



**CITY OF WORTHINGTON**  
**Worthington City Council Minutes**  
July 20, 2020

6550 N. High Street  
Worthington, Ohio 43085

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

Worthington City Council met remotely in Regular Session on Monday, July 20, 2020, via Microsoft Teams video conference. President Michael called the meeting to order at or about 7:30 p.m.

**ROLL CALL**

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

**Member(s) Absent:**

**Also present:** City Manager Matt Greeson, Assistant City Manager Robyn Stewart, Law Director Tom Lindsey, Director of Finance Scott Bartter, Director of Service & Engineering Dan Whited, Director of Planning & Building Lee Brown, Director of Parks & Recreation Darren Hurley, Chief of Police Robert Ware, Chief of Fire & EMS Mark Zambito, Clerk of Council D. Kay Thress

**PLEDGE OF ALLEGIANCE**

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

**VISITOR COMMENTS**

*There were no visitor comments.*

**SPECIAL PRESENTATION**

- Community Visioning Committee Update

*Mr. Sherman detailed that since his last presentation to Council, there have been subcommittees meeting weekly, six focus group sessions, and one committee meeting. They are currently in the visioning outreach portion of the project where they are being an active listener in the community. They have completed several outreach programs, including the SOAR exercise which consisted of four workshops discussing Worthington's Strengths, Opportunities, Aspirations, Results. Out of that came a list of topics and several themes*

*which will be posted on the website, along with a listing of key questions which he provided a brief overview of. There were also big ideas such as the “Worthington Mile” concept for greater connectivity from downtown to the mall and the need for public transportation and bike and pedestrian improvements.*

*The website has been a big piece of this, and it has had over 3,000 visits. The public survey has been pushed out to the community and has had over 800 responses so far. With the website, we are looking to streamline some of the interactive features to continue getting people reacting and commenting versus just posting information. We will be posting five or six questions into the, “What We’ve Heard” portion of the website along with five focus group questions. There has been a very active Facebook ad campaign running that has reached over 9,100 people to fill in the public survey. The Committee is working on a new ad which will be introduced in August. An Instagram account has been created and we hope to start pushing out a quick, five question poll that is focused on students. The Speakers Bureau has conducted multiple presentations virtually and a recording of their presentation is being distributed to the various neighborhood groups.*

*He overviewed the recent focus groups that were small group discussions guided by our consultant from Poggemeyer Design Group. Each focus group was a two-hour session, focused on different segments of the Worthington community, and centered on getting feedback on traditional planning topics. Summaries of the information learned will be posted on the website. There was feedback about continuing to reach other segments of the community, and we are excited to get a group of 30 students to join in a focus group session on the 29th of July. The Committee is also working to reach out to minorities in the community to get their feedback.*

*The Committee is also working on outreach to business leaders and he has brainstormed with Economic Development Director David McCorkle who put him in touch with 12 key business leaders. They are currently in the process of creating a survey that will be distributed to business leaders in the next week. Over the next 30 days, we are looking at continuing our formal outreach with a visioning session and focused charettes which we are working to adapt to a virtual program. The biggest effort will be to continue leveraging the website, Facebook, and Instagram. A second mailer is also being prepared along with a response card which will be sent in August. The bottom line is that the Committee is working to determine the remainder of the process and is still planning on an October presentation to Council.*

- **Community Relations Commission Report**

*Mr. Pauline explained how the Community Relations Commission has been hard at work over the past several months trying to clarify their role, strategy, and expectations as a commission. They have decided upon a framework of working committees that he would like to talk about tonight. Working committees have been proposed to work around three themes: supporting seniors in Worthington through Age Friendly, engaging more youth in Worthington through a youth focused group, and supporting initiatives and programming around racial justice in Worthington led by a racial justice working group. These working*

groups will consist of at least two or three commissioners who will chair each working group and will be actively working to bring in members of the community to support the initiatives of each committee. Councilmembers have received a letter laying out some of the issues that each working group would like to move forward with. He is confident that the issues and priorities of each group are aligned with what Council cares about. They are asking to move forward and start engaging residents in the work that needs to be done to move things forward. He expressed that many of the initiatives they are taking on, will complement each other. He thinks those residents that are looking for opportunities to engage will be thrilled with the opportunities that the City and CRC are creating. These are the types of things that will make a difference and keep our community relevant in the eyes of our residents. He welcomes any feedback on any of the proposed initiatives.

President Michael asked Mr. Pauline to provide a more in-depth summary of the activities of each of the new committees. Mr. Pauline explained that the racial justice committee is focused on educational resource distribution. There is the opportunity to better inform the public about the resources they can consume to better educate themselves on racial justice, structural racism, and more. This will help continue the conversation we are having in Worthington right now. These efforts are twofold and both internally focused to City Hall, and outwardly focused to the community. Some ideas include creating learning circles and having an opportunity to facilitate educational conversations. They would like to work with different experts in the community to have productive conversations about racial justice. There are opportunities to leverage public art and our City's history to educate about racial justice. There are also public policy opportunities with short term, mid-range, and long-term solutions to place Worthington as a benchmark when it comes to being progressive dealing with racial justice. This includes land use policies that could be changed to become a more inclusive city and the CRC wants to provide education on what that could look like. When it comes to Age Friendly, there is a national and local effort that the CRC wants to connect with. They will work with the Chamber of Commerce, the Worthington partnership, economic development leaders, and the Griswold to inform people about programming opportunities to help educate people about Age Friendly initiatives. Some businesses would be interested in being Age Friendly certified. In terms of youth, we believe that there is a missed opportunity to engage our youth in greater civic involvement. We want to treat them as meaningful partners and have more youth on our new working committee. There is also the question of whether there are other formal roles young people could take on to feel more connected to our city. There has been a discussion about the creation of a youth advisory council, which they would like to explore and possibly formalize with City Council. The final piece has to do with marketing and communications. In the last month and a half, the CRC has gotten more attention than it ever has before. They believe that once people know about the CRC, people will be intrigued and interested that the City has such an organization. The CRC would like to move forward in partnership with Anne Brown, the City's Public Information Officer to ensure that they are doing enough to explain to the community that the CRC exists. The strategy is to push out a "Get to Know your CRC Member" effort, detailing what they do and what they look like. There will be profiles of the CRC members that would be on the website. We want to better leverage the website space we currently have and make sure there is relevant content.

*President Michael explained that the CRC is asking Council if they are supportive of their efforts. She is open to Council comments whether to approve opening this effort up and having them continue to work forward.*

*Ms. Kowalczyk expressed how she has observed the energy of the CRC and there are some great ideas being discussed. They are really motivated, and this is the time to really focus on these issues. Our best asset is the community in Worthington and having a commission focused on how to best maintain relations with the community is important and she supports their efforts.*

*Mr. Robinson thanked Mr. Pauline and the other CRC members for their efforts on these initiatives. He looks forward to seeing how they engage with the public and he affirms their initiative.*

*Mr. Myers explained that with the working committees, they have highlighted some policy items including land use. That happens to be one of the core policies of a City, and it has been the subject of debate among the Council and the community. He asked Mr. Pauline how he anticipates dealing with that issue and where the line is drawn, and it becomes a Council issue. Further, he asked what the deliverable and the anticipated goal will be. Mr. Pauline responded that this will be an education focus. They know that in Worthington, our housing stock is not necessarily accessible to many types of people. It is heavy on single family homes. When looking at cities that are more inclusive, they have a more accessible housing stock. They want people to understand that if we are aspiring to be an inclusive, accessible community, then there might need to be changes in how we continue to develop our city. That might mean creating areas that are denser and having some areas with affordable housing. They will then provide Council a recommendation to consider when it comes to that conversation.*

*Mr. Smith commented that as we are wrapping up the Visioning process, he hopes that those folks who may be interested in continuing their service to the community will be reached out to. He asked about the youth committee and expressed he likes the idea, but the National League of Cities in some cases go up to age 35 for youth and others the age is up to 21. He wondered what the CRC's target audience is for that. Mr. Pauline replied that they have not yet discussed any sort of age parameter. When looking at existing opportunities, age 21 and below have been somewhat underrepresented. He is inclined to think that may be more of their focus, but the working group will work to make the final decision. He agreed with Mr. Smith's comments about Visioning Committee and how one theme that has come out of that process is diversity and inclusion. It is important to help residents understand what policy changes might need to occur if we want to be a model inclusive and accessible community.*

*Ms. Dorothy thanked the initiative of the CRC to bring forward these ideas. She looks forward to seeing the results and wants to help any way possible.*

*Mr. Bucher echoed other Councilmembers comments about their initiative and efforts so far.*

**MOTION** Mr. Bucher moved, and Ms. Kowalczyk seconded a motion to approve the Community Relations Commission moving forward with the three committees.

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

*Mr. Pauline brought up the letter that was authored by two members of the CRC and offered recommendations to address the recent protests. The point they want to make is twofold: one is that they deeply appreciate the efforts the City has made to help continue this conversation around racism in Worthington. No one has become hurt and the protestors have been able to do what they have needed to do. Safety has been paramount. The protestors have inconvenienced people but that is the point. In the role as CRC members, they hear frustrations from the community no matter how many people it is, and they feel obligated to share those concerns with elected leaders. There is some concern with how the police and the City has handled the protests. They applaud the elected, city, and school leaders that have been a part of the conversations. Some protestors have taken advantage of the audience they have had with those leaders. Others have decided not to engage. He thinks that we all can agree we do not know the right answer to this, but we are willing to learn and listen. This letter captures some of that language. He hopes Councilmembers review the letter and consider the recommendations.*

*Mr. Myers said he appreciates the CRC being on the streets and he appreciates members reporting back and chronicling the things that people may be unwilling to say to him. However, there are certain word choices that go beyond chronicling and draw certain conclusions that are inappropriate for the mission. He wants to make the comment he is troubled the Commission condemns our actions.*

*Mr. Robinson said he received the letter in a different spirit. He heard voices that said difficult things and took no offense. There are a lot of raw emotions and valid grievances on the part of some people in our community. If we are going to make progress, then we all must accept that there are going to be difficult things we do not agree with, but it is important to hear them.*

*Ms. Kowalczyk agreed with Mr. Robinson and the terms of the spirit of the letter and bring attention to the concerns of the community. These are difficult conversations that we need to have. She questioned the timing to talk about what we are doing. It would be helpful to have the community hear about the items we are looking to pursue. President Michael said she has no problem putting that towards the end of the agenda.*

Tricia Jones Narayanabhata – 5704 Foster Avenue, Worthington, Ohio 43085

Ms. Jones Narayanabhata asserted that it is fully within the domain of CRC to pass a value judgement. She would like the City Council to have the CRC be a voice of the people because the people need a voice, and she thanks the CRC for doing that.

*\*These minutes were amended during the September 8, 2020 Council meeting to correctly identify resident Tricia Jones Narayanabhata.*

## **APPROVAL OF THE MINUTES**

- Meeting Minutes – July 6, 2020 Special Meeting
- Meeting Minutes – July 6, 2020 Regular Meeting
- Meeting Minutes – July 13, 2020 Special meeting

**MOTION** Mr. Smith moved, and Mr. Myers seconded a motion to approve the aforementioned meeting minutes as presented.

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

## **PUBLIC HEARINGS ON LEGISLATION**

*President Michael declared public hearings and voting on legislation previously introduced to be in order.*

**Ordinance No. 26-2020** Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the Law Enforcement Trust Fund.

**The foregoing Ordinance Title was read.**

*President Michael explained how Council has received quite a few messages from community members with many wanting this tabled. She is open to hearing Councilmembers thoughts because once this is tabled, we cannot discuss it.*

*Ms. Kowalczyk expressed how Council received numerous comments that made her want to take another look at the issue. There are some questions about the policies and use of the body cameras such as how and when videos would be used, how citizen's privacy would be maintained, and the costs for storage amongst other things. Looking at recent studies, the reviews are mixed about body cameras minimizing police misconduct. She wondered about the purpose and goals that we are trying to achieve. There is a national discussion going on about police, and how we can continue to build trust between the police and the community, while also upholding transparency and accountability.*

*Mr. Robinson said he would hope that members would get the proposed policies and procedures regulating use of cameras well in advance of any consideration by Council.*

*Ms. Dorothy said she would echo what Ms. Kowalczyk addressed and what Mr. Robinson touched on. She knows that we recently passed a resolution recognizing the impacts of racism and we also recognized the dedicated service of people serving in Worthington's police department. Her biggest concern is about what our privacy protections would be for the community. There are a lot of unknowns about what we would do regarding privacy. There are questions about who would have access, for how long, and at what expense. She would like to see a better cost of everything. We are looking at using a funding source that we could use to update and replace other police equipment. She wonders how we could use limited resources to better foster transparency and costs. There are general questions about body camera recordings and what happens when an event is filmed at a different angle. Camera footage is objective but not comprehensive. The placement and angle of a camera has a large effect on what is captured and how people interpret interactions. Every viewpoint is different.*

*Mr. Myers expressed that since it looks like we are moving towards tabling, he has a governance comment to make sure we are careful about. Our role as Council is like a board of directors, we are to set policy and give guidance. The City Manager serves as the chief operating officer, who then implements policy. Typically, departmental policies would be in the realm of the City Manager and department chief. It is rare that City Council would interact at the chief level in a matter of policy. This is an urgent manner and one that Council probably should be involved in. But we need to recognize that if Council approves department policy, that is something out of the ordinary. We do not want to micromanage and should be careful in how we go about analysis and review. This is something that should not be done routinely.*

*Mr. Bucher expressed that many of the questions covered will give Council a much better standing to think on this and make a decision when it is taken up again. He appreciates the thoughtful research that has been seen so far. He echoed the desire from the City staff that anything that might be available to read be given with plenty of notice so that members are informed when the time is appropriate.*

*Mr. Robinson responded to Mr. Myers and stated that he agrees with the general description that boards set policy. However, boards of directors also need to serve an oversight function and recognize that in critical cases, specific policies actually define and implement strategy. In this moment with law enforcement, strategy is being set in particulars of policy. What the public expects from public officials is to dig into details where our values are being articulated very clearly.*

Joely Tweel – 1315 Chesterton Lane, Columbus, Ohio 43229

Ms. Tweel wanted to say she is a social worker and psychotherapist who used to be in Worthington but is now in Clintonville. Speaking from that perspective she still has ties to the Worthington community. It appears that people want to do the right thing. She

encourages the tabling because at first blush this is one of those things that looks like the right thing to do but it is more than that. If we act impulsively, we may not make the right decision in the long run. She loves the idea of tabling now and conducting more research.

**MOTION** Ms. Dorothy moved, and Mr. Robinson seconded a motion to table Ordinance No. 26-2020.

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

**Ordinance No. 27-2020** Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the Coronavirus Relief Fund Unappropriated Balance

**The foregoing Ordinance Title was read.**

*Mr. Greeson shared that staff is asking for a motion to table this until the September 8, 2020 City Council meeting.*

*Mr. Bartter explained that we originally expedited introduction of this due to the tying in with the business grant program. However, with the guidance from the Treasury and the Ohio Department of Budget Management, we can utilize these funds for some other purposes and therefore there is no need to expedite.*

**MOTION** Mr. Bucher moved, and Ms. Kowalczyk seconded a motion to table Ordinance No. 27-2020.

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

**Ordinance No. 28-2020** Authorizing the Issuance of Notes in the Amount of Not to Exceed \$4,115,000 in Anticipation of the Issuance of Bonds for the Purpose of (I) Designing, Engineering, Constructing and Reconstructing various Sewer Improvements, with related Site Improvements and all necessary appurtenances thereto, (II) Purchasing and Installing Energy Conservation Measures for the Community Center, (III) Designing, Replacing, Constructing and Installing as Waterline on East Wilson Bridge Road, with related site improvements and all necessary appurtenances thereto, and (IV) Replacing or Improving the Roofs of the Fire Station and the Community Center and all necessary appurtenances thereto, and Retiring Notes previously issued for such Purposes; and Approving Related Matters in connection with the Issuance of the Notes



**The foregoing Ordinance Title was read.**

*Mr. Greeson detailed how Council previously issued short term notes to fund the list of projects. This authorizes himself and Mr. Bartter to issue renewal notes.*

*Mr. Bartter detailed how in 2018 Council authorized the issuance of \$4.4 million dollars of notes that have been rolled over each year. It is difficult to anticipate future interest rates, but we are in a friendly environment and this rate will be lower than the 2019 rate.*

*Mr. Greeson noted that this will eventually roll up into a longer-term bond issue along with other projects and activities.*

*Mr. Robinson asked Mr. Bartter to speak to the issue of the City's general debt burden to have a sense of whether we are borrowing sensibly. Mr. Bartter replied that there is a legal debt limitation of 10.5% of our assessed valuation or 5.5% depending on whether the debt is voted or unvoted. All our debt is exempt from those limitations because it is self-supporting debt which will be at about \$11,243,374 once we add the notes that are the subject of the next ordinance and subtract the principal that we pay on the 2019 notes. Our ability to repay is through the Bond Retirement Fund which is primarily funded from a transfer from the CIP. The 2021 projection has us with about 21% of the CIP fund expenses being allocated to debt repayment. We like to look at the CIP as a pie chart where our debt and administration must come off the top first. The less in debt we are, the more we have available for other cash projects. Staff feels like we are in a good place.*

*Ms. Dorothy asked when we anticipate the long-term bond. Mr. Bartter answered that staff was thinking 2020 but that may be pushed to 2021.*

**There being no additional comments, the clerk called the roll on Ordinance No. 28-2020. The motion carried by the following vote:**

**Yes    7        Bucher, Robinson, Kowalczyk, Dorothy, Smith, Myers, Michael**

**No       0**

**Ordinance No. 28-2020 was thereupon declared duly passed and is recorded in full in the appropriate record book.**

**Ordinance No. 29-2020**

Authorizing the Issuance of Notes in the Amount of Not to Exceed \$1,700,000 in Anticipation of the Issuance of Bonds for the purpose of Designing, Constructing, Furnishing, and Equipping a Police Building with Related Site Improvements and Appurtenances Thereto; and Approving Related Matters in Connection with the Issuance of the Notes.

**The foregoing Ordinance Title was read.**

*Mr. Greeson presented how in recent meetings we have talked about the police building roof and heard from ABM about both the roof and HVAC system. We are also aware of indoor air quality issues. All this work has been programmed in the CIP as being debt funded and we are proposing to issue short term notes to finance it.*

**There being no additional comments, the clerk called the roll on Ordinance No. 29-2020. The motion carried by the following vote:**

**Yes 7** Robinson, Kowalczyk, Dorothy, Smith, Myers, Bucher, Michael  
**No 0**

**Ordinance No. 29-2020 was thereupon declared duly passed and is recorded in full in the appropriate record book.**

**Ordinance No. 31-2020** Amending Codified Ordinance Section 929.01 – Sewer Contract with Columbus and Authorizing the City Manager to Enter into a Thirty-Year Sewer Services Agreement with the City of Columbus.

**The foregoing Ordinance Title was read.**

*Mr. Lindsey detailed how Worthington has a long history of receiving sewer services from the City of Columbus. The current agreement expired at the end of June and due to COVID-19 we did not get this finalized before then. This agreement will be for a 30-year period. One significant change is that the Brookside Estates area was previously included in our service boundaries as part of the annexation policies embedded in the agreements with Columbus. Any unincorporated areas had to annex into the designed community to receive sewer from the City of Columbus. Columbus has reconsidered its policy in this regard. Frequently residential only areas are not extremely beneficial from an economic development standpoint and cost more to service. They are starting to consider allowing unincorporated areas to receive sewer service. The new map will exclude the Brookside Estates area. The rest of the changes are relatively minor and are primarily clean up based on changes over the 20-year period of the prior agreement. One additional change is that the prior agreement was codified in our codified ordinances, which is unusual. With this new agreement, it is appropriate to go ahead and amend section 929.01 to take out the entire old agreement and not replace it with the new agreement, but rather include specific language required about the Columbus code requirements and allowing the appropriate enforcement if there are any issues regarding violations of the Columbus city code relating to sewer.*

**There being no additional comments, the clerk called the roll on Ordinance No. 31-2020. The motion carried by the following vote:**

**Yes 6** Kowalczyk, Smith, Myers, Bucher, Robinson, Michael

**No 0**

**Abstain 1** Dorothy

**Ordinance No. 31-2020 was thereupon declared duly passed and is recorded in full in the appropriate record book.**

**NEW LEGISLATION TO BE INTRODUCED**

**Resolution No. 34-2020** Adopting the Franklin County Natural Hazard Mitigation Plan

**Introduced by Mr. Smith.**

**MOTION** Mr. Myers made a motion to adopt Resolution No. 34-2020. The motion was seconded by Ms. Dorothy.

**There being no additional comments, the motion to adopt Resolution No. 34-2020 passed unanimously by a voice vote.**

**Resolution No. 35-2020** Authorizing the City Manager to Enter into a Joint Economic Development District Contract with Sharon Township Pursuant to Ohio Revised Code Section 715.72.

**Introduced by Mr. Robinson.**

**MOTION** Mr. Bucher made a motion to adopt Resolution No. 35-2020. The motion was seconded by Ms. Kowalczyk.

*Mr. McCorkle explained how this is the approval for the Joint Economic Development District (JEDD) contract with Sharon Township. Under the Ohio Revised Code, a JEDD is a special purpose district that can be created between a municipal corporation and a township, allowing a township to use a City's income taxing powers. We would partner with the Sharon Township and they would be able to levy an income tax in that district. The location of the district is at the foot of the Worthington Hills where there are three parcels including an assisted living center, the Hills Market retail, and a third parcel that is undeveloped. The proposed contract would run through 2070, for a 50-year term and the City would continue to provide for Fire and EMS services. We will be responsible for income tax administration and under the terms of the contract we will charge a 3% fee for income taxes collections up front to cover the cost of administering the income taxes, which is the amount RITA charges. The township will provide board accommodations. In addition to the 3%, there will be a 2% fee for operations and maintenance of the district.*

*The remaining money will be split 80/20 between Sharon Township and Worthington. The district will be composed of five board members, including a municipal representative, a township representative, a business owner representative, an employee representative from the township, and a chair selected by the other four members. Projections of revenue for the City are thought to be between \$2-3 million in annual payroll and our share would be about \$11,000 annually. We are doing this not as an economic development driver, but because we are good municipal neighbors.*

*Mr. Robinson asked for clarification of whether this represents a new tax. Mr. McCorkle replied that it will be a new tax for the township. Mr. Robinson asked if this was going to be a new tax for the employees. Mr. McCorkle explained that if you are an employee in the township and live there then you do not pay taxes. If you live outside the township, you will pay reciprocity to the city you live in. Many of the employees are probably already paying income tax to the municipality in which they reside. 51% of the property and business owners had to agree and sign a petition to create the JEDD and we did receive that petition. Mr. Robinson asked who the developer and operator of the assisted living facility is. Mr. McCorkle responded that the developer is Continental. Mr. Robinson asked if revenues would cover the Fire and EMS expenses we would incur. Mr. Greeson explained that the assisted living facility generates a number of runs. We have had conversations with the township, and it is important to go on record that we need to begin renegotiating the Fire and EMS contract with the township. It has not been renegotiated since the 1990s. What has happened is that the township millage rate and the taxes generated off that have not grown to keep pace with the cost of providing fire and EMS services. There will be further discussion with the trustees of Sharon Township, and ultimately that will require a voted millage rate to be considered by the township residents. It will take a while to really assess the current cost of providing services and the appropriate charge to provide service to the township.*

*Mr. Bucher asked if we know who our city representative will be for the JEDD. Mr. Greeson said we do not know that at this point.*

*Ms. Kowalczyk asked about the timeframe. Mr. McCorkle replied Council is hopefully approving this item tonight and the township will soon be approving it as well. We will then be able to enter the contract and the first meeting will occur in relatively short order after that. We hope that this fall we will see the first board meeting.*

**There being no additional comments, the motion to adopt Resolution No. 35-2020 passed unanimously by a voice vote.**

**Resolution No. 36-2020**

Authorizing the City Manager to Enter into the Amended and Restated Tax Increment Financing Service Agreement and Development Agreement with the Worthington Gateway Property Owners.

**Introduced by Mr. Smith.**

**MOTION** Mr. Myers made a motion to adopt Resolution No. 36-2020. The motion was seconded by Ms. Dorothy.

*Mr. McCorkle explained that this is for the Worthington Gateway project, redeveloping the Holiday Inn site. As the project has moved forward, we became aware in late May that some of the offsite infrastructure site costs associated with the TIF for the intersection and streetscaping had either been overlooked for various reasons or had been underestimated and/or increased in value. The Witness Group came to the City and said some of their costs have increased. The City has asked for some upgrades they did not anticipate in the approval process and they would like to increase the maximum reimbursable amount under the TIF. That amount is about \$3.4 million currently. They will only receive that amount after incurring the costs first and they will only get the maximum reimbursement if the project is up to the \$20 million valuation. They requested in May a significant dollar amount increase in the TIF reimbursement. City staff went through their request with a fine tooth comb and identified what they believed were the true changes from the original approval to now. Those things that were truly add-ons by the City have a total cost of \$257,000. Before Council tonight is an amended and restated TIF and development agreement that is increased from \$3.4 million to \$3.657 million.*

*Mr. Myers asked if the upper band valuation of \$20 million stays the same. Mr. McCorkle confirmed that it does. A couple of things were added due to the proposed change from a hotel to adding 32,000 square feet of office space with increased payroll and job projections. We also requested a general site maintenance plan.*

*Mr. Robinson asked whether there will be a new PUD agreement upcoming to Council because the plan is dramatically different. Mr. McCorkle said that will come in the fall to talk about the development agreement which ties the TIF and PUD together. If it does not meet terms of the PUD, they do not get the funds from TIF.*

**There being no additional comments, the motion to adopt Resolution No. 36-2020 passed unanimously by a voice vote.**

**Resolution No. 37-2020** Creating the Policies and Procedures of the ReBOOT Worthington Grant Program to Support Local Businesses in Response to the COVID-19 Pandemic.

**Introduced by Mr. Robinson.**

**MOTION** Mr. Bucher made a motion to adopt Resolution No. 37-2020. The motion was seconded by Ms. Kowalczyk.

*Mr. McCorkle presented how this is phase two of the Worthington ReBOOT effort that is focused on safely reopening the Worthington business community. Phase one consisted of a marketing effort with the road flags which we have received a lot of compliments on and the mask requirement signage. The second piece will be a grant program to provide some financial support for our business community. We originally thought this would be funded*

*through CARES act funding, but we are now proposing reusing dollars from the venture grant program. We previously set aside \$100,000 for venture grants, and we are proposing using \$50,000 for this new grant program. This new grant will be a cash grant to small businesses focused on the retail, restaurant, and service industry. Individual grants will be capped at \$2,500 per applicant. This is not a reimbursement. There will be a one-page application, and we would like to start accepting applications by next Monday. It is targeted to converting existing spaces, inventory and supplies, signage, rent or mortgage relief, and safety supplies. This is would not be for payroll, which is the only ineligible item since most businesses are covered by the Paycheck Protection Program. He does not know if \$50,000 will be enough, but it is a place to start.*

*President Michael expressed how our local businesses will be eager to participate in this program.*

*Ms. Kowalczyk questioned whether we have any idea if we might be able to get reimbursement from this program if the rest of CARES Act dollars would be released from the state. Mr. McCorkle responded that we already have eligible expenses to soak up CARES Act funding. By not using CARES dollars, we can be nimbler using the venture grant monies to get dollars out quickly. He does not know if we had additional funding come our way if we could just reimburse ourselves for this. Mr. Bartter said with the CARES Act funding it is a federal grant award and there are a lot of compliance issues to work with. Much of that has been waived, but the one thing that has not is when you start awarding sub awards of grant dollars, which is what this grant program would do. We have much easier and better uses for those dollars with payroll, so we do not have to be compliant. It is easier and cleaner to use CARES funding to cover payroll and use economic development grant funds to support this business grant program.*

*Mr. Bucher asked how we intend to get the word out to the business community. Mr. McCorkle responded that some businesses are aware already. We have quite a few people from the Worthington Partnership and the Chamber already starting to socialize this a little bit. We will start pushing information out on our social media channels tomorrow. He also has a robust list of small businesses he has interacted with which will receive notice of the application.*

*Ms. Dorothy asked for an idea of how many businesses we can serve through this. Mr. McCorkle replied that it would be a couple dozen realistically.*

**There being no additional comments, the motion to adopt Resolution No. 37-2020 passed unanimously by a voice vote.**

**Resolution No. 38-2020**

Appointing Garrett Guillozet to the Board of Zoning Appeals.

**Introduced by Mr. Smith.**

**MOTION** Mr. Myers made a motion to adopt Resolution No. 38-2020. The motion was seconded by Ms. Dorothy.

**There being no additional comments, the motion to adopt Resolution No. 38-2020 passed unanimously by a voice vote.**

**Ordinance No. 33-2020** To Amend Chapter 767 “Face Coverings” of the Codified Ordinances of the City of Worthington and Declaring an Emergency.

**Introduced by Mr. Robinson.**

*Mr. Lindsey explained how when this ordinance was originally passed, there were a few things we knew would need to be corrected. The packet included a highlighted version to indicate where those changes were made including typographical changes and some changes that the City of Columbus made the same night we passed our ordinance. Columbus Public Health is our public health agency and they are tasked with enforcement of this ordinance, so making sure that our ordinance reads as close to the Columbus ordinance as possible will help with enforcement efforts.*

*There were questions asked about children playing in parks and how we might support that kind of outdoor activity. The Columbus provisions did not make a separate age requirement. The proposed change was to add an age requirement before an outdoor mask would be required. He arbitrarily picked the age of ten, so persons ten and under could play without a mask and not worry about social distancing. Temporary failure to maintain social distancing would not require a mask, which provides some relief for people outdoors. Confined indoor spaces are a greater risk than outdoor spaces. There were language changes made to clarify the exceptions for federal, state, and county buildings. We added some language clarifying that because we are granting an exemption, that does not mean someone can decline to comply with their requirements.*

*We also wanted to address some additional changes because Council had not discussed the state orders. There are four separate amendments that Council could make for exceptions to the requirement as follow:*

Age Limit for Children: *The state used under the age of 10 as the exception to wear a mask. This would be an amendment to our legislation.*

Religious Exception: *Their religious exemption differs from ours in that it states, “individuals while acting as an officiant of a religious service”. A change would be an amendment to our legislation.*

Athletic Practice or Competition: *The state included language that “individuals actively participating in athletic practice, scrimmage, or competition that is permitted under an Ohio Department of Health order.” A change would be a motion to add this language to our legislation.*

Federal or State Law: *The state included language that “When face coverings are prohibited by federal or state law or regulation.” A change would be a motion to add this language to our legislation.*

*The next section we looked at was the requirements for face coverings, Section 767.03. The state has a broader requirement for face coverings in that it is any indoor location that is not a residence (Section 767.03 (a)). Our current language, mirroring Columbus, provides for different buildings or facilities where masks would be required. The states simplify the language and possibly makes it easier to understand. The state also used slightly different language in referring to the requirement for face coverings when using various forms of public transportation including ride sharing, taxis. He thinks the language is a little better drafted than ours and suggests that council make those changes. While the state has different language for outdoor spaces, he believes our language is appropriate. While he drafted the amendment language as a single motion, council could certainly make whatever changes it deems appropriate.*

*Mr. Lindsey explained that staff is requesting passage of these amendments tonight prior to the September council recess. Assuming Council is generally in favor of the changes being proposed in the ordinance you would introduce the ordinance, move to adopt and then move each of these amendments as you see fit, voting on the amendments as a package or individually and then voting on the ordinance as presented and amended.*

*Ms. Kowalczyk explained how Columbus Public Health would enforce our ordinance and the goal is to mirror Columbus as much as possible for enforcement purposes. With the state’s public health order, she asked what Columbus Public Health is enforcing and how they are dealing with that. Mr. Lindsey replied that Columbus Public Health must enforce the state orders regardless of what Columbus or Worthington adopts. They are stuck enforcing both. Ms. Kowalczyk asked about the language deleted regarding long term care facilities and asked why that was eliminated. Mr. Lindsey said that the state requirements are for any indoor location that is not a residence. So, the issue is whether you would treat those as a residence or not. While workers are required to wear a mask, it does not expressly say that the individuals must, and of course individuals in their own residences are not required to wear face covering, unless it was a requirement of the facility.*

*President Michael asked if anyone had any objections to the highlighted version that was sent out and closer mirrors the Columbus language. Then we can look at the additional state requirements to see if we want to make any additional changes.*

*Ms. Dorothy explained how she received comments about the kid’s requirement. She shares the concern about trying to align more with what the schools are requiring for masks and it would be good to maintain consistency throughout the day. Mr. Lindsey noted that in the ordinance, it provides school individuals, which includes students in school or on school district facilities. They may follow the regulations and guidelines promulgated by the governing bodies and Ohio Department of Education. If they require all students to wear a mask, that will control whatever age we had in our ordinance. From an*



*enforcement standpoint, Columbus Public Health is primarily focusing on enforcement intended for businesses.*

*President Michael explained how she heard a comment about children in daycare and whether they would have to wear a mask. Children can be in daycare for many hours and some must go to school where they are supporting the ten and under. The kids are in there from six in the morning until six at night. If the requirement is, they must wear a mask, that is a long time and goes beyond a school child wearing a mask. She asked if there is any reason, we could not change to match the state.*

*Ms. Dorothy replied that the current changes have us in line with state guidelines. President Michael disagreed. She stated the current changes does not have the age 10, which is part of the state guidelines. Ours is six. Mr. Myers asked if it is generally an arbitrary number. Ms. Kowalczyk said that the CDC recommends children wear masks as well. President Michael asked if there was any objection about having the age be 10 and under. Ms. Kowalczyk explained that we are sending a message that you are wearing a mask to protect others. She understands the challenges with daycare, in terms of thinking about how protecting daycare workers that is important. She thinks we should just leave it at six. Those going to school will be wearing mask anyways and will be used to it.*

*Mr. Robinson asked what the actual impact would be of changing the age. President Michael said that children under ten would not have to wear masks, however if the school has a different age, that one would override. Mr. Robinson supports having the age set to six.*

*Ms. Thress reported that Council received an email from Shawna LaRue who recommended changing the age from six to five to be in line with the schools. She stated that Council's lack of knowledge on masks is concerning.*

**MOTION** Ms. Kowalczyk moved, and Ms. Dorothy seconded a motion to strike the language in 767.03(g).

**The motion carried by a voice vote of six to one (Michael).**

*Mr. Myers shared that he likes the simplified language that was provided in Mr. Lindsey's Possible Amendments Based on ODOH Director's Order memo for Section 767.03 and would move that amendment.*

*Mr. Lindsey noted that if Council desires to make the motion to amend and to simplify this, the language that was not changing exception the letter designation of subsection (c) was similar to the pink version as to over the age of ten and that will be stricken as well. When asked by Mr. Myers if that needed to be appended to his motion, Mr. Lindsey replied yes.*

*Mr. Robinson followed up on Ms. Kowalczyk's comments and asked if it would serve our purpose to say private residences and whether that would accomplish anything or not. Ms. Kowalczyk replied that it would apply like it currently reads. It would be consistent that*

*workers would wear masks, but people who live in the facilities would not be required to wear the mask, however the facilities could ask them to do that.*

**MOTION** Mr. Myers moved, and Mr. Bucher seconded a motion to amend Section 767.03 to read as follows, “Face Covering Requirement for Individuals: All Individuals within the City of Worthington shall wear a face covering over the individual’s nose and mouth at all times when: (a) In any indoor location that is not a residence. (b) Waiting for, riding, driving or operating public transportation, a taxi, a private care service, or a ride sharing vehicle. This does not apply to private or rental vehicles where members of a family are sharing a vehicle. This does not apply to vehicles engaged in direct travel through the City of Worthington that do not stop in the City of Worthington. (c) In any outdoor space or outdoor place where or when a person is unable to maintain or does not maintain physical separation of at least six feet from others who are not members of their own family or household. However, this provision shall not apply if it is not reasonably possible to avoid a temporary physical separation of less than six feet, such as walking past someone on a narrow path.”

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

*President Michael asked if Councilmembers had any thoughts on the religious exception. Mr. Lindsey explained that it narrows the number of people exempted from the mask requirement to only those officiating.*

**MOTION** Ms. Kowalczyk moved, and Mr. Myers seconded a motion to amend the language in 767.05(s) to read, “Individuals while acting as an officiant of a religious service”.

*Mr. Robinson said that this seems to be a little more complicated and asked if it would affect people taking communion. Mr. Lindsey stated that he has seen people who leave the mask on and lift it for the purposes of taking communion. The temporary lifting of a mask would be different than not having a mask on for the entire service. Ms. Kowalczyk thinks questions on that issue could go to the Health Department since they enforce that.*

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

**MOTION** Mr. Myers moved, and Mr. Smith seconded a motion to amend the language in 767.05(u) to read, “Individuals actively participating in athletic practice, scrimmage, or competition that is permitted under an Ohio Department of Health order”.

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

**MOTION** Mr. Myers moved, and Ms. Kowalczyk seconded a motion to amend the language in 767.05(v) to read, “When face coverings are prohibited by federal or state law or regulation”.

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

*Mr. Robinson asked for clarification on religious issue and if someone is sitting six feet or more from other people do, they still need to wear mask at a service. Mr. Lindsey confirmed they would still be required. The only time the six feet language kicks in is the outdoor requirement or actively participating in exercise.*

**MOTION** Mr. Myers made a motion to pass Ordinance No. 33-2020 (As Amended) as presented by the Law Director, as outlined in his pink-lined version to Council this evening as contained in the record. The motion was seconded by Ms. Kowalczyk.

**There being no additional comments, the clerk called the roll on Ordinance No. 33-2020 (As Amended). The motion carried by the following vote:**

**Yes 7** Dorothy, Smith, Myers, Bucher, Kowalczyk, Robinson, Michael  
**No 0**

**MOTION** Mr. Bucher made a motion to pass Ordinance No. 33-2020 (As Amended) as an emergency due to the COVID-19 virus. The motion was seconded by Ms. Kowalczyk.

**There being no additional comments, the clerk called the roll on Ordinance No. 33-2020 (As Amended) as an emergency. The motion carried by the following vote:**

**Yes 7** Smith, Myers, Bucher, Robinson, Kowalczyk, Dorothy, Michael  
**No 0**

**Ordinance No. 33-2020 (As Amended) was thereupon declared duly passed as an Emergency and is recorded in full in the appropriate record book.**

**REPORTS OF CITY OFFICIALS**

Policy Item(s)

- New Liquor Permit – Guru Wines

*Mr. Greeson detailed how Guru Wines in Linworth Plaza wants to add a D-2 wine and mixed beverages on premises permit. Staff has no concerns regarding this request.*

**MOTION** Mr. Smith moved, and Mr. Myers seconded a motion to not request a hearing.

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

Discussion Item(s)

- 2021 Operating Budget and 2021-2025 Capital Improvements Program

*Mr. Greeson said that this is a follow-up to the conversation last week about the budget process. Staff currently has several priorities they are working on and we are late in the process to develop a full-blown task force or committee. However, we do think there are some valuable public engagement opportunities that can occur, and several different things staff would like to propose. First is putting together some videos and informational pieces online where people can self-learn about how our budget works. The information would be evergreen and could be used year to year. Second, we would like to hold some digital forums to share the forecast as we come up with it and highlight some of the key issues we are facing and then follow-up with a similar forum to discuss how we are proposing to deal with them. We can do a couple of those online and specifically doing one with the business community in collaboration with the Chamber of Commerce.*

*Ms. Kowalczyk shared her appreciation and noted that it is a great step forward. She looks forward to seeing these educational pieces.*

*Ms. Dorothy stated that she would like to echo this is a great first step. We need to strive to reach all people of our community including those who are disenfranchised, letting them know we are putting this together. Going forward we can maybe make this a part of the process to involve all people including those we might not normally reach out to.*

*Mr. Greeson expressed that he wanted to share what we are doing to fulfill some of the goals set forth with the recently passed resolution related to racial equity. First, Councilmembers should have received an email from Lori Trego. Staff has had some conversations with the Kirwan Institute at Ohio State about having both our senior leadership as well as City Council to participate in training about systemic racism, systemic bias, and how policy promotes disparate outcomes in our country. Likewise, we have in recent weeks convened some representatives from various community partners, including the libraries, the school district, Mr. Pauline with the CRC, and city government. They have discussed conducting a series of listening sessions on racial equity and have spent the past couple weeks trying to identify potential moderators. They will need to be digital, but the hope is they can be launched in August. Lastly, our Personal Director and Information Technology Director have stepped up and will lead the way on an internal diversity and inclusion working team examining trainings, an equity audit, and those kinds of conversations.*

*Ms. Kowalczyk stated that it is her understanding the listening conversations will also yield information about more of what we can do to move the City forward and lift the community*

*to greater understanding as well. Mr. Greeson expressed that all these things will inform the others. We expect our employees will identify opportunities, as well as members of the community. We do not have all the details worked out and are not expert in these areas, but we hope to work out details soon.*

*Mr. Greeson noted that there was a laundry list of retreat priorities Council wanted to discuss and we have added to that since then. He would like to ask each Councilmember to think about those matters in August. We will work to assess them from a staff time standpoint and in September revisit where we are and see what the focus in the last quarter of the year will be.*

## **REPORT OF COUNCIL MEMBERS**

*Mr. Robinson detailed how he sent to Council a list of three proposals related to policies and practices of law enforcement in Worthington. He wanted to affirm that he is committed to undertaking the first stage which is the fact finding of these three proposals. A number have expressed an interest in working with him and the desire to bring their own ideas during the break. The intent would be to come back in September with a report to Council with specific proposals for action. He has begun obtaining information and looks forward to working on areas of inquiry. Regarding staff time, the seeking and obtaining of information will be modest. He looks forward to talking about this in the coming weeks. He also envisions this ad hoc as informal and involving not only members of Council, but also members of the community. The advantage of an informal process is the freedom of having discussions with individuals from diverse viewpoints. This is a community wide effort.*

*President Michael expressed that we need to be careful that we do not have too many Councilmembers working together, these do not need to be public meetings.*

*Ms. Kowalczyk said she has had discussions with Mr. Robinson, and she has questions for her own understanding. The time she would like to spend would be to get a little broader perspective in order to understand where we are with the police department. She wants to sit down and have a conversation with the Chief, to understand what we are looking at moving us forward. She does not have an objective where she expects someone do a lot of research on, it is learning, and helping constituents know where we are.*

*Mr. Myers expressed that from his perspective this is an educational endeavor. He does not think it involves much more than supplying documents. He is concerned that the group cannot be big. We need to be careful in representations to and any promises made to the public. He is more than willing to participate. This should be kept small and more educational; he does not think will impact staff.*

*Mr. Bucher agrees that this would largely be Council time.*

*Ms. Dorothy asserted that she wants to be kept apprised of any documents given. She does not feel educated about our policies and she would like any information to be passed along for her review. Mr. Smith agreed with Ms. Dorothy.*

*President Michael said that she does not want the group to get larger than Mr. Robinson, Ms. Kowalczyk, and Mr. Myers.*

*Mr. Lindsey suggested that if Mr. Robinson wants to work on this at an informal level that is our best path to avoid open meetings issues. If there is the designation of a committee, that starts to cross into concerns. Discussions that go on for the break period can be done on an informal level without being designated a committee.*

*Mr. Myers expressed that he is odd man out on this subject having spent 25 years in law enforcement, in a support role with FBI special agents and patrol officers in municipalities. In the past three weeks he has had the opportunity to speak with a dozen of our officers and they are feeling very frustrated, very beat down, and very disheartened. He felt obligated to come forward with their concerns. They are our employees. The mindset of a law enforcement officer may be a little different than how we think. They take an oath to uphold the law and you are either compliant with the law or in violation of law. They are duty bound to enforce the law if violated. We have asked our officers to disregard the law and assist people in violating that law and doing it on their day off at Council's direction. That is a big ask. In return they have been singled out disproportionately in the issue of racial equality. There are issues in our criminal justice system that need addressed. These are issues as a result of a necessary compromise made in 1791. The Founders felt that forming a union was the most critical goal at the time. The issues we face are much bigger than policing. The issues are income inequality, housing inequality, and educational inequality amongst others. To address these, we will need to have fundamental changes to our City.*

*Police are an easy target; they have a uniform and a gun and are visible to everyone. They are criticized for over policing, that they are using excessive force, or they are not enforcing laws they did not see broken. People and protestors do not understand that you hope for the best, but plan for the worst. The police's procedures are plans for the worst. If they were to police a protest with two officers on bicycle and that protest went south, they would be ill prepared. You will always have more force than what you think is necessary. Our officers have shown tremendous discretion and resolve to undertake Council's directive. We have asked them not to get in the middle and to stand down and they have been criticized. He wants to commend our officers. There are several who have expressed they have had it and are ready to try another vocation. They are genuinely good people doing their best in a difficult situation. Policing and politics should never cross, and they are now. He promised he would stand up for them tonight, he considers himself one of them. He asks Council to broaden their focus and encourage our officers that this is not a personal attack on them.*

*Mr. Smith thanked Mr. Myers for his comments, they were very thought provoking.*

*Ms. Kowalczyk appreciates what Mr. Myers is saying. It is good to hear what the police department members are saying and that is important to understand how they are feeling. They should know this is not a personal attack on them. This is an issue that has been underlying our country for hundreds of years. A system built on racism and that carries on to this day. When looking at these issues, we are looking at a systemic and not individual level. It is important we listen to everyone who has a voice in this. Certainly, the police department is who represents the City and most people see. They have the ability to enforce laws. They have the ability to carry out deadly force. That is an incredible responsibility for them. She has no personal opinions against any of our officers. She knows we have a fantastic police department in Worthington, and she wants to make sure it could be even better. Our conversations are important and hearing from all members of the community is very important.*

*Mr. Bucher shared that he appreciates Mr. Myers' comments. Hopefully we can continue to engage them going through this discussion. On a different note, he gave an update on the Community Energy Savers program and how we are 50% of the way towards our goal. As a reminder, people can learn more and make sure we are getting points at [www.communityenergysavers.com/worthington](http://www.communityenergysavers.com/worthington).*

*President Michael thanked everyone for their conversations and thoughtfulness. This is a tough time for everyone. She echoes Mr. Myers and expressed that we have a wonderful police department. It is difficult when you are out there and people are saying negative things about your profession, and not to take it personally. She hopes we can move into some of these other areas, and she is encouraged by the CRC's efforts to set up committees to reach into other areas beyond police. We have other areas where we have tension and inequities that need to be resolved.*

Tricia Jones [Narayanabhatta](#) – 5704 Foster Avenue, Worthington, Ohio 43085

Ms. Jones [Narayanabhatta](#) stated that earlier when Mr. Greeson was talking about the listening sessions, he neglected one important name working behind the scenes and that is Tori McCloud who is a teacher in the district that has been working hard to make that happen. She is a black woman, and black women in society often do not get recognition they deserve. She also commented on Mr. Myers' remarks and stated that she hopes he takes some time to listen to black people because they might not agree with him.

**\*These minutes were amended during the September 8, 2020 Council meeting to correctly identify resident Tricia Jones Narayanabhatta.**

**ADJOURNMENT**

**MOTION** Ms. Kowalczyk moved, Mr. Bucher seconded a motion to adjourn and recess City Council for the month of August. The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 11:00 p.m.

/s/ Ethan C. Barnhardt  
Management Assistant

*APPROVED by the City Council, this  
8<sup>th</sup> day of September, 2020.*

/s/ Bonnie D. Michael  
Council President