



6550 N. High Street
Worthington, Ohio 43085

T: 614-436-3100

Worthington City Council Agenda

Louis J.R. Goorey Municipal Building
John P. Coleman Council Chamber

Tuesday, September 3, 2019 ~ 7:30 PM

CITY COUNCIL MEMBERS

Bonnie D. Michael
President

Scott Myers
President Pro-Tem

Rachael Dorothy
Council Member

Douglas Foust
Council Member

Beth Kowalczyk
Council Member

David Robinson
Council Member

Douglas Smith
Council Member

CITY STAFF MEMBERS

Matthew Greeson
City Manager

D. Kay Thress
Clerk of Council

1. Call To Order

2. Roll Call

3. Pledge of Allegiance

4. Visitor Comments

5. Approval of the Minutes

5.A. Meeting Minutes - July 15, 2019

Recommendation: Motion

6. Public Hearings on Legislation

6.A. Ordinance No. 28-2019 Appropriation -
Police Building Modifications

Amending Ordinance No. 52-2018 (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 Police Building Modification Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 695-19)

Executive Summary: This Ordinance appropriates \$200,000 for modifications to the Police Building related to the 911 call answering and dispatching transition and to address HVAC needs. A small portion of the funds may be used at the Fire Station to accommodate the dispatching transition.

Recommendation: Approve as Presented

Legislative History: Introduced July 15, 2019

6.B. Ordinance No. 29-2019 Appropriation - Upper Rush Run Stream Restoration

Amending Ordinance No. 52-2018 (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 NE Gateway – Rush Run Lower Reach Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 602-14)

Executive Summary: This Ordinance appropriates the cost required to fund necessary restoration and improvements to Upper Rush Run from approximately Worthington-Galena Road to 6325 Huntley Rd.

Recommendation: Motion to Amend and Approve as Amended

Legislative History: Introduced on July 15, 2019

6.C. Ordinance No. 30-2019 Establish Compensation - Deputy Director of Safety/Police Chief

Amending Ordinance 53-2018 to Establish Compensation for the Unclassified Position of Deputy Director of Safety/Police Chief.

Executive Summary: This Ordinance establishes compensation for the unclassified position of Deputy Director of Safety/Police Chief

Recommendation: Motion to Table

Legislative History: Introduced July 15, 2019

6.D. Ordinance No. 31-2019 Appropriation - Demolition of 7200 Huntley Road

Amending Ordinance No. 52-2018 (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 NE Gateway – Asbestos

Remediation Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 602-14)

Executive Summary: This Ordinance appropriates funds for the demolition and asbestos abatement of 7200 Huntley Road in preparation for the North East Gateway roadway construction.

Recommendation: Motion to Amend and Approve as Amended

Legislative History: Introduced on July 15, 2019

6.E. Ordinance No. 32-2019 Supplemental Appropriation - Costs Associated with Community Visioning Consultant

Amending Ordinance No. 52-2018 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund Unappropriated Balance.

Executive Summary: This Ordinance appropriate funds and authorizes the City Manager to enter into a contract for community visioning facilitation services

Recommendation: Motion to Amend and Approve as Amended

Legislative History: Introduced July 15, 2019

7. New Legislation to Be Introduced

7.A. Resolution No. 50-2019 Renewal of Right of Way Agreement - Citynet, LLC

Approving an Agreement and Permit for and between Citynet, a Delaware Limited Liability Company, to Operate and Maintain a Telecommunications System Within the City of Worthington Pursuant to and Subject to the Provisions of Chapter 949 of the Codified Ordinances of the City of Worthington.

Executive Summary: This Resolution approves the renewal of a right of way agreement with Citynet, LLC for three years.

Recommendation: Introduce and Approve as Presented

7.B. Resolution No. 51-2019 Northeast Gateway Right-of-Way Acquisition

Authorizing the Acquisition of Certain Real Estate Interests Involving Parcel 21 for the Northeast Gateway Intersection Improvement Project. (Project No. 602-14)

Executive Summary: This Resolution authorizes the City Manager to purchase various real estate interests involving Parcel 21 for the Northeast Gateway Intersection Improvement Project.

Recommendation: Introduce and Approve as Presented

7.C. Resolution No. 52-2019 Transfer of Funds

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

Executive Summary: This Resolution authorizes the transfer of previously appropriated funds in the amount of \$44,500 in the General Fund to cover expenses as anticipated in the appropriate accounts.

Recommendation: Introduce and Approve as Presented

7.D. Ordinance No. 33-2019 Eliminate use of Parks and Recreation Revolving Fund

Authorizing and Directing the Elimination of a Special Accounting Fund Entitled "Parks and Recreation Revolving Fund".

Executive Summary: This Ordinance eliminates the use of the Parks & Recreation Revolving Fund and moves any remaining balance, after all liabilities have been paid, to the General Fund.

Recommendation: Introduce for Public Hearing on September 16, 2019

7.E. Ordinance No. 34-2019 Appropriation - Engineering and Inspection of Norfolk Southern Rail Crossing Improvements

Amending Ordinance No. 58-2018 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of Curb Improvements at Wilson Bridge Road & the Railroad Crossing for the NE Gateway Intersection Improvement Project and all Related Expenses with said Project. (Project No. 602-14)

Executive Summary: This Ordinance appropriates \$30,000 required by Norfolk Southern to fund engineering and inspections of proposed improvements at the East Wilson Bridge Road railroad crossing.

Recommendation: Introduce for Public Hearing on September 16, 2019

7.F. Ordinance No. 35-2019 State Infrastructure Bank Authorization

An Ordinance Authorizing the City Manager or His Designee to Enter Into Agreements with the Ohio Department of Transportation State Infrastructure Bank to Complete the Upgrade to the Intersection of Worthington-Galena Road, Huntley Road and East Wilson Bridge Road (the "Northeast Gateway") and Authorizing the Execution of All Documents to Effectuate the Same.

Executive Summary: Authorizes the City Manager to enter into an agreement with the Ohio Department of Transportation's (ODOT) State Infrastructure Bank (SIB) for temporary financing of the Northeast Gateway project.

Recommendation: Introduce for Public Hearing on September 16, 2019

7.G. Ordinance No. 36-2019 Accept Amounts and Rates from the 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.

Executive Summary: This Ordinance accepts the tax rates and amounts as determined by the Franklin County Budget Commission. The property tax rate remains unchanged at 5 mills for collection year 2020.

Recommendation: Introduce for Public Hearing on September 16, 2019

8. Reports of City Officials

8.A Policy Item(s)

8.A.I. Application for State Infrastructure Bank Loan

Executive Summary: In addition to the Ordinance associated with this loan included earlier on the agenda, staff seeks approval to apply for the loan.

Recommendation: Motion authorizing application for a State
Infrastructure Bank Loan

9. Reports of Council Members

10. Other

11. Executive Session

11.A. Executive Session Items

To consider the appointment and compensation of a public employee

Reviewing negotiations or bargaining sessions with public employees
concerning their compensation or other terms and conditions of their
employment

To consider negotiations for economic development assistance

12. Adjournment



CITY OF WORTHINGTON
Worthington City Council Minutes
July 15, 2019

6550 N. High Street
Worthington, Ohio 43085

CALL TO ORDER – Roll Call, Pledge of Allegiance

Worthington City Council met in Regular Session on Monday, July 15, 2019, in the John P. Coleman Council Chambers of the Louis J.R. Goorey Municipal Building, 6550 North High Street, Worthington, Ohio. President Michael called the meeting to order at or about 7:30 p.m.

ROLL CALL

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

Member(s) Absent:

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

There were 17 visitors present.

PLEDGE OF ALLEGIANCE

VISITOR COMMENTS

There were no visitor comments.

SPECITAL PRESENTATION(S)

Resolution No. 46-2019

Expressing the Appreciation and Best Wishes of the Worthington City Council to Chief Jerry Strait for his Outstanding Service to the Worthington Division of Police and for his Service to the Community.

Introduced by Mr. Myers.

MOTION

Mr. Smith made a motion to adopt Resolution No. 46-2019. The motion was seconded by Ms. Dorothy.

There being no additional comments, the motion to adopt Resolution No. 46-2019 passed unanimously by a voice vote.

Mr. Greeson explained how it is his honor to make remarks about Chief Jerry Strait. He detailed how Chief Strait has spent 37 years in law enforcement, including 32 years with the City of Worthington. Throughout his service to the community, there are few jobs that he has not performed. At every level he has displayed exceptional performance. A former supervisor wrote in his personnel file that, "...this officer is a self-starter and needs very little supervision and exceeds the departmental standards in all areas..." His career has been characterized by hard work, staying until the job is done, and saying yes to the tasks that need to be done. He exudes humility and has always been focused on Worthington and putting citizens and other employees before himself.

All Chiefs have to make hard decisions and he listens to and hears all sides of an issue, showing fairness in his decision-making. He is a good administrative leader, an innovator, advancing technology implementation, and always advocates for furthering police standards and best practices in our organization. He treats everyone the same and always seeks out opportunities to mentor and coach others in our organization and throughout the community. He has been active in local organizations and has supported anti-drug efforts in the community. The commitment to serving others comes from his faith and family.

He comes from a family of servants. His father is a retired law enforcement officer. His brother and brother-in-law have been in law enforcement. His sister is a nurse. His wife is a highly experienced nurse. His daughter serves in social work. Being the family member of a public servant and law enforcement officer is not easy. We are deeply appreciative of his family over these years. He expressed his deep appreciation of Chief Strait and thanked him for his years of service.

President Michael expressed how much we will miss Chief Strait and how the men and women he has worked with will miss him.

President Michael read the text of Resolution 46-2019.

Chief Strait expressed how he has been blessed to be a police officer for the City of Worthington. He described how in his initial interview, he stated that he wanted the Chief's job. It has been an honor and privilege to be Chief of Police and serving with other public servants. Our officers and staff work every day to make sure this community gets the best of police services. His successes are not just his, they are by grace of God, family, mentors, friends, and the people who serve the community every day. His wife Leigh Ann has been his rock, confidant, and sounding board who has been with him through all of life's events. His children have been great supporters. He said that he could not ask for better people and community to guide and support.

APPROVAL OF THE MINUTES

- Regular Meeting – July 1, 2019
- Regular Meeting – July 8, 2019

MOTION Ms. Kowalczyk moved, Mr. Robinson seconded a motion to approve the aforementioned meeting minutes as presented.

The motion to approve the minutes as presented carried unanimously by a voice vote.

PUBLIC HEARINGS ON LEGISLATION

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

Ordinance No. 24-2019 Amending Ordinance No. 52-2018 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the 2019 Street Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 694-19)

The foregoing Ordinance Title was read.

MOTION Mr. Foust moved, seconded by Mr. Smith to amend Ordinance 24-2019 to include \$1,411,196 and Decker Construction Company.

The motion passed unanimously by a voice vote.

Mr. Whited detailed how this includes some minor modifications including repaving of the McCord Park parking lot and micro-surfacing on Worthington-Galena and Schrock roads. The bid was 0.5% above the estimate of those projects combined with the 5% contingency, it does make it slightly higher than what we initially intended, but we feel like we will get a good product.

Ms. Dorothy said she is happy with how the roadways have been and she asked what the micro-surfacing will do for our lifecycle. Mr. Whited said that it extends the life of the pavement by approximately seven years. Ms. Dorothy said that we have some concerned citizens about knowing the timing and we should make sure to get information out to them about this. Mr. Whited said we would emphasize that with the new contractor. Ms. Dorothy asked when this project would get started. Mr. Whited responded that it would be within the next thirty days.

There being no additional comments, the clerk called the roll on Ordinance No. 24-2019. The motion carried by the following vote:

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

No 0

Ordinance No. 24-2019 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 25-2019 Authorizing the Issuance of Notes in the Amount of Not to Exceed \$4,460,000 in Anticipation of the Issuance of Bonds for the Purpose of (I) Designing, Engineering, Constructing and Reconstructing Various Sewer Improvements, with Related Site Improvements and All Necessary Appurtenances Thereto, (II) Purchasing and Installing Energy Conservation Measures for the Community Center, (III) Designing, Replacing, Constructing and Installing a Waterline on East Wilson Bridge Road, with Related Site Improvements and All Necessary Appurtenances Thereto, and (IV) Replacing or Improving the Roofs of the Fire Station and the Community Center, and all Necessary Appurtenances Thereto, and Retiring Notes Previously Issued for Such Purpose; and Approving Related Matters in Connection with the Issuance of the Notes.

The foregoing Ordinance Title was read.

Mr. Bartter explained that in September 2018 we issued \$4,460,000 of bond anticipation notes to fund a multitude of capital improvement projects. Those notes come due in September of this year and this legislation authorizes issuance of additional new notes to replace those old notes. We anticipate a full bond issuance in 2020 as we close the right-of-way acquisition process on the Northeast Gateway and have some final numbers.

Mr. Myers clarified that this is short term financing of one year. Mr. Bartter replied that is correct. Mr. Greeson said one of the advantages of that is we will have a larger bond issue. Mr. Myers stated that would mean we would have less transaction costs total.

There being no additional comments, the clerk called the roll on Ordinance No. 25-2019. The motion carried by the following vote:

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

No 0

Ordinance No. 25-2019 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 26-2019

Amending Ordinance No. 52-2018 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the McCord Park Renovations Design and all Related Expenses and Determining to Proceed with said Project. (Project No. 642-17)

The foregoing Ordinance Title was read.

MOTION

Mr. Myers moved, seconded by Ms. Dorothy to amend Ordinance 26-2019 to include \$315,150 and POD Design LLC.

The motion passed unanimously by a voice vote.

Mr. Hurley overviewed how last year Council approved conceptual plans for renovations to McCord Park. Staff has been working toward the selection of a consultant. POD Design was also awarded the conceptual design process and they will take us from the conceptual design into the more detailed designing phase. This number is based on an assumed construction price of \$2.8 million, which is more than what is included in the CIP. There will be further discussion in the CIP process.

Ms. Kowalczyk said she was looking at the CIP and the cost for design was substantially lower and there was a cost for renovations. Mr. Hurley said that some of the discrepancy is semantics. There is about a \$75,000 assumption of design in the CIP based on those additional services and we did not separate the 7% of construction cost part of the design. We have \$450,000 in the CIP for 2019, \$1,625,000 in 2020, for a total of \$2,075,000 currently budgeted including design for the project. Since that CIP was in the works we have gone through the full conceptual process, so we will bring back the CIP and Council can set a budget for us and we can work from there. Mr. Greeson added this fall we will also discuss outside funding and include resubmitting this as a capital bill funding request if Council supports that.

Mr. Myers asked if this includes the consultant staying on board through the construction process essentially as the owner's representative. Mr. Hurley said yes. Mr. Myers asked if the plans would be drawn up in a way that this could be a phased process. Mr. Hurley said they would bring us phasing options as part of the RFP for this process. Mr. Myers asked if the plans would come back to Council for critique. Mr. Hurley responded that they would be coming back to Council.

There being no additional comments, the clerk called the roll on Ordinance No. 26-2019 (As Amended). The motion carried by the following vote:

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

No 0

Ordinance No. 26-2019 was thereupon declared duly passed and is recorded in full in the appropriate record book.

Ordinance No. 27-2019

Approving the Subdivision of Property at 6699 North High Street (Samantha Elliott/Goddard School)

The foregoing Ordinance Title was read.

Mr. Brown explained how under the City Code for C-3 and I-1 districts, if you have an acreage of over 2 acres, it is subject to a development plan. It adds an additional layer on to the review process that takes you to the MPC, or on to Council if it contains variances or changes to the character of the original development plan. This applicant is looking to build an 8,500 square foot Goddard School on the northern portion of the Schoedinger Funeral Home site. It meets the size and frontage requirements for the district. There is a variance to deviate from the side yard requirement. The existing vegetation at Schoedinger will stay intact. We worked with the applicant to do a cross parking agreement. It is keeping in the character of the original development. The Municipal Planning Commission did recommend conditional approval.

Mr. Foust noted the gables on the roof and asked if it was a functional second story. Mr. Brown said it is a faux second story housing mechanical equipment that will be lowered into the roof cavity.

There being no additional comments, the clerk called the roll on Ordinance No. 27-2019. The motion carried by the following vote:

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

No 0

Ordinance No. 27-2019 was thereupon declared duly passed and is recorded in full in the appropriate record book.

NEW LEGISLATION TO BE INTRODUCED

Resolution No. 47-2019

Authorizing an Amendment to the Final Development Plan for 6699 North High Street and Authorizing Variances (Samantha Elliott/Goddard School).

Introduced by Ms. Kowalczyk.

MOTION

Mr. Robinson made a motion to adopt Resolution No. 47-2019. The motion was seconded by Mr. Foust.

There being no additional comments, the motion to adopt Resolution No. 47-2019 passed unanimously by a voice vote.

Resolution No. 48-2019

Authorizing an Amendment to the Final Development Plan for 438-510 East Wilson Bridge Road and Authorizing Variances (Rush Creek Investors LLC/Donald T. Plank, Esq.).

Introduced by Mr. Smith.

MOTION

Mr. Myers made a motion to adopt Resolution No. 48-2019. The motion was seconded by Ms. Dorothy.

Mr. Brown detailed how this is for an 11.7-acre site at the intersection of Worthington-Galena, Huntley Road, and Wilson Bridge Road. This area is for the Northeast Gateway. The City is working with the applicant to purchase a portion of right-of-way on the property's frontage and closing an access point on the Worthington-Galena side. The applicant's drive is shifting to the west to line up with the newly realigned road. Some of the design concepts include the addition of bikeways and sidewalks. The final landscape plan adds back trees that were removed. Currently they have three signs on the property which will be reduced to one sign, code requires it to be ten feet from the right-of-way, and it will be seven feet requiring a variance. Code also requires the parking setback be 30 feet back from the edge of the right-of-way, with the purchase of our strip of land it will reduce the 30-foot strip down to seven feet. This did go to the MPC and it was recommended for conditional approval.

There being no additional comments, the motion to adopt Resolution No. 48-2019 passed unanimously by a voice vote.

Resolution No. 49-2019

Amending the Staffing Chart of the City of Worthington to Provide for Twenty-Six (26) Police Officer Positions in the Division of Police for up to a One Year Period.

Introduced by Ms. Kowalczyk.

MOTION

Mr. Robinson made a motion to adopt Resolution No. 49-2019. The motion was seconded by Mr. Foust.

Mr. Greeson said this allows us to increase the staffing chart by one by hiring a new officer and getting them ready to replace a retiring officer, helping with the continuity of service. This is done on a temporary basis to run the process and make an offer.

Mr. Robinson asked about when an existing officer leaves, if the organizational chart then reverts back to its prior status. Mr. Greeson said this is for a one-year period before it

reverts back, and we will not hire an additional person in that period unless we know there is an impending vacancy.

There being no additional comments, the motion to adopt Resolution No. 49-2019 passed unanimously by a voice vote.

Ordinance No. 28-2019

Amending Ordinance No. 52-2018 (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 Police Building Modification Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 695-19)

Introduced by Mr. Smith.

Ordinance No. 29-2019

Amending Ordinance No. 52-2018 (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 NE Gateway – Rush Run Lower Reach Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 602-14)

Introduced by Mr. Myers.

Ordinance No. 30-2019

Amending Ordinance 53-2018 to Establish Compensation for the Unclassified Position of Deputy Director of Safety/Police Chief.

Introduced by Ms. Dorothy.

Ordinance No. 31-2019

Amending Ordinance No. 52-2018 (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 NE Gateway – Asbestos Remediation Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 602-14)

Introduced by Ms. Kowalczyk.

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

REPORTS OF CITY OFFICIALS

Policy Item(s)

- Community Visioning

Mr. Greeson explained how at the last meeting; follow-up information was distributed to members of Council related to the questions that were posed. Also, the members of Council that were designated to perform reference checks performed those activities and are prepared to report on what they found this evening. If Council is ready, you can ask questions, discuss the two finalists, and decide which consultant you may want to move forward with. Staff has prepared a blank ordinance to appropriate money and fund the consultant. Should you pick one, you can authorize staff to enter into an agreement which would be brought back to Council at the first meeting of September.

President Michael asked if we were to select a consultant tonight, they would not be able to be hired until we come back from recess in September. Mr. Greeson said that we would not have funds appropriated and be in official contract until the first meeting in September. President Michael inquired if we would not be able to convene the first meeting of the Visioning Committee with the consultant until this contract is in place for the first meeting in September.

Mr. Foust said in his experience if there has been a decision, for example by a board of directors, and staff is authorized to proceed knowing that funding follows, you will not see a bill until months later and most consultants are willing to get project rolling.

Mr. Lindsey said that in order for Mr. Bartter to certify funds, which we cannot do unless the funds are appropriated, some consultants will work in faith that Council will authorize funding. However, working with a contract that is not enforceable is a risk for both sides if work is undertaken.

Ms. Kowalczyk expressed that they had productive conversations with the references for both of the consultants. It was evident that everyone had a good experience overall with the consultants they hired. The individuals that were spoken with for Poggemeyer said that their projects in Wadsworth and Ashtabula were very specific and focused on branding and they were happy with the work done. For Planning NEXT they talked to Upper Arlington, Athens/Clark County, and Westerville whose projects were on a larger scale more in line with what we are talking about here. They heard nothing but good things to say. Some of the comments included that their process allowed people to feel that they were heard, and the process was very well facilitated. One noted that they saw more applications for boards for commissions. Nobody could say that they did not have a chance to give their input. Regarding questions of preconceived notions, neither consultant was portrayed that way. As for the concerns about Upper Arlington, they had an idea of where they needed to go and brought in Planning NEXT to get more feedback. They felt that other firms they had interviewed were more formulaic. They did not come in and say what it was going to be and they felt like the community had ownership. They asked about

strengths and weaknesses. There were lots of strengths for both of them and no weaknesses for the most part. There were some minor things about meetings for Poggemeyer.

Mr. Foust said that nothing he heard would cause him to eliminate either finalist. Both consultants came with rave reviews. He thought he did hear Athens/Clark County describe that there were some preconceived notions with Planning NEXT, but it was not a point driven hard. What he did like with Poggemeyer, specifically hearing about the Ashtabula project, they had recruiting volunteers which is an interesting challenge unto itself and got to know the players and they did their homework. Some volunteers were more needy than others, and they responded and adjusted to that, which provided some foreshadowing for this project.

He expressed how he knows we had momentum going into this, but he asked Council to think hard and he wants them to refresh their memories on why we got here. Four years and two months ago we got a wake up that we did not have as complete a knowledge of what the residents wanted as we thought we did. In the months that followed that over the election that summer and other issues going on, it became clear there was also something of an absence of confidence in City leadership. It is key to be coming into this with a clean slate. He has mentioned to his neighbors that we were looking at the consultants that assisted Upper Arlington and their reactions were not positive. It may not be fair, but that is the reaction he got. One can go to the Planning NEXT website and the first things that pops up on the landing screens is them touting their involvement with the Bicycle and Pedestrian Master Plan and there is picture of Councilmember Dorothy. There had previously been criticism of MKSK being too close to Worthington. For the sake of having a clean slate and no history whatsoever, he would like to see us go into this wholly above reproach.

Mr. Smith explained how he missed the first meeting series, so he engaged in a listening role and did not actively talk during the second meeting. He said that it is clear that our project is pretty unique as far as what we are trying to achieve and the end results. They are both reputable companies with good references. He explained how he went back to the questions answered last week and analyzed those. Wadsworth said that Poggemeyer had boring meetings in some cases. In the conversation with Upper Arlington, Jamie, the Principal, was touted for his planning background who has won national awards in the planning industry. Neither of those things come across as too positive. He expressed how he was personally not a fan of either of the consultants. With that said, he wants to select one of them tonight. He did have concerns about some of the answers to the questions we got back last week. Question two that was specifically asking about how the consultants would handle an abstract topic, with affordable housing as an example, and Poggemeyer approached that question in the abstract and took the extra step to give multiple sources about what it could mean and how they may approach the topic. Planning NEXT answered the same question basically saying it is too early in the process to tell, it depends what the meaning is, we would have to ask them the question. The answer here is akin to a tangible project. In his day job, if he has a consultant for a roofing project tell him they do not know how to handle a problem until they get in there, he would not be happy about that. If they cite different sources for different situations and how they would approach that, he

would be happy with that answer. The same goes for question four about door to door, he was not happy with Planning NEXT's response. He would advise going with Poggemeyer.

Ms. Kowalczyk remarked that there were a lot of addons with a price that was not necessarily included in Poggemeyer's original proposal. That was also included in their subsequent responses. Mr. Smith says that goes back to his earlier comments about when we have a consultant that says they have to wait to see until they get in there what they can do, all of a sudden there are growing costs. That is what happens when you do not have an identified scope up front. Ms. Kowalczyk said that they do not have the scope fully defined as much as Planning NEXT based on their response.

Mr. Foust added that Planning NEXT's original proposal was almost double the cost of Poggemeyer. Even if there are addons, there is plenty of room to add on with almost double the price between the two. As a matter of responsibility, there is already chatter in the City about why we are spending this money to begin with.

Ms. Dorothy said that Poggemeyer did not have a broad enough scope to begin with. She asked to make sure they had more in their scope so it could be more apples to apples compared to Planning NEXT. Poggemeyer can most likely provide similar services at a similar cost, however we do not have that information. We have the original proposal and addons, but we do not know how much it will be.

Mr. Myers said he understands the concerns about preconceived outcomes, however he noted that Mr. Smith is justifying a preconceived outcome. They were giving concrete examples of what they were going to do in a situation. He asked for help reconciling those two arguments. Mr. Smith said that it was more them proving they could do the extra work to give education and information. He does not think them citing those different ways of approaching affordable housing was a preconceived notion. Mr. Myers posited that if you define before you begin, do you not you end up there. Mr. Smith responded our whole point was to educate people on the front end about what things are. Mr. Foust said what he heard from Mr. Smith's remarks was a completeness of an answer, not a preconceived notion. It is more of a behavioral thing than content.

Mr. Myers expressed his concern after the initial interview with Poggemeyer was that they did not get it. They were wanting to produce a land use document because that is what their experience and examples were. It was not that they were not competent or could not do it, but that they did not quite get what we were looking for. Mr. Foust explained that the Ashtabula Historic Harbor project and the depth of the work that was done there gave him comfort. Mr. Myers said they were hired to help with revitalizing a blighted area of Ashtabula. Mr. Foust said they recruited volunteers, educating them, and put them in motion and the process followed there is nicely akin to what we are trying to do here to get out to the public. Mr. Myers said the trap he does not want to fall into here is how a consultant can be painted no matter who it is. He gave the example of former State Solicitor Eric Murphy who was appointed to the Sixth Circuit and was criticized for his brief defending Ohio's ban on same sex marriage. He was humiliated at those hearings even though he was under an ethical obligation to advance that position because it was the

position of his client. He thinks that is how a consultant can be painted regardless who it is. At end of the day, we are overthinking this and putting more emphasis on the consultant and selling short our citizens. Looking at the people on this committee, he does not know of many who would be dominated. They understand what we are doing and will lead the consultant.

Mr. Foust said that if we are taking Mr. Myers' argument to an extreme, which is that we are overthinking this, then let us get back to basic money and if it does not make a difference why would we spend more. Mr. Myers said he does not know if he can argue money because he really does not know. Poggemeyer is going to cost us more. He thinks that is part of what he felt they did not understand. At the end of the day, he thinks the two numbers are going to come closer to the middle. He is not concerned about the cost. At the end of the day, we cannot blow this.

Mr. Foust expressed how he wished he could pull up the webpage for Planning NEXT to show what they have out there and their statements on their alignment with Worthington, Blue Zones, and MORPC. He is not worried about us having enough input from the likes of MORPC, he is worried about making sure we get enough input from our residents. That is why he looks to this blank slate, basically an unknown organization from out of town, but still in Ohio, that has no history with us whatsoever.

Mr. Robinson stated for the record his conviction that hiring the consulting firm Planning NEXT, to coordinate and facilitate our community visioning process, would be inadvisable, because by doing so we would be needlessly exposing ourselves and the visioning project itself to criticism, undermining our desire to conduct a process that not only yields valuable information but also heals and helps reconcile our community. By hiring Planning NEXT, given their high-profile role in facilitating the very visible New Urbanism in Upper Arlington, we would be providing a ready hook for anyone in our community who is skeptical about their city's commitment to, and capacity for, conducting a truly unbiased visioning process.

He emphasized the possible perception, regardless of what any of us believe about actual conduct, but rather it is the perception surrounding our choice of consultants that he believes out to be at the center of our considerations of who to hire. This is because of our shared desire not only that the process be carried out with the highest integrity, but that the public perceives it as such. This is because the public's trust in the integrity of process at every step of the way is essential, not optional, if the visioning process is to result in a widely accepted, authoritative report of community sentiment. Authoritative precisely because its integrity is unquestioned.

He asked why we would want to risk creating doubt. He thinks that sensitivity to public perception about the integrity of process, and the role of consultants in particular, would be especially keen among us given the MKSK process of 2013-2014 and the subsequent, corresponding Lifestyle Communities proposal of 2015. Directly to this point, although the current Visioning Process is all-encompassing and not site specific, it did emerge from and revolves around the gravitational pull of UMCH and its recent history. The disconnect

between the residents of Worthington and their city government, distilled in the phrase, "You're not listening!" is at the heart of what he believes we want to reconcile and heal in our city, in part, through this visioning process. So let us act accordingly.

He encouraged Council to hire a firm that supports a public perception of absolute independence of judgement and absence of bias, and not a firm that plants even the smallest seed of doubt, so as to not needlessly expose us to risk of subsequent public dissention, undermining the good work we are doing. He expressed how he supports hiring not Planning NEXT, but any of the other three firms we have identified and interviewed, and he encourages his colleagues to do likewise.

Ms. Dorothy said she is taken aback that the perception is that these firms do not have integrity. Both of these firms have that. She agrees that we want to have the public trust through this process, but she is stunned that this has been brought forth that one of these groups does not have public's trust and their integrity is brought into question. We have the best interest in mind with the community and want a fair process with as many people involved as possible, without any presupposed outcomes. She is saddened that we have people who already think we have gone off the rails with the public's trust and choosing companies that do not have integrity.

Mr. Robinson said that he did not say, nor did anyone else say, that any of the companies lacked integrity. He is referring to the perception, which is a valid, central consideration to take into account in this decision. He believes that if you speak to residents in our city that you do not have to dig deep to hear questions about the 2013-2015 time period and questioning whether what was promoted, discussed, advertised, was what people experienced. We need to be extremely careful that we avoid any risk that our decisions and the conduct of this process can be criticized. He questioned why if we have multiple firms that can do this, why would we choose the one that is most problematic in this regard due to their central role in Upper Arlington. This is not speculation. Following the interview with Planning NEXT, he had two individuals who were there talk about their concerns about the firm. It is inconceivable that we would choose a firm that could be identified with one or more of the central issues contended in our city right now. Only Planning NEXT is problematic.

Mr. Myers expressed that he has heard why not to vote for someone, but he has not heard why to vote for someone. He asked to be convinced why one is a stronger candidate.

Ms. Kowalczyk brought up how in Upper Arlington, one of the comments was that they do not come in and say it is the way it is going to be. They have no preconceived notions. It is an individual process with individual communities. The committee helped identify the issues. During these discussions there was a mistrust towards city government and staff and over course of the process that Planning NEXT guided, they earned trust back from the community. Planning NEXT has the expertise to deal with this type of project. You need someone who can be flexible enough and have experience with so many different communities, to be able to produce something we are happy with. She does not believe there is baggage because of the work they did for a community whose results some people

do not like. It was very apparent in the interview that this was the path that the city chose to take, and they needed someone to facilitate further feedback from the community. Community members were happy with how things have turned out. In terms of Bicycle and Pedestrian Master Plan, she would be proud to have them put that on their website. It is a very good document and she is appreciative of all the work that they did. They want to be able to do more work like that. She asked Poggemeyer for similar communities and projects they have worked with. They gave us Ashtabula and Wadsworth, but neither of them were similar in scope. She is concerned they cannot meet what we are asking them to do. She is confident that Planning NEXT can do the job. The whole point of the committee is to make sure that they will oversee the process and they would be the ones to speak up with a problem.

Mr. Robinson asked what was the name of the process that Planning NEXT facilitated in Upper Arlington. Does anyone know what the public in Upper Arlington was told about the process.

Mr. Myers asked what process he is referring to and questioned if it was the Lane Avenue development that went to referendum. Mr. Foust said it was all one big thing looking at the whole city. Mr. Myers said that the Lane Avenue project never went to referendum because after work was done, it was withdrawn. Petitions were filed but they were withdrawn last year. There was consensus reached into Upper Arlington as to how that project should go forward. There were concessions made by the developer which caused the parties behind the parties behind the referendum to withdraw their petitions.

Mr. Robinson said he was not referring to that. His question regarding the process prior to that which was facilitated. He wondered if the public in Upper Arlington was told that they were hiring the firm to facilitate a process where they know where they are going regarding rezoning and focusing on development, or if it was described as an open-ended public process where public feedback would be determinative, or at least significant.

Mr. Myers asked if Mr. Robinson was implying that the citizens of Upper Arlington were misled.

Mr. Robinson said he would like to understand what Planning NEXT's role was and if the public knows what they themselves were undergoing. That relates to us here in Worthington because his understanding of the 2013-2014 MKSK process is perhaps inaccurate. His understanding of that process was that community input would be a determinant in shaping the outcome of that plan. Maybe that is wrong, or maybe we hired MKSK to do something similar to what Planning NEXT might have done in Upper Arlington where there was an intention to hire a professional firm to help present, think through details, for the vision of the city. If we knew what it was called and what their charge was, that would be meaningful.

Mr. Foust said the absence of a negative is not a positive. We have two fine consulting firms here and either one of them could do the job. If it comes down to him, because there is the possibility for a perceived negative for one firm that the other one does not have, and

if the goal is to have a process above reproach, then we should go with the one where we are not setting ourselves up to be criticized.

Mr. Myers detailed how from the interview, one firm is highly competent and for the purposes of the argument, he acknowledges the bias. The other firm has no bias, but he walked away from interview that they are incompetent because they did not get what we wanted. He fears that they will direct the committee down the path to a comprehensive plan.

Mr. Smith said he has worked with Poggemeyer in his day job, and they are a large organization that have a background in land use development and design. They also have an arm that does this outreach and community engagement. He has found from working with them in the past, if an owner, like the Visioning Committee in this sense, says they would like to try something that is not part of the original scope, they will do it as part of the scope. Poggemeyer is going to offer more flexibility in how they approach this process. In contrast, you have a planner in Planning NEXT, a nationally renowned planner, who knows how to plan and can steer a committee towards planning. Mr. Myers asked about the scale of Poggemeyer and what they bring. Mr. Smith said they have around 200-250 employees. Mr. Myers asked in how many cities. Mr. Smith responded that they are mainly in Ohio.

President Michael asked if Westerville was included in the references. Ms. Kowalczyk responded that Westerville said that Planning NEXT was open to what they needed, and ideas from council, staff, and the public. They did a nice job taking the information and giving it back to them for review. What was conducted in Westerville was community visioning and that the "Imagine Westerville" projected sounded a lot like what we are planning on doing. They were looking at economic development but were also cognizant of the concerns of residents in the uptown historic area. They could not identify any weaknesses. Their strengths included the public outreach process, which was multifaceted and well thought out. They appreciated how they brought out best practices and things from other communities.

Mr. Myers asked if we were convinced that Poggemeyer gets what we want because they did not give us an example of it but Planning NEXT did. Mr. Smith replied that he can respond with certainty that he believes their process and facilitators allow the flexibility them to understand it and get up to speed quickly, especially if the owner understands what they are trying to get to. It is not as rigid as he takes the Planning NEXT process to be. They as a firm, and the people we met with, are highly competent.

Ms. Dorothy said that in the interviews Planning NEXT nailed it with what they bring to the table and the scope of work they have done in the region and through the country. Poggemeyer does have some similar experiences with local municipalities throughout Ohio, but without the breadth. It appears that they do not have the national reach.

Mr. Foust stated that Poggemeyer has eleven offices, with a half dozen in Ohio, and including ones in Las Vegas, Nevada, Michigan, and Georgia. He thinks they came in a little more humble and more into listening instead of serving the sizzle.

President Michael said she has concerns about Poggemeyer and they have not had experience with a community the size of Worthington.

Mr. Myers asked what exactly we are hiring for at the end of the day. He said that it is someone to facilitate the listening process. It does not matter whether you are doing it in Los Angeles, Chicago, or Wadsworth.

Mr. Foust explained how he is flipping through the Poggemeyer brochure and they are giving a lot more examples than what we are talking about. President Michael asked if all the examples are comprehensive plans. Mr. Foust responded that most of them were. He just wants to give credit where credit is due here.

MOTION Mr. Smith moved, seconded by Mr. Foust to nominate Poggemeyer Design Group to be the visioning committee consultant and authorizing staff to negotiate a contract with the selected firm.

Mr. Greeson said that it is important to understand once Council makes this vote, what we do next. Customarily when you pick a consultant, you direct staff to enter into negotiations for a contract. There is a decision whether you want us to do that, or what role the Council wants to play in that.

There being no additional comments, the clerk called the roll on the motion. The motion carried by the following vote:

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

No 0

The motion passed unanimously by a voice vote.

Ordinance No. 32-2019 Amending Ordinance No. 52-2018 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund Unappropriated Balance.

Introduced by Mr. Smith.

Mr. Smith requested that staff see if Poggemeyer is interested in starting work on faith without the contract being signed, at least an initial set up meeting. Mr. Myers said he is not comfortable with that.

Mr. Greeson said there is some value in having an initial conversation with the committee. It may be that you want to have the committee meet, and have Council engage with them, updating them on where we are. They may want to select a chair. It may be possible for Poggemeyer to come in and at least meet the committee.

President Michael said it might help to have them lead the committee's first meeting, providing some structure. Mr. Greeson said that may require a more extensive amount of work, and he would not be comfortable asking them to do that. He said we would engage with them and report back.

- Permission to Bid – Building Demolition & Site Remediation at 7200 Huntley Rd.

Mr. Whited said this would allow us to put out to bid the demolition of 7200 Huntley Road in order to prepare for the Northeast Gateway Project. Columbia Gas would like to use that property to lay materials for their gas line relocation project.

MOTION Mr. Myers moved, Ms. Dorothy seconded a motion to give permission to bid.

The motion passed unanimously by a voice vote.

- Permission to Bid – Upper Rush Run Restoration

Mr. Whited said this is similar to the previous item and gives permission to bid only for Rush Run Restoration from Worthington-Galena Road down to the Hyperion property to clean out the ditch and do some restoration in preparation for the Northeast Gateway Project.

MOTION Ms. Kowalczyk moved, Mr. Robinson seconded a motion to give permission to bid.

The motion passed unanimously by a voice vote.

Mr. Greeson brought up how one of those projects scheduled for significant HVAC work in the CIP in 2020 is the Division of Police building. Because of some employee concerns, we hired Lyle Environmental Labs to evaluate the building. They found increased humidity, debris and molds. We were informed that we should take efforts to lower the humidity levels and advance the HVAC improvements. We have conducted some enhanced levels of cleaning and we care greatly about the places our employees work. The HVAC work has been recommended to be moved up from 2020 to as soon as designed. We communicated with employees and they have visibly seen the work we are doing, and we will meet with supervisors to update them about where we are. We plan to follow the supervisor meetings by talking to employees to share what we are doing going forward.

Mr. Whited explained how the dehumidifiers that have been put in place have been working exceptionally well and keeping the humidity below 50%.

Ms. Dorothy asked if after this is all done if we will be testing to ensure we are providing a safe space to work. Mr. Whited said that yes we would be as we proceed through the project.

REPORT OF COUNCIL MEMBERS

Mr. Smith reminded staff that Council would like to have a joint meeting with the school board in the coming months.

EXECUTIVE SESSION

MOTION Mr. Foust moved, Mr. Smith seconded a motion to meet in Executive Session to discuss labor relations and union negotiations.

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

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

No 0

Council recessed at 9:32 P.M. from the Regular meeting session

MOTION Ms. Dorothy moved, Mr. Smith seconded a motion to return to open session at 10:00 P.M.

The motion carried unanimously by a voice vote.

ADJOURNMENT

MOTION Mr. Myers moved, Ms. Dorothy seconded a motion to adjourn.

The motion carried unanimously by a voice vote.

President Michael declared the meeting adjourned at 10:00 p.m.

Assistant City Clerk

*APPROVED by the City Council, this
2nd day of September, 2019.*

Council President



STAFF MEMORANDUM
City Council Meeting – September 3, 2019

Date: July 10, 2019

To: Matthew H. Greeson, City Manager

From: Robyn Stewart, Assistant City Manager

Subject: **Ordinance No. 28-2019 - Appropriation - Police Building Modifications**

EXECUTIVE SUMMARY

This Ordinance appropriates \$200,000 for modifications to the Police Building related to the 911 call answering and dispatching transition and to address HVAC needs. A small portion of the funds may be used at the Fire Station to accommodate the dispatching transition.

RECOMMENDATION

Approve as Presented

BACKGROUND/DESCRIPTION

On May 20, 2019, City Council approved contracting with the City of Dublin for the Northwest Regional Emergency Communication Center to provide public safety dispatching communication services for Worthington. During the discussion of this issue, staff noted that the City would need to make modifications to the entrance for the Police Building and more minor modifications to the Fire Station. Staff are moving forward with the design and implementation of these modifications.

In recent months, staff has had an air quality and environmental assessment of the Police building conducted and received recommendations that we need to advance investment in the HVAC system, some of which was already planned for next year. This appropriation includes funding for design of that project in FY 2019.

FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)

The appropriation is for \$200,000 which was not included in the 2019 Capital Improvements Program, since recommendations related to the dispatch center were not completed at the time of its development. Funding for HVAC improvements at the Police Building is included in the CIP in 2020. The design is being advanced in FY 2019 and construction estimates will be updated for the FY 2020 CIP as part of the design process.

ATTACHMENTS

Ordinance No. 28-2019

ORDINANCE NO. 28-2019

Amending Ordinance No. 52-2018 (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 Police Building Modification Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 695-19)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8130.533424 an amount not to exceed two-hundred thousand dollars (\$200,000) to pay the cost of the Police Building Modification Project and all related expenses (Project No. 695-19).

SECTION 2. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an "Ordinance Determining to Proceed" with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – September 3, 2019

Date: August 28, 2019

To: Matthew H. Greeson

From: Daniel Whited, P.E. Director of Service & Engineering

Subject: **Ordinance No. 29-2019 Appropriation- Upper Rush Run Stream Restoration**

EXECUTIVE SUMMARY

This Ordinance appropriates the funds required to complete necessary restoration and improvements to Upper Rush Run from approximately Worthington-Galena Road to 6325 Huntley Road and authorizes the City Manager to execute a contract for the work.

RECOMMENDATION

Motion to amend the Ordinance insert the amount of \$537,155 and the firms of Mark Haynes Construction, Inc and Civil & Environmental Consultants, Inc.

BACKGROUND/DESCRIPTION

In 2018 the Service and Engineering Department engaged the professional services of EMH&T to assess the stream channel of Upper Rush Run. During that assessment, it was determined that the stretch of the stream from Worthington-Galena Road to the Hyperion Materials property was in need of restoration. This work will restore the general health of the stream while allowing for storm water drainage of the area. This work was deemed necessary to complete ahead of the North East Gateway project and the work that will be done in the head waters of Rush Run in association with the intersection realignment. The Engineer's estimate of cost for the project, with contingencies, is \$434,360.00. Bids were opened on August 28, 2019 with Mark Haynes Construction, Inc being the lowest and best at \$467,287.00. Civil and Environmental Consultants, Inc. will conduct field inspection of the project at a cost of \$23,155. Staff recommends award of the contract to Mark Haynes Construction, Inc and inclusion of a 10% contingency in the appropriation amount for a total appropriation of \$537,155.

FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)

The 2019 Capital Improvements Program includes \$510,000 for this project.

ATTACHMENTS

Ordinance No. 29-2019 (Amended)

Ordinance No. 29-2019

ORDINANCE NO. 29-2019
(As Amended)

Amending Ordinance No. 52-2018 (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 NE Gateway – Rush Run Lower Reach Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 602-14)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533330 an amount not to exceed Five Hundred Fourteen Thousand (\$537,155) to pay the cost of the NE Gateway- Rush Run Lower Reach Project and all related expenses (Project No. 602-14).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firms of Mark Haynes Construction, Inc. and Civil & Environmental Consultants, Inc. for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Clerk of Council

Introduced July 15, 2019
P.H. September 3, 2019

ORDINANCE NO. 29-2019

Amending Ordinance No. 52-2018 (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 NE Gateway – Rush Run Lower Reach Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 602-14)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533330 an amount not to exceed _____ (\$_____) to pay the cost of the NE Gateway- Rush Run Lower Reach Project and all related expenses (Project No. 602-14).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of _____ for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – September 3, 2019

Date: August 29, 2019

To: Matthew H. Greeson, City Manager

From: Lori Trego, Personnel Director

Subject: **Ordinance No. 30-2019 - Establish compensation for Deputy Director of Safety/Police Chief**

EXECUTIVE SUMMARY

This Ordinance establishes compensation for the unclassified position of Deputy Director of Safety/Police Chief

RECOMMENDATION

Motion to Table until the Police Chief selection process is completed

BACKGROUND/DESCRIPTION

City Council amended the job description for Police Chief on June 3, 2019 to move this position from classified to unclassified, effective upon Chief Strait's retirement in August. The transition of the Police Chief position to an unclassified position necessitates amending Ordinance 53-2018 which established the 2019 compensation for unclassified positions. This amendment will establish compensation for the unclassified position of Deputy Director of Safety/Police Chief.

The process to select the next Chief is now underway, with an assessment center and interviews to take place during August. Introducing this Ordinance in July will ensure that the effective date will be in September, and therefore will not delay the appointment of the next Chief. The compensation amount has been left blank at this time to give some flexibility depending upon the experience and qualifications of the selected candidate.

ATTACHMENTS

Ordinance No. 30-2019

ORDINANCE NO. 30-2019

Amending Ordinance 53-2018 to Establish
Compensation for the Unclassified Position of
Deputy Director of Safety/Police Chief.

WHEREAS, the salaries for the unclassified positions of the Municipal Service must be fixed by City Council;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. The salary of the Deputy Director of Safety/Police Chief (Class Specification No. 122) is hereby established to be \$_____.

SECTION 2. The provisions of this ordinance supersede Ordinance No. 53-2018, passed December 3, 2018, to the extent it pertains to the position specified in Section 1.

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington Ohio.

Passed _____

President of Council

Attest

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – September 3, 2019

Date: August 28, 2019

To: Matthew H. Greeson, City Manager

From: Daniel Whited, P.E. Director of Service and Engineering

Subject: **Ordinance No. 31-2019 - Appropriation Funding the Demolition of 7200 Huntley Road**

EXECUTIVE SUMMARY

This Ordinance appropriates funds for the demolition and asbestos abatement of 7200 Huntley Road in preparation for the North East Gateway roadway construction and authorizes the City Manager to contract for the work.

RECOMMENDATION

Motion to Amend to insert an amount of \$125,000 and insert the firm name of S.G. Loewendick & Sons. Approve as Amended.

BACKGROUND/DESCRIPTION

In May of 2019 the City acquired the property and buildings at 7200 Huntley Road. The building, carport and ancillary structures currently on the property must be demolished and the site cleared in order for Columbia Gas to begin utility relocation. The roadway will then be reconstructed through the site. During environmental testing of the building, it was found that asbestos is present. This funding will also allow for the abatement of the asbestos in association with the building demolition. The bids included the removal of the house and structures at 431 E. Wilson Bridge Road, which the City acquired at the end of July in preparation for this project. Bids were opened on August 28, 2019 with S.G. Loewendick & Sons the lowest and best at a price of \$114,000.00. Staff requests an appropriation of \$125,000 which includes a 10% contingency.

ATTACHMENTS

Ordinance No. 31-2019 (As Amended)

Ordinance No. 31-2019

ORDINANCE NO. 31-2019
(As Amended)

Amending Ordinance No. 52-2018 (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 NE Gateway – Asbestos Remediation Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 602-14)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533330 an amount not to exceed One Hundred Twenty Five Thousand Dollars (\$125,000) to pay the cost of the NE Gateway- Asbestos Remediation Project and all related expenses (Project No. 602-14).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of S.G. Loewendick & Sons for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Introduced July 15, 2019
P.H. September 3, 2019

Clerk of Council

ORDINANCE NO. 31-2019

Amending Ordinance No. 52-2018 (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 NE Gateway – Asbestos Remediation Project and all Related Expenses and Determining to Proceed with said Project. (Project No. 602-14)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533330 an amount not to exceed _____ (\$ _____) to pay the cost of the NE Gateway- Asbestos Remediation Project and all related expenses (Project No. 602-14).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of _____ for the provision of the aforementioned services.

SECTION 3. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Project, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 4. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – September 3, 2019

Date: August 29, 2019

To: City Council

From: Matt Greeson, City Manager

Subject: **Ordinance No. 32-2019 - Supplemental Appropriation - Costs Associated with Community Visioning Consultant**

EXECUTIVE SUMMARY

This Ordinance appropriate funds and authorizes the City Manager to enter into a contract for community visioning facilitation services

RECOMMENDATION

Motion to Amend to include the firm name and the amount of the appropriation; Approve as Amended

BACKGROUND/DESCRIPTION

In March, City Council authorized the issuance of a Request for Proposals (RFP) for consulting services related to facilitating the City's Community Visioning process. In July, the City Council selected Poggemeyer Design Group as the successful respondent to that RFP and authorized staff to develop a contract and revised scope of services to be reviewed and approved by the City Council.

Staff and Poggemeyer reviewed feedback provided by the City Council during the selection process and discussed desired amendments, additions or alternates to the scope Poggemeyer originally submitted with the RFP. Poggemeyer then submitted a revised scope of services and cost proposal. The proposed contract and scope of services is enclosed. The contract is consistent with the standard consulting services agreement used by the City of Worthington.

6.E. - Supplemental Appropriation - Costs Associated with Community Visioning Consultant

This memorandum will summarize changes made to the original RFP submittal by Poggemeyer. More detail, including specific costs, can be seen in the proposed scope of services, which is attached. Each change is bolded. In summary, the changes include:

- A. Adding a more comprehensive list of existing planning documents that the consultants should review in Phase I, Task c;
- B. Increasing the total number of stakeholder interviews and outlining how those interviewees will be identified in Phase I, Task d;
- C. Creating and implementing a community education and outreach plan in Phase I, Task e;
- D. Clarifying agenda topics for the Visioning Committee meeting in Phase II, Task a;
- E. Adding communications strategies to the Phase II, Task D Finalization of communications plan;
- F. Clarifying that the Visioning Committee will determine which communities to analyze as benchmarks in Phase III, Task a;
- G. Clarifying that Phase IV, Task d is an “On-line” public survey targeted at residents and promoted through the City’s newsletter
- H. Adding to Phase V, task c the evaluation of ways to achieve/implement the vision
- I. Adding to Phase V, task c testing of the vision statement with residents through various methods
- J. Adding a Phase V, Task d seeking on-line feedback on the proposed vision statement(s);
- K. Adding Phase VI, Task c hours to perform photo shop concepts to assist in Vision visualization;
- L. Inclusion of Community Engagement Software, specifically a product from Bang the Table

Not included in the Proposed Scope of Services, but included as Alternates with pricing for City Council’s discussion, including the following:

- 1. Inclusion of a phone survey of residents;
- 2. Creation of a door hanger;
- 3. A door to door engagement effort;
- 4. Creation of materials for a “Show on the Road” public involvement plan that would be implemented by Visioning Committee members.

On July 15, the City Council introduced this appropriations ordinance that allocates funds from the Unappropriated General Fund Balance for this project. It also authorizes the City Manager to enter into the contract. This Ordinance needs to be amended to 1) insert the firm name of Poggemeyer Design Group, and 2) insert an amount not to exceed \$92,360 in accordance with the proposed Scope of Services. If City Council would like to include funding for any of the alternates, then the cost of the alternate(s) needs to be added into the appropriation amount.

Note: Phase I, Task a has been funded under an existing appropriation, thus is not included in the appropriation amount in this ordinance.

ATTACHMENTS

Professional Services Agreement

Scope of Services

Ordinance No. 32-2019 (As Amended)

Ordinance No. 32-2019

ORDINANCE NO. 32-2019
(As Amended)

Amending Ordinance No. 52-2018 (As Amended) to Adjust
the Annual Budget by Providing for Appropriations from the
General Fund Unappropriated Balance.

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the General Fund unappropriated balances to:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
<u>General Fund #101</u>		
101.1030.540644	Strategic Planning – Community Visioning	\$ 92,360
General Fund Totals		\$ 92,360

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of Poggemeyer Design Group for the provision of Community Visioning Services.

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Clerk of Council

Introduced July 15, 2019
P.H. September 3, 2019

ORDINANCE NO. 32-2019

Amending Ordinance No. 52-2018 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund Unappropriated Balance.

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the General Fund unappropriated balances to:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
<u>General Fund #101</u>		
101.1030.540644	Strategic Planning – Community Visioning	\$ _____
General Fund Totals		\$ _____

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of _____ for the provision of Community Visioning Services.

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Clerk of Council

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (“Agreement”) is made by and between the City of Worthington, Ohio (the “City”) at 6550 North High Street, Worthington, Ohio 43085 and Poggemeyer Design Group, Inc. with a mailing address of 30296 Jefferson Way, Westlake, Ohio 44146 (the “Consultant”), for the provision of facilitation services related to the community visioning process for the City of Worthington (the “Project”).

Statement of Agreement

The parties, in consideration of the mutual promises and covenants contained in this Agreement, hereby agree as follows:

§1. Scope of Services. The Consultant shall provide to the City the facilitation services for the Project as outlined in its proposal dated August 15 & 28, 2019 attached hereto as Exhibit A (the “Services”). To the extent the provisions of this Agreement and the provisions of Exhibit A are inconsistent, the provisions of this Agreement shall control.

§2. Relationship. The City and the Consultant agree that an employer-employee relationship does not exist between them, and that their relationship is strictly that of contract, the Consultant being an independent contractor free from interference or control by the City in the performance of its work pursuant to this Agreement, subject only to the terms of this Agreement and adherence to all applicable federal, state and local laws. The Consultant acknowledges and agrees that, as an independent contractor, it is not covered by workers’ or unemployment compensation insurance provided by the City and expressly waives any such coverage. The Consultant agrees to be solely responsible for the payment and withholding of any applicable federal, state, local, or other taxes (including, but not limited to, workers’ compensation and unemployment insurance) from its own earnings and any compensation paid agents and employees.

The Consultant shall be solely responsible for the payment of all expenses incurred by the Consultant, and its employees, in the performance of work under this Agreement, including but not limited to motor vehicle expenses, mileage, and other expenses. The Consultant agrees to indemnify and hold the City harmless from any liability resulting from the negligent or intentional use of any motor vehicle by the Consultant, or its agents or employees. The Consultant agrees to furnish, at its own expense, any equipment and supplies that the Consultant deems necessary for the performance of its work, and that of its agents and employees, under this Agreement. Further, the Consultant shall be solely responsible for the actions, work and services of any agents, employees, or subcontractors which it employs in the performance of work under this Agreement.

§3. Payment for Services. The City agrees to pay the Consultant for the Services provided hereunder for a not to exceed amount of \$.00. The Consultant shall invoice the City in a manner acceptable to both parties, documenting the date, address, service performed and amount to be paid. Payment to the Consultant shall be made within thirty days of receiving an invoice, if additional information is not required by the City in order to pay the invoice. Unless the City appropriates and authorizes the expenditure of additional funds pursuant to proper modification of this Agreement under §12(a) below, the City’s obligation to pay additional sums due under this Agreement shall be considered terminated when the full amount herein has been invoiced and paid.

§4. Obligations of the City. The City shall provide all criteria and full information as to the Project to the Consultant and shall designate a representative from the City to act with authority on the City's behalf with respect to the Consultant's provision of the Services. The City's designated representative shall examine and timely respond to the Consultant's submissions and shall provide written notice to the Consultant whenever the City observes or otherwise becomes aware of any detail that deviates from the terms of this Agreement. Unless stated otherwise herein, the City shall guarantee access to and make all provisions for the Consultant to enter upon the City's property, and the City shall furnish approval and permits from all governmental authorities having jurisdiction over the Project, as they may be applicable.

§5. Ownership of Documents. All documents, including drawings, specifications, and electronic media prepared or furnished by Consultant (and Consultant's independent professional associates and consultants) pursuant to this Agreement, are instruments of service in respect of the Project and as such, City shall retain ownership interest therein whether or not the Project is completed, and shall be immediately returned to City by Consultant on any termination of this Agreement, whether or not any dispute exists between the City and Consultant during and/or following the termination of this Agreement. However, such documents are not intended or represented by Consultant to be suitable for re-use by City or others on extensions of the Project or on any other Project. Any re-use without written verification or adaptation by Consultant for the specific purpose intended will be at City's sole risk and without liability or legal exposure to Consultant, or to Consultant's independent professional associates or consultants.

§6. Non-Discrimination. During the performance of this Agreement, the Consultant agrees that the Consultant, its sub-consultants, employees and agents, will not discriminate against any employee or applicant for employment because of race, color, religion, sex, military status, national origin, disability, age or ancestry, which employee or applicant for employment is qualified and available to perform the work to which the employment relates.

§7. Contract Term, Termination and Suspension. This Agreement is effective on the date set forth in the beginning of this Agreement and shall terminate when all funds appropriated hereunder have been expended. The City may terminate this Agreement upon giving the Consultant seven calendar days prior written notice. If the City exercises its right to terminate this Agreement, the City shall pay the Consultant for all services rendered up to the date of termination in accordance with the compensation provisions in this Agreement, less any payments previously made. In the event that the City fails to pay the Consultant the amount shown on any invoice within sixty days of the date of this invoice, the Consultant may, after giving seven calendar days' notice to the City, suspend its services until payment in full for all services and expenses is received. In the event this Agreement is terminated, the Consultant shall deliver to the City copies (hard copies, electronic and digital) of all reports, drawings maps and other documents that have been prepared in the course of the work performed under this Agreement. The City shall decide in advance of the above termination date if this Agreement is to be extended and shall make such arrangements as are necessary to effectuate an extension prior to the Consultant providing any additional services.

§8. Successors and Assigns. The Consultant shall not assign, sublet or transfer its interest in this Agreement without the prior written consent of the City. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body or government, which may be a party hereto.

§9. Insurance. The Consultant shall comply with the laws of the State of Ohio relating to insurance coverage and shall carry during the performance of this Agreement and keep in full force, Workers' Compensation, in amounts required by law, covering all the Consultant's employees. The Consultant shall furnish documents evidencing such Workers' Compensation to the City prior to the commencement of the Services, and upon request by the City at any time during this Agreement.

The Consultant shall carry the following minimum amounts of General and Automobile Liability Insurance each with the following limits:

a. General Liability Insurance in the amount of \$500,000 for bodily injuries including those resulting in death of any one person and on account of any one accident or occurrence, \$1,000,000 aggregate.

b. Automobile Liability Insurance in an amount of \$500,000 from damages on account of any one accident or occurrence.

The Consultant shall provide the City with Certificates of Insurance indicating coverage and conditions stipulated herein prior to the commencement of the Services.

§10. Notices. Any notice under this Agreement will be in writing and deemed given upon personal delivery, electronic delivery upon confirmation of receipt, or mailing when sent by ordinary first-class U.S. mail to:

The City:

Matthew H. Greeson
Worthington City Manager
6550 N. High Street
Worthington, Ohio 43085
Telephone: (614) 431-2112
Email: Matt.Greeson@Worthington.org

The Consultant:

Lauren Falcone
Poggemeyer Design Group, Inc.
30296 Jefferson Way
Westlake, Ohio 44146
Telephone: (440) 835-1526
Email: falconel@poggemeyer.com

§11. Indemnification. The Consultant shall indemnify and hold harmless the City, its elected officials, officers and employees against claims, damages, losses and expenses, including but not limited to reasonable attorneys' fees, arising out of the negligent acts or omissions of the Consultant, to the extent caused in whole or in part by the negligent acts or omissions of the Consultant, any subcontractor(s) of the Consultant, its agents, or anyone directly or indirectly employed by them or anyone for whose acts they may be liable. Such obligations shall not be construed to negate, abridge, or reduce other rights or obligations of indemnity that would otherwise exist as to a party or person described in this paragraph.

§12. Miscellaneous.

a. Amendment. This Agreement may only be amended, extended, modified or renewed by an instrument in writing executed by all the duly authorized representatives of the parties hereto, and subject to approval by Worthington City Council if required. Additional

services shall not be performed until a duly authorized written amendment has been entered into between the parties.

b. Severability. If and to the extent that any court of competent jurisdiction is unable to construe part or all of any provision of this Agreement and holds part or all of that provision to be invalid, such invalidity shall not affect the balance of that provision or the remaining provisions of this Agreement, which shall remain in full force and effect.

c. Governing Law and Jurisdiction. This Agreement has been drawn and executed in the State of Ohio. It is the intention of all parties to this Agreement that all questions concerning the intention, validity, or meaning of this Agreement or relating to the rights and obligations of the parties with respect to performance hereunder shall be construed and resolved according to the laws of the State of Ohio. Causes of action between the Consultant and the City shall be filed and brought before a court of competent jurisdiction in Franklin County, Ohio.

d. Captions. The captions at the beginning of the several sections of this Agreement are not a part of the context hereof but are merely labels to assist in locating and reading such sections and shall be ignored in construing this Agreement.

e. Complete Agreement. This document contains the entire agreement between the parties and supersedes all prior or contemporaneous discussions, negotiations, representations or agreements relating to the subject matter of this Agreement.

f. Non-waiver. No waiver of any breach of any term, covenant, or condition of this Agreement shall be construed as a waiver of that term, covenant, or condition of any subsequent breach thereof.

g. No Broker or Commission Fees or Conflicts. The Consultant warrants that he has not employed or retained any company or person other than a bona fide employee working solely for the Consultant to solicit or secure this Agreement, and that the Consultant has not paid or has not agreed to pay any fee, commission, percentage, brokerage fee, or other consideration contingent upon or resulting from the awarding or making of this Agreement. The Consultant warrants that he is not prohibited from contracting with the City by any provision of the Ohio Revised Code relating to conflicts of interest, illegal interest in government contracts, or any other ethical prohibition. For breach or violation of this warranty, the City shall have the right to annul this Agreement with no further obligation or penalty and shall have the right to recover the full amount of any such fee, commission, percentage, brokerage fee, or contingent fee and the full amount of the costs of the Contract.

h. Municipal Income Taxes. The Contractor shall withhold all City of Worthington income taxes due or payable under the provisions of Part Seventeen – Title Two (Taxation Code) of the Codified Ordinances of the City for wages, salaries and commission paid to its employees working on this project within the City of Worthington city limits and further shall be required to withhold any such City of Worthington income taxes for payments made to subcontractors.

The parties, each by a duly authorized representative, have executed this Agreement to be effective as of the date last written below.

CITY OF WORTHINGTON

POGGEMEYER DESIGN GROUP, INC.

By: _____
Matthew H. Greeson Date
City Manager

By: _____
Paul Tecpanecatl Date
Principal Owner

Approved as to form:

By _____
Tom Lindsey, Director of Law



SCOPE OF SERVICES (8/15/19, 8/28/19)

CITY OF WORTHINGTON: COMMUNITY VISIONING PROCESS

Phase I: DISCOVERY (AUGUST/SEPTEMBER)	LOF	PZT	LMA	BAB	DMZ	CDB	VC	CC	Total Cost
Task a: City Meeting #1/ Visioning Committee (VC) Mixer <ul style="list-style-type: none"> Meeting preparation, presentation materials City tour Review data collection, information gathering goals Review scope, timeline Committee Mixer -Introductions, Outline Roles (Consultant, City Staff, Council and Committee) & Communication, Worthington Trivia, Worthington Is, Start to develop Fast Facts, Elevator Speech, Discuss Names for Project 	8	8	8				X	X	\$3,240 (To Be Handled via PO prior to contract being signed)
Task b: Data collection <ul style="list-style-type: none"> Demographics, business clusters, housing data, industry trends, utilizing MORPC as necessary Mapping results 		20			4	30			
Task c: Familiarization with existing planning documents (City, County, Region) <ul style="list-style-type: none"> 360 Initiative 2005 Comp Plan Comp Plan Update UMCH Focus Area MORPC plans Retreat Report 2018 Comp GF Report Budget CIP Discussion July 2019 Wilson Bridge Corridor Study/ Materials Parks Master Plan McCord Park Renovation Bicycle & Pedestrian Master Plan Complete Streets Policy 2019 Operating Budget 2019-23 CIP Architectural Review Map & Guidelines Feasibility Study SR 161 Northeast Gateway Project Stafford Village/ National Church Residences Worthington Gateway/Former Holiday Inn Site 	12	12		2			X		
Task d: Stakeholder interviews (Increased to 25) <ul style="list-style-type: none"> Develop interview tool Hold interviews in person or via Go To Meeting, conference call, email Council decide ½ of names, VC decide other ½ VC interviewed as one stakeholder Examples include business sector, schools, clergy, etc. for broad perspective 	16	16	16				X	X	
Task e: Community Education <ul style="list-style-type: none"> Create Community Education Plan Create Marketing Piece 	20	10		10			X		



<ul style="list-style-type: none"> • Introduce "Wow Worthington" Fast Facts on City operations • Outline Glossary of Terms • Draft Survey to determine baseline (open-ended questions) • Marketing blitz through newsletters, social media, City and partner websites • Online survey of residents 									
Subtotal for Phase I	8 48	8 58	8 16	12	4	30			Task I, a. 24 Hours \$3,240 to be handled by PO 168 Hours Balance \$22,680
Phase II: PROJECT DESIGN (OCTOBER)	LOF	PZT	LMA	BAB	DMZ	CDB	VC	CC	Total Cost
Task a: Staff Meeting Check In/ Visioning Committee Meeting #1 <ul style="list-style-type: none"> • Review of Phases II-VII with information gathered in Phase I for any additions/deletions to scope • Meeting preparation, presentation materials • Elect Visioning Committee Chair and Vice Chair • Gantt chart review • Map out meeting dates, times, locations • Identify additional stakeholders • Review draft process design, public involvement plan and communications plan 	8	8					X		
Task b: Finalize process design <ul style="list-style-type: none"> • Name/brand visioning project • Review of process • Goals of action plan and vision statement (s) 	6	6		8			X		
Task c: Finalize public involvement plan <ul style="list-style-type: none"> • Physical meetings: forums, focus groups, Charrettes, meals • Physical activities: walking tours, bus tours • Social media: Facebook, Twitter, Instagram • Surveys: online, paper • Printed: press releases, newsletters • Electronic: websites, e-blasts 	5	5	2				X		
Task d: Finalize communications plan <ul style="list-style-type: none"> • Weekly email for Visioning Committee, City • Monthly emails for stakeholders • E-blasts for public • Evite invitations • Op Ed articles/letters to the editor • Custom meeting flyers • Doodle polls for Visioning Committee, stakeholders • Websites • City Social media & Partner Social Media (Experience Worthington/Old Worthington Partnership, Library, Schools) • Press releases • City produced videos • City seasonal newsletters 	6		2	6	4		X		
Task e: Review final documents with City and Visioning Committee via email									
Subtotal for Phase II	25	19	4	14	4	0			66 Hours \$8,910



Phase III: LISTENING/ LEARNING (NOVEMBER/DECEMBER)	LOF	PZT	LMA	BAB	DMZ	CDB	VC	CC	Total Cost
Task a: Environmental scan <ul style="list-style-type: none"> Matrix comparison for demographics, quality of life, transportation, land use/planning, housing, economic development, infrastructure Comparing local, regional, state, national, global VC to decide on benchmark communities Field surveys 		10				30	X		
Task b: Community scan <ul style="list-style-type: none"> Identify key areas of change Consensus of strengths and challenges 	8	4					X		
Task c: Visioning Committee Meeting #2 <ul style="list-style-type: none"> Meeting preparation, presentation materials Determine best existing events to reach the public, instant voting at meeting Draft custom flyer outlining proposed public input in Phase IV 	8			1			X		
Task d: Community Education <ul style="list-style-type: none"> Divide Vision Committee into teams to attend events Social media promotion 		8		2	1		X		
Subtotal for Phase III	16	22	0	3	1	30			72 Hours \$9,720
Phase IV: COLLABORATIVE INPUT (JANUARY/FEBRUARY)	LOF	PZT	LMA	BAB	DMZ	CDB	VC	CC	Total Cost
Task a: Educational workshop with SWOT/SOAR analysis <ul style="list-style-type: none"> Meeting preparation, presentation materials, mapping Social media promotion, custom flyers 	8	8		1	2		X	X	
Task b: Creation of survey and review with City & Visioning Committee via email	4			1			X		
Task c: Four focus groups TBD by Visioning Committee <ul style="list-style-type: none"> Meeting preparation, presentation materials Social media promotion, custom flyers 	24	24		1			X	X	
Task d: On-line Public survey & Instagram challenge <ul style="list-style-type: none"> Promoted through seasonal newsletter Survey directed to residents 	2			1			X		
Task e: Visioning session (City-wide) <ul style="list-style-type: none"> Meeting preparation, presentation materials, visioning boards Social media promotion, custom flyers 	8	8		1			X	X	
Task f: Charrette (City-wide) <ul style="list-style-type: none"> Meeting preparation, presentation materials, mapping Bus/walking tour (City provided bus) Social media promotion, custom flyers 	8	8	8	1	4		X	X	
Subtotal for Phase IV	54	48	8	6	6	0			122 Hours \$16,470
Phase V: VISIONING (FEBRUARY/MARCH)	LOF	PZT	LMA	BAB	DMZ	CDB	VC	CC	Total Cost
Task a: Interpretation and analysis of collaborative input <ul style="list-style-type: none"> Summarize data from public input events, compare and contrast with data from Phase I 	6	2	1				X		
Task b: Identify community values <ul style="list-style-type: none"> Compare and contrast with community values from last visioning effort 	4	2	1	6			X		



Task c: Visioning Committee Meeting #3 (Working Session) <ul style="list-style-type: none"> Prepare vision statement (s) Evaluate ways to achieve/implement the vision statement (s) Identify Key Performance Areas (KPA's) by sector, issue or project (TBD by Visioning Committee) Set up task force framework for KPA's 	8			6				X				
Task d: Testing of vision statement (s) with residents <ul style="list-style-type: none"> Via social media platform Partner websites Publicize in seasonal newsletter 	4							X				
Subtotal for Phase IV	22	4	2	12	0	0				40 Hours \$5,400		
Phase VI: DOING (MARCH/APRIL)	LOF	PZT	LMA	BAB	DMZ	CDB	VC	CC	Total Cost			
Task a: Draft final statement of analysis <ul style="list-style-type: none"> Review via email with Visioning Committee and City 	18	6	2			4	X					
Task b: Draft final action plan <ul style="list-style-type: none"> Review via email with Visioning Committee and City Provide photo shop concepts 	18	6	2	16			X					
Task c: Finalize implementation matrix <ul style="list-style-type: none"> Include goals, objectives with time frames, responsible parties, estimate of costs and potential funding sources 	18	6	2				X					
Subtotal for Phase VI	54	18	6	16	0	4				98 Hours \$13,230		
Phase VII: PUBLIC REVIEW/FINAL ADOPTION (MAY/JUNE)	LOF	PZT	LMA	BAB	DMZ	CDB	VC	CC	Total Cost			
Task a: Celebrate! Public Event TBD <ul style="list-style-type: none"> Select date, time, location Social media promotion, custom flyers Deliverables: 1 digital and 10 paper copies of Statement of Analysis, Action Plan, Matrix and 1 Story Map 	8	8		30	4		X	X				
Task b: Set up City final adoption							X	X				
Task c: Set up quarterly or semi-annual meetings to review progress with City Staff and Visioning Committee							X	X				
Subtotal for Phase VII	8	8	0	30	4	0				50 Hours \$6,750		
Reimbursables (mileage, copies)										\$4,200		
PDG TOTAL CONTRACT COST										\$87,360		
Community Engagement Software (Bang the Table)										\$5,000		
TOTAL PROJECT COST										\$92,360		



ALTERNATES

Community Education Alt. #1 •Phone survey of residents (Sub Bonne Berland- Lump Sum)								Alt. #1 \$15,000
Community Engagement • Alt. #2a-Door to Door Engagement/Lit Drop/ Routes • Alt. #2b-Creation of door hanger (electronic copy)	38.5	38.5	38.5	38.5 5	38.5	38.5		Alt. #2a \$31,200 Alt. #2b \$700
Public Involvement Plan • Alt. #3-Show on the Road, Materials Only (VC Members attend events, PDG prepares materials 1 hour per event)	5							Alt. #3 \$700
Alt. #1 Suggested Phase I						+\$15,000		
Alt. #2a Suggested Phase II						+\$31,200		
Alt. #2b Suggested Phase II						+\$700		
Alt. #3 Suggested Phase II						+\$700		
TOTAL COST OF ALTERNATIVES						+/- \$47,600		

LOF – Lauren O. Falcone, AICP

PZT – Paul Z. TecpanecatI, AICP

LMA – Linda A. Amos, LEED AP

BAB – Beth A. Barton

DMZ – David M. Zubenko

CDB – Christopher D. Boring

VC - Visioning Committee

CC – City Council

PDG Average Hourly Rate \$135



STAFF MEMORANDUM
City Council Meeting – September 3, 2019

Date: August 21, 2019

To: Matthew H. Greeson, City Manager

From: D. Kay Thress, City Clerk

Subject: **Resolution No. 50-2019 Renewal of Right of Way Agreement - Citynet, LLC**

EXECUTIVE SUMMARY

This is a renewal of a Right-of-Way agreement for Citynet, LLC.

RECOMMENDATION

Introduce and Approve as Presented

BACKGROUND/DESCRIPTION

Section 949 of the City's Codified Ordinances requires that persons desiring to utilize the City's Rights of Way to provide public utility and/or telecommunications services, other than cable television service, obtain a Telecommunication and Utility Permit. The City has received an application from Citynet, LLC for renewal of its permit that expired in April 2019. This Resolution authorizes the City Manager to sign the above-mentioned permit for the use of the Rights of Way in Worthington. The permit is for three years.

ATTACHMENTS

Resolution No. 50-2019
Right-of-Way Agreement

RESOLUTION NO. 50-2019

Approving an Agreement and Permit for and between Citynet, a Delaware Limited Liability Company, to Operate and Maintain a Telecommunications System Within the City of Worthington Pursuant to and Subject to the Provisions of Chapter 949 of the Codified Ordinances of the City of Worthington.

WHEREAS, Citynet, a Delaware limited liability company, has requested authority to provide telecommunications services in the City of Worthington; and,

WHEREAS, the City of Worthington has enacted a comprehensive Right-of-Way Ordinance, Chapter 949 of the Codified Ordinances of the City of Worthington; and,

WHEREAS, City Council found the technical ability, and plan for services of Citynet acceptable; and,

WHEREAS, Citynet has facilities within the community under a permit initially approved in 2004; and,

WHEREAS, the authority is nonexclusive; and,

WHEREAS, Citynet has certified that the company meets the criteria of Section 949.05 of the Codified Ordinances of the City of Worthington for the issuance of a permit;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That pursuant to Chapter 949 of the Codified Ordinances of the City of Worthington, an agreement between the City of Worthington and Citynet, a Delaware limited liability company, as attached hereto and made a part hereof is hereby authorized and approved and the City Manager is hereby authorized and directed to execute said agreement on behalf of the City, upon approval thereof by the Director of Law.

SECTION 2. That the Clerk of Council be and hereby is instructed to record this Resolution in the appropriate record book.

Adopted _____

President of Council

Attest:

Clerk of Council

TELECOMMUNICATIONS AND UTILITY PERMIT FOR THE USE OF PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF WORTHINGTON, OHIO


This Agreement is executed on this 20 day of August, 2019, by and between Citynet, LLC, a Delaware limited liability company, ("Company") and the City of Worthington, Ohio, an Ohio municipal corporation (the "City") pursuant to Resolution No. _____ passed by the Worthington City Council on _____, 20__.

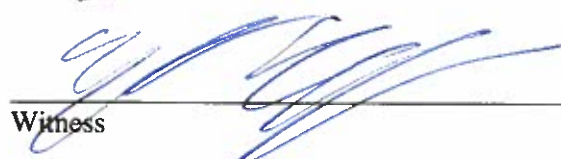
Now, therefore, in consideration of the foregoing and of the covenants, promises and conditions hereinafter set forth it is hereby agreed as follows:

- I. That the Company, a limited liability company organized under the laws of the State of Delaware, its successors and assigns, is hereby granted the non-exclusive right, privilege and authority in accordance with the provisions of Chapter 949 of the Codified Ordinances of the City to acquire, construct, maintain and operate a telecommunications system and/or utility in the City in and under, above, across and along the streets, alleys, thoroughfares, public rights-of-way, public property and easements as the same now exist or may hereafter be laid out in the City, with minimum interference with the proper use of same, for the provision of all competitive telecommunications services as authorized by the Public Utilities Commission of Ohio.
- II. The Company shall construct and operate the telecommunications and/or utility system in accordance with all laws, ordinances, construction standards, governmental requirements, FCC technical standards and any other standards incorporated by reference. Nothing in this Agreement permits the Company to provide any other utility services or cable television services.
- III. The Company shall comply with the applicable requirements of Chapter 949 of the City Codified Ordinances.
- IV. The Company shall pay the annual permit fee as determined by City Codified Ordinances Section 949.07.
- V. The Company agrees that all contractors and subcontractors proposed for work on construction, installation, operation, maintenance and repair of the system shall be properly licensed under the laws of the state of Ohio and all City ordinances.
- VI. Subject to the final requirements of this Section VI, in those areas where telephone and electric services are provided by underground facilities, the Company shall place all new facilities underground. In all other areas, the Company agrees to use its Best Efforts (as defined in Chapter 949 of the City Codified Ordinances) to place all facilities in the City right-of-way underground except for equipment which is customarily placed on or above the ground in conjunction with underground transmission facilities. In addition, where the City Manager or his designee determine that such transmission facilities should not be located underground, the City Manager shall have the authority to relieve the Company of the requirement to do so. In making such a determination, the City Manager may take into account unusual circumstances or physical characteristics including but not limited to the existence of underground facilities which might interfere with the operations of the Company, topographical features or use requirements which may interfere with existing facility locations. The City Manager may also relieve the Company of the requirement to locate transmission facilities underground when to do so in a particular circumstance

would not be in the best interest of the City. The installation of above-ground locator wire markers is prohibited.

- VII. The rights, privileges and authority hereby granted shall not be effective prior to acceptance of this Agreement by the Company and the City and shall terminate three years from the date of acceptance.
- VIII. The Company shall, at its sole cost and expense, fully indemnify, defend and hold harmless the City, its officers, public officials, boards and commissions, agents and employees from and against any and all lawsuits, claims, causes of action, actions, liability, and judgments for injury or damages in connection with this permit, the Company system, and construction, installation, maintenance, and repair thereof.
- IX. Whenever in this Agreement the City or Company is referred to, such reference shall be deemed to include the respective successor or assign of either, and all rights, privileges, and obligations herein contained shall bind and inure to the benefit of such respective successor or assign, in which the predecessor of such successor or assign is divested of all such rights, privileges, or obligations, whether so expressed or not.
- X. The terms and provisions of this Agreement are joint and several, and the invalidity of any part shall not affect the validity of the Agreement.
- XI. If this permit involves the installation of small cell facilities or wireless support structures in the right of way, then the Company shall also comply with the applicable requirements of Chapter 955 of the City Codified Ordinances. In the case of any conflict between the requirements of Chapter 955 and Chapter 949 of the City Codified Ordinances, the provisions of Chapter 955 shall control.


Witness


Witness

Witness

Witness

Approved as to Form:

Law Director, City of Worthington

CITYNET, LLC

By: 

Name: Roy Williamson

Title: SR VP Operations Citynet

CITY OF WORTHINGTON

By: _____

Name: Matthew H. Greeson

Title: City Manager



STAFF MEMORANDUM
City Council Meeting – September 3, 2019

Date: August 26, 2019

To: Matthew H. Greeson, City Manager

From: Tom Lindsey, Law Director

Subject: **Resolution No. 51-2019 - Northeast Gateway Right-of-Way Acquisition**

EXECUTIVE SUMMARY

This Resolution authorizes the City Manager to purchase various real estate interests involving Parcel 21 for the Northeast Gateway Intersection Improvement Project.

RECOMMENDATION

Introduce and Approve as Presented

BACKGROUND/DESCRIPTION

The Northeast Gateway Intersection Improvement Project (Project No. 602-14) will reconstruct Worthington Galena Road starting 600 feet north of the CSX railroad to Lakeview Plaza Boulevard, Wilson Bridge Road from the CSX Railroad to Worthington Galena Road, and Huntley Road starting 400 feet south of Wilson Bridge Road to Wilson Bridge Road. The Project requires the City of Worthington to acquire over 100 separate parcels from over 30 different property owners. A list of the parcels is attached as Exhibit A. The project property map is attached as Exhibit B.

The Ohio Department of Transportation's Real Estate Manual provides the federally mandated appraisal and acquisition process to acquire Right-of Way parcels with federal grant funding. The City's consultants have been following this process in conducting appraisals of the various parcels and in attempting to negotiate with the property owners.

Council adopted Ordinance No. 61-2018 determining to proceed with the acquisition of the parcels and requiring the adoption of a resolution to authorize the acquisition of any parcels

described in Exhibit A if the negotiated purchase price exceeds \$30,000 or is more than \$3,000 over the fair market value estimate as determined in accordance with the ODOT Manual.

The City's consultants have negotiated a purchase agreement to acquire various real estate interests designated as Parcels 21-WD, 21-U, and 21-T. (See Exhibit A for the parcel designations.) Parcel 21 is located at 7057-7079 Huntley Road. The negotiated purchase price is \$15,024 over the fair market value estimate. ODOT has administratively reviewed and approved the purchase price for the reasons set forth in the attached Exhibit C.

The proposed ordinance will authorize the purchase of the designated real estate interests for Parcel 21.

ATTACHMENTS

Resolution No. 51-2019

Exhibit A – Parcel List

Exhibit B – Property Map

Exhibit C – ODOT Approval

RESOLUTION NO. 51-2019

Authorizing the Acquisition of Certain Real Estate Interests
Involving Parcel 21 for the Northeast Gateway Intersection
Improvement Project. (Project No. 602-14)

WHEREAS, the Northeast Gateway Intersection Improvement Project will reconstruct Worthington Galena Road starting 600 feet north of the CSX railroad to Lakeview Plaza Boulevard, Wilson Bridge Road from the CSX Railroad to Worthington Galena Road, and Huntley Road starting 400 feet south of Wilson Bridge Road to Wilson Bridge Road (the “Project”); and,

WHEREAS, the Project requires the City of Worthington to acquire various real estate interests, Parcels 21-WD, 21-U, and 21-T (the “Parcel 21 real estate interests”); and,

WHEREAS, the Ohio Department of Transportation’s Real Estate Manual provides the federally mandated appraisal and acquisition process to acquire Right-of Way parcels with federal grant funding; and,

WHEREAS, Council passed Ordinance No. 33-2018 appropriating the estimated necessary funds for such acquisition; and

WHEREAS, Council passed Ordinance No. 61-2018 determining to proceed with the acquisition and requiring the adoption of a resolution to authorize the acquisition of any parcels described in Exhibit A of the ordinance if the negotiated purchase price exceeds \$30,000 or is more than \$3,000 over the fair market value estimate; and,

WHEREAS, the City’s consultants have negotiated and ODOT has approved the purchase of the Parcel 21 real estate interests from Worthington Galena, LLC for \$42,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That Council hereby approves the purchase of the Parcel 21 real estate interests from Worthington Galena, LLC for \$42,000.00.

SECTION 2. That the City Manager, Finance Director, and Law Director are each hereby authorized, acting singly or jointly, to take all actions, including the execution of the purchase contract, any escrow agreements and instructions, closing statements, affidavits, approvals, payments, or other documents, necessary to effectuate the purchase of the Parcel 21 real estate interests.

SECTION 3. That the Clerk be and hereby is instructed to record this Resolution in the appropriate record book.

Adopted _____

President of Council

Attest

Clerk of Council

Northeast Gateway Project Parcel List

<u>Parcel</u>	<u>Address</u>	<u>Owner</u>	<u>FMVE</u>
1-WD, -T	Wilson Bridge Rd	City of Worthington	n/a
3-SH1, -SH2, -T1, -T2	Wilson Bridge Rd	Norfolk Southern Railway Company	\$7,278
4-SH1, -SH2, -T1, -T2	Wilson Bridge Rd	CSX Transportation	\$12,248
5-WD, -U1, -U2, -T1, -T2	400 E Wilson Bridge Rd	400-406 E Wilson Bridge	\$93,237
6-WD, -T	387 Wilson Bridge Rd	State of Ohio	n/a
7-WD1, -WD2, -S, -T1, -T2, -T3 w/E	401 E Wilson Bridge Rd	RSFI Partners, LLC	\$160,188 \$161,738
7-BS1	401 E Wilson Bridge Rd	Chiller, LLC	\$1,943
8-WD1, -WD2, -S, -T1, -T2	421 E Wilson Bridge Rd	Franca Adams, Trustee	\$19,865
9-WD, -S, -SL, -U1, -U2, -T1, -T2	438 E Wilson Bridge Rd	Rush Creek Investors LLC	\$135,723
10-WD	431 E Wilson Bridge Rd	Robert Morris Montgomery	\$190,000
11-WD1, -WD2, -S, -T1, -T2	439 E Wilson Bridge Rd	Sheeren Hashmi	\$14,364
12-WD, -T	445 E Wilson Bridge Rd	Mary Ann Ondecko	\$11,892
13-T	451 Worthington-Galena Rd	Capital Enterprises	\$1,275
14-WD, -T1, -T2, -T3	7099 Huntley Rd	Gledhill Family Limited Partnership	\$15,660

Exhibit A
(Ordinance No. 61-2018)
Northeast Gateway Project Parcel List

<u>Parcel</u>	<u>Address</u>	<u>Owner</u>	<u>FMVE</u>
15-WD, -S, -T, -U w/E	7200 Huntley Rd	7200 Huntley Road, LLC	\$699,108 \$733,793
15-BS1	7200 Huntley Rd	REM Motors, LLC	\$1,207
16-WD, -S1, -S2, -U, -T	Worthington-Galena Rd	Anheuser-Busch Commercial Strategy	\$387,814
17-T	6767 Huntley Rd	Atlas Industrial Contractors, LLC	\$300
18-WD, -U1, -U2, -T	6800 Huntley Rd	Nucon International Inc.	\$10,340
19-WD1, -WD2, -U, -T1, -T2	7029 Huntley Rd	Huntley Corporate Center, LLC	\$34,774
20-WD, -U, -T	7020 Huntley Rd	7020 Huntley Road, LLC	\$16,739
21-WD, -U, -T	7057 - 7079 Huntley Rd	Worthington Galena, LLC	\$24,976
21-BS1	7079 Huntley Rd	Dream Baths, LLC	\$1,347
22-WD, -U, -T	7060 Huntley Rd	Huntley Road Holdings, LLC	\$16,387
23-WD, -U1, -U2, -T	7086 Huntley Rd	Werstler Holdings, LLC	\$12,780
24-WD, -U, -T	7100 Huntley Rd	MayFam Realty	\$69,133
25-WD, -T	733 Lakeview Plaza Blvd	Lakeview Commercial Properties, LLC	\$26,968
28-SH1, -SH2, -U, -T1, -T2	Huntley Rd	CSX Transportation, Inc.	\$4,863

Exhibit A
(Ordinance No. 61-2018)
Northeast Gateway Project Parcel List

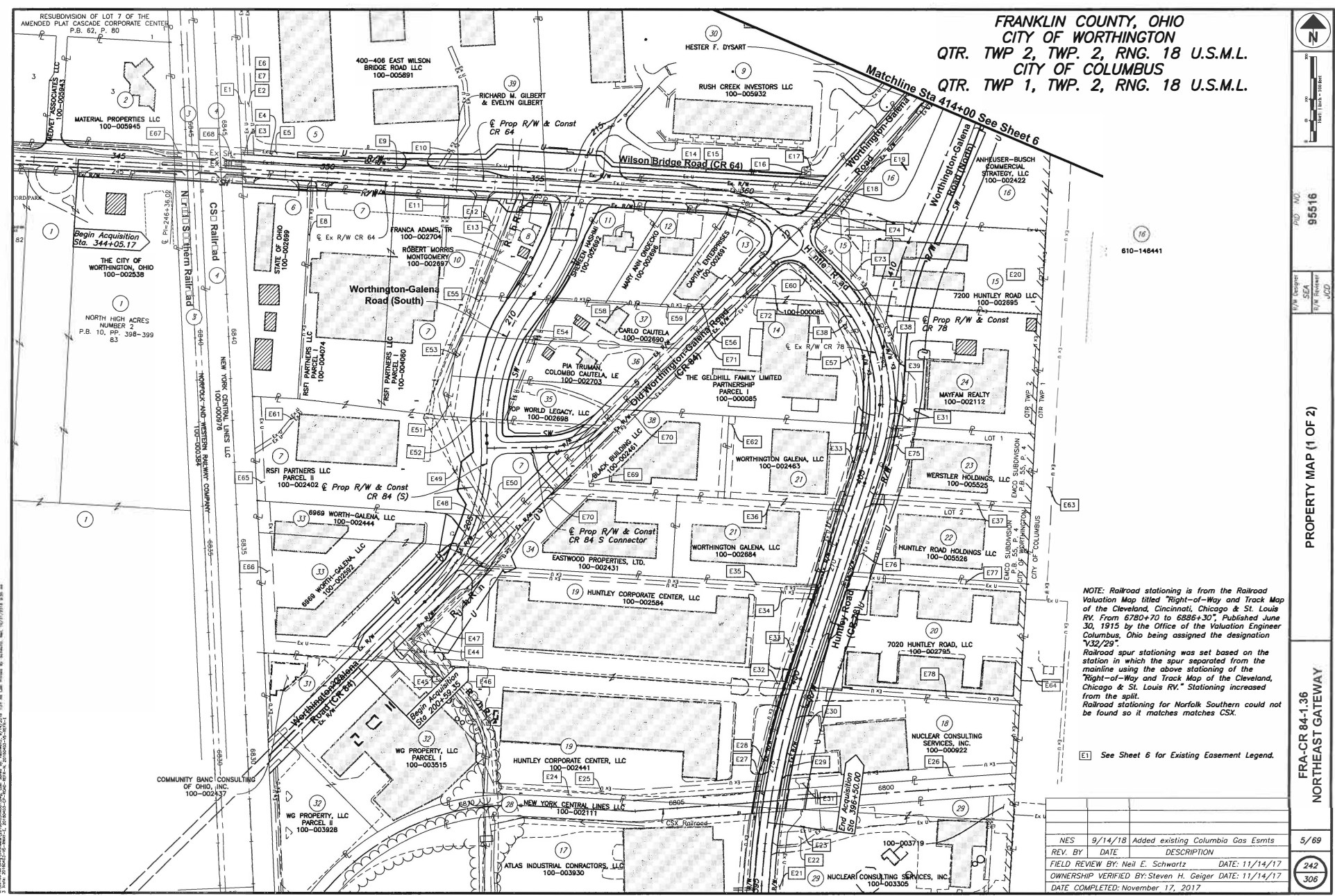
<u>Parcel</u>	<u>Address</u>	<u>Owner</u>	<u>FMVE</u>
29-T	7000 Huntley Rd	Nucon International Inc.	\$300
30-WD	Worthington-Galena Rd	Estate of Hester Dysert	\$300
33-WD, -T	6969 Worthington-Galena Rd	6969 Worth-Galena, LLC	\$26,904
34-WD, -U, -T1, -T2	7036 Worthington-Galena Rd	Eastwood Properties, Ltd	\$10,746
35-WD1, -WD2, -S1, -S2, -T1, -T2 w/E	7045 Worthington-Galena Rd	Top World Legacy, LLC	\$55,058 \$55,493
36-WD, -S, -T1, -T2 w/E	7059 Worthington-Galena Rd	Pia Truman	\$65,008 \$65,490
37-WD, -S, -T1, -T2 w/E	7069 Worthington-Galena Rd	Carlo Cautela	\$65,256 \$65,735
38-WD, -T	7044 Worthington-Galena Rd	Black Building, LLC	\$386
39-WD	E Wilson Bridge Rd	Estates of RichardM. & Evelyn C. Gilbert	\$300
40-WD	760 Lakeview Plaza Blvd	Stonehenge Professional Park	\$980

Exhibit A
(Ordinance No. 61-2018)
Northeast Gateway Project Parcel List

Legend

- WD = a fee simple interest
- SH = a perpetual easement for highway purposes
- T = a temporary easement for construction purposes
- U = a utility or railroad easement
- E = a fee simple interest for excess land
- BS = a bill of sale
- S = a sewer easement

EXHIBIT B



NOTE: Railroad stationing is from the Railroad Valuation Map titled "Right-of-Way and Track Map of the Cleveland, Cincinnati, Chicago & St. Louis Ry. From 6780+70 to 6886+30", Published June 30, 1915 by the Office of the Valuation Engineer Columbus, Ohio being assigned the designation "V32/29". Railroad spur stationing was set based on the station in which the spur separated from the mainline using the above stationing of the "Right-of-Way and Track Map of the Cleveland, Chicago & St. Louis Ry." Stationing increased from the split. Railroad stationing for Norfolk Southern could not be found so it matches matches CSX.

E1 See Sheet 6 for Existing Easement Legend.

NES	9/14/18	Added existing Columbia Gas Esmts	5/69
REV. BY	DATE	DESCRIPTION	
FIELD REVIEW BY:	Neil E. Schwartz	DATE: 11/14/17	242
OWNERSHIP VERIFIED BY:	Steven H. Geiger	DATE: 11/14/17	306
DATE COMPLETED:	November 17, 2017		



PROPERTY MAP (1 OF 2)

FRA-CR 84-1.36
NORTHEAST GATEWAY

7.B. - Nrotheast Gateway Right-of-Way Acquisition

RE-22
REV. 03-2015ACQUIRING AGENCY'S
FAIR MARKET VALUE ESTIMATE

OWNER'S NAME

Worthington Galena, LLC

COUNTY FRAROUTE CR84SECTION 136PARCEL NO. 21PROJECT I.D. NO. 95516

	PAR NO.	ITEMS INCLUDED IN THIS ESTIMATE			ORIGINAL	REVISION	REVISION	ADMIN REVIEW
L A N D	21-WD	0.082 Acres (3,572± SF) @ \$160,000/Acre			\$13,120	\$13,120		\$13,120
	21-U	0.044 Acres (1,917± SF) @ \$160,000/Acre x 50%			\$3,520	\$3,520		\$3,520
F E N C E								
T R E E S	21-WD	I	Medium	Tree	\$250	\$250		\$250
	21-T	I	Medium	Tree	\$250	\$250		\$250
O T H E R	21-WD	2,687± SF seeded lawn @ \$0.30/SF			\$806	\$806		\$806
	21-WD	18± LF curbing @ \$12.00/LF, depr. 35%			\$140	\$140		\$140
	21-WD	885± SF asphalt pavement @ \$3.50/SF, depr. 35%			\$2,014	\$2,014		\$2,014
	21-WD	Misc. landscape			\$100	\$100		\$100
	21-T	Misc. landscape			\$700	\$700		\$700
	21-T	Two (2) concrete parking blocks @ \$72 each, depr. 25%			\$108	\$108		\$108
	21-WD	"Dream Baths" sign @ \$2,693, 50% depr.				\$1,347		
	21-WD	Administrative Review						\$15,024
B L D G								
D A M A G E	21-T	0.124 Ac (5,401± SF) x \$160,000/Ac x 10% for 2 Yrs.			\$3,968	\$3,968		\$3,968
E L		TOTAL FAIR MARKET VALUE FOR REQUIRED R-W			\$24,976	\$26,323		\$40,000
		OFFER FOR REQUIRED R-W AND EXCESS LAND						
		ADDED COST TO ACQUIRE EXCESS LAND						
		VALUE		AREA				

The allocation of compensation recommended above is based upon an approved appraisal report

Trainee's Recommendation		Recommended	
Date		<i>Gerald A. Tout</i>	Date 10/23/2018
Review Appraiser Typed Name		Review Appraiser Typed Name Gerald A. Tout	
Recommended		Recommended	
Date		Date	
2 nd Review Appraiser		Appraisal Unit Manager	
Agency Signature Establishing FMVE		Administrative Settlement / Case Settlement	
<i>Matthew H. Greeson</i>	Date 10/23/18	<i>Tammy Boring</i>	Date 5/2/2019
Typed Name & Title Matthew H. Greeson, City Manager		Typed Name & Title Tammy Boring, REA	
Agency Name City of Worthington		Agency Name ODOT- District 6	

Administrative Review:

After diligent effort, the negotiator was able to arrive at the settlement of \$40,000.00. This represents an increase of \$15,024.00 over the FMVE. The cost of litigation and an updated appraisal report far outweigh this increase. This settlement is approved as fair, reasonable and in the best interest of all parties concerned.

Tammy Boring
Real Estate Administrator
ODOT-District 6



STAFF MEMORANDUM
City Council Meeting – September 3, 2019

Date: 08/26/2019

To: Matthew H. Greeson

From: Scott F. Bartter, Finance Director

Subject: **Resolution 52-2019 - Transfer of Funds**

EXECUTIVE SUMMARY

This Resolution authorizes the transfer of previously appropriated funds in the amount of \$29,500 in the General Fund to cover expenses as anticipated in the appropriate accounts. The approval of this reallocation of funds does not increase the total annual appropriation.

RECOMMENDATION

Introduce and Approve as Presented

BACKGROUND/DESCRIPTION

The following transfers are requested to extend the number of hours available for the Student Intern.

From: 101.1070.520524	Planning Consultant – Economic Development	
To: 101.1030.511014	Student Intern – Administration	\$1,500

From: 101.3010.540570	Consultants – Service/Eng Administration	
To: 101.1030.511014	Student Intern – Administration	\$3,000

Additionally, the following transfers are requested in the Parks and Recreation Department.

From: 101.4020.511038	Seasonal Workers – Parks Maintenance	
To: 101.4020.540563	Grounds Maintenance – Parks Maintenance	\$9,000

7.C. - Transfer of Funds

From: 101.4040.511043	Summer Staff Wages – Recreation Programs	
To: 101.4030.511085	PT Lifeguard – Community Center	\$12,000
From: 101.4050.511082	PT Customer Service – Senior Center	
To: 101.4030.511066	PT General Instructor – Senior Center	\$4,000

Finally, the transfer below is in the Service and Engineering Department to cover increased use seasonal workers.

From: 101.3050.511036	Maintenance Supervisor – Grounds	
To: 101.3050.511038	Seasonal Workers – Grounds	\$15,000

ATTACHMENTS

Resolution No. 52-2019

RESOLUTION NO. 52-2019

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

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Legislation, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is made the following transfer of previously appropriated funds:

From Account No.	To Account No.	Amount
101.1070.540524	101.1030.511014	\$ 1,500.00
101.3010.540570	101.1030.511014	\$ 3,000.00
101.4020.511038	101.4020.540563	\$ 9,000.00
101.4040.511043	101.4030.511085	\$ 12,000.00
101.4050.511082	101.4030.511066	\$ 4,000.00
101.3050.511036	101.3050.511038	\$ 15,000.00
Total Transfers		\$ 44,500.00

SECTION 2. That the Clerk be and hereby is instructed to record this Resolution in full in the appropriate resolution book.

Adopted _____

President of Council

Attest:

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – September 9, 2019

Date: 07/29/2019

To: Matthew H. Greeson, City Manager

From: Scott F. Bartter, Finance Director

Subject: **Ordinance No. 33-2019 - Eliminate use of Parks and Recreation Revolving Fund**

EXECUTIVE SUMMARY

This Ordinance eliminates the use of the Parks & Recreation Revolving Fund and moves any remaining balance, after all liabilities have been paid, to the General Fund.

RECOMMENDATION

Introduce for Public Hearing on September 16, 2019

BACKGROUND/DESCRIPTION

The Parks and Recreation Revolving Fund was originally created in 1976 to account for the receipt of fees and payment of expenses in connection with self-supporting leisure time programs. The Revolving Fund accounted for part-time wages and contractual obligations related to programming, however, it did not account for full-time wages or related benefits, utilities, or support functions needed for programmatic activities. These additional expenses were captured through a transfer from the Revolving Fund into the General Fund. The verbal recommendations of the City's independent auditor recommended not utilizing a transfer to account for these expenses.

Aside from audit compliance, the shift of all parks and recreation programming revenue and expenses to the General Fund will diversify General Fund revenue, and create efficiencies in processing payroll and preparing the daily deposit.

7.D. - Eliminate use of Parks and Recreation Revolving Fund

During the 2019 budget process, staff recommended that all revenue and expenses related to parks and recreation programming be moved into the General Fund. Subsequently, the Council adopted a budget that appropriated zero funding from the Revolving Fund, with the exception of a final transfer into the General Fund. This legislation further memorializes the City's desire to account for recreational programming in the General Fund, as opposed to the Revolving Fund.

ATTACHMENTS

Ordinance No. 33-2019

ORDINANCE NO. 33-2019

Authorizing and Directing the Elimination of a
Special Accounting Fund Entitled “Parks and
Recreation Revolving Fund”.

WHEREAS, Ordinance 09-1976 established the Parks and Recreation Revolving Fund for the purpose of accounting for the receipt of fees and payment of expenses in connection with self-supporting leisure time activity; and,

WHEREAS, this Fund does not account for the complete expenditures related to the payment of expenses in connection with leisure time activity; and,

WHEREAS, as a result of the audit of the 1980 financial statements, and since 1981 the fund has not acted as a “revolving fund”, but instead expenditures have been appropriated from this fund as part of the annual budget process; and,

WHEREAS, the City desires to account for all Parks and Recreation revenue and expenditures from the General Fund, which will diversify General Fund revenue, create payroll and daily deposit efficiencies, and ensure audit compliance; and,

WHEREAS, with the passage of Ordinance 52-2018 the Worthington City Council adopted the Municipal Budget for the Fiscal Year ending 2019; and,

WHEREAS, the 2019 Municipal Budget moves all revenue and expenditures from the Parks and Recreation Revolving Fund into the General Fund; and

WHEREAS, the 2019 Municipal Budget authorizes the transfer of any fund balance remaining within the Parks and Recreation Revolving Fund to the General Fund.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That effective January 1, 2019, the Director of Finance be and hereby is authorized and directed to eliminate the Parks and Recreation Revolving Fund and transfer the balance, after all liabilities have been paid, to the General Fund.

SECTION 2. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – September 3, 2019

Date: August 28, 2019

To: Matthew H. Greeson, City Manager

From: Daniel Whited, P.E. Director of Service and Engineering

Subject: **Ordinance No. 34-2019 – Appropriation - Engineering and Inspection - NS Rail Crossing Improvements**

EXECUTIVE SUMMARY

This Ordinance appropriates \$30,000 costs required by Norfolk Southern to fund engineering and inspections of proposed improvements at the East Wilson Bridge Road railroad crossing.

RECOMMENDATION

Introduce for Public Hearing on September 16, 2019

BACKGROUND/DESCRIPTION

The Ohio Rail Development Commission (ORDC) has approved the preliminary engineering plans for City-related construction to take place at the rail crossing on East Wilson Bridge Road. These improvements will construct new curb and gutter, in addition to concrete traffic islands, which will eliminate the ability for vehicles to circumvent the gates and risk a train-car collision. The improvements will work in conjunction with new signals, gates and detection systems being installed by ORDC, and CSX and Norfolk Southern Railroads.

Earlier this year, staff secured funding to complete the work this summer. As we moved forward, Norfolk Southern determined we would need to pay \$30,000 into a force account which will cover their cost for engineering and inspections of the work. The account must be established before they will allow work to take place in their right-of-way. These funds can be reimbursed through our grant from the Ohio Rail Development Commission.

FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)

\$30,000

ATTACHMENT

Ordinance No. 34-2019

ORDINANCE NO. 34-2019

Amending Ordinance No. 52-2018 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Cost of Curb Improvements at Wilson Bridge Road & the Railroad Crossing for the NE Gateway Intersection Improvement Project and all Related Expenses with said Project. (Project No. 602-14)

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the Capital Improvements Fund Unappropriated Balance to Account No. 308.8150.533330 an amount not to exceed forty five thousand dollars (\$30,000.00) to pay the cost of curb improvements at Wilson Bridge Road and the Railroad Crossing for the NE Gateway Intersection Improvement Project and all related expenses (Project No. 602-14).

SECTION 2. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – September 3, 2019

Date: 08/28/2019

To: Matthew H. Greeson, City Manager

From: Scott F. Bartter, Finance Director

Subject: **Ordinance No. 35-2019 - State Infrastructure Bank Authorization**

EXECUTIVE SUMMARY

This Ordinance authorizes the City Manager to enter into an agreement with the Ohio Department of Transportation's (ODOT) State Infrastructure Bank (SIB) for temporary financing of the Northeast Gateway project. Financing may be necessary up to \$9,569,197, with a total cost \$10,358,197, inclusive of interest. Funds would be utilized to fund the project until the release of the Federal funds, which is anticipated to occur from 2023-2025 and will cover approximately 80% of total costs.

RECOMMENDATION

Introduce for Public Hearing on September 16, 2019

BACKGROUND/DESCRIPTION

The City of Worthington is collaborating with the Mid-Ohio Regional Planning Commission (MORPC), the Ohio Department of Transportation (ODOT), and the Ohio Public Works Commission (OPWC) to improve congestion and traffic flow at the intersection of Huntley Road/Wilson Bridge Road/Worthington-Galena Road, also known as the Northeast Gateway. The Right-of-Way acquisition phase of the project is anticipated to be complete in the fall of 2019 with demolition, utility relocation and construction set to begin in late 2019.

This project has a total estimated cost of \$17,657,481 with an estimated cost to the City of Worthington of \$1,901,328. As the project transitions into the construction phase, the full amount of funding must be made available, however the Federal funds available through

MORPC won't be available until State Fiscal Years 2023-2025. In order to temporarily provide the funding needed to move into the next phase, the City is requesting funds through the State Infrastructure Bank.

Utilizing the State Infrastructure Bank is advantageous to the City for a variety of reasons. First, under the guidelines of the SIB loan, the first twelve (12) months are interest free. Additionally, issuance costs are one time and substantially lower than the issuance costs of multiple short-term note financing and the interest rate of three percent (3%) is locked in for the five year duration of the loan. Finally, the SIB is designed for these type of financing needs; the City of Worthington will never actually receive these funds. The funds will be deposited with ODOT and paid directly by MORPC when the Federal funds become available.

FINANCIAL IMPLICATIONS/FUNDING SOURCES

The estimated financing cost to the City is a \$10,000 application fee and estimated interest of \$789,000 for the entire loan period, if the full amount becomes necessary. Total project costs are expected to be offset by 80% federal funding, and a _____ grant from the OPWC. This results in an estimated total cost for the project to the City of \$_____.

ATTACHMENTS

Ordinance 35-2019

ORDINANCE NO. 35-2019

An Ordinance Authorizing the City Manager or His Designee to Enter Into Agreements with the Ohio Department of Transportation State Infrastructure Bank to Complete the Upgrade to the Intersection of Worthington-Galena Road, Huntley Road and East Wilson Bridge Road (the “Northeast Gateway”) and Authorizing the Execution of All Documents Necessary to Effectuate the Same.

WHEREAS, the Ohio Department of Transportation State Infrastructure Bank is available to make interim loans to facilitate transportation infrastructure projects; and,

WHEREAS, the City and the Ohio Department of Transportation desire to cooperate in the completion of improvements to the intersection known as the Northeast Gateway; and,

WHEREAS, the City has been working on the Northeast Gateway project for approximately six (6) years; and,

WHEREAS, the total estimated cost of this project is \$17,657,481 with an estimated local contribution of \$1,901,328; and,

WHEREAS, the State Infrastructure Bank (SIB) loan is needed to bridge the time between when payment needs to be made to begin construction and when the Federal funds become available for distribution; and,

WHEREAS, the SIB loan needs to be in place before the City can proceed with required environmental work; and,

WHEREAS, the SIB loan will be secured and repaid by the City’s future income and real property tax collections;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That the City Manager or his designee is hereby authorized and directed to enter into any and all agreements with the Ohio Department of Transportation State Infrastructure Bank for a loan in an amount not to exceed Ten Million Dollars (\$10,000,000) for bridge financing related to the Northeast Gateway project.

SECTION 2. That the City Manager or his designee is hereby authorized to take all actions, including the execution of any and all applications, agreements, amendments, or documents and the making of payments or transfers, necessary to effectuate the granting of the State Infrastructure Bank loan and the repayment of same, including the pledge of the City’s future income tax and real property tax revenue.

ORDINANCE NO. 35-2019

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Clerk of Council



STAFF MEMORANDUM
City Council Meeting – September 3, 2019

Date: 08/26/2019

To: Matthew H. Greeson, City Manager

From: Scott F. Bartter, Finance Director

Subject: **Ordinance No. 36-2019 Accept Amounts and Rates**

EXECUTIVE SUMMARY

This Ordinance accepts the tax rates and amounts as determined by the Franklin County Budget Commission. The property tax rate remains unchanged at 5 mills for collection year 2020.

RECOMMENDATION

Introduce for Public Hearing on September 16, 2019.

BACKGROUND/DESCRIPTION

This Ordinance is an annual housekeeping item required by each taxing authority within the State of Ohio for the purpose of Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying Them to the County Auditor. This legislation is requested for passage as required by Ohio Revised Code (ORC) Section 5705.34. In accordance with ORC 5705.34, this legislation must be adopted and submitted annually to the Franklin County Budget Commission by October 1.

The property tax rate for the City of Worthington remains unchanged for 2019 (collection year 2020) in the amount of 5.0 mills. We have not yet received the amounts from Franklin County and expect to have them in time for the public hearing.

ATTACHMENTS

Ordinance No. 36-2019

ORDINANCE NO. 36-2019

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

WHEREAS, this Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year beginning January 1, 2020; and,

WHEREAS, the Budget Commission of Franklin County, Ohio has certified its action to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, Franklin County, State of Ohio, six-sevenths of the members elected thereto herein concurring that the amounts and rates as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further ordained that there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation for tax year 2019 (collection year 2020) as follows:

SCHEDULE A

SECTION 1. Summary of amounts required from General Property Tax approved by the Budget Commission and County Auditor's estimated tax rates.

	Amount to be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Full Tax Rate to be Levied Inside Outside Limitation	
	Column II	Column IV	Column V	Column VI
General Fund	\$	\$	2.03	
General Fund Charter				2.50
Bond Retirement			0.17	
Police Pension			0.30	
TOTAL	\$	\$	2.50	2.50

ORDINANCE NO. 36-2019

AND BE IT FURTHER ORDAINED:

SECTION 2. That the Clerk of Council be and hereby is directed to certify a copy of this ordinance to the County Auditor of Franklin County.

SECTION 3. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed _____

President of Council

Attest:

Clerk of Council