



# City Council Agenda

## Minutes

Monday, September 19, 2022 at 7:00 pm

6550 N. High Street, Worthington, Ohio 43085

### 1. Call to Order

**Minutes:**

Worthington City Council met in-person in Regular Session on Monday, September 19, 2022. President Robinson called the meeting to order at or about 7:00 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, Director of Finance Scott Bartter, Planning & Building Director Lee Brown, Director of Parks & Recreation Darren Hurley, Chief of Fire & EMS Mark Zambito, Chief of Police Robert Ware, Clerk of Council D. Kay Thress

**There were over forty-six members of the public in attendance.**

### 3. Pledge of Allegiance

**Minutes:**

President Robinson invited those in attendance to stand and recite the Pledge of Allegiance.

### 4. Visitor Comments

**Minutes:**

Mark Gideon, 91 Chaucer Ct. commented how last time he talked about two meetings he had had with the city, one in 2020 and the other about a year later. They were good meetings, and he appreciates Mr. Lindsey's kindness and professionalism. Unfortunately, the city was not able to explain why the new sewer must be located on the path of the old sewer instead of being located in the public right-of-way. He has a memo from the city of Worthington that addresses both of those issues. It was completed by the City's engineers, EMH&T who recommended rerouting the sewer away from the Rush Creek watershed onto the public right-of-way and connect to where the new sewer's connection point had been built years ago. He had a map of

the area, and the red line depicts the reroute, while the purple identified where the city is planning on putting it, even after its engineers indicated it being feasible and practical to reroute the sewer on public right of way. He shared that if the city had been willing to offer those explanations and wasn't so anxious to file a lawsuit, the easements which it requested would have been given. At the last meeting Mr. Lindsey mentioned about the EPA. He has been in contact with the EPA. They confirmed there being Orders and Findings but the City is in good stead with the EPA. There are no deadlines and no fines.

Mr. Lindsey had also mentioned about the leaking sewer on Mr. Fedeczko's property. Mr. Gideon confirmed there being one section of sewer pipe that has been broken for many years and sewage overflows when there is a heavy rain. That section of sewer could have been replaced years ago. He thinks it was the city's plans to do it at the same time as the entire sewer system had been rebuilt.

He pointed out that the city had submitted a permit to install application with the Ohio EPA and he noticed there being two items on it that are incorrect. Item #8 asked if one or more acres will be disturbed during construction of this project. The city had answered no. The easements and land the city plans to disturb equates to well over an acre. It also asked if wetlands will be disturbed. Again, the city answered no, when the City's own map shows the sewer going directly through a wetland. He asked city council if they want their bulldozers going through that wetland because that is what will happen if this project moves forward.

President Robinson informed Mr. Gideon that his five minutes to speak was up. He assured the public that this issue is currently in litigation. This matter has been and will be thoroughly discussed. As tempting as it is to respond, it would be inappropriate to do so. As always, the city will be thorough in discussing with residents matters that affect their property and we will attempt to be as judicious as possible.

## **Special Presentation(s)**

### **5. Rescue Recognition - McCord Park Cardiac Arrest Save**

#### **Minutes:**

Mr. Greeson said it is his pleasure to turn this recognition over to our Fire Chief Mark Zambito.

Chief Zambito shared that he stands before council to talk about a special gentleman and the people that were involved in saving his life. On July 12, 2022, around 9:30 am, Worthington 70 and older softball team was playing at McCord Park. Suddenly player Harold "Butch" Stone suffered a cardiac event that caused him to go into cardiac arrest. The quick actions that followed are the reason Mr. Stone is here today. The bystanders, the dispatchers, the firefighters, and hospital staff worked together

to save a life. This teamwork is called the Cardiac Arrest Chain of Survival. Every link in that chain makes the survival more likely. This incident is a textbook example of the Chain of Survival. Tonight, we will recognize all involved with this incident.

First responders: Assistant Chief of Operations Chris Craig, Battalion Chief Peggy Dias, Lt. Nick Schaffer, Firefighter/Paramedic Ron David, Firefighter/Paramedic Dave Willison. When our fire units are assigned to other emergencies sometimes, we lean on the automatic aid. These partnerships are very important to cover our areas when our crews are tied up on other calls. That day Medic 111 from Westerville Fire show up. On Medic 111 that day was Firefighter/Paramedic Cameron Ellis, and Firefighter/Paramedic John Shear. He thanked them for their work and dedication to training. It paid off. Most importantly he would like to recognize the bystanders involved. Without their fast action the chance of surviving a cardiac arrest is minimal. What happens in the first three to four minutes is critical to a positive outcome. For this, these men will receive the Fire Chief's accommodation and they are: the 911 caller David Itkoff. CPR and AED were delivered and administered by Jim Jerele, Bill Greenwalt and Jerry Bowers. Finally, he would also like to point out Tom Rollins. Mr. Rollins passed away a few years ago but he was the driving force in purchasing an AED for the ballfield for the gentlemen that play there every day. His awareness to the importance of this lifesaving piece of equipment is beyond belief. He introduced Mr. Stone and thanked everyone for their involvement. He invited Mr. Stone, the bystanders and first responders forward for a photo.

President Robinson thanked everybody for the superb action and quick thinking. He thanked Chief Zambito for recognizing everyone involved.

President Robinson acknowledged Jessica Haglund who had turned in a speaker slip and wished to speak about affordable housing. He invited her forward.

Ms. Haglund of 687 Hartford St. thanked council members for the opportunity to speak. She is here as an individual resident of Worthington. She is just a parent of a Worthington school student and co-founder of Worthington Mighty Advocates. She appreciates the efforts that this council is making towards an equitable and diverse Worthington. She has learned a lot from Erin Prosser's presentation last week on Affordable Housing, the Building Inclusive Communities presentation with Gene Slater at the MAC a few weeks ago and she has also had the opportunity to watch Affordable Housing presentations by Carlie Boos. But as disability activist Corinne Gray states, if you embrace diversity and ignore disability you are doing it wrong. She doesn't want Worthington to be wrong.

In the presentations and talks that she has watched, she has noticed the words accessibility and disability are mostly missing from the conversations. Housing affordability does not always equal accessibility. She wants to know what Council

members are doing to include accessibility in current and future housing discussions. Adopting legislation prohibiting source of income discrimination in 2021 is an admirable first step. Disabled renters and homeowners cannot be discriminated against if they receive SSSI (Supplemental Social Security Income) benefits. She explained SSSI in greater detail. If a disabled person can work, they must navigate a tight rope of being able to receive benefits of about \$800 a month while simultaneously not having their assets go above \$2,000. How can it be expected that disabled folks pay for rent, utilities, groceries, medical expenses, etc., etc. She asked how can Worthington go further? How many new units will be truly accessible? Can you set aside a guaranteed percentage of new accessible units? Can you require contractors and builders to incorporate universal design in these new units? Can we move towards universal design in all future new housing or at least a percentage of new housing?

In closing she shared some statistics from the National Low Income Housing Coalition's 2021 report, universal design for seniors and people with disabilities. As disability right's activist Ola Ojewumi states, being disabled is the one group you don't have to be born into. You can become disabled at any time. Her fight for equality and disability justice should be Council's fight to because you may become a person with a disability one day. She asked council members to make this their fight for affordable and accessible housing as well.

## Approval of the Minutes

### 6. Approval of Minutes - September 6, 2022 and September 12, 2022

**Minutes:**

**MOTION** Ms. Michael moved, Mr. Smith seconded a motion to approve the minutes of September 6, 2022 and September 12, 2022 as presented.

There being no additions or corrections, the minutes were approved unanimously by a voice vote.

## Public Hearings on Legislation

### 7. Ordinance No. 22-2022 CIP Funding - Park Overlook Waterline Project Design

Amending Ordinance No. 53-2021 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the Park Overlook Dr. Waterline Design and all Related Expenses and Determining to Proceed with said Project. (Project No. 737-22)

**Minutes:**

President Robinson reported this ordinance was introduced July 18, 2022 and tabled at our last meeting on September 6, 2022.

**MOTION** Mr. Bucher moved, seconded by Ms. Brewer to removed Ordinance No. 22-2022 from the table.

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

**MOTION** Mr. Smith moved, Ms. Hermann seconded a motion to amend Ordinance No. 22-2022 in Section 1. to include an amount not to exceed \$122,240.00 and in Section 2. the firm of EMH&T.

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

Mr. Greeson reported this being an important water line replacement project in the Colonial Hills neighborhood. Because we have projects in each year of our Five-Year Capital Improvement Program and we are beginning to more purposely implement a recent completed waterline master plan or study and he thinks it is important to spend a minute talking about our plan, our study that we completed and why this project is important because he believes it is indicative of ones that will come in the future. He asked John Moorehead to provide a brief overview.

Mr. Moorehead shared an overview of our waterline condition assessment that was completed in 2020. An excerpt from our 2020 evaluation of our system showed the history of water main breaks over the proceeding decades in the Colonial Hills neighborhood. The lines where four or five breaks occurred, is predominate in the Colonial Hills neighborhood, the residents, and the school that is centered in that distribution network. Things we look at in determining a project are the remaining service life, history and frequency of breaks, and the critical infrastructure served being served by the main. The combination of those factors helps define the consequence of a main failing and the probability that it will fail. Those two combined gives you a risk of failure. In this location, the ultimate decision was made that we would do a waterline project that ran up Foster to Colonial and the project before you, the Park Blvd. waterline project begins where the Foster and Colonial project ends. It then ties over to Indianola where we have a trunk main that provides water for this entire section of the city.

The Park Overlook project includes the replacement of 2,250 feet of failing water main that was installed in the 1940s. It will be replaced with modern materials using modern installation methods. It will work within the existing right of way and existing public easements that are in these streets and neighborhoods and will improve water service to Colonial Estates elementary school, which receives water from two directions and the 12" line down Indianola being the primary source of water for this neighborhood. As mentioned, it is a continuation of the Colonial and Foster project. Mr. Moorehead showed a map of the locations of the Park Overlook project and the Colonial/Foster project and shared the break history of the water main breaks in 2021 in this neighborhood.

Mr. Robinson commented that as he understands the proposal, it includes the line on Park Overlook and a section of the main trunk along Indianola going into the Boundless property. Mr. Moorehead confirmed his understanding as being correct. Mr. Robinson asked why we are addressing the Indianola section of pipe at this time when the break history for that section is not failing. Mr. Moorehead replied that the Indianola section travels through the Boundless property and ties into a main on StRt 161. It is being addressed at this time because the risk of failure there is greater. The exhibit only shows the break history but because that line carries a high risk of failure and there is no connection between the end of Park Overlook and StRt 161, there is no other line that ties into it. If it were to break, there is no way for water to make its way from StRt 161 to this neighborhood. Mr. Robinson asked if the whole of Colonial Hills is supplied by that main trunk running through the Boundless property? Mr. Moorehead replied, no. It also has a connection off Selby, down from Foster but the primary service comes off Indianola. The 12" line that is there is among the largest water mains in the city.

Mr. Robinson shared that he received an inquiry from a resident who stated that they had looked at a Boundless 5-year plan that stated all the utilities, including the water feeds on their property were private. Apparently, that is not the case. There must be subsidiary lines running off the main that would in fact be private but not the main trunk. Mr. Moorehead reported that may be so. All the lines on this map of the Boundless property are public. There is a 12" trunk line that was installed in 1975 by the city and it is in a dedicated permanent easement that runs north and south. There is a circular loop that goes through what used to be the Harding Hospital site with fire hydrants off it. It is another public main that goes through the property. He would venture but is not aware of the map of the private lines, but he is sure they are service lines between the various buildings on campus. Mr. Robinson asked if the main trunk that is being replaced is changing in capacity. Mr. Moorehead replied, no. It is remaining a 12".

There being no additional comments, the clerk called the roll on Ordinance No. 22-2022 (As Amended). **The motion carried unanimously by the follow vote:**

**Vote Results:** Ayes: 7 / Nays: 0

## **8. Ordinance No. 23-2022 CIP Funding - W. Selby Bridge Replacement Project Design**

Amending Ordinance No. 53-2021 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the Selby Bridge Replacement Design and all Related Expenses and Determining to Proceed with said Project. (Project No. 736-22)

### **Minutes:**

**MOTION** Ms. Michael moved, seconded by Mr. Bucher to removed Ordinance No. 23-2022 from the table.

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

**MOTION** Ms. Hermann moved, Ms. Brewer seconded a motion to amend Ordinance No. 23-2022 in Section 1. to include an amount of \$300,000, in Section 2. the firm of American Structurepoint, and in Section 4. to include declaring an emergency, which requires a six/seventh vote and will make the funds available upon publication.

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

Mr. Greeson shared that staff is asking for the emergency because of the grant we have received as the memo in the packet articulates. We are proud that we were able to secure a funding grant for about \$552,000 for construction however to secure that grant funding from the Ohio Department of Transportation we need to complete initial surveying and right of way determination by December 2022, so we have a relatively short timeframe to complete the activities being approved. He thinks it is important to hear from Mr. Moorehead about the project, but he wanted to articulate the rationale for the emergency. It is not because of an actual emergency like a storm coming or a disaster or something like that. Ohio Law allows an ordinance passed by emergency to be effective immediately instead of being subject to a twenty-day waiting period.

Mr. Moorehead reported this project being for the replacement of a bridge that carries West Selby Blvd. from High St. back into the neighborhood. Inspections of that bridge were conducted in 2020 and 2021 that showed the need of a full replacement. Through the state of Ohio's inspection program, we had third party professionals come in and evaluate the structure and owing to the condition of the bridge at the time, it was eligible for the grant that Mr. Greeson mentioned. We applied for and received that grant in 2021 and now the clock is ticking for when we could have bridge construction underway. The funding from the state becomes available in state fiscal year 2025, which would mean we would need to have our project ready to bid and be awarded within their fiscal year. Because of the state's process for permitting and because of the federal grant dollars, we must go through several design and permitting steps which would otherwise not be necessary on a locally funded project. Those many steps necessitate that we start now in the process of design with American Structurepoint. The request for emergency comes from a desire to achieve the grant window, be able to successfully receive those grant funds and put them towards the replacement of this bridge. He would be happy to answer any questions about the project or the grant program.

In response to Ms. Kowalczyk's question regarding when construction could begin, Mr. Moorehead replied that construction could not begin until after state fiscal year 2025. Based on the consultant's schedule, he thinks the plan is to bid near the end of fiscal

year 2025, so around May 2025. Because that is the only entry to that neighborhood, Ms. Kowalczyk asked him to speak a little bit about the process. Mr. Moorehead agreed that this bridge is unique in that it is the only entryway into the neighborhood for both emergency responders and residents. The plan design envisions maintaining traffic in the neighborhood by replacing half of the bridge at a time. This bridge was initially replaced for the first time in 1982 and that is what they did back then, so it had been done before. Traffic would be maintained throughout the duration of the project. Ms. Kowalczyk said that makes her feel better.

Aaron Shearer, 6875 Bowerman East, joined virtually. He commended city staff for seeking funding for this project. He hopes this process involves more than a replacement and potentially add space for bike and pedestrian traffic on this bridge. It is currently limited to a very small sidewalk that is mostly overgrown by trees on that property and the surrounding eight acres, which is owned by one landowner. It is one of the few areas in Worthington that is completely undeveloped. He wondered if there has been any conversation with that landowner about plans for that property and the surrounding properties. Before spending thousands of dollars to replace this bridge there is a great opportunity for accessibility and walkability improvements as well as potentially using that land for some of these other projects we have been talking about at council meetings. He encouraged council to think broadly about this process as they engage these contractors and spend this money.

Ms. Kowalczyk confirmed that Mr. Shearer is correct in his description of that land. There is a sidewalk on one side, and she thinks neighbors would certainly welcome another sidewalk and accessibility improvements. There are citizens in the neighborhood who are, with the landowner's permission clearing some of the land. She thinks it is a great idea to think a little bit creatively as we look at a very important infrastructure improvement. She appreciates Mr. Shearer's comments. Ms. Hermann appreciates the comments as well.

There being no additional comments, the clerk called the roll on Ordinance No. 23-2022 (As Amended). **The motion carried unanimously by the follow vote:**  
**Vote Results:** Ayes: 7 / Nays: 0

## **9. Ordinance No. 27-2022 Accepting Amounts and Rates - Franklin County Budget Commission**

Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor.

### **Minutes:**

**MOTION** Ms. Hermann moved, Ms. Brewer seconded a motion to amend Ordinance No. 27-2022 as presented in the Council packet.

There being no additional comments, the amendment carried unanimously by a voice



vote.

Mr. Greeson shared that this is an annual financial housekeeping item and a requirement of the state of Ohio. Should the City decide to deviate from the current tax rate of 5 mills, this process becomes a little more important because this is part of the process in which we would raise rates.

There being no additional comments, the clerk called the roll on Ordinance No. 27-2022 (As Amended). **The motion carried unanimously by the follow vote:**  
**Vote Results:** Ayes: 7 / Nays: 0

#### **10. Ordinance No. 28-2022 Accepting Dedication of Right-of-Way - 6670 Huntley Road**

Accepting the Deed of Dedication for Additional Right-of-Way at 6670 Huntley Road.

##### **Minutes:**

Mr. Greeson reported that Municipal Planning Commission recommended, and the Council ultimately approved a variance for Tilton's Automotive for the redevelopment of the northeast corner of Huntley and Schrock. Part of that discussion was regarding dedicating right of way and that is the subject staff is presenting this evening. He asked Mr. Brown to provide additional comments.

Mr. Brown reiterated that when this came before Council in February 2022 after going to Planning Commission, City Council did approve the development plan with a couple of conditions. One of those conditions was to install sidewalks along the Schrock and Huntley Roads frontage. One of the caveats with that was to either be in an easement or a dedicated public right of way. Staff worked with the property owner to get the land surveyed and are going to have it as dedicated right of way to the city. Approximately 1.2 acres will be dedicated to the city, with the sidewalks being the responsibility of the developer.

There being no additional comments, the clerk called the roll on Ordinance No. 28-2022. **The motion carried unanimously by the follow vote:**  
**Vote Results:** Ayes: 7 / Nays: 0

#### **11. Ordinance No. 29-2022 Village Green Improvements - 773 High Street**

Approving the Installation of New Sidewalks/Walkways, Brick Pavers and Landscaping on the Northwest Village Green in the Area Associated with the Worthington Presbyterian Church.

##### **Minutes:**

Mr. Brown reported this item and the next kind of go hand in hand. staff have been working with the church over the last few months to do some improvements to the northern portion, the western portion and the eastern portion of their property that fronts the Village Green. Changes on the Village Green even though it is technically public right of way, require a 6/7 majority vote to approve.

Several years ago, the Worthington Presbyterian Church sign was installed very close

or just into the public right of way. The church is planning many improvements, a portion of which will technically be in the Village Green right of way and would need to be approved by Council. That includes removing a sidewalk, adding a sidewalk, brick pavers and ornate landscaping, with the caveat that the church will be responsible for those improvements and that landscaping from this point forward. There will be outdoor seating areas. He thinks staff also looked at it as any activity occurring on the Village Green, that is an additional opportunity for outdoor space for those wanting to participate or watch. The sign will have some knee walls to the rear for seating, additional landscaping and pavers around the sign and the assessable walkway. Those improvements will be in the Village Green right of way.

The church is also looking at making improvements on the northside of the building to include a relocation of a dumpster. We reached an agreement with the neighbor to the north and the Griswold to relocate the dumpster from its current location, which is partially on the Griswold property, to a parking space on the Griswold/city property. These changes are related to the next ordinance, which creates an easement for that dumpster relocation. Part of that agreement with the neighbor allows for additional screening if needed. That relocation will allow for additional seating and screening for the church.

In response to President Robinson's question related to the purpose for moving the dumpster, Mr. Brown replied that it provides them additional outdoor space up and seating area up close to their building.

Mr. Greeson added that there is a long-standing reciprocal parking relationship and agreement between the city and the church where they can use the Griswold parking and the city can use the church parking. Mr. Brown agreed that it has been a great relationship.

Mr. Brown showed additional pictures of the site. This request went before Planning Commission in July and was recommended for approval. Those conditions require the final landscaping plan be approved by city staff. The variances from the Board of Zoning Appeals for the dumpster setback were approved on September 1st. The easement for the dumpster relocation as well as any improvements that are technically on the Village Green right of way must now be approved by a 6/7th vote.

Mr. Hermann likes the project and the move of the dumpster. Adequate screening will be helpful. She appreciates them working with the neighbor on the move. Mr. Brown thinks the space is sized appropriately.

Ms. Michael also liked the project and the extra seating it will provide for those using the Village Green.

Mr. Robinson asked about the old historic building. He thanked the church for its continued maintenance of the building. He thinks it is a wonderful addition to the character of the Green.

Mr. Bucher asked about timelines for the improvements. A representative for the church shared that these are the last approvals, which means that POD design can finish the construction drawings and then it can be bid and whether it will be done in I or II phases will depend on the money. It is conceivable we could begin some of the early work late fall, but more likely in 2023.

President Robinson recapped that the first ordinance relates to the proposed changes and improvements at the church property itself. The second ordinance which we will get to shortly relates to the granting of an easement at 777 High St. for the dumpster.

There being no additional comments, the clerk called the roll on Ordinance No. 29-2022. **The motion carried unanimously by the follow vote:**

**Vote Results:** Ayes: 7 / Nays: 0

## 12. Ordinance No. 30-2022 Granting an Easement - 777 High Street

Granting a Non-Exclusive Easement to the Worthington Presbyterian Church and Authorizing the City Manager to Enter into an Easement Agreement to Allow for the Use of a Portion of the Griswold Center Property at 777 High Street, Worthington, Ohio 43085.

### **Minutes:**

There being no additional comments, President Robinson asked for a roll call.

There being no additional comments, the clerk called the roll on Ordinance No. 30-2022. **The motion carried unanimously by the follow vote:**

**Vote Results:** Ayes: 7 / Nays: 0

## **New Legislation - Resolution(s)**

### 13. Resolution No. 45-2022 General Fund Transfer #2

Adjusting the Annual Budget by Providing for a Transfer of Previously Appropriated Funds.

### **Minutes:**

#### **Introduced by Ms. Hermann**

Mr. Greeson shared this is one of the times of the year where we are projecting expenses through the remainder of the year and making a transfer recommendation. He reported that transfers are not additional funds over the budgeted amount but rather we are projecting expenses in one area and have savings in another and are transferring the savings to cover the anticipated expenses. There is a significant transfer which is a combination of several things. Most of it covers public safety overtime, mostly fire operations because of vacancies in our public safety organizations that we are working diligently to fill.

**MOTION** Ms. Michael moved, Ms. Brewer seconded a motion to approve Resolution No. 45-2022 as presented.

**The motion to adopt Resolution No. 45-2022 carried unanimously by a voice vote.**

#### **14. Resolution No. 46-2022 Amend Personnel Rules Recognizing Juneteenth as a City Holiday**

Recognizing Juneteenth as a City of Worthington holiday and Amending the Personnel Rules and Regulations of the City of Worthington.

##### **Minutes:**

##### **Introduced by Ms. Kowalczyk**

Mr. Greeson shared that the city recognizes some holidays by listing them in the personnel rules and authorizing the closing of city offices to recognize those days. It also provides an opportunity for non-union employees to have that day off when city offices are closed. Council asked staff recently to evaluate how we could best recognize Juneteenth., which commemorates June 19, 1865, the date when enslaved people in Texas finally received word of the 1863 Emancipation Proclamation. Juneteenth was designated as both a federal and state of Ohio holiday in 2021. The City of Worthington has supported and participated in the community Juneteenth commemorations in 2021 and 2022 and at the urging of community members, city council asked staff to evaluate declaring Juneteenth as a recognized holiday. In discussing this, staff recommends we add Juneteenth to the listed holidays in the Personnel Rules and Regulations of the City of Worthington, which would authorize the closing of city offices. We will add that day while swapping for President's Day, much like we did to honor our veterans, we added Veterans Day and eliminated Columbus Day.

During the review we also at the number of days off listed in the Personnel Rules and Regulations comparing some of our bargaining agreements and non-union employees. Staff is also recommending that we add a personal day for non-union employees which creates a more equal set of total days off for our workforce. The value of the personal day is that the individual employee can make the choice of when they choose to take that day off.

Ms. Kowalczyk thanked Mr. Greeson for the careful consideration that was given to recognizing Juneteenth and proposing a personal day is a great solution.

Mr. Robinson thinks this is a very significant act on our part. Sometimes it seems to him that history is written by a series of small actions that in the moment may seem local or small but signifies something far bigger. Kisha Gunn, President of the Worthington Alliance of Black Families and Educators has been very appropriately vigilant about emailing him several times over the last month or so to make sure we were on this and make sure it was going to happen. He appreciates that very much.

She wrote him most recently yesterday and he responded this morning. He shared his response with members because it made him really reflect on what we are doing. He thanked Ms. Gunn in person and is proud to be a part of this big historic movement in our country that we have all been witnessing in recent years and no doubt will continue in the coming years.

Sheena Costa-Flowers, 8192 Bertson Place, Columbus shared that she grew up in Worthington schools and has been there since 1997. Her children are now being raised in the same system. She and her husband were part of the community that recently received the flyers that were that act of hate. Admittedly, therefore this is a big deal to them. Although it was a reminder that hate and evil still live in this place, these gestures like throwing a rock and creating a big ripple, have an even greater impact as did the statement from Worthington and Sharon Township. They just wanted to, as a group, thank Council for its kind words and loud voice in terms of intolerance and acts of that nature and for efforts like these that continue to bring us forward and join us together. Thank you.

**MOTION** Ms. Hermann moved, Ms. Brewer seconded a motion to approve Resolution No. 46-2022 as presented.

**The motion to adopt Resolution No. 46-2022 carried unanimously by a voice vote.**

## **New Legislation - Ordinance(s)**

### **15. Ordinance No. 31-2022 Streetscape Improvements (High and North)**

Amending Ordinance No. 53-2021 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund and 933 High St. TIF Fund Unappropriated Balances to Fund the Streetscape Improvements at High Street & North Street and all Related Expenses and Determining to Proceed with said Project. (Project No. 738-22)

**Minutes:**

**Introduced by Ms. Michael for Public Hearing on October 3, 2022**

### **16. Ordinance No. 32-2022 Establish Ohio Opioid Settlement Fund**

Authorizing and Directing the Establishment of a Fund for the Purpose of Receiving and Expending OneOhio Opioid Settlement Funds.

**Minutes:**

**Introduced by Mr. Bucher for Public Hearing on October 3, 2022**

### **17. Ordinance No. 33-2022 Additional Appropriation - Waterline Repairs and Distribute JEDD Funds**

Amending Ordinance No. 53-2021 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund, Water Fund, and Sharon Township JEDD Fund Unappropriated Balances.

**Minutes:**

**Introduced by Ms. Brewer for Public Hearing on October 3, 2022**

### **18. Ordinance No. 34-2022 Amend Code (Domestic Violence to Include Intimate Partner)**

**Minutes:**

**Introduced by Ms. Hermann for Public Hearing on October 3, 2022**

## **Reports of City Officials**

### **19. Discussion Item(s)**

#### **a. Protecting Election Workers**

**Minutes:**

President Robinson that he received an email from a resident who had heard about Upper Arlington's ordinance related to people trying to interfere with elections and to interfere or intimidate election pole workers. He asked Mr. Lindsey if he could look into this and if without too much effort, we could do something similar here in Worthington, ideally effective before the November elections. A sample ordinance was provided by Mr. Lindsey and included in your packets. Given the many threats to our democratic processes in our country, our ability to do anything to protect pole workers so that our citizens aren't discouraged from volunteering and working at the poles and to send a signal that the sacredness and sovereignty of our elections is preeminent. He thought it would be desirable if we could pass similar legislation here in Worthington.

He asked if council would like to express a sentiment as to whether this is of interest to them that we act on this so that it is effective before the election ideally, if so then we can set it up for a public hearing on October 3rd.

Ms. Michael asked if this is a problem that we are having in Worthington. She doesn't know. President Robinson thanked her for the question and added that even if it were not a historic problem, he thinks it is something worth being proactive on anyway.

Mr. Greeson shared that if he wants the public hearing set for October 3rd, the ordinance will need to be introduced as drafted. Staff is available to answer any questions members might have about the legislation. Otherwise, the two options are to introduce it this evening and have it as a public hearing on October 3rd or introduce it on October 3rd and consider it by emergency if you want it effective by the election. Mr. Robinson believes that by introducing it tonight for public hearing is not making a formal statement currently. He thinks, if the sentiment of council is to pass it, then we should do so under normal rules as opposed to emergency.

**Mr. Smith moved to introduce Ordinance No. 35-2022 for public hearing on October 3, 2022.**

## 20. Information Item(s)

### a. Attributable Funding Applications

#### **Minutes:**

Mr. Greeson reported being excited about this opportunity and is pleased to talk with members about a couple of items that he believes are potentially very impactful, bicycle and pedestrian projects that we would like to put into the pipeline by requesting what are called the attributable funds. He explained how every two-years the Mid-Ohio Regional Planning Commission (MORPC) manages a grant process where they allocate funds to a wide variety of transportation projects, including bicycle and pedestrian. He briefly explained where the funds come from and how the process works. Most recently Worthington applied for and received funding for the design and construction of the Northeast Gateway project.

*At President Robinson's request, council took a five-minute recess.*

The two significant projects staff would like to talk about includes the East Wilson Bridge Road trail and what we are now calling the Worthington Mile. This is getting to Council a little late and for that he apologies. He shared what has occurred to date and asked Mr. Moorehead to share more specifics.

Mr. Moorehead explained that we are discussing two MORPC attributable funding applications that the city is consider going forward with a final application. We have already submitted screening applications and received feedback from MORPC which was generally positive and supportive of the projects. The two which we are discussing is a trail extension on East Wilson Bridge Road, which would run from the termination of the trail that was recently constructed at the Northeast Gateway along the south side of the road all the way to the intersection of High Street. The second project, which we are calling Worthington Mile Phase I, is another multi-use trail, which would extend on the westside of High St. from that same intersection of High and Wilson Bridge south to Worthington-Galena Road. Those two projects combined represent about 1.5 miles of multi-use trail. They are however separate applications. We are pursuing two multi-use path projects this round because there is additional federal dollars available in the region. Our initial thought is that the East Wilson Bridge Road project will be more competitive because there is currently not a pedestrian connection along that corridor whereas there are sidewalks along High Street.

We will have a supporting resolution in October that we would ask Council to adopt as part of the application process. Staff feels the East Wilson Bridge project is important because it connects the Northeast Gateway and our community center down to the intersection of High Street where we also have a

spur of the Olentangy connector that runs behind the Kroger, down Old Wilson Bridge and then back to the trail system. There is another proposal from Columbus and/or Westerville to build trail that would connect outward to Westerville from there so this would be a part of a larger east-west network, which has been very difficult so this will play an important role in that.

Mr. Robinson said he understands how to internalize what he has shared about the two projects; he asked if council is going to be asked to choose between the two or can we submit applications for both projects. Mr. Greeson replied the plan is to submit both applications but at some point, we may be asked to prioritize. While we may have our own favorite project, it is our professional judgement that the one that is most competitive is East Wilson Bridge Road for this funding. If we get to that juncture, that is what we would recommend. But we do think it is important to submit both hoping that we can get both of them funded.

Ms. Michael, being MORPC representative, reported the east-west connectivity being huge. We have been talking about this connection since the early stages of the Gateway. To have the two projects coming together, it is almost a no-brainer for MORPC to say this is a high priority because of the connection of Worthington, Columbus and Westerville and our bike trails, pedestrians, businesses, and parks, this is great. She would not want to have to pick between the two, but she agrees with staff about this being the higher one because of how far and everybody coming together.

Mr. Greeson said he just wants to be up front about how sometimes that process works in terms of balancing a lot of dollars amongst jurisdictions. Mr. Moorehead agreed with Mr. Greeson. We do have these two applications. We know that there has been a request to MORPC for nearly double what the maximum available funding could be and so we need to be pragmatic about which ones stand the best chance of competing against the other applications as well. We just wanted to provide an update on the two different projects.

When asked by Mr. Robinson if there were any visuals at this point, Mr. Greeson replied, no. He reiterated that staff would come back to Council in October with those resolutions and will have some graphics to show then. We also are going to seek letters of support from the community for both projects so we will be working with some of our businesses and community leaders to do that and have them in by the end of the month. We believe they are both great projects. The Worthington Mile project's a long-term opportunity to connect, not only to the eastern trail but also takes in account the I-270 area and areas all the way up to Lazelle, and the High North area and will connect them down to important parts of our community. He added how the Worthington Mile will be done in two phases.



Mr. Moorehead explained that the Worthington Mile project also coincides with some of the transit discussions that we've been having recently with COTA whereas they do run up and down High St. so building this connectivity to that same corridor helps compliment the businesses, and everybody who uses that corridor. We are broken into two phases in part because we believe we have enough right of way to accomplish that path connection between Wilson Bridge and Worthington-Galena now. There remains to be some additional discussion between how you take that connectivity into the central business district. A shared use path makes sense off street but the phase II and beyond is something for future deliberation on what the best way to work that network into the central Worthington district.

To Mr. Robinson's question, Mr. Moorehead confirms that Phase I relates to the west side of High St.

Mr. Moorehead said he would be happy to answer any questions. This is all preliminary, but we are in the final stage of preparing application for both projects and we will have more information in October.

Ms. Kowalczyk thanked staff for working quickly to get this moving. She thinks members support both ideas. Both projects will increase livability in the north end of town, and she thinks they are great projects. She added that during the Bike & Ped Master Plan discussion she shared how the south end of town, particularly on the west side of High St., needs some attention. It is extremely dangerous for pedestrians and bicyclists. It is nowhere near accessible, including where the bus stop is located and heading up the hill. These projects are great but please put on your list to evaluate ways we can potentially address the south end of town as well.

Ms. Michael shared that during the StRt 23 / I-270 interchange design, MORPC wouldn't allow ODOT to move the project forward until they guaranteed Worthington architectural features, safe bicycle, and pedestrian access, and preserving as much green space as possible. She thinks it is really neat that we came up with a way to provide safe travel for bikers and walkers and that other communities were able to copycat afterwards.

Mr. Greeson wanted to end the night with a highlight of some of the good work that is being done. We talked a little bit about the East Wilson Bridge Road connecting McCord Park to other parts of our community. He would like for Mr. Hurley to share where we are with McCord Park. He thinks members will be pleased with our progress. Mr. Hurley reported being at a significant point with McCord Park. The fencing has been taken down around the playground for an informally opening. Kids have been ziplining and running the challenge course.

The shelters are built, and we are just about finished with the renovation of the caboose. Our contractor plans to be finished by the end of this week. There are several items, like benches that have been delayed in the shipping but for the most part the park itself should look finished with phase I, if not this week, then very soon after. We would like to schedule a ribbon cutting potentially sometime in October.

Mr. Hurley added that we will begin conversations around phase II as we get into the CIP process this fall. We have been working hard on the design and look forward to bringing that to you as well in October. Assuming we can work our way through the funding conversation, we hope to be ready to bid that project and have it under construction in 2023. There are many exciting things happening up at McCord Park.

Ms. Kowalczyk reported there being an announcement on social media about McCord, which she shared, and people are excited, and she is very excited. There was a comment about the brush along the fence along the back of the caboose and whether that is going to be trimmed back. Mr. Hurley replied that staff is working on that. The contractor that has been doing the painting and refurbishing of that caboose said they can hardly get work done because people keep stopping and asking them questions and interacting so there is a lot of excitement about the train and the observation area.

Mr. Robinson suggested for the ribbon cutting that we extend a special invitation to Scott Myers. He needs to be credited with pushing this project over many years. Mr. Hurley reported that he finds him often to receive an update. We would certainly want him to be there.

## **Reports of Council Members**

### **21. Reports of Council Members**

#### **Minutes:**

Ms. Hermann thanked Mr. Moorehead and the paving in front of Rieber, the stripping for crosswalks and school notification. She reported being a part of the Ohio State Airport Board, and it was announced today that Ohio State won the bid to host Space Stations earthbound twin. This is a huge deal. It is a multi-million dollars terrestrial analog of George Washington Carver's Space Science Park which will be a core element of the Starlab Station, Voyager Space holding and its operating company, Nanoracks LLC. It brings in multimillion dollars and we beat out several other locations. This will bring a lot of money to our area so we might really want to consider that industrial corridor conversation a little bit sooner because this is going to be right on our doorstep. This will be exciting. She does have an appointment to

meet with the director in October.

When asked by Ms. Michael if that would be located on the airport grounds, Mr. Greeson believes it is on the Board of Trustees ground which is on StRt 161 adjacent to the airport. Ms. Hermann agreed that it is in that area. She can share the information that was reported in Business First today. It brings in a lot of wonderful things.

Ms. Hermann thanked our Community Relations Commission for their support for Juneteenth and moving things forward. She expressed how Ms. Michael has brought this up before but she would like to ask if we could add to the agenda in our Committee of the Whole meeting in October to start discussions on the CRC's goals and priorities. That will give us a couple of meetings before the end of the year and seeing what they have already done so far and appreciating that, she would like to ask that we add that to the agenda. President Robinson shared that he has spoken with Mr. Greeson about identifying an optimal date. He is committed to getting them in here but it's just about finding the most desirable time.

Ms. Kowalczyk wondered if the CRC might assist with identifying Juneteenth flag options to commemorate the day now that we have approved it as a city holiday. She reported attending a CRC meeting where they were discussing different options and she had made the request that they present some options for several different opportunities that we might want to consider. June has a lot in it, but it is important that we note the holiday, and she thinks now that we have the flag ordinance that we can consider how to accommodate that. She thinks that should be part of that discussion or another discussion if not incorporating it with some of the things the CRC is doing.

A shout out, the water fountain installation was completed on the Village Green with the dog bowl and the water bottle filling station. Very cool. She was checking it out at the Farmer's Market, and someone came up and said, wow, that's really cool. She agreed. It is very impressive. While she couldn't attend the inaugural event, it looked like there was a good crowd from the pictures. It is a perfect example of a private-public partnership with the Worthington Partnership Green Team. She is excited and looking forward to more of those kinds of initiatives.

Two events, the MAC has the Night of Jazz Cartoon Themes on Friday Night, it is a ticketed event. Sunday is our next Worthington Partnership Sunday Funday and it is Octoberfest from 12:00 to 6:00 so hopefully members can check that out.

Ms. Brewer provided that the scheduled meeting of the ARB/MPC for this Thursday has been cancelled. We will resume in October. She added that the Wilson Hill Fall Festival is this Friday behind the elementary school from 5:30 to 7:30.

Mr. Greeson clarified that the Juneteenth holiday will be celebrated in 2023 but the new personal day will not become effective until 2023 calendar year. Just want to clarify that so there is no confusion.

Mr. Hurley added that the Bike & Pedestrian Advisory Board has been working hard on the Stroll and Roll event. It has become an annual event, an encouragement and education event around bike and pedestrian activity. It is scheduled for this coming Sunday, September 25th from 12:00 to 2:00 p.m. It is basically a 1 ½ mile looped route where you can make stops at various locations including the library, Granville Road Park and up on the Village Green. One of the destinations is Oktoberfest and a concert in the evening. Please look at that and consider attending and riding your bike if you can.

## Other Business

## Executive Session

### 22. Executive Session

#### a. To consider the appointment of a public official.

**Minutes:**

**MOTION** Ms. Brewer moved, Ms. Hermann seconded a motion to go into Executive Session to consider the appointment of a public official.

City Council recessed at 8:54 p.m.

City Council returned to open session at 9:16 p.m.

## Adjournment

### 23. Motion to Adjourn

**Minutes:**

**Ms. Michael moved, Ms. Hermann seconded a motion to adjourn. The motion carried by a voice vote.**

President Robinson declared the meeting adjourned at 9:16 p.m.

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Contact: D. Kay Thress, Clerk of Council (Kay.Thress@worthington.org (614) 436-3100) | Minutes published on 10/31/2022, adopted on 11/07/2022

Attest

/s/ D. Kay Thress  
Clerk of Council

/s/ David Robinson  
President of Council