



CITY OF WORTHINGTON
Worthington City Council Minutes
December 3, 2018

6550 N. High Street
Worthington, Ohio 43085

CALL TO ORDER – Roll Call, Pledge of Allegiance

Worthington City Council met in Regular Session on Monday, December 3, 2018, in the John P. Coleman Council Chambers of the Louis J.R. Goorey Municipal Building, 6550 North High Street, Worthington, Ohio. President Michael called the meeting to order at or about 7:37 p.m.

ROLL CALL

Members Present: Rachael R. Dorothy, Douglas Foust, Beth Kowalczyk, Scott Myers, Douglas K. Smith, and Bonnie D. Michael (David Robinson arrived at 7:39 p.m.)

Member(s) Absent:

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

There were 11 visitors present.

PLEDGE OF ALLEGIANCE

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

VISITOR COMMENTS

There were no comments.

CONSENT AGENDA

Approval of Meeting Minutes

- Meeting Minutes – November 19, 2018

Ordinance No. 54-2018 Authorizing the City Manager to Execute a Contract Between the City of Columbus Board of Health and the City of Worthington for Health Services.

Ordinance No. 55-2018 Authorizing the City Manager to Enter into a Contract with the Village of Riverlea for the Provision of Police Protection.

Ordinance No. 56-2018 Approving the City Manager's Appointment of the Franklin County District Board of Health as the Provider of Plumbing Inspection Services in the City of Worthington.

Resolution No. 65-2018 Amending the Staffing Chart of the City of Worthington to Reflect the Positions Authorized in the 2019 Operating Budget.

Introduced by Ms. Kowalczyk

Resolution No. 66-2018 Approving the City Manager's Appointment of Donald W. Schofield as Alternate Chief Building Official and Alternate Master Plans Examiner for the Division of Building Regulation.

Introduced by Mr. Smith

Resolution No. 67-2018 Approving 2019 Grant Funding for the Old Worthington Partnership and the Worthington Historical Society.

Introduced by Ms. Kowalczyk

Resolution No. 68-2018 Approving Re-Appointments to the Worthington International Friendship Association Board of Trustees

Introduced by Mr. Smith

President Michael asked if there was anyone who wished to have any of the aforementioned pieces of legislation removed from the Consent Agenda.

MOTION Ms. Kowalczyk moved, Ms. Dorothy seconded a motion to approve the Consent Agenda.

The clerk called the roll on the Consent Agenda. The motion carried by the following vote:

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

The Consent Agenda was thereupon declared duly passed and is recorded in full in the appropriate record book.

PUBLIC HEARINGS ON LEGISLATION

Ordinance No. 52-2018 Providing for the Adoption of the Annual Budget for the Fiscal Year 2019 and Appropriating Sums for Current Operating Expenses.

President Michael read the following budget totals into the record:

Total General Government.....	\$ 7,243,124
Total Division of Police.....	\$ 6,408,351
Total Department of Service & Engineering.....	\$ 2,828,529
Total Department of Parks & Recreation.....	\$ 5,872,638
Total Department of Planning & Building.....	\$ 812,191
Total Division of Fire.....	\$ 6,965,743
TOTAL GENERAL FUND (101).....	\$30,130,576
Total Street Maintenance & Repair Fund (202).....	\$ 916,272
Total State Highway Fund (203).....	\$ 147,721
Total Water Distribution Fund (204).....	\$ 118,772
Total Sanitary Sewer Fund (205).....	\$ 82,272
Police Pension (212).....	\$ 680,000
Law Enforcement Trust.....	\$ 12,500
MMVLT Fund.....	\$ 150,000
Enforcement Education Fund.....	\$ 3,500
Court Clerk Computer.....	\$ 51,900
Economic Development Fund.....	\$ 463,000
Law Enforcement Continuing Education.....	\$ 20,000
Total Revolving Funds.....	\$ 495,000
Capital Improvement Fund.....	\$ 2,051,463
General Bond Retirement Fund.....	\$ 1,403,000
OBBS Surcharge.....	\$ 7,500
TIF Distribution (Worthington Station).....	\$ 130,500
TIF Distribution (Worthington Place – The Heights).....	\$ 189,000
TIF Distribution (933 High Street).....	\$ 19,000
TIF Distribution (Downtown Worthington).....	\$ 7,600
TIF Distribution (Worthington Square).....	\$ 27,700
TIF Distribution (W. Dublin Granville Road).....	\$ 96,000
PACE Fund (Columbus Finance Authority).....	\$ 33,000

MOTION

Mr. Robinson made a motion to amend Ordinance No. 52-2018 to include the numbers just read. The motion was seconded by Mr. Foust.

Mr. Greeson detailed how this is the culmination of two months of City Council work and another two months of staff work preceding that. The General Fund Operating Budget is approximately \$30 million, and it funds the day to day services of the City of Worthington. This year’s budget is very similar in terms of supporting services to the adopted budget last year with one change being the addition of a School Resource Officer, which was added mid-year this past year. Essentially, we are maintaining the exemplary services that are already provided by the City. There is also going to be some utilization of one-time revenue for studying how we charge for recreational programs, as well as water and sewer infrastructure. Additionally, since we are an older community, maintaining infrastructure is critically important, there will be strategic assessments of traffic signals and water lines to help make better long-term decisions. Some changes were made to the operating budget, as indicated in previous meetings, specifically moving and changing the organization of the Revolving Fund to make it more user friendly. Changes that were made throughout the budget process, either recommended by staff or requested by Council, were detailed in a memorandum included in the agenda package by Mr. Bartter.

Ms. Dorothy asked for the number of full-time equivalents (FTEs) that the City currently employs. Mr. Bartter answered that there are 196 FTEs for 2019. Ms. Dorothy then inquired about the highest level of FTEs that the City has employed and then asked if we had reduced staffing since our all-time high. Mr. Bartter said that is correct we have reduced staffing, it used to be over 200 FTEs.

Ms. Kowalczyk thanked staff for their presentations and hard work. She then described how her first budget process has been painless, with staff answering all of her questions.

Mr. Greeson thanked Council for their time put into this process, and staff for their work on the budget, in particular Ms. Stewart, Mr. Bartter and his finance team, and all of the department directors.

There being no additional comments, the motion to amend Ordinance No. 52-2018 carried unanimously by a voice vote.

There being no additional comments, the clerk called the roll on Ordinance No. 52-2018 (As Amended). The motion carried by the following vote:

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

Ordinance No. 52-2018 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 53-2018

Establishing Compensation for Certain Unclassified Positions of the Municipal Service For the Period of January 1, 2019 through December 31, 2019, and Adopting Class Specifications for Said Unclassified Positions.

MOTION

Mr. Myers made a motion to amend Ordinance No. 53-2018 as placed in the Council Packet. The motion was seconded by Ms. Dorothy.

There being no comments, the motion to amend Ordinance No. 53-2018 carried unanimously by a voice vote.

There being no additional comments, the clerk called the roll on Ordinance No. 53-2018 (As Amended). The motion carried by the following vote:

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

Ordinance No. 53-2018 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 63-2018

Approving the 2019-2023 Capital Improvements Program for the City of Worthington.

Introduced by Ms. Kowalczyk

MOTION

Mr. Robinson made a motion to adopt Resolution No. 63-2018. The motion was seconded by Mr. Foust.

Ms. Stewart explained how the proposed 2019-2023 Capital Improvements Program (CIP) has been discussed over several meetings. This year, there have been no changes to the proposed document that was originally distributed in October. The CIP is the City's five-year plan for investment in infrastructure projects, vehicles and other large equipment. It lays out what the City's investments are intended to be. 2019 is particularly important to focus on because we will launch into all of those initiatives and purchases next year. The other years will be re-examined next year when the five-year plan is updated with City Council. Since Worthington is a built-out community, most of this capital plan is focused on maintaining existing infrastructure. However, there is some spending related to priorities expressed by City Council and the public, including sustainability projects, investment in city buildings, Parks Master Plan recommendations, bicycle and pedestrian accommodations, waterlines, and the Wilson Bridge Corridor.

There being no additional comments, the motion to adopt Resolution No. 63-2018 carried unanimously by a voice vote.

Resolution No. 64-2018 Establishing the Compensation Plan, Assigning Compensation Levels for Positions in the Classified Service, Adopting Class Specifications, Providing for Normal Work Weeks, and Repealing Resolution No. 73-2017.

Introduced by Ms. Kowalczyk

MOTION Mr. Robinson made a motion to adopt Resolution No. 64-2018. The motion was seconded by Mr. Foust.

Mr. Greeson detailed how this resolution pertains to the classified employees for the City of Worthington. It contemplates a 3% increase for classified employees, however there is an exception for the Fraternal Order of Police since their contract is expiring and we will be entering into collective bargaining. There will also be a new agreement in place soon for the firefighters that will be similar. The remainder of City employees will receive a 3% increase.

There being no additional comments, the motion to adopt Resolution No. 64-2018 carried unanimously by a voice vote.

Resolution No. 69-2018 Revising the Investment and Depository Policy for the City of Worthington.

Introduced by Mr. Smith

MOTION Mr. Myers made a motion to adopt Resolution No. 69-2018. The motion was seconded by Ms. Dorothy.

Mr. Greeson recalled how Council directed staff to examine the City's key financial policies. Staff did a great amount of research in terms of best practices, looking at the Government Finance Officers Association (GFOA) recommendations and what our peer communities are doing.

Mr. Bartter detailed how the City's investments are largely regulated by the Ohio Revised Code (ORC) Section 135. This document is significantly pared down compared to the previous policy, it makes reference to ORC 135 so when that code changes, our policy will be automatically updated.

There being no additional comments, the motion to adopt Resolution No. 69-2018 carried unanimously by a voice vote.

Resolution No. 70-2018

Revising the General Fund Carryover Balance Policy for the City of Worthington.

Introduced by Ms. Kowalczyk

MOTION

Mr. Robinson made a motion to adopt Resolution No. 70-2018. The motion was seconded by Mr. Foust.

Mr. Greeson said this draft policy as first being distributed to Council in September. Mr. Bartter and his team did a great deal of research into the subject, looking at GFOA recommendations, other communities' practices, particularly AAA communities, and they completed a comprehensive research memorandum. In response to comments that were received, we have adjusted the policy some.

Mr. Bartter explained this policy was last adopted in 2014, the policy as it currently sits is at 25% of prior year expenditures. The most significant change is to increase the minimum unencumbered fund balance from 25% of prior year expenditures to 35%. They have written out a financial action plan that outlines actions when the City falls below the adopted policy floor. Added was a requirement for the City Manager to hold a discussion with Council when the fund balance levels exceed 50% of prior year expenditures. That is a slight revision from the first proposal which had a transfer mechanism for amounts over the 50%, we decided not to hold Council to making a transfer. This addresses the need to have a public discussion when the balance exceeds 50%. The 35% minimum looks at what Moody's uses when doing a credit evaluation, which puts us in a safe position to be as highly rated as possible.

Mr. Robinson asked how quickly a change in percentage, up or down, of income tax revenue being allocated to the CIP can be affected. Mr. Bartter reported that being done by ordinance, introduction with a public hearing, and taking approximately a month and a half. He would not recommend shifting it for administrative purposes.

Mr. Robinson asked the rationale for using unencumbered balance vs. cash balance. Mr. Bartter replied that unencumbered is more transparent, taking into account commitments that the City has already made. An example of that is the encumbrance to the CIC at the end of 2017, we made a substantial commitment with that money encumbered. It gives a better picture if those encumbrances are backed out of the cash balance. Mr. Robinson followed up by asking what other communities in Central Ohio use. Mr. Bartter replied that the predominant usage is cash basis. Grandview Heights uses unencumbered cash balance. Dublin and most other municipalities use cash basis. Additionally, the reports that are provided monthly are on a cash basis. If we adopt using unencumbered that would need to be incorporated into the monthly financial reports.

Mr. Robinson commented that a few places in the document says, "It is determined that," and he asked if that means on a month to month basis for the regular review of the fund balance. Mr. Bartter shared that he is unsure it is wise to look at it on a month to month basis because it fluctuates. It depends on the number of pays, significant service credit payments, and many other things that change the fund balance at any given time. We

should not make any real decisions until the end of the year, evaluating that prior year. Mr. Robinson asked if the action plan as written would be on an annual review. Mr. Bartter responded that is correct.

Mr. Robinson inquired about the wording for the discussion by the City Council if the balance exceeds 50%, and he questioned if there could be a specification about scheduling a public discussion with City Council and an insertion of a time frame that is more specific, so the public would know more. Mr. Myers asked what the consequences of that would be. Mr. Robinson replied that it would be described when the discussion would take place and the public would know. Mr. Myers said his concern is that anytime you set a deadline in statute, and you don't comply, then there is an automatic remedy. For example, if we write in the ordinance there must be a hearing within two weeks, and that does not occur, there would be an automatic transfer somewhere. Anytime council discusses it, it is in public. He is always concerned about putting deadlines in statutes and ordinances. There are consequences that go with those deadlines. He explained how we would want to act on this in a timely manner, in the open to the public. President Michael explained a scenario where if there is a two-week deadline and it happens in the summer recess, then we can really be in a difficult situation. Mr. Robinson stated that he yields to that reasoning, though he could think of other ways to do it. Mr. Myers remarked that if there is a Councilmember who is adamant about this, if the time comes, it will be done.

Mr. Robinson noted how the overall framing of the balance was stated in conservative terms in the sense of safeguarding against financial downturns, and he agrees that would be wise to be viewed as the primary function of this. But he believes that in the interest of a balance statement it ought to include something about having the resources to act in a timely manner in response to presenting opportunities. He explained how he runs a business, and if he thought only in terms of downsides and disasters, he would be mismanaging his money. He thinks that it would present a fuller public statement if we acknowledge that the fund balance could also be used to take advantage of opportunities for the public good. Mr. Bartter replied that Mr. Robinson's thoughts were incorporated in the last sentence of step one, "This discussion will include consideration of whether the City should use of a portion of the balance for one-time expenditures that would benefit the community."

Mr. Myers asked for details about unencumbered versus encumbered cash and what is the difference between those numbers and if it is typical for those numbers to vary widely. Mr. Bartter replied that it can vary. At the end of 2017 the number of encumbrances was \$1.6 million, which is significant. Those were encumbered largely for the CIC and healthcare benefits. We are making a focused effort to reduce our carryover encumbrances as we move forward. The difference as of November 30th, it was \$14,982,000 in cash and \$14,014,852 unencumbered. Mr. Myers asked if those are liabilities that we have incurred in 2017 that will not become payable until 2018. Mr. Bartter replied that was correct. He observed how we look at everything on a calendar year, but operationally, we do not just stop. We keep purchasing and making commitments to vendors we need to make a payment to in December 2018, but those payments are not paid until 2019. Mr. Myers clarified that when we encumber funds, we do not do it because we made some vague promise, it is done

because we have a debt that is coming due. Mr. Bartter explained how funds are encumbered through the purchase order process, for a debt that is incurred that calendar year.

Mr. Smith explained in his experience in a dual role as a member of the CIC, why money encumbered for a purpose is not paid immediately. For the example the \$600,000 never went to the CIC. Mr. Bartter reported that it will all be there by the end of the month. The reason we held the CIC money is because we earn a better interest rate than the CIC does.

Mr. Robinson asked if it was possible funds could be encumbered and not for a definite liability, but an expected liability, such as the \$600,000 that went to the CIC, so it would be possible to be encumbered and then unencumbered. Mr. Bartter explained that you might encumber money for use of a consultant, but the need does not arise where that consultant is needed.

Mr. Robinson requested in the future if Mr. Bartter could consistently use unencumbered or cash consistently, and if the other number is used that it be clearly identified. Mr. Bartter said in the past cash has been used for the financial reports. We can begin including unencumbered and including a distinction so that you have both.

Mr. Myers said whatever number is given should be consistent with this policy. If we have a triggering mechanism, we need to know what that trigger is. It would be easier if we use one number or another, whichever is consistent with the policy. He expressed his preference for unencumbered because most of the time it is a debt we have incurred and have to pay for, and this is not his money. We need to be as conservative as possible. If it were his business, he would probably be more aggressive because the bottom line is profit. We must be risk avoiders when dealing with the taxpayer's money.

There being no additional comments, the motion to adopt Resolution No. 70-2018 carried unanimously by a voice vote.

Ordinance No. 57-2018 Amending Ordinance No. 41-2017 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the Old Worthington Street Light and Mast Arm Rehabilitation Project and to Proceed with said Project. (Project No. 655-17)

Introduced by Mr. Smith

Ordinance No. 58-2018 Approving the Provisions of a Collective Bargaining Agreement Between the City of Worthington, Ohio and the International Association of Firefighters Local #3498 and Authorizing the City Manager to Execute Same on Behalf of the City.

Introduced by Mr. Myers

Ordinance No. 59-2018

Amending Ordinance No. 52-2018 (As Amended) to Adjust the Annual Budget by Providing for Appropriations From the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the 2019 New and Replacement Equipment Items and for Certain Projects as Identified in the 2019 Five-Year Capital Improvements Program and all Related Expenses and Determining to Proceed with said Projects.

Introduced by Ms. Dorothy

The Clerk was instructed to give notice of a public hearing on said ordinance(s) in accordance with the provisions of the City Charter unless otherwise directed.

REPORTS OF CITY OFFICIALS

Mr. Greeson requested an executive session to discuss board and commission appointments, collective bargaining negotiations, labor relations, and land acquisition.

REPORTS OF COUNCIL

Ms. Dorothy reported the Bicycle and Pedestrian Advisory Committee had a steering committee meeting with Blue Zones, who will come back to Council in January with recommendations. The cemetery has interviewed people for the master plan for the Ozem Gardner house, but no selection has been made. The McConnell Arts Center is still moving forward with getting their new executive director, which should hopefully be done around the same time that Jon Cook's party.

Ms. Kowalczyk thanked everyone who made the Holiday Open House and the tree illumination successful. Specifically getting Santa there. The weather cooperated and there was a great turnout. She appreciates everybody's assistance with that.

President Michael commented that the Illuminating Shopping was a wonderful, successful event held in town as well. Thanks to everyone for their help and participation, city staff coordinates in different ways on the events.

EXECUTIVE SESSION

MOTION

Mr. Foust moved, Mr. Smith seconded a motion to meet in Executive Session to discuss Board and Commission Appointments, Collective Bargaining Agreements, Labor Negotiations, Land Acquisition.

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

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

No 0

Council recessed at 8:23 P.M. from the Regular meeting session

MOTION Ms. Dorothy moved, Mr. Myers seconded a motion to return to open session at 8:43 P.M.

The motion carried unanimously by a voice vote.

ADJOURNMENT

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

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 8:43 P.M.

/s/ Ethan C. Barnhardt
Assistant City Clerk

*APPROVED by the City Council, this
10th day of December 2018.*

/s/ Bonnie D. Michael
Council President