



City Council Agenda

Minutes

Monday, September 13, 2021 at 7:30 pm

6550 N. High Street, Worthington, Ohio 43085

1. Call to Order

Minutes:

Worthington City Council met in Regular Session on Monday, September 13, 2021. President Michael called the meeting to order at or about 7:30 p.m.

2. Roll Call

Minutes:

Members Present: Peter Bucher, Rachael Dorothy, Beth Kowalczyk, David Robinson, Doug Smith, Scott Myers, and Bonnie Michael

Member(s) Absent: None

Also Present: City Manager Matt Greeson, Assistant City Manager Robyn Stewart, Assistant City Manager/Economic Development Director David McCorkle, Finance Director Scott Bartter, Law Director Tom Lindsey, Director of Service & Engineering Dan Whited, Management Assistant Ethan Barnhardt

3. Pledge of Allegiance

Minutes:

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

4. Visitor Comments

Minutes:

There were no visitor comments.

Special Presentation(s)

5. Update on the COVID-19 Pandemic

Minutes:

Mr. Greeson introduced Dr. Mysheika Roberts, Commissioner of Columbus Public Health, who is participating in tonight's meeting via telephone. She will be providing an update on the COVID-19 pandemic.

Dr. Roberts explained how after 19 months of the COVID-19 pandemic, we once again find ourselves at a critical juncture. COVID is spreading like wildfire across the country

and in Franklin County due to the delta variant. Case numbers have been increasing since July and in the past week, we have had over 2500 cases reported in our community. That is a 37% increase compared to the past week and our positivity rate has also increased to 9% which is similar to November 2020. In the Worthington zip code, there have been 277 cases and two hospitalizations just since August of this year. Since the beginning of the pandemic, Worthington has had about 1300 cases. These numbers highlight the strain on our hospital systems as well as our public health systems. We must do everything we can to lessen the burden on our hospitals and that includes getting vaccinated if you are not already. In Worthington, 67% of the total population is fully vaccinated, and of the eligible population, 80% are fully vaccinated which exceeds Columbus and Franklin County. However, vaccines are not enough right now and there is still a large percentage of the population not eligible for vaccines, particularly kids 11 and younger. She asks everyone to also wear masks. Our kids are being affected by the virus and we want to do what we can to protect them and keep them in school. By surrounding them with people who are vaccinated and masked is the way to protect them and keep our economy going.

Ms. Dorothy asked if there were any guesses when ages 11 and under would be able to be vaccinated. Dr. Roberts responded that they are hearing from the CDC and FDA that it could happen as early as October, but they want to be confident with the data first. We are very optimistic that they will be approved by the end of 2021. Ms.

Dorothy stated how it was well said we should all get vaccinated and wear masks in order to protect everyone, especially those not eligible to be vaccinated at this point.

Mr. Smith mentioned how last year there was a pop-up hospital at the convention center, he asked if that still exists or if it was planning to be reinstated with the numbers trending up. Dr. Roberts explained that the convention center is not a site for overflow for the hospital system. The challenge is that our healthcare systems do not have the staffing to take care of patients. Our healthcare system has been hit hard by the pandemic and officials have been leaving the field altogether or going into another healthcare field. There just is not the ancillary support staff needed. When looking at hospital capacity, it is not about having too few beds, it is more about having too few staff.

Ms. Kowalczyk asked about testing and when should someone get tested. She has heard anecdotally that testing has been difficult to find and takes time to get results. She wondered what test someone should get. Dr. Roberts replied that if you are vaccinated, it is hoped that if you get COVID the symptoms would be mild. However, if you are symptomatic at all, especially if you are about to go someplace or be around high-risk persons, it is best to err on the side of caution and get tested. If you are vaccinated, you could have very mild symptoms and still be spreading the virus to others. If you're symptomatic, then antigen test kits you can find in retail stores, are adequate. However, if you are asymptomatic, the PCR tests are more effective and accurate if you can find one. She discourages anyone from going to an emergency room to be tested if they are not exhibiting any symptoms. There are some testing challenges in our community currently with delays. We are working to fix that and are

looking for facilities to accommodate the needed testing capacity.

Mr. Bucher explained how we are currently designated as a high spread community by the CDC and asked if there is any reason to think we will come down from that status in the foreseeable future. Dr. Roberts stated she is optimistic we will begin coming down from that status by the end of 2021. The projections we have seen for Franklin County, show we should be peaking within the next four weeks. What is not sure is how long the peak will last before coming down. We should be out of the red zone by the end of 2021, but a lot of that depends on human behavior.

Ms. Kowalczyk asked about masks and how Dr. Roberts mentioned that masks are important. She asked about people who are vaccinated wearing a mask indoors and the science behind that. Dr. Roberts replied that on August 5th, she and the Franklin County Health Commissioner put out an indoor mask advisory, where they strongly encouraged all residents to wear a mask to help slow the spread. Since then, our cases have gone up and other communities in our state have put indoor mask requirements in place, including Columbus, Whitehall, and Bexley. This virus spreads easily indoors from respiratory droplets and by properly covering your nose and mouth, it slows the spread of the virus. Masks are very effective at slowing the spread of this virus. We have learned that individuals who are vaccinated can spread the disease even if they are asymptomatic. If someone can unknowingly spread the virus, that makes masking even more important. Thinking about last year, we were all wearing masks and we saw very few cases in our pediatric population, however, this year things turned as school started without masking or social distancing, resulting in a significant pediatric increase.

Mr. Robinson expressed how his questions would be about the efficacy of the vaccines in terms of transmission, hospitalization, and mortality. Back in July the CDC came out with some concerning findings of breakthrough infections and transmission by those who are vaccinated. Since then there have been some studies that have reduced some of his concerns about the delta variant, especially for the vaccinated. It seems that this might evolve into a pandemic of the unvaccinated once children are able to be vaccinated. He asked Dr. Roberts to speak about the efficacy of the vaccines and how that relates to the issues being discussed tonight. Dr. Roberts replied that in Ohio, we are only reporting breakthrough cases for people fully vaccinated. When looking at hospitalizations since January 1st of this year, there were 22,600 individuals in hospitals that were not fully vaccinated. Of those COVID hospitalizations, 652 were fully vaccinated. If we look at the deaths since January 2021, there have been over 7,000 COVID deaths, 87 of which were fully vaccinated. That data shows clearly that those who are vaccinated are protected from the worst outcomes from the virus. The CDC published that individuals who were not vaccinated had a greater than 15X chance of being hospitalized or dying. The vaccines work and are safe. They are not 100% effective, especially with delta, but they are very effective at preventing deaths. Every person in our nation who is not vaccinated, that has given this virus to mutate. It cannot mutate nearly as efficiently when infecting a vaccinated person. In some ways, this is a pandemic of the unvaccinated, but it does affect people who are

vaccinated. However, this pandemic is creating healthcare challenges for people seeking care outside of COVID which is leading to adverse outcomes, delaying care. The fear is our hospitals will not be open and available for non-COVID-related issues that people need care for. Mr. Robinson asked about the Worthington residents who have been infected and hospitalized since the first of August, how many of them were vaccinated. Dr. Roberts replied that she does not have that information, however, based on her conversations with the hospital systems, about 80% of those hospitalized now in Franklin County are unvaccinated. Mr. Robinson asked about indoor mask mandates and what metric should be used for the repeal of that type of mandate. Dr. Roberts answered that her recommendation is to use the CDC level system based on COVID activity and that once our community is at the yellow level for four consecutive weeks would be a good metric. Yellow is 10-49.99 cases per 100,000 persons.

6. Update from Central Ohio Transit Authority (COTA)

Minutes:

Ms. Stewart explained how COTA is our regional transit agency. They are doing many things to address the need of the region and to help move us forward.

Ms. Aslyne Rodriguez, the Director of Government Affairs for COTA, explained how tonight she is going to provide COTA's virtual briefing with the focus on multiple different areas, including COTA Plus. She overviewed the fare management upgrade and how today when you ride COTA, you use a paper voucher or cash, but they are moving toward an account-based ticketing. In December 2020, the board finalized a new contract with Masabi to achieve digital payments, fare capping, and creating a robust third-party retail network. In the future, they will be going cashless and contactless by using a phone or a plastic smartcard. With the smartcard, it is much more secure with any cash loaded being assigned to that account. Money can be put on an account at COTA.com or at one of the retail networks. The goal is to only have to go a half-mile before you reach part of the retail network. With fare capping, it will provide customers with the best fare for their trips, regardless of the up-front investment. With no fare capping, if someone pays \$2 cash each trip and rides 4X a day on average, they will spend \$8 per day. But with fare capping, it digitizes cash and uses mobile or smart card to pay \$2 fare, and that person would only spend up to \$4.50 max each day which is the total for an all-day pass. Someone will not spend more than what the cost is to ride COTA all day. The same is true for a monthly pass, once someone meets the value of the monthly pass they will pay no more. The expansion of the retail network is a 363% increase in new retail locations and people can go to Walgreens, Speedway, or Family Dollars, along with going to the mom and pop stores. It will take some time however before COTA goes fully cashless and will be contactless.

There are fare changes under consideration, but they will not be increasing fares. At the end of the month, changes to 2-hours passes, a flat fare, and fare capping will go to the board for consideration along with potentially a one discount fare program and

children under 5 years of age ride at no cost. In the future, they will be looking at low-income eligibility for discount fares, nonprofit programs, special events, and discontinuing cash transfers and onboard day passes. The 2-hour passes will provide customers unlimited access to COTA services within 2 hours, simplifying transfer policies with greater flexibility and cost-effectiveness. However, there is some potential revenue loss from customers who can complete a round-trip within 2 hours. With the fare capping, it enables a customer to pay towards a pass in increments, and fares are capped once a customer has paid the equivalent of a day or monthly pass. A customer is guaranteed to never spend more than \$62 per month on fixed-route services.

She overviewed how there are two new shelters scheduled, one at High and Halligan and one at High and Highland and Caren. Those two shelters were requested by the analysis and one of the nearby assisted care facilities. The new shelter is black in color and is a leaner, cleaner shelter which is a bit skinnier than the previous shelters. If the City wants all the shelters to be uniform throughout the City, there can be conversations about replacing those to look the same.

Moving on to sustainability, from 2012 to 2020, greenhouse gases in Central Ohio went up 40%, but in the same timespan, COTA reduced their fleet output of greenhouse gases by 9%. They are making a true effort to look at their carbon footprint and what is being left behind. They released a 2021 Sustainability Report which is online. They are developing a new Sustainability Plan, partnering with the Columbus Climate Action Plan, removing diesel fueling infrastructure at their facilities, and providing 18 no-cost, publicly-accessible EV charging ports. COTA has the goal of being diesel-free by 2025 with more natural gas coaches and possible electrification. Additionally, they are investing in modern, sustainable, LEED-certified facilities, and in 2025 having facilities with childcare, a minute clinic, and other services. They are currently in the process of obtaining the Greyhound Facility that has the potential for multi-modal options integrated with mixed-use development. There is no current established development timeline, but it will be a collaborative project with community partners to realize possibilities. LinkUs is a collaboration that will provide equitable mobility options for residents and visitors, ensure access to jobs and affordable housing, promote economic growth, and improve sustainability. She overviewed the corridors they are examining including the East-West Corridor and Northwest Corridor. They are examining bus rapid transit with benefits such as level 7 multi-door boarding, modern vehicle designs, and adaptability among other qualities. It is rapid because it is a dedicated lane. This is economic development at its best because it moves quickly and thinks ahead about how we accommodate a million more people. This is a six-year project timeline as they secure funding, develop the project, and then implement. More information can be found at LinkUsColumbus.com. She discussed COTA Plus which is their on-demand service that operates like Uber and Lyft within a specific zone. There are three zones currently: Westerville, Grove City, and Southside. If you live in that zone or visit that zone, you can request a COTA Plus to come to your location and take you to a location in that zone. The unique thing

is that it is a \$3 flat-rate rate unless you are over 65 or a student. If you are at a COTA bus stop and request a COTA Plus, it is at no cost because they view it as an extension of your ride.

Mr. Robinson asked about the two EV coaches that were purchased and whether they were full-size. Ms. Rodriguez affirmed that they are. Mr. Robinson asked where they are made. Ms. Rodriguez replied they are New Flyers, she does not know where they are made, but their goal is always to buy as American as possible. Mr. Robinson asked about the EV charging stations that are accessible to the public. Ms. Rodriguez said that anywhere there is a Park and Ride, there is a charging station, that was in collaboration with Smart City when that was in motion.

Ms. Dorothy explained how transportation in the US accounts for about 29% of our greenhouse gas emissions, particularly from single-occupancy vehicles. When looking at COTA to reduce our greenhouse gases, it would look like a great idea if we switched from our single-occupancy vehicles to riding the bus. She wondered what we need to do to get more bus lines. In 2016 we looked at getting an east-west connector here at the library, but we were not able to do that. Ms. Rodriguez replied that it is important to contact COTA to state the case on how it would benefit the area, then also examine ridership and whether it is growing. They are looking at 35-50 boardings, in a location on a daily basis to qualify for a shelter, but when talking about a stop, that is looking at how it impacts the system. They look at the current system and how a deviation would impact the system and look at ridership numbers. Ms. Dorothy said that it is a chicken and egg problem, to get more ridership we need more frequency. She asked about our frequency along High Street. Ms. Rodriguez said their current frequency is 15 minutes but they are currently experiencing a bus driver shortage. They will make sure High is fully serviced, but they may have to look at reducing other service lines for awhile. Ms. Dorothy expressed she is happy to hear we are eliminating the amount we have to pay and helping out the unbanked to be able to pay their fares. She is also pleased with the potential for housing near bus lines. She is excited about having more frequent bussing and to have more people you need more housing. Worthington's population peak was in the 1970s, we have lower household numbers per house, and we need more housing units. One thing she is most sad about on Council is that we had the opportunity to have a turnaround at Stafford at the Library and we did not do that. She would love COTA to have turnaround access on the east-west. We are going to have more housing there for people who are older and would not necessarily be able to drive and it would be great to provide a turnaround access point. She would love to look at that turnaround again at the Library if that is possible. Ms. Rodriguez replied that they understand that people want to age in place and that COTA can be a system to rely on.

Ms. Kowlaczyk expressed how she is a longtime COTA rider and she is excited about the upcoming innovations. The consideration of making changes more accessible is real positive. Talking about Age-Friendly, we have joined the network of Age-Friendly Communities and are now determining what things people might want in order to stay in the community as they age. One thing brought up was the shelters, and she asked

if they have seating. Ms. Rodriguez replied that they do, and that was a consideration with the one at High and Highland. An assisted living facility requested benches for those people who were waiting for a ride. Ms. Kowalczyk asked about COTA Plus and how a community would get into that system. Ms. Rodriguez explained how it was launched in 2019 because the CEO was committed to thinking differently and Grove City expressed they wanted to try it. Westerville then followed suit during the pandemic. They knew that it could not be just a suburban service so they invested in the South Side as well. However, it is as simple as reaching out and asking how to start it. The cities that have adopted this have contributed around \$300,000 to get it started. Also taken into consideration is what they called islands in COTA Plus. In Westerville, they are covering practically the entire City and included Polaris so students at Otterbein could go there. So it would be about having discussions with Worthington about what was wanted and having a senior code. This has really been a positive program with a high user rate of adoption.

Mr. Smith asked about the fare management and mentioned how some Worthington employers give their employees a physical piece of paper as a bus pass. He asked how an employer can get money into someone else's account. Ms. Rodriguez replied they will be able to do that and can still do bulk purchases and emergency passes. Any agency that wants to create a portal can do so to add value to an individual's account. In our current pass, the value is good for 31-days, but some people don't work every day or do shift work. So this would be based on usage. Portals will be open in 2022. In November, we just want to do it right and have people get on with no hiccups. The plastic passcards are given at no cost, but there are supply chain issues and they are not available at retailers, people will need to come to COTA. If someone loses their card, they do not have a process set up yet and will be coming up with a process to replace them soon.

Mr. Bucher brought up the option for cash payments at brick and mortar stores, he asked if that would be sufficient for everyone who relies on COTA and may not have some other smartphone or another device. Ms. Rodriguez replied they do because the locations are going up over 300%. Right now you can only go to participating Giant Eagle or Kroger stores. The goal is so you do not have to go more than half a mile to the nearest station. Now they are looking to libraries to potentially be a retailer for them.

Reports of City Officials

7. Policy Item(s)

a. Update on 90-Day Pilot for Designated Outdoor Refreshment Area (DORA)

Minutes:

Mr. McCorkle provided the promised update on the 90-day pilot period for the DORA before the expiration date. The pilot began on July 1, 2021, and ends on September 30, 2021, changing the days and hours of operation to be every day

of the week from 11 am to 10 pm. The geographic boundaries were extended slightly to the south to include the Chapala Mexican Restaurant. For public engagement, 514 mailers to property owners within the Historic District were sent out. There were also Facebook posts soliciting feedback along with an update on the City's website and a request for feedback at the Old Worthington merchants meeting. Responses to the program reflected 42 of 44 respondents favoring the keeping of the DORA pilot in perpetuity. Two responses said that we should not continue the pilot. Of that, exactly half of the 44 favorable responses came from residents of the Historic District. One response was a no. He contacted the Division of Police, Division of Fire and EMS, and Service and Engineering Department and there have been zero complaints or concerns lodged. The summary of responses from the public highlighted that the DORA helps to support local business and helps keep Worthington competitive with other communities. The negative feedback included that drunk people will be walking around or that the DORA should be limited to events and/or weekends. Businesses indicated that the increased foot traffic has been great for business, boosting sales.

For the next steps, the options are to keep the operations of the pilot program permanent with no legislation needed, or the City returns to pre-pilot operations and new legislation would be needed, or the City amends the DORA to anything other than the current pilot which would also need new legislation.

Mr. Myers expressed that what the Partnership has done has been very good for Old Worthington and he is in favor of keeping the DORA exactly as it is and the public has shown to be supportive. He is in favor of extending it as-is.

Ms. Kowlaczyk agreed that there does not appear to be any negative impacts from the pilot and it is important to think about how we support our small businesses, which are hurting as a result of the pandemic. She is in support of continuing the DORA as is.

Mr. Bucher echoed his support to leave the DORA as-is. He asked about the cups and the potential to use reusable cups and the current process for stickers. Mr. McCorkle explained that currently, the ORC requires that plastic containers are used. Some communities have a standard DORA cup, but we do not have one. Some merchants wanted to have a nicer cup to pour wine in, while others liked cheaper cups. We do have color-coded labels for each establishment so the Police are aware of what establishment a drink came from. It is possible that some cups could be reused if they are nicer, but that is a logistical conversation we have not had. Mr. Bucher expressed that he would be interested in exploring the potential for reusable cups to curb the use of single-use plastics.

President Michael brought up how other communities are really advertising their DORAs. Mr. McCorkle replied that rather than putting up a bunch of signage, we have put sidewalk signs down in Old Worthington that are easy to pull up and are vinyl.

Ms. Dorothy expressed she is happy to see the results from our public outreach.

She is glad to see the majority of the public is supportive of the expanded DORA. We were one of the first in Central Ohio with a DORA and now we are a bit behind in expanding it, but we did it in a thoughtful manner. The Green Team has put an emphasis on clear plastic bags for recycling and trash and we do have SWACO who gave us funding for the two trash and recyclable receptacles to help educate the public on what is recyclable and what is not. Even if we do not have reusable cups, we are trying to recycle properly to divert from the landfill. She explained how she is proud of Council for allowing the Partnership to try new things.

Mr. Lindsey described how action would only be necessary if Council wanted to revert back or make changes. The state required that we adopt this so it could not be done temporarily. It is in place and no action of Council is needed.

b. Financial Reports

Minutes:

Ms. Kowalczyk brought up how there were some email questions sent in about the unencumbered balance and our policy to review that balance when it exceeds 50%. In July we were at 58% and now we are at 63% and she thought the comments made some good points about looking at whether to use some of that funding for one-time expenditures. The policy requires we look at the projections over the next five years and this year in terms of that balance. She would like to hear more about the feasibility and whether it is a good thing to consider investing some of those dollars. Mr. Bartter replied that we can discuss that at any point and the budget process will be a good opportunity to discuss spending down any of those dollars. The policy was written so it would be in a year retrospect and we did that in February. We are up 20% on income tax collections, but we have not filled the Anthem Building or added many new employers. The increase is based on the successful years a few of our employers are having. He noted that we did receive the second half property tax distribution which does not get diluted for the next three months. However, the fund balance is very strong right now.

Mr. Robinson asked about the All Funds Cash balance which went up almost \$15 million and if that was due to the bond issuance. Mr. Bartter replied that is correct, the bonds were about \$10 million, and \$2 million was the property tax distribution. It is abnormally high due to timing, the bonds were closed in August and will go towards paying the notes shortly when they come due, so \$6 million is going back out.

MOTION: Mr. Bucher moved, seconded by Ms. Kowalczyk to approve the financial reports.

The motion carried unanimously

8. Discussion Item(s)

a. Meeting Management

Minutes:

Mr. Greeson detailed how at the last Council meeting there was a discussion about if or when we might go virtual again and what the options are that are available. He wanted to walk through some conversations being had by staff and to get any direction Council may have. This conversation is for a variety of reasons including the reasons outlined by Dr. Roberts and we also have volunteers on boards and commissions who are at varying levels of comfort for participating in person. We anticipate upcoming meetings with larger audiences and we want to be prepared with protocols that are appropriate for public bodies. He talked about Council and the options in the Council Chamber, which also apply to the other groups such as MPC, ARB, and BZA who also stream and meet in this room. We also have a group of bodies that meet outside of the Chamber and are also live-streamed, so there needs to be a discussion about expectations for them as well.

For meetings in this room, one option is to go fully remote again like done earlier in the pandemic. Under the newly adopted ordinance, we would be able to go a remote option when Council thinks appropriate. The question is when Council would go fully remote, who makes that decision, how long, and under what conditions we would return to in-person would need to be tackled. There are a couple of technology improvements that have been made, we use Microsoft Teams to manage the virtual aspects of remote meetings and it is what made Dr. Roberts able to connect to the meeting tonight. When someone calls in, they do so via Teams. Users with the software downloaded may also participate virtually. Teams now have some features to help with better meeting management, allowing the Clerk to better manage the process. Our IT staff has coordinated the cameras in this room so that they can feed live into Microsoft Teams. Anyone who enters Teams remotely will have the ability to see an image on their computer screen that mirrors what the live stream user sees. However, the Teams users will not experience the delay and we will not need to manage the delay if people utilize Teams. If someone wants to watch but not participate, we would recommend they watch the live stream. The second option is in-person and socially distanced with masks in the room, then the question is how we manage the available seats. We can meet like this and use a rotation. Or the other option is a reserved mode, particularly on the nights with many people who want to get in the room for the same event, with a sign-up and system with a first-come, first-served opportunity to be in the room. With those options, people could still call in or log in with Microsoft Teams to participate remotely. The fourth option is a hybrid with an in-person offering with some in the room including Councilmembers and others remote. That would be a scenario where we would discuss whether Councilmembers and board members would participate remotely. With this option, you get into the question of how many board members you expect in the room in order to have a meeting.

Mr. Myers asked how many people can participate in a Teams meeting at any

one time. Mr. Barnhardt reported that Mr. Wells shared that up to 250 people can participate in a Teams meeting. Mr. Greeson said that we would encourage anyone who is just going to watch and not participate, to watch the live stream. Mr. Myers asked why we are maintaining two systems. Mr. Greeson replied that the Clerk has to manage all the participants in the digital room and the physical room, and any complexity we can reduce in terms of meeting management is ideal. Mr. Myers explained how with the MPC meeting we rotated by the applicant and those were the only people there. It was fairly easy to tell the applicants they may have to sit for a while for their time. Where it will get problematic is when we have a discussion on Lifestyle or Wilson Bridge Road where we have a significant amount of people who want to attend. He asked if there is a plan to manage that level of participation. It seems that we need to have hybrid participation at least. Mr. Greeson replied that if board members attend in person, it is Mr. Lindsey's opinion that we need to afford some opportunity for members of the public to attend in person, but we can limit the number. Mr. Myers explained that in some situations, reservation systems have been put in place to manage numbers. He asked if that is a model that could work for us if someone wants to be in the room. If you want to participate virtually, he does not know how well the hand-raising system would work online. Mr. Greeson replied that staff believes we can manage a hand raise system through Microsoft Teams. Mr. Lindsey explained that we can determine to set a number of people in the room and then the method by which those who attend in person, based upon how it worked with the state exception and our virtual meeting exception if Council attends in person, we have to be open to the public to attend in person. The method of whether to rotate people in for a period of time could be challenging to manage. Doing a reservation system, anyone asking for a seat after the reservations are full, someone would be asked to participate virtually.

President Michael expressed that with an MPC meeting, an applicant and applicant staff needs to be given priority for a reservation to be in the entire time. Mr. Lindsey replied that we would allocate those seats for people to be in attendance for a particular hearing item. Mr. Myers discussed a rotation system and how you do not know who is going to talk about which application. Assuming we have something like UMCH as the agenda item, it could be difficult to manage the system. With some of our large applications in the past when done groups became accustomed to appointing spokespeople. They would make certain to reserve a spot for the spokesperson and not repeat what other people have already said. President Michael said that with reservations, people might be upset if they are not able to get a reservation or did not know about them. Mr. Myers expressed that no matter what, someone will be upset, but we will do the best that we can do. Mr. Lindsey explained that one option is for people who show up without a reservation, we may print up the access information, they can leave with instructions to participate virtually from just outside of the

building with full access.

Mr. Robinson stated that if we are going to have in-person meetings and the public needs access, he can only support a scenario where every person who wants to participate in a meeting can do so through a rotational system. With a reservation system, it could become ridiculous with people fighting to get in first. We may end up with something that is not a representative crosssection of the public. In the interest of fairness, he respects the person with their own voice that is not a part of a group, and he supports a rotational system regardless of however awkward it may be. Anything else seems biased. Mr. Myers asked what plan Mr. Robinson would put in place that allows our volunteers to get home before midnight. Mr. Robinson expressed that there could be multiple meetings, the public having a voice in a public meeting of great importance to the community. Mr. Myers asked what is the vehicle to express that opinion. Mr. Robinson explained a rotational system is the only one that does not have negatives that outweigh the duration of the meeting. President Michael explained that on the large meetings, then everything could be conducted virtually allowing people to have the opportunity to speak. Mr. Robinson asked for clarity if that is done, the public body would need to be entirely virtual as well. Mr. Lindsey explained in order to be virtual to the public completely, the members of the public body would need to be virtual as well. He suggested that rotating in audience viewers runs into the problem of only seeing a small portion of the meeting, he would think you rotate in speakers to speak in person if that is Mr. Robinson's concern. Mr. Robinson replied that it is the speakers who are of primary significance to him.

Ms. Kowalczyk asked what staff is asking from Council tonight regarding this topic. There are a lot of alternatives and opportunities to accommodate everyone. Another way to do reservations would have up to 24 hours to submit your testimony and you are put on a list and you know when you will be called. We can figure out some of these logistics. Mr. Greeson expressed staff would like some feedback on these different options, and when Council would like to execute some of these options. The most important is that we intend to advertise the upcoming MPC/ARB meeting that includes the Wilson Bridge Road zoning applications which may have a decent size audience in attendance. Ms. Stewart explained for the open house there were approximately 35-40 in attendance, and we may approach 50 people or more who want to be at next week's MPC meeting. Ms. Kowalczyk asked if we need to address these meetings first and then talk about the policies and procedures moving forward. She would think that in consultation with Council, the boards and commissions could decide based on a particular agenda whether they need to move to one of these options. She would prefer to be flexible. Mr. Greeson explained that we need to work on more established rules and procedures but there are meetings coming up that warrant this discussion.

Mr. Myers explained we have two issues here, there is the immediacy of the

MPC meetings, and then questions about how to implement the virtual thing. He would recommend that the MPC is free at their discretion to hold their meetings virtually if that is the best way to achieve the greatest participation.

Mr. Smith asked about occupancy and social distancing at City Hall and what numbers in aggregate are we talking about in the chambers and training room.

Mr. Greeson replied you may be able to put 12-15 socially distanced upstairs.

Mr. Myers explained how for the boards and commissions, there are some people who travel for their jobs and want to be able to participate virtually in meetings. It seems we have the policies in place to permit that for an individual member when they are on business or vacation and participate virtually. Mr. Greeson replied that legally we can, practically we can as well, it really becomes the longer-term policy question about whether that is optimal or appropriate.

Mr. Myers said that the board and commission members he has worked with in the past would not abuse the system, but rules need to be in place. Mr. Lindsey explained that the ordinance as adopted gave the broad authority, but it could be subject to abuse and we should develop policies that clarify the level of control and guidelines for use. We can move forward in the short term while we work towards a sound policy for the long term.

President Michael summarized that Council in general is comfortable letting the MPC make a decision on the virtual or in-person for the upcoming important meetings. In the meantime, there will be a Council subcommittee working with staff to put together guidelines.

Mr. Bucher expressed he supports that approach and suggests expanding that to all of our boards and commissions in the meantime. As Dr. Roberts reported, we are about four times higher for transmission rates than the high benchmark. Mr. Greeson brought up that late last week we heard the news that Columbus was implementing a mask mandate in indoor spaces accessible to the public and public transportation. In anticipation that Council may want to discuss masking requirements, he asked Mr. Lindsey to look at what Columbus was doing and re-look at our previous ordinance to have a draft for Council dialogue.

President Michael asked if this would mirror what Columbus has passed. Mr. Lindsey replied that we originally looked at bringing back our previous ordinance from last year, however when Columbus implemented their mandates, the approach differed from our prior ordinance. We worked with Columbus Public Health and the Columbus Attorney's office to examine their draft legislation, and we prepared legislation to be consistent with Columbus. In our legislation, however, there are some differences when it comes to the fines for violations. The proposed is a warning for a first violation, \$50 for the second violation, and \$100 for a third. The primary focus on our discussions was to make sure businesses are effectively requiring the masks by posting signs for customers and making sure that employees are masked as well. He noted that this is drafted as an emergency ordinance, going into effect at publication. Mr. Greeson explained that we knew Dr. Roberts would speak about the need for

masking requirements and that Council is interested in taking this up. We drafted something that would put the Council in the position of doing something, the question is of when.

President Michael asked if we are comfortable with this ordinance and whether there should be some time for review.

Mr. Robinson said in the interest of time he would pass it tonight with the important addition of a statement towards the end that would outline under what conditions this would be rescinded, such as us being in "Yellow" for four weeks. He would then be able to speak with the public about why we are doing this and what the end game is, and it is not just ill-defined and open-ended.

Ms. Dorothy concurred with Mr. Robinson and shared that she went to New York City and felt comfortable, with her showing her vaccination card which she was happy to do because other people can do the same. She also had to wear a mask indoors. There were also spots to get free COVID shots and opportunities for rapid COVID testing. She would love it if we were doing more of a multi-prong approach with pop-up clinics and testing and wearing masks indoors. Starting with a mask mandate, she would be comfortable with that step.

Mr. Lindsey explained that the ordinance as drafted requires that Public Health, report every 30 days on the status of conditions. Section 13 has a blank as for date and he might pick six months from now, knowing we will get a report every 30 days, giving flexibility knowing that it will terminate unless extended or you will get reports that help make the decision to rescind it sooner. That is an alternative to specifying the specific conditions.

Mr. Myers thought we had this discussion with the first mask ordinance and we ended up deciding to go the easier route and have a date certain with the ability to revoke or repeal. The data we have is not necessarily zip code specific so, we may be looking at county or state information rather than local averages. He thinks this ordinance is very similar to the one passed previously. Mr. Lindsey replied that it certainly is, but some of the specific requirements are worded differently and this is more focused on business and transit facilities.

Mr. Robinson said that Council should always have the ability to rescind the ordinance at its own discretion prior to a date certain. However, it is important to him that we include in the ordinance a metric and a statement that the public can see and he can talk about detailing how and why this will be rescinded. He feels it is so important that particularly for the vaccinated, that we encourage them so that there is actually a reason for all of this and to drive the numbers down. Unless he is missing that, he does not see anything in this ordinance that provides that information or outlook.

Ms. Kowalczyk responded that she understands that concern to have some basis to decide to rescind or extend, but what Mr. Myers has said demonstrates that the data is changing and how the metrics are interpreted are changing. She is comfortable with the idea of getting those reports every 30 days and evaluating the status every 30 days at a minimum. While she understands it would be nice

to have a concrete metric to look at, it is difficult to do that. As written this does the best job that we can do and it is something we can work with. She does not see any harm in writing in an end date of six months with there being a standing agenda item to discuss these reports. Mr. Robinson asked how we are going to interpret and make judgements about the 30-day reports and on what basis we will make a decision. Ms. Kowalczyk replied on the basis of the reports we get that people are confident that infections are coming down and we hit the peak. It is difficult to find the right measure to put in this resolution. Mr. Myers explained how he relies on the healthcare professionals to give us guidance on how to interpret the numbers. We are passing this ordinance tonight because the director of Columbus Public Health said that masks were the right thing to do. It seems more than coincidental we mourned Patriot Day, but there was a 60 Minutes episode the other night talking to the firefighters who survived 9/11 and they talked about the people who went in knowing the buildings would collapse because that is what you do. That is what a mask is about and he will wear it as long as we need to wear it and he does not need a metric to tell him. If Dr. Roberts tells him to have a mask on, he is going to wear one. Most people in Worthington are already wearing masks. Ms. Kowalczyk explained how businesses would appreciate having consistency and the mandate will allow them to be consistent.

President Michael explained that six months from now for a sunset date would be March 13th. She asked if that seems like a reasonable date to put in. Mr. Myers conveyed that he would prefer March 1st or 31st. President Michael suggested the 31st to give us a little extra time in there.

Mr. Bucher expressed he is okay with the March 31st sunset date. To Mr. Robinson's point, when this might be announced if passed could we present the recommendation we got tonight, which may convey to the public the recommended benchmark. Mr. Robinson said that his intent is public messaging. Mr. Barnhardt brought up that we have received a comment from the online form from a resident and wanted to read it into the record. Mr. Garrett Guillozet wrote, "As a parent, local public health professional and a concerned citizen, I would be in strong support of a proposed mandatory mask mandate. While not on the agenda for this evening, the Ordinance is important to help protect our most vulnerable citizens. Masking is important to help slow the ongoing surge of COVID-19. We owe it to our medical professionals who are on the front lines, and to our children under 12 who are not currently eligible for the vaccine to require masks."

Ordinance No. 45-2021 - Requiring the Wearing of Facial Coverings to Reduce and Prevent the Spread of COVID-19 and Declaring an Emergency

Introduced by Mr. Smith

Ms. Dorothy explained how this mask mandate is a minimum, we previously talked about having pop-up clinics with vaccines and testing.

There being no additional comments, the clerk called the roll on Ordinance No. 45-2021.

The motion carried by the following vote:

Vote Results: Ayes: 7 / Nays: 0

MOTION: Mr. Myers moved that this ordinance be passed as an emergency

There being no additional comments, the clerk called the roll to pass Ordinance No. 45-2021 as an Emergency.

The motion carried by the following vote:

Vote Results: Ayes: 7 / Nays: 0

Mr. Greeson noted that we will work with Ms. Brown and Mr. McCorkle to get information out to businesses and members of the community starting tomorrow and throughout the week so our citizens and visitors are aware.

Mr. Robinson asked when this would go into effect. Mr. Greeson replied that it would be this Thursday as soon as we can publish documentation. Mr. Lindsey explained that the statute requires it to be upon passage and publication. For us, the publication is posting on both the website and at City Hall, the Griswold, and the library.

Mr. Greeson thanked the American Legion for their work planting flags for the 9/11 Patriot's Day commemoration. Second is the tree dedication for Lou Briggs and her family will be in town on September 17 at 11 am on the southeast Village Green. Ms. Briggs was on Council for over 30 years and also served as the City Clerk.

Reports of Council Members

9. Reports of Council Members

Minutes:

Ms. Kowalczyk said that the Patriot's Day celebration was wonderful and it was great to see so many participating.

Mr. Smith brought up that there has been some chatter about Halloween and that we stick to October 31st be Halloween and we make that known.

Mr. Robinson voiced his strong support for the creation of the Park Foundation that President Michael spoke about last week and been the work of the Parks Commission. It is an idea whose time is here and he hopes we can move forward on that.

President Michael expressed how much she enjoyed the Patriot's Day ceremony, and thanked everyone who took part in it.

Other

Executive Session

Adjournment

10. Motion to Adjourn

Minutes:

MOTION: Ms. Dorothy moved, seconded by Mr. Robinson to adjourn. The motion carried by a voice vote.

President Michael declared the meeting adjourned at 10:15 p.m.

Contact: D. Kay Thress, Clerk of Council (Kay.Thress@worthington.org (614) 436-3100) | Minutes published on 10/08/2021, adopted on 10/18/2021

 /s/ Ethan C. Barnhardt
Management Assistant

Attest

 /s/ Bonnie D. Michael
President of Council