetery land is owned by Worthington and the adjacent parcel is owned by Sharon Township.

Mr. Troper commented on a proposed lot split which will be in front of the Municipal Planning Commission. It is on Highland Avenue and if it gets split, there will be a sidewalk to nowhere. He would like to look into regulations related to people paying for sidewalk. He wants to know options for extending the sidewalk to fill in the gaps. Mr. Greeson indicated the staff will follow up on this issue. Ms. Michael commented that when the City approves new developments like The Heights, which doesn't connect to mall, we have a way to require the connection.

Ms. Michael reported on legislative discussions from the Central Ohio Mayors and Managers group (COMMA). There is a proposal to change the formula for the Local Government Fund. It is currently based on population, and the proposal would be to take into account the financial resources of the jurisdiction. So if a city like Worthington has agreed to tax itself, it will be held against it in the allocation amount. The State is also considering central control of income tax collections. For Worthington, 70% of our revenue is from income tax. The State would not only collect it for us, but it would also charge us one percent for doing so. We are seeing yet again removal of local control with these issues. The business gateway is how the taxes would be collected and it is broken at best right now. The City would lose interest on the revenue. The timing of payments are not clear and that can relate to a municipality's ability to pay its obligations like bond payments.

Mr. Greeson reported on the State of Ohio Auditor financial indicators report for fiscal year 2015. Worthington looks pretty good. The City received a cautionary outlook on one indicator and a critical outlook on another. He has a page that explains both those issues and we're not really concerned. It's important to look at the story behind the data. It is posted in the finance section of our website. Additionally, staff was asked to keep City Council apprised on various community center roof projects. There is a memo in front of them that explains the project underway over pottery studio. Staff is in the process of a qualifications based selection process for a consultant for the larger roof project for the south end roof and evaluation of its feasibility for solar. There will be a recommendation coming to City Council soon.

Ms. Michael stated there is a need for a short executive session for the purpose of personnel compensation.

EXECUTIVE SESSION

MOTION Mr. Smith made a motion to meet in Executive Session to discuss personnel questions around compensation. The motion was seconded by Mr. Myers.

The motion carried by the following voice vote:

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

Council recessed at 8:46 p.m. from the Regular meeting session.

MOTION Mr. Norstrom made a motion to return to open session at 8:56 p.m. The motion was seconded by Mr. Smith.

The motion carried unanimously by a voice vote.

ADJOURNMENT

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

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 8:57 P.M.

Temporary Clerk of Council

*APPROVED by the City Council, this
21nd day of February, 2017.*

Council President

ORDINANCE NO. 04-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Design Costs of the Community Center South Roof Replacement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 650-17)

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

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.4010.533380 an amount not to exceed One Hundred Twenty-Five Thousand Dollars (\$125,000.00) to pay the design cost of the Community Center South Roof Replacement Project and all related expenses (Project No. 650-17).

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

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

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

Passed _____

President of Council

Attest:

Clerk of Council



MEMORANDUM

To: Matthew H. Greeson, City Manager
From: Daniel W. Whited, Director of Service & Engineering
Cc: Robyn Stewart, Assistant City Manager
Darren Hurley, Director of Parks & Recreation
Chuck Sgandurra, Building Maintenance Supervisor
Subject: Community Center South Roof Replacement Consultant Selection
Date: February 8, 2017

As you are aware, based on submittal of Statements of Qualifications from nine engineering and architecture design firms, the Worthington Community Center Roofing Consultant Selection Committee short-listed four firms to provide detailed written proposal for completion of the design work. The short listed firms are GPD Group, Mays Consulting, CTL Engineering, and CT Consultants.

The proposals were submitted in late January. They were supplemented by a forty-five-minute presentation by each firm last week. Consistent with Quality Based Selection procedures, cost proposals were provided in separate sealed envelopes to be opened after the selection of the preferred consultant.

GPD Group and Mays Consulting gave the clearest, most detailed proposals and most concise presentations of the four. They clearly demonstrated a clear understanding of the complexities and contingencies and approach for roofing design, and provided evidence of detailed research into existing conditions of the roof system. GPD presented a clear and complete knowledge of the project, and demonstrated an understanding of the important consideration for solar panel options. They also provided a resume of similar successful projects (including solar considerations) for which they were the lead designers. GPD provides their solar evaluation and design through "in-house" expertise.

After discussion, and scoring, it was determined that GPD Group should be recommended for consideration of award of Design and Construction Administration Services for the Worthington Community Center South End Roof Project. GPD Group was able to most comprehensively address the solar component in house and has extensive experience in the design and installation of solar arrays, where-as all the other candidates would need to bring in sub consultants.

Friday morning fee proposals were opened (note that GPD is the only firm to provide complete design fees for the solar panel consideration). For your information, the cost proposal numbers are tabulated below.

As part of the award process, with City Council concurrence, staff will meet with GPD to review the details of the cost proposal and negotiate potential changes to the scope and fee structure based on their final recommendations and continued project evaluation.

Firm	Roof Analysis and Design Fee	Solar Panel Analysis and Design Fee
GPD Group	\$81,300	\$33,000 (full design)
Mays Consulting	\$68,500	\$7,700 (evaluation only)
CTL Engineering	\$60,830	\$5,350 (evaluation only)
CT Consultants	\$52,500	\$8,000 (evaluation only)

ORDINANCE NO. 05-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Railroad Crossing Preliminary Engineering and Design Costs of the NE Gateway Intersection Improvement Project and all Related Expenses with said Project. (Project No. 602-14)

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

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533330 an amount not to exceed Forty-One Thousand Five Hundred Dollars (\$41,500.00) to pay the railroad crossing preliminary engineering and design costs of the NE Gateway Intersection Improvement Project and all related expenses (Project No. 602-14).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the CSX Transportation, Inc. and Norfolk Southern Railway Company for the provision of the aforementioned services.

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

Passed _____

President of Council

Attest:

Clerk of Council



MEMORANDUM

To: Matthew H. Greeson, City Manager
From: Daniel W. Whited, Director of Service & Engineering
Cc: Steve Tennant, Service & Engineering Supervisor, Utilities
Subject: CSX Rail Crossing Improvements
Date: February 7, 2017

Since late summer 2016, the Service and Engineering Department has been actively working with CSX, the Ohio Rail Development Commission (ORDC) and EMH&T regarding needed improvements to the current rail crossing at E. Wilson Bridge Rd and planned improvements associated with the Northeast Gateway project. CSX and ORDC are planning improvements to the crossing. The gates and associated electronic devices will be replaced and upgraded. While we are receiving some funding from the Ohio Rail Development Commission, the design and engineering of CSX owned right of way and equipment at the crossing must be conducted.

As such, the City is required to pay CSX for their preliminary engineering and design of the improved crossing. These funds will be paid directly to CSX via check and will be placed in an account for use by CSX. In addition, the City Manager must enter into a signed agreement with CSX to begin the work. We are requesting the approval of those funds, which are estimated at \$26,208.00. The appropriation of this funding must be in place before the project can move forward.

We are requesting the approval of those funds, which are estimated at \$26,208.00. The appropriation of this funding must be in place before the project can move forward.



MEMORANDUM

To: Matthew H. Greeson, City Manager
From: Daniel W. Whited, Director of Service & Engineering
Cc: Steve Tennant, Service & Engineering Supervisor, Utilities
Subject: Norfolk and Southern Rail Crossing Improvements
Date: February 7, 2017

Since late summer 2016, the Service and Engineering Department has been actively working with Norfolk & Southern (NS), the Ohio Rail Development Commission (ORDC) and EMH&T regarding needed improvements to the current rail crossing at E. Wilson Bridge Road and planned improvements associated with the Northeast Gateway project. NS and ORDC are planning improvements to the crossing. The gates and associated electronic devices will be replaced and upgraded. While we are receiving some funding from the Ohio Rail Development Commission, the design and engineering of NS owned right of way and equipment at the crossing must be conducted.

As such, the City is required to pay NS for their preliminary engineering and design of the improved crossing. These funds will be paid directly to NS via check and will be placed in an account for use by NS. In addition, the City Manager must enter into a signed agreement with NS to begin the work.

We are requesting the approval of those funds, which are estimated at \$15,229.00. The appropriation of this funding must be in place before the project can move forward.

ORDINANCE NO. 06-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the Perry Park Field 3 Improvement Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 649-17)

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

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

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.4010.533379 the sum of One Hundred Twenty Thousand Dollars (\$120,000.00) to pay the cost of the Perry Park Field 3 Improvement Project and all related expenses (Project No. 649-17).

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

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

Passed _____

President of Council

Attest:

Clerk of Council



MEMORANDUM

TO: Matthew H. Greeson, City Manager

FROM: Darren Hurley, Parks & Recreation Director

DATE: February 17, 2017

SUBJECT: Perry Park Field 3 Improvements CIP Funds

The 2017 CIP included \$120,000 for Perry Park Field Three Improvements. I am requesting the appropriation of those funds so we can prepare to do the work this summer once the spring baseball season ends. This is the final of a three phase plan to improve each of the three diamonds at Perry Park.

The improvements to diamond three include laser grading the infield, drainage and irrigation improvements, and a new backstop and dugouts. We are also doing roofing for the dugouts on all three diamonds this year. The improvements are a combination of multiple projects and does not align itself well with utilizing one general contractor. We procure a combination of contractors and materials and do some work on our own. Our current plans include the following separate projects:

Backstops/Fencing: \$35,000
Diamond Work/Materials: \$25,000
Concrete Work: \$25,000
Light Repairs: \$5,000
Turface, Top Soil, Grass Seed - \$5,000
Dugouts - \$25,000

If I can provide further information, please let me know.

ORDINANCE NO. 07-2017

Amending Ordinance No. 45-2016 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the FEMA Fund and Law Enforcement CED Fund Unappropriated Balances.

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

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

SECTION 1. That there be and hereby is appropriated from the FEMA Fund and Law Enforcement CED Fund unappropriated balances to:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
<u>FEMA Fund #220</u>		
220.2020.560984	Grant Proceeds-FEMA	\$ 8,934.79
<u>Law Enforcement Continuing Education Fund #221</u>		
221.2121.512216	Training – Law Enf. CED	\$ 7,480.00
	Total All Funds	\$ 16,414.79

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

Passed _____

President of Council

Attest:

Clerk of Council



MEMORANDUM

Date: February 13, 2017

To: Matthew H. Greeson, City Manager

From: Molly Roberts, Director of Finance

Subject: Supplemental Appropriation Ordinance – FEMA Fund and Law Enforcement Continuing Education Fund

Please include the attached ordinance on the agenda for February 21, 2017 for introduction and set the public hearing for March 6, 2017.

We are in receipt of grant funding reimbursements as indicated below. The appropriations requested will allow staff to utilize the funds received as required under the applicable state statutes.

FEMA Fund #220

220.2020.560984	Grant Proceeds-FEMA	\$ 8,934.79
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A member of the Worthington Fire Department was deployed as part of the evacuation efforts associated with Hurricane Matthew during the month October 2016. A total of \$8,934.70 was received as reimbursement for the staff time associated with the evacuation efforts related to Hurricane Matthew. FEMA grant reimbursements are required to be received in a separate fund for accounting purposes. These funds then need to be appropriated in order to reimburse the General Fund, which is the fund that incurred the original expense.

Law Enforcement Continuing Education Fund #221

221.2121.512216	Training – Law Enf. CED	\$ 7,480.00
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Ohio Administrative Code Section 109:2-18-04, Reimbursement of Training Costs, became effective on January 1, 2015 and requires every appointed police officer to comply with annual continuing education requirements. The State of Ohio reimburses a portion of the costs associated with the additional required annual training. These funds are required to be separate from any other fund and must be used solely to defray the costs of continuing education for sworn police officers. A total of \$7,480.00 was received to provide funding assistance for the additional training requirements. This appropriation will allow staff to utilize these funds for the added expense associated with this provision.

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

1624704 PERMIT NUMBER		STCK TYPE	COLLELI CORPORATION	
ISSUE DATE		DBA VILLA NOVA RISTORANTE		
01 17 2017 FILING DATE		5545 N HIGH ST		
D1 D2 D3 D6 PERMIT CLASSES		WORTHINGTON COLUMBUS OHIO 43214		
25 TAX DISTRICT	297	B	F17796 RECEIPT NO.	

FROM **02/07/2017**

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED **02/07/2017**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **03/10/2017**

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES **B STCK 1624704**
(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

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

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

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF WORTHINGTON CITY COUNCIL
KAY THRESS
6550 NORTH HIGH STREET
WORTHINGTON OHIO 43085**

10/5
#20256
\$100

For Questions call
(614) 644-3162
Office Hours -
8:00 a.m. - 5:00 p.m.

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
http://www.com.ohio.gov/liqr

OHIO DIV. LIQUOR CONTROL
LICENSING SCAN RM.
2017 JAN -9 AM 11:10



APPLICATION FOR CHANGE OF CORPORATE STOCK OWNERSHIP
PROCESSING FEE \$100.00 CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING TRANSFER(S) OF STOCK

Permit Holder Name Colleli Corporation DBA Villa Nova Ristorante	Liquor Permit Number(s) 1624704	F 017996
---------------------------------------------------------------------	------------------------------------	----------

Permit Premises Address 5545 N. High St., Worthington Columbus, Ohio 43214

Email Address: m e g c o l l e l i @ y a h o o . c o m

Attorney's Name, Address and Telephone Number (If represented)
Jordan C. Butler, Carlile Patchen & Murphy LLP, 366 East Broad St., Columbus, OH, 614-628-0797

Is Stock Traded on a National Exchange? YES NO If YES, give Name of Exchange and Symbol

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION A: PREVIOUS 5% OR MORE STOCKHOLDERS			
Name	BIRTHDATE	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) Colleli Family Trust	N/A		10,000
2)			
3) Donna Colleli (see Summary of			10,000
4) Stock Purchase Agreement)			
5)			
SECTION B: REVISED 5% OR MORE STOCKHOLDERS			
Name	BIRTHDATE	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) John Colleli			70
2) Frank Colleli			30
3)			
4)			
5)			

NOTE: If any Stockholder is a business entity, that entity must list it's federal tax identification number (FTI #) above.

TOTAL NUMBER OF SHARES ISSUED 100

LIST THE TOP FOUR OFFICERS OF THE CAPTIONED CORPORATION. IF AN OFFICE IS NOT HELD, PLEASE INDICATE BY WRITING "NONE"	Social Security Number	Birthdate
1) CEO/President John Colleli		
2) Vice-President Frank Colleli		
3) Secretary Meghan Colleli		
4) Treasurer Meghan Colleli		



MEMORANDUM

TO: Matt Greeson

FROM: David McCorkle

DATE: February 15, 2017

SUBJECT: Economic Development-related Transfer of Liquor Permit into Worthington

This is intended to provide you with information and my recommendation to acknowledge the requested transfer of one liquor permit for EMKAE Group, LLC (“EMKAE”) as an economic development project (“TREX”) into Worthington.

Liquor Permit TREX:

State law allows for the transfer of the ownership and location of liquor permits from one municipality to an economic development project located in another municipality in Ohio.¹ Such a transfer may occur when no quota-based permits, of the same class as is sought, remain available within the new municipality. Transferring a permit to an economic development project in a new municipality is known as TREX.

To TREX a liquor permit, an applicant must notify the new municipality of the proposed transfer, and in turn, the new municipality must acknowledge, in writing, that the liquor permit will be transferred to an economic development project.²

The Superintendent of Liquor Control ultimately determines whether the transfer qualifies as an economic development project. Factors used in his or her decision-making include, but are not limited to: the architectural certification of the plans and the cost of the project; the number of jobs to be created; the projected earnings of the project; the projected tax revenues from the project; and the amount of project investment.³

¹ Ohio Revised Code (ORC) §4303.29(B)(2)(b).

² ORC §4303.29(B)(2)(b)(i).

³ ORC §4303.29(B)(2)(b)(ii).

For the “new” municipality’s written acknowledgement of the economic development nature of the pending transfer, the Ohio Division of Liquor Control allows for either (1) signature by an authorized Worthington representative on the applicant’s TREX application form (filed with the State) or (2) by separate writing from the City addressed to the State.

Staff has taken the following steps to review the TREX application:

1. Applicant provided to the City its TREX application, to be submitted to the Ohio Division of Liquor Control, with all relevant portions completed and the document was signed and dated;
2. City economic development staff communicated with the owner’s attorney to discuss the TREX application, the business concept, location, hiring plans, the proposed level of fixed asset investment, and other relevant items of information; and
3. City economic development staff coordinated with Worthington Police Department, the Department of Law and the Department of Engineering concerning the appropriateness of the pending TREX application.

Proposed Project:

The business contact for EMKAE is Kristine DePriest. Ms. DePriest intends to purchase the Roadhouse 66 Bar & Grille (“Roadhouse 66”) business located at 480 E. Wilson Bridge Road. The name of the restaurant would remain the same for the time being. Further, it is Ms. DePriest’s belief that Roadhouse 66 would likely shutter operations but for the change in ownership.

Kristine DePriest currently owns and operates the Keystone Pub & Patio located at the Polaris Mall. Ms. DePriest has owned the Keystone Pub & Patio since August 2015 and has 14 years of experience in the bar & grill area, with 12 of those years directly in management/ownership. Additionally, Ms. DePriest has indicated that she intends to sponsor local sports teams, provide discounts for city residents and service members, to hold various charity events, and to employ several Worthington residents.

EMKAE seeks to TREX a D-5 liquor permit into the City of Worthington. The source of the permit has not yet been identified. The D-5 permit allows spirituous liquor for on premises consumption only, with beer, wine and mixed beverages for on-premises, or off-premises in original sealed containers until 2:30am. The D5i liquor permit that is currently held by Roadhouse 66 requires beer and spirits sales of no more than 25% of total revenues, and will not support the business model that Ms. DePriest intends to operate. Ms. DePriest has indicated that the slightly higher alcohol revenues that the D5 permit provides are critical to successfully operating her sports bar concept.

City staff spoke with the applicant about the plans for on-site alcohol service. Plans include opening hours (Monday: 11:30am to 10:30pm; Tuesday: 11:30am to 11:00pm; Wednesday: 11:30am to 11:30pm; Thursday: 11:30am to 12:00am; Friday: 11:30am to 2:30am; Saturday: 12:00pm to 2:00am; Sunday: Closed) and offering a menu of beer, wine and spirituous liquor to accompany food items. Additionally, Ms. DePriest intends to make substantial improvements to

the premises. Improvements will include new awnings, patio furniture, outdoor lights and enclosures, new kitchen storage and cooking equipment, and the refurbishing of tables and chairs.

In their TREX application, EMKAE describes the following economic development impacts to the City of Worthington from the Roadhouse 66 project:

- Estimated total investment: \$157,000
- Estimated number of jobs to be created/retained: 20
- Estimated annual payroll: \$460,000 (\$11,500 collected in income taxes at 2.5%)
- Estimated annual sales tax collections: \$50,000
- Estimated annual property tax collections: \$6,258

The Worthington Police Department expressed no opposition to the proposed liquor permit transfer. The Department of Law provided City economic development staff with relevant, publicly available information concerning the business and the owner.

Recommended Action:

On the bases of (1) notice to the City of the proposed TREX location and (2) the projected investment and jobs to be retained, I recommend the City Manager acknowledge, by signature on EMKAE Group, LLC's TREX application, that Roadhouse 66 represents an economic development project within the City of Worthington.



Ohio Department of Commerce - Division of Liquor Control
 6606 Tussing Road, P.O. Box 4005
 Reynoldsburg, Ohio 43068-9005
 http://www.com.ohio.gov/liqr

Office hours - 8:00am to 5:00pm
 For Questions call (614) 644-3156

ECONOMIC DEVELOPMENT (TRES) TRANSFER FORM

Ohio Revised Code 4303.29 allows for the transfer of location or the transfer of ownership and location of a C-1, C-2, D-1, D-2, D-3, or D-5 permit from municipal corporation or the unincorporated area of a township to an economic development project located in another municipal corporation or the unincorporated area of another township in which no additional permits of that class may be issued to the applicant under the permit quota. However the transfer may occur only if the applicant notifies the municipal corporation or township to which the location of the permit will be transferred regarding the transfer and the municipal corporation or township acknowledges in Section B of this form OR in writing to the Division of Liquor Control, that the transfer will be to an economic development project. A permit may be transferred to a different owner at the same location, or to the same owner or a different owner at a different location in the same municipal corporation or in the unincorporated area of the same township. NOTE: The statute requires the applicant to provide the endorsement by the municipal corporation or township at the time the application for the transfer is filed with the division, therefore once Section B is completed return this form to the applicant so they may attach this information to their transfer application.

Seller(s) -Current Permit Holder - (Individual, Corp., LLC or Partnership) TBD	Buyer(s) -Prospective Permit Holder - Name & address Individual, Corporation, LLC or Partnership) EMKAE Group, LLC
Permit Number:	

CHECK Class(es) of Permit(s) Being TRES Transferred:

C-1
 C-2
 C-2X
 D-1
 D-2
 D-2X
 D-3
 D-3A
 D-5
 D-6

SECTION A: (To be completed by the Applicant)

NOTE: Section A is for you to provide information to the local legislative authority (City, Village or Township Office) in which this Economic Development Project (TRES) will be located. In addition to the below information, you may be required to provide a projected earnings statement (brand new business), or a profit and loss statement (existing business), and a copy of building plans/drawings outlining any construction plans. The Division will also use this information to determine if you qualify and meet the criteria outlined under Section 4303.29(B)(2)(b).

1. The total amount invested in this project is \$ 157,000

2. The total number of jobs that will be created by this economic development project is 20 (retained)

3 Existing or Estimated Tax Revenue generated by this project is:

(Type or print on the lines provided the type of tax & amount, i.e., Sales Tax, Property Tax, Unemployment Tax, etc.)	Sales Tax	<input checked="" type="checkbox"/>	\$ 50,000
	Income Tax		\$ 11,500
	Property Tax		\$ 6,258
			\$

On behalf of the applicant as indicated above I am signing below and certifying that all the information provided with this application is complete and accurate to the best of my knowledge.

<u>Alicia E. Zambelli</u>	<u>A. E. Jones</u>
Print or Type Name	Signature
<u>2/2/17</u>	<u>Attorney-in-Fact</u>
Date	Title
<u>614-340-7430</u>	
Phone Number	

SECTION B: (The applicant MUST have this Section completed by the City, Village or Township Office in which this Economic Development Project (TRES) will be located. This form MUST be returned to the applicant to accompany the transfer application).

Based upon the factors outlined above, the City/Village/Township of _____ hereby endorses
 (City, Village or Township Name)
 and acknowledges that this transfer will be to an economic development project.

_____	_____
Print or Type Name	Signature of Mayor, Legislative Office Holder or Law Director
_____	_____
Date	Title (e.g., Mayor, Clerk of City Council, Fiscal Officer or Law Director)

Phone Number	