



City Council Agenda

Minutes

Monday, March 14, 2022 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, March 14, 2022, in the John P. Coleman Council Chambers of the Louis J.R. Goorey Municipal Building, 6550 North High Street, Worthington, Ohio. President Robinson called the meeting to order at or about 7:30 p.m.

2. Roll Call

Minutes:

Members Present: Katherine Brewer, Peter Bucher, Rebecca Hermann, Beth Kowalczyk, Bonnie Michael, Doug Smith, and David Robinson

Member(s) Absent:

Also Present: City Manager Matt Greeson, Assistant City Manager Robyn Stewart, Assistant City Manager Economic Development Director David McCorkle, Director of Finance Scott Bartter, Director of Planning and Building Lee Brown, Director of Parks & Recreation Darren Hurley, Personnel Director Lori Trego, Chief of Fire & EMS Mark Zambito, Chief of Police Robert Ware, Management Assistant Ethan Barnhardt

3. Pledge of Allegiance

Minutes:

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

Reports of City Officials

4. Discussion Item(s)

Minutes:

President Robinson recognized Mr. Fred Connell who submitted a speaker slip to speak before staff engages in the deer discussion.

Mr. Fred Connell of 504 Stevenson Avenue in Worthington, explained how that more economic and racial diversity would strengthen our community. Including affordable housing in the development of the United Methodist Children's Home property would

increase that diversity. For example, housing would provide more options for essential workers at Kroger, Fresh Thyme, and CVS. Regarding the UMCH property, Council adopted Resolution 04-2022 on January 18th of this year. Last Friday evening, he mailed to each councilmember, a marked-up version of that resolution, requesting to add seven words. In one paragraph, he requested the additional phrase, "...economic and racial diversity..." and in another paragraph, he requested, "...includes affordable housing..." He hopes that Council will adopt these changes, and he suspects that providing affordable housing at the UMCH property will require tax support. We anticipate increased tax revenue from the High Street portion of the UMCH development, he hopes we will use some of that increased revenue to support affordable housing.

a. Effective Deer Management Strategies

Minutes:

Mr. Greeson explained how for quite some time, staff has tracked as well as researched our complaints and various data points related to deer in our community. We have also looked into the best practices of other agencies that have attempted to deal with their deer population.

Mr. Barnhardt provided an overview, explaining how concerns over the deer population have been growing in recent years and how he has been the point person on deer for the City. The staff stays up to date on best practices, including attending wildlife conferences, speaking with experts in the field, and reaching out to other communities to learn what they are doing throughout the state. Additionally, staff has created a robust informational webpage at worthington.org/Wildlife, with information on managing interactions with suburban deer and other wildlife, along with a public comment form. Like much of Ohio, Worthington has not been immune to the growth of the deer population, which has created conflicts such as car collisions with deer, damaged plants and property, and aggression during the rutting and fawning seasons. In regards to historical background, in the early 1800s, the majority of Ohio was forested with a diverse ecosystem, however with humans cutting down most of the forests and along with non-regulated hunting, the deer population virtually vanished from the state. Due to intentional conservation efforts in the 20th century, the deer population has rebounded, while natural predator populations have not. Deer management methods fall into two categories, non-lethal and lethal methods. As a preface, in speaking with experts and other communities, regardless of any management method, the most important thing is to provide educational resources and to encourage people not to feed the deer. Intentional feeding not only habituates the deer to come into human environments but can also be harmful to the deer.

Ms. Hermann asked for clarification from the report that deer produce more offspring when they are fed and if that was correct. Mr. Barnhardt confirmed that is correct, that they reproduce at higher levels the better fed that they are.

Mr. Robinson asked if there are any instances where a community enacted a no-feeding ordinance and there was actually a decline in the population or mitigation of the problem. Mr. Barnhardt replied not that he was aware, the surveyed communities shared that the no-feeding ordinances were primarily an educational tool and did not result in the population decreasing.

Ms. Kowalczyk expressed that people also engage in feeding the deer as a strategy to distract them from going into their yards.

Mr. Barnhardt discussed no-feeding ordinances, explaining they are the first step for communities that want to manage their deer population. These ordinances can be very difficult to enforce, relying on residents to report their neighbors, which does not always foster a sense of community. Additionally, it puts the city in a negative regulatory position where we have to enforce and potentially charge violators. The other non-lethal methods are birth control and sterilization, which are not viable for Worthington because they are tightly managed by the state and only authorized for research purposes in small, closed-off deer populations. One common lethal management method is bow hunting, and are typically conducted on specific permitted properties where hunters can hunt in a regulated and controlled way. In Central Ohio, there are several municipalities that allow this, however, they are larger with more properties safe to hunt on. Gahanna previously had a program, but it was disbanded in 2019 after a negative situation where a deer was not successfully killed and ran onto an adjacent property.

Mr. Bucher asked if the deer are attracted to a specific area, as part of a seasonal strategic program, with a bow hunting program, or if hunters are given free roam. Mr. Barnhardt responded he was not positive about what their exact strategies are, but he would imagine they would coincide with the deer hunting seasons.

Mr. Barnhardt described how with a bow hunting program, Worthington is limited in the number of appropriate, open areas where bow hunting could safely and sensitively be conducted. Additionally, there are some things about hunting that need to be considered that are not always obvious, such as making sure there are regulations about field dressing deer in a sensitive way in neighborhoods.

Ms. Brewer asked how long it has taken cities that have implemented management programs to develop these programs. Mr. Barnhardt explained that it is difficult to quantify, but most communities that implement a program put a fair amount of process around getting community input and listening to experts. So, it is typically a rather time-intensive process.

Mr. Robinson asked how many deer were hit by vehicles in our city over the past year or two and had to be put down. Mr. Barnhardt replied he does not have that full listing, but he can work with Chief Ware to work on sourcing the numbers on having an officer called out to put down a deer. He only has data on deer-vehicle collisions that result in property damage, with there being 22

between 2017 and 2022. Mr. Robinson asked if it is standard practice to have the police come to put down a deer. Mr. Barnhardt confirmed that is typically correct.

Mr. Barnhardt overviewed sharpshooting, which would entail the City contracting with expert marksmen to cull the herd on a regular basis. Typically these programs are more expensive up-front to create a manageable herd. Culling needs to continue year over year to maintain a consistent herd. Looking at other communities such as Solon, Ohio, they stopped their program in 2008-09 and the deer population quickly rebounded, forcing them to reinstate their program. Public opinion needs to be managed closely with these programs because it can turn negative quickly. The final lethal method is trapping and euthanasia which is not allowed in Ohio, due to the fact that trapped deer experience high levels of mortality, and relocating the animals can spread diseases. Typically cities begin to act in response to a high number of deer-vehicle-collisions. Gahanna implemented their program in response to 90 DVCs per year and Solon implemented theirs with 175 per year. As mentioned earlier, Worthington had 22 collisions with property damage between 2017 and 2021. Ms. Hermann asked if there have been any personal injuries in Worthington and if we have those types of issues here. Mr. Barnhardt responded that outside of car accidents, he could not say he has any reports of injuries due to deer. There are some reports during the fawning season that they do act defensively, trying to scare you away versus aggressively coming.

Ms. Michael brought up how there have been several instances where deer have been caught up in a fence or ropes where we had to call people to try and rescue them or put them down. She feels that situation appears to be increasing and we are hearing about more of those. Mr. Barnhardt explained it is difficult to say, but he knows there was a well-publicized incident with a deer who had netting stuck in their antlers. As deer are coming onto people's property more freely, you certainly run the risk of situations like that.

Mr. Barnhardt went over the Worthington data points he has collected, including information on deer-vehicle-collisions, deer complaints, and dead deer picked up from the City's right-of-way. There was a 400% increase in complaints received by the City in 2021, though it is hard to tell whether that increase is from the creation of an online feedback form, and from his information being provided and shared widely on social media.

Ms. Hermann asked if we know whether other communities contiguous with us are doing anything about the deer. Mr. Barnhardt replied that he is not aware of anyone else doing something around us. Ms. Hermann commented even if we do something about the deer population, it is possible for them to come in from other areas. Mr. Barnhardt replied that is one of the largest, lingering issues that he does not have an answer to. If we were to hypothetically implement a deer management program, the question is if other communities are not, would our program be able to be successful. Deer are able to move from one area to

another.

Mr. Robinson asked if we know how many deer call Worthington home. Mr. Barnhardt replied that we have not conducted a count in recent years and that would be a good first step for us to undertake. We may be late to do an aerial count because that requires snow cover, but there are other methods to be considered. Mr. Robinson asked if we know of population counts from other cities we have looked into. Mr. Barnhardt replied none in the Central Ohio region, however, he knows that different communities use different density thresholds to say whether or not they want to implement a program. Commonly between 15-30 deer per square mile is considered decent, above that, you may want to consider a program. Mr. Robinson said that his question is prompted by the high number of car accidents in Solon and Gahanna, and he is curious about their deer populations.

Ms. Michael asked if a drone could be used to do a deer count. Mr. Barnhardt replied that he was not sure of drones being used for deer counts, but it is an interesting idea that we could look into further.

Mr. Barnhardt overviewed how Worthington is already providing educational resources to the community, revamping the website, and putting out information through the City's Village Talks newsletter. Additionally, he looks forward to producing more information to the community during the deer rutting and fawning seasons to help guide the community during those times when interacting with deer. Providing educational resources is one of the best things we can do to help prevent bodily injuries.

Ms. Brewer asked if there are any drawbacks to instituting something like a no-feeding ordinance. Mr. Barnhardt responded that you have to be careful when implementing a policy where you have residents turning in another resident. Additionally, there needs to be more research on how to enforce that, which is a conversation that needs more conversation. Otherwise, on the whole, an ordinance would not hurt anything, but it is questionable how much it could help.

Ms. Kowalczyk explained how that is significant because if we pass an ordinance and there is the expectation that something is going to change as a result of that action, and nothing changes, that seems like what we did was a waste of time. If we focus on the education piece, we have some materials already. If there are ways to deter deer from gardens and things like that, maybe there is some sort of program to help in regard to property damage. She worries that passing an ordinance that doesn't really have a practical impact could set up expectations that we will have to manage.

Ms. Hermann agreed with working on the education piece. In reading the research, it sounds like feeding makes it more comfortable for deer to come toward humans. She agrees that the more we can explain things to people would be helpful.

Ms. Kowalczyk asked if there is a difference between intentionally feeding the

deer or a deer coming and eating plants that have been planted, such as hostas. Mr. Barnhardt replied that is a fine line, but if you are placing food out there it is providing a reliable source of food, and deer are habitual animals and will pick up on that, creating an expectation that people will be leaving them food.

Ms. Michael asked if we have a no-feeding ordinance, would that also mean not feeding pets because the deer could eat them. Mr. Barnhardt replied that is a question many communities have had to wrestle with because deer will eat just about anything left outside.

Ms. Brewer mentioned one city that tried to pass no-feeding legislation that included feral cats, and that failed due to pushback.

Mr. Robinson pressed that one of the reasons for a no-feeding ordinance is not at the macro level, but at the micro level. he has received emails from people who have neighbors feeding the deer, and there are now herds of 12-15 deer, concentrating deer which can be troublesome.

Ms. Kowalczyk brought up that enforcement would be an important issue to discuss. The draft legislation states that it would be a minor misdemeanor, with a fine imposed by the police. That is a concerning use of our police force to enforce an ordinance that is not going to have an effect. Mr. Barnhardt replied that there would need to be a robust discussion on what that enforcement mechanism would look like.

Ms. Brewer agreed that we do not want to be allocating out police resources, but it could be a potential deterrent.

Mr. Bucher explained that it may not solve the problem, but it could get at some of the outliers where folks are intentionally putting stuff out near high-speed roadways in the City. We should explore it and the details are critical and a robust discussion would be wise.

Mr. Smith explained that he grew up in a deer hunting culture, however, he is no longer a hunter. This is an interesting conversation due to the nature of deer, and how Worthington deer will stay here until they are gone naturally or through other means. The question becomes whether Columbus deer become Worthington deer. While legislation may not decrease the population, probably not, it might help keep from increasing the population. He sees this personally as the first step in multiple steps, ending in a culling program.

Mr. Robinson proposed that we ask staff to develop a draft ordinance with greater specificity that has been provided and bring it back to Council for further discussion. Mr. Greeson explained that if there are thoughts on what could be added to the draft, that would be helpful.

Ms. Kowalczyk explained that while she is not in favor of the ordinance as it stands right now, she would like to hear further from the community.

Mr. Robinson admitted that this is a gnarly problem without any great solutions regardless of how we proceed.

MOTION: Mr. Smith moved, seconded by Ms. Brewer to instruct staff to come back in the next month with legislation.

The motion carried unanimously by a voice vote

b. Fire Contract - Sharon Township

Minutes:

Mr. Greeson overviewed how the City provides fire services to two townships and a village. Our service territory is much greater as a result than just the city limits of Worthington. That began in the 1990s when we merged and took responsibility for fire services throughout Sharon Township and the basis of that is a long-standing contract that needs updating and is no longer paying the City the costs of delivering services. We have been engaging in conversations with Sharon Township and we are here to give an update on that dialogue and to forecast the next steps.

Ms. Stewart provided a historical overview of how in 1993, the City entered into an agreement with Sharon Township to assume the Division of Fire from the Township. Previously, those services were provided by the Township. As part of that acquisition, the City sought and received approval from the electorate for an increase in the income tax from 1.00% to 1.65% for the principal use of operating the Division of Fire. The Township formed a Township Fire District, which included Riverlea, for the purpose of levying a 6.00 mills property tax for fire services. According to the agreement, the City may only seek an increase in the amount to be paid by the Township Fire District if the City enacts additional property taxes or obtains the approval of its electorate for an income tax increase. The Township is only required to increase the amount it pays in an equitable proportion to the increase in taxes by the City, based on the revenue realized by the City to fund the operations of the Division of Fire. The City may want to propose a slightly modified agreement moving into the future. Since 1994, the City has raised taxes three times, increasing the income tax in 2004 and 2010, and property taxes in 2007. The Township Fire District Levy has not increased since 1994 and the original 6.00 mills levy, is now collected at an effective rate for the tax year 2021 of 1.058451 mills. With the effective rate going down, the taxes collected today are less than in 1994, however, the cost to provide services has nearly doubled. The Township Fire District comprised 15% of runs in 2021 and comprised 12% of assessed valuation served. The District comprised 12% of the population served in 2021. The Township Fire District's revenue covers 2% of the cost of the Division of Fire & EMS operating expenses. These are all reasons it was suggested to enter into discussions with the Township regarding the levy associated with the Fire District. The District has unique hazards that are resource-intensive when incidents occur including I-270, SR-315, and Olentangy River Road. When compared to other townships and the cost they bear for fire services, Sharon Township residents pay much less for fire services than residents of other townships.

A year and a half ago, Council was supportive of staff beginning to talk with the Township, which has been done since then intermittently. The conversations

have recently picked up, talking with a Trustee and the Fiscal Officer. We have not provided an update to all of the trustees, only providing background information. The logical next step is to make sure all three Trustees have the same information, and we should meet with the leadership of the Village of Riverlea. After those types of meetings, you are looking at moving into public meetings because any kind of millage increase would need to go on the ballot. Before moving forward, staff wanted to provide an update to Council and gauge your comfort level. The City may want to talk about the agreement, and it is challenging for us to have to change our rate in order to request them to change their rate. They are very low now and any movement in their proportion, would be a significant jump and we may want to phase in something over time. Our tax rates do not lose value, our 5 mills of property tax hold their value, but the District's rate does not hold its value.

Ms. Michael expressed that this is an important challenge. It has been a great service for everyone to work together, but it does need to be a bit more equitable.

Mr. Robinson explained that this will probably impact township citizens, but if we move forward in this direction, he wanted to know the impact on Worthington residents. Mr. Greeson responded there would be no tax increase for Worthington residents. Ms. Stewart noted how the 5-year CIP has a number of significant investments and we have more major equipment purchases in the next five years than we had in the previous five years. We also have some increasing costs in staffing, so we are making investments, and this would help offset the cost of those. Any increases would be in the Fire District, not the City.

Ms. Kowalczyk expressed that we need to figure out a solution to this because the disparities here are great.

Mr. Bucher asked about the Township's receptivity to this or whether that discussion has happened in a serious manner at this point. Ms. Stewart replied that we still have more people to reach out to, but they see the numbers and understand that there are differences in what Worthington is paying versus the Township for services. We do not yet know if they would be supportive of an increase, and ultimately the voters would have to vote for an increase.

Mr. Robinson expressed that the case for creating a greater sense of equity is important and time is of the essence if something should be on the ballot in November. We should also look at the underlying terms of the agreement.

5. Policy Item(s)

a. Financial Report - February 2022

Minutes:

Mr. Bartter explained that there is not much of note in the February report, as it is still early in the year.

Mr. Robinson asked about the All Funds cash balance which is roughly twice that of the General Fund cash balance and whether that is a typical ratio. Mr. Bartter

replied that is typical, the All Funds balance includes the Capital Fund, TIF Funds, and everything other than the General Fund. Mr. Robinson brought up that it appears the income tax revenue was very positive and that withholding was strong. Mr. Bartter explained that we are about 10% above where we were this time in 2021. We are collecting revenues that were withheld in 2021, so we have not gotten to 2022 yet.

Ms. Brewer asked if we have seen any changes in the work from home tax withholdings. Mr. Bartter responded that we will start to see that more as we move further into the year.

The February 2022 Financial Report was accepted by a unanimous voice vote

Reports of Council Members

6. Reports of Council Members

Minutes:

Ms. Hermann reported that the CIC met this past Friday at City Hall, the two parcels that were rezoned last year passed their 60 days and have settled into their updated zoning. They will be setting up a special meeting to have a presentation, so keep an eye on that. Additionally, there will need to be a replacement for Mr. Carter who is leaving the CIC board.

Ms. Kowalczyk brought up how there is planning for a series of special events and the first will be a presentation on affordable housing on March 30th by Carlie Boos with the Affordable Housing Alliance of Central Ohio. Other presentations will include perhaps a walking tour focusing on zoning in Worthington, as well as bringing in national speakers.

Mr. Smith noted how Ms. Stewart led the committee for community grants this past week and will bring a proposal to Council for next week. He brought up how a resident had a deer die in their backyard and he did not know the City's policy to remove dead deer from property. Mr. Greeson replied that if it is placed at the curb we will pick it up, but generally will not enter someone's private property to remove it. There may have been some rare exceptions for persons with disabilities or incapability of dealing with them. Mr. Smtih stated he would be interested in looking at that as a next step because they are our Worthington deer, and we should be taking care of them in all forms.

Ms. Michael also attended the CIC meeting, and they are working to get cost figures for demolition at the CIC-owned properties. She also attended the MORPC meeting, they will be working on more grant opportunities and an upcoming Smart Cities conference, among other issues. Additionally, now would be the time to look into a possible Amtrak stop and if Worthington should reach out. Mr. Greeson explained he would work to schedule having someone from MORPC come and talk to Council next month.

Ms. Brewer provided an update on the past MPC/ARB meeting and consent agenda,

noting that none of the issues would be coming to the City Council.

Other Business

Executive Session

Adjournment

7. Motion to Adjourn

Minutes:

MOTION: Ms. Michael moved, seconded by Mr. Bucher to adjourn

The motion carried unanimously by a voice vote

President Robinson declared the meeting adjourned at 8:53 p.m.

Contact: D. Kay Thress, Clerk of Council (Kay.Thress@worthington.org (614) 436-3100) | Minutes published on 03/29/2022, adopted on 04/04/2022

/s/ Ethan C. Barnhardt
Management Assistant

Attest

/s/ David Robinson
President of Council