



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

Monday January 07, 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 - December 10, 2018

*Recommendation:* Introduce and  
Approve as Presented

#### 6. Public Hearings on Legislation

##### 6.A. Ordinance No. 60-2018 Accepting the Sanitary Sewer - Kemper House

Accepting Sanitary Sewer Improvements  
Constructed in a Public Easement Located  
at the Kemper House of Worthington.

*Executive Summary:* This Ordinance  
accepts the new sanitary sewer at the  
Kemper House as a public sewer.

*Recommendation:* Approve as Presented

*Legislative History:* Introduced on  
December 10, 2018

**6.B. Ordinance No. 61-2018** Acquisition of Real Estate - Northeast Gateway Intersection Project

Determining to Proceed with the Acquisition of Real Estate Interests for the Northeast Gateway Intersection Improvement Project, Authorizing the City Manager to Acquire Certain Parcels Without Further Council Action, and Requiring Adoption of a Resolution to Authorize Acquisition of Other Parcels. (Project No. 602-14)

Executive Summary: This Ordinance determines to proceed with the acquisition of parcels needed for the Northeast Gateway Project and authorizes the City Manager to purchase certain parcels without further Council action.

Recommendation: Approve as Presented

Legislative History: Introduced on December 10, 2018

**7. New Legislation to Be Introduced**

**7.A. Resolution No. 01-2019** Renewal of Right of Way Agreement - City of Dublin

Approving an Agreement and Permit for the City of Dublin, an Ohio Municipal Corporation, 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 the City of Dublin for three years.

Recommendation: Introduce and Approve as Presented

**7.B. Resolution No. 02-2019** Appointment - Bicycle & Pedestrian Advisory Board

Appointing Katelyn Burkley to the Worthington Bicycle and Pedestrian Advisory Board

Executive Summary: This Resolution appoints Katelyn Burkley to the Bicycle & Pedestrian Advisory Board

Recommendation: Introduce and Approve as Presented

**7.C. Resolution No. 03-2019** SWACO Food Scraps Composting Grant

To Accept a Grant from the Solid Waste Authority of Central Ohio for a Food Scraps Composting Program and Authorize the City Manager to Execute the Grant Agreement.

Executive Summary: This Resolution accepts a grant from the Solid Waste Authority of Central Ohio for a food scraps composting program and authorizes the City Manager to enter into a grant agreement with SWACO.

Recommendation: Introduce and Approve as Presented

**7.D. Ordinance No. 01-2019** Electric Aggregation Program - Plan of Operation and Governance

Adopting a Plan of Operation and Governance for the Electric Aggregation Program.

Executive Summary: This Ordinance approves the Plan of Operation and Governance for the Electric Aggregation Program that was approved by voters last November

Recommendation: Introduce for Public Hearing on January 22, 2019

**8. Reports of City Officials**

**8.A. Discussion Item(s)**

**8.A.I. 2019 Grant Program for Community Groups**

Executive Summary: Staff seeks direction from City Council regarding the 2019 grant program for community groups.

**9. Reports of Council Members**

**10. Other**

**11. Executive Session**

**11.A. Consider the purchase of property for public purposes**

**11.B.** Conference with an attorney for the City concerning disputes involving the City that are the subject of pending or imminent court action

**11.C.** Consider negotiations for economic development assistance

**12. Adjournment**



**CITY OF WORTHINGTON**  
**Worthington City Council Minutes**  
December 10, 2018

6550 N. High Street  
Worthington, Ohio 43085

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

Worthington City Council met in Regular Session on Monday, December 10, 2018, 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, Douglas Foust, Beth Kowalczyk, Douglas K. Smith, and Bonnie D. Michael

**Member(s) Absent:** David Robinson and Scott Myers

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

There were 15 visitors present.

**PLEDGE OF ALLEGIANCE**

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

**VISITOR COMMENTS**

There were no comments.

**SPECIAL PRESENTATION(S)**

- Caboose Donation from the Rutherford Family

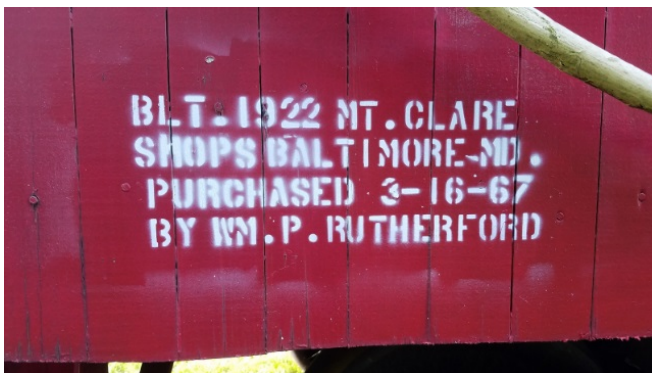
*Mr. Greeson welcomed the extended Rutherford Family to the Worthington City Council Chambers. He invited Mr. Hurley to comment on the donation they are making of a Caboose to the City of Worthington.*

Mr. Hurley described how a cool project like this takes many people to bring it to fruition and a great partnership. He introduced Lynn Rutherford-Harper and her husband Joe Harper, they are the owners of the caboose, and their family, Tracy Harper Hayes and her husband Joe Hayes. Joe is the Rutherford Funeral Home President, which is just down the street. He also welcomed Peter Macrae and Bill Lehner with the Worthington AM Rotary Club, and Kevin Wohlever who is with the Central Ohio Model Railroad Club and has been advising use on this project. Last but not least, Melissa Hindman and Scott Brown who have been the Parks and Recreation Department staff members involved with this project, playing a big role in this coming together.



As Council will recall, over the past year the McCord Conceptual Master Plan has been worked on to show a plan for the park and its future. An idea staff has had for a while came from observing children in the Community Center and outside who were glued to the windows anytime a train is going by. Staff came up with the idea of having some kind of an observation area,

for people to watch for the trains. He showed the conceptual plan detailing where the train observation deck will be. Our partners with the Worthington AM Rotary Club fell in love with this idea and appreciated the opportunity to be a partner with us. After brainstorming what this should look like, one of the core pieces we wanted was a caboose or some sort of train car that could be the focal point and open to tours with an educational component. Rotary took the lead on trying to locate a caboose or train car. After following several leads without much luck, Joe Hayes showed up to City Hall to talk with Mr. Greeson about the possible donation of a caboose that was sitting in their backyard in Upper Arlington. Very excitedly, a trip was scheduled to look at the caboose.



The caboose was built in 1922 and there is a great deal of history associated with it. Mr. Rutherford grew up with a love of trains, and in 1967 when he learned cabooses were going by the wayside and some would be available, he arranged to purchase this one. Mr. Hurley described learning about all of the logistics associated with getting the

*caboose out of someone's backyard and relocated. Another interesting thing is that many people know about this caboose as it has been a local landmark. He recalled when discussing this with staff, Melissa Hindman remembered being there as a child, as many other children in the area have done before. There have been many significant family events and activities at this caboose. The connection between the family and Worthington with the Rutherford Family Funeral Home, makes this a neat project for everyone to be a part of.*

*Mr. Hurley described how it is a wooden caboose. They still have the original stencils that can be used to repaint the caboose authentically. As we talk about the project and how it will fit there will be some decisions made about when it can be open, how to make it accessible, and what kind of information can be gleaned about the history of this specific caboose. With Mr. Wohlever, figuring out how to talk about the tracks and people seeing the train schedules. Rotary is additionally in charge of getting the caboose moved and the refurbishment and establishment of it on this site. The City would then take on the long-term maintenance of it. Mr. Hurley described how tonight what is needed from Council is a motion of acceptance of the donation. We are on the hook for a letter to the family that we are accepting the donation.*



*President Michael thanked the family for this, it is marvelous. We have been hearing about having some way for kids to watch the trains for some time. We cannot thank the family enough for their generosity.*

*Ms. Dorothy reiterated Council's thanks and appreciation for everyone's role in this. She asked if the Parks Master Plan envisioned something like this to begin with. Mr. Hurley said it was part of the vision of the park to have some sort of train observation area,. It was Rotary's brainchild to go out and find a car and place it there with some decking. Figuring out what it would look like was a work in progress. There are many challenges and we did not know what it would look like in its final form. Other communities have something similar and we are learning from them the different ways to manage this.*

*Mr. Foust commented that as a lifelong model-railroader and a card-carrying member of the Train Collectors Association (TCA), he cannot imagine a greater gift to the city and is delighted.*

**MOTION** Mr. Foust moved, Ms. Dorothy seconded a motion to accept the donation.

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



- Ohio Parks and Recreation Association Awards



Mr. Hurley described how Ms. Hindman is the most directly responsible person for the many special events and marketing for the Parks and Recreation Department. The Ohio Parks and Recreation Association declared their 2018 award winners. There were 150 programs and projects nominated from across the state. 14 different agencies took away an award, and Worthington was one of them. The awards are judged by

panel of parks and recreation professionals from around the state. Won actually won two awards. The first was Key to the City, where Ms. Hindman was responsible, which took first place in the Programs Category. Staff placed keys around the city parks and then some business and other folks joined in. If someone found the key, at the end of the month there was an opportunity to open a prize box with prizes donated by various local businesses. The initial goal was to engage people and get them into the City's parks. The added bonus was how it helped to cross promote our local businesses. Everyone who brought a key got a pass to the Community Center and a small prize. The winner also got bike ride with City Manager and the Police Chief.



We also won second place in the Health and Wellness Category for a program that was put together called Boarder Battle, which was an ongoing battle back and forth with the Washtenaw Community Center just outside of Ann Arbor, Michigan. It was in the month of November as part of the buildup to the Ohio State – M\*chigan game. It was a similarly sized community center and was based on how many people checked in each day. On the side they also conducted a canned food drive where they competed for a month.

President Michael commented that as a former Ohio Parks and Recreation Association board member herself, she knows how difficult it is and how prestigious the awards are. They are not easy to come by amidst some tough competition. She thanked everyone for their work and leadership because this does not happen without many people working together.

## CONSENT AGENDA

### Approval of Meeting Minutes

- Meeting Minutes – December 3, 2018 (Special Meeting)
- Meeting Minutes – December 3, 2018 (Joint Meeting)



- Meeting Minutes – December 3, 2018

**Ordinance No. 57-2018** Amending Ordinance No. 41-2017 (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 Old Worthington Street Light and Mast Arm Rehabilitation Project and to Proceed with said Project. (Project No. 655-17)

**Ordinance No. 59-2018** Amending Ordinance No. 52-2018 (As Amended) to Adjust the Annual Budget by Providing for Appropriations From the Capital Improvements Fund Unappropriated Balance to Pay the Cost of the 2019 New and Replacement Equipment Items and for Certain Projects as Identified in the 2019 Five-Year Capital Improvements Program and all Related Expenses and Determining to Proceed with said Projects.

**Resolution No. 72-2018** Appointing Rachel DeNoewer as a Member to the Worthington Parks & Recreation Commission.

**Introduced by Mr. Foust**

**Resolution No. 73-2018** Appointing and Re-appointing Members to Various City Boards and Commissions

**Introduced by Mr. Smith**

**Resolution No. 74-2018** Approving an Agreement and Permit for Columbia Gas of Ohio Inc., Ohio Corporation, to Operate and Maintain a Natural Gas Distribution 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.

**Introduced by Ms. Dorothy**

*President Michael asked if there was anyone who wished to have any of the aforementioned pieces of legislation removed from the Consent Agenda.*

**MOTION** Ms. Kowalczyk moved, Mr. Foust seconded a motion to approve the Consent Agenda.

**The clerk called the roll on the Consent Agenda. The motion carried by the following vote:**

**Yes     5       Kowalczyk, Foust, Dorothy, Smith, and Michael**

**No       0**

**The Consent Agenda was thereupon declared duly passed and is recorded in full in the appropriate record book.**

## **PUBLIC HEARINGS ON LEGISLATION**

### **Ordinance No. 58-2018**

Approving the Provisions of a Collective Bargaining Agreement Between the City of Worthington, Ohio and the International Association of Firefighters Local #3498 and Authorizing the City Manager to Execute Same on Behalf of the City.

**The foregoing Ordinance Title was read.**

*Mr. Greeson detailed how we have a collective bargaining agreement with our firefighters union. That contract is for three years and it expired at the end of last year. We have been in collective bargaining negotiations and we are pleased to present the terms and conditions that were both approved by the union and signed off on by the City's negotiating team. The ordinance was introduced at the last meeting and a general outline of the provisions that were part of the tentative agreement were presented in a memorandum included in the packet from the Personnel Director. The ordinance would allow him to enter into an updated collective bargaining agreement with new language for the items added as part of the signed tentative agreement.*

**There being no additional comments, the clerk called the roll on Ordinance No. 58-2018 (As Amended). The motion carried by the following vote:**

**Yes     5       Foust, Dorothy, Smith, Kowalczyk, and Michael**

**No       0**

**Ordinance No. 52-2018 (As Amended) was thereupon declared duly passed and is recorded in full in the appropriate record book.**

## **NEW LEGISLATION TO BE INTRODUCED**

### **Resolution No. 71-2018**

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

**Introduced by Ms. Kowalczyk**

**MOTION** Mr. Foust made a motion to adopt Resolution No. 71-2018. The motion was seconded by Mr. Smith

**There being no additional comments, the motion to adopt Resolution No. 71-2018 carried unanimously by a voice vote.**

**Ordinance No. 60-2018** Accepting Sanitary Sewer Improvements constructed in a public easement located at the Kemper House of Worthington

**Introduced by Mr. Smith**

**Ordinance No. 61-2018** Determining to Proceed with the Acquisition of Real Estate Interests for the Northeast Gateway Intersection Improvement Project, Authorizing the City Manager to Acquire Certain Parcels Without Further Council Action, and Requiring Adoption of a Resolution to Authorize Acquisition of Other Parcels. (Project No. 602-14)

**Introduced by Ms. Dorothy**

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**

- Permission to Advertise for Bid – East Wilson Bridge Road Waterline Replacement

*Mr. Greeson described how we have had a history of waterline breakages on East Wilson Bridge Road. This has been included for this year in the adopted Capital Improvements Plan.*

*Mr. Whited explained how the East Wilson Bridge Waterline Project has been discussed several times. While initially intended to be started this winter, it will be put off until early spring when we hope to get better bids. The project itself will last less than six months. The lifecycle for typical waterline projects is approximately 50 years. The current waterline is much older than that and has massive corrosion and breakage issues.*

*President Michael asked Mr. Whited to describe where this project is located for the benefit of the students in attendance at the meeting. Mr. Whited detailed how this is just west of the intersection of Wilson Bridge and Huntley Road at the northeast gateway of the community. It will go from there down west from the railroad tracks to Old Wilson Bridge Road. It will mitigate those breaks and then allow us to pave that roadway. President Michael said part of this is an ongoing project with ODOT and federal funding to redo that*

*entire intersection where Wilson Bridge, Huntley, and Worthington-Galena all come together.*

*Ms. Dorothy thanked Mr. Whited for answering her questions before she asked them. As an engineer she is always looking at the lifecycle of projects. She then asked what part of the City this waterline serves. Mr. Whited said there are a plethora of waterlines in that area. This waterline feeds primarily those businesses on Wilson Bridge and the residential areas that feed off of that. Ms. Dorothy inquired if we are tracking waterline breakages in order to determine which waterlines to replace next. Mr. Whited replied that we intend to fund a study in 2019 on waterline breaks and their impact on the community, in order to prioritize what makes sense to spend money on first.*

**MOTION** Ms. Kowalczyk made a motion to authorize the solicitation of bids.  
The motion was seconded by Mr. Foust.

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

- Objections to Renewal of a Liquor Permit

*President Michael explained how all permits to sell alcoholic beverages in Worthington expire on February 1, 2019. To maintain permit privileges, every permit holder must file a renewal application under the Ohio Revised Code, providing the legislative authority the right to object to renewal of permit and to request a hearing.*

*Mr. Foust asked about Monkey's Bar and the status of that permit. Mr. Lindsey replied that as part of the resolution to the objection we filed, the permit went into safekeeping with the Department of Liquor Control with the provision that it could not be used there. His understanding is that they were looking at a possible different use of that location, as a non-liquor restaurant establishment. It could also be TREX-ed to a different location. President Michael asked if it was included on this list. Mr. Lindsey replied it is not. Chief Strait said that the owners of the Monkey Bar had inquired about opening a Mexican restaurant and we have had no issues at this point.*

**MOTION** Mr. Foust made a motion to not object to the renewal of permits.  
The motion was seconded by Mr. Smith

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

- Cancellation of December 17, 2018 Meeting

**MOTION** Ms. Dorothy made a motion to cancel the December 17<sup>th</sup>, 2018 City Council Meeting. The motion was seconded by Ms. Kowalczyk

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

*Mr. Greeson requested an executive session to discuss board and commission appointments and land acquisition.*

## **REPORTS OF COUNCIL**

### **EXECUTIVE SESSION**

**MOTION** Mr. Foust moved, Mr. Smith seconded a motion to meet in Executive Session to discuss Board and Commission Appointments, Land Acquisition.

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

**Yes 5** Dorothy, Kowalczyk, Foust, Smith, and Michael

**No 0**

Council recessed at 8:07 P.M. from the Regular meeting session

**MOTION** Mr. Smith moved, Ms. Kowalczyk seconded a motion to return to open session at 8:35 P.M.

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

### **ADJOURNMENT**

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

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

President Michael declared the meeting adjourned at 8:35 P.M.

*APPROVED by the City Council, this  
7<sup>th</sup> day of January 2019.*

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Assistant City Clerk

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Council President



**STAFF MEMORANDUM**  
**City Council Meeting – January 7, 2019**

Date: December 3, 2018

To: Matthew H. Greeson

From: Daniel Whited, P.E.

Subject: **Ordinance No. 60-2018 - Accepting the Sanitary Sewer at Kemper House**

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**EXECUTIVE SUMMARY**

This Ordinance accepts the new sanitary sewer at the Kemper House as a public sewer.

**RECOMMENDATION**

Approve as Presented

**BACKGROUND**

Kemper House Worthington, LLC has completed construction of the new sanitary sewer at the Kemper House Worthington on Proprietors Road. The sewer was inspected by the Department of Service and Engineering during construction and was completed in accordance with the approved plans and specifications and has passed the required tests for leakage and deflection. Upon acceptance of the new sewer, it will become a public sewer.

**ATTACHMENT**

Ordinance No. 60-2018



ORDINANCE NO. 60-2018

Accepting Sanitary Sewer Improvements  
Constructed in a Public Easement Located at the  
Kemper House of Worthington.

WHEREAS, the public sanitary sewer improvements constructed in a public easement described in instrument # 201808300117917 Franklin County Recorder's Office located at the Kemper House of Worthington are substantially complete, and;

WHEREAS, the City staff has recommended acceptance of the public sanitary sewer improvements constructed in a public easement described in instrument # 201808300117917 Franklin County Recorder's Office located at the Kemper House of Worthington;

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

SECTION 1. That the sanitary sewer line is hereby accepted as a public improvement subject to the receipt of a letter from the developer guaranteeing the workmanship and materials for a one-year maintenance period beginning the effective date of this ordinance as established in the Agreement to Install Utilities.

SECTION 2. That notice of passage of this Ordinance shall be by publication of a notice, one time, in a newspaper of general circulation in the City setting 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, and that this Ordinance shall take effect and be in force from and after 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 – January 7, 2019**

Date: December 7, 2018

To: Matthew H. Greeson

From: Tom Lindsey, Law Director

Subject: **Ordinance No. 61-2018 - Acquisition of Real Estate - Northeast Gateway Intersection Improvement Project**

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**EXECUTIVE SUMMARY**

This Ordinance determines to proceed with the acquisition of parcels needed for the Northeast Gateway Project and authorizes the City Manager to purchase certain parcels without further Council action.

**RECOMMENDATION**

Approve as Presented

**BACKGROUND/DESCRIPTION**

The project involves the reconstruction of the intersection at Huntley, Worthington Galena and Wilson Bridge Roads. The Northeast Gateway 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.

Staff has provided Council informational updates regarding the project on a number of occasions over the past two years including in 2014 when Council passed Ordinance No. 12-2014 determining to proceed with the Project and earlier this year when Council passed Ordinance No. 33-2018 appropriating the funds for the acquisition of the various parcels.

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 all of the parcels and in making initial offers to the property owners.

## 6.B. - Acquisition of Real Estate - Northeast Gateway Intersection Project

The proposed ordinance will authorize the City Manager to purchase certain parcels without the need for additional Council action. However, if the negotiated purchase price of a parcel exceeds \$30,000 or is more than \$3,000 above the appraised fair market valuation, then staff will ask Council to adopt a resolution authorizing the purchase. A resolution will also be needed for the purchase of parcels that were not previously included in the acquisition list.

### **FINANCIAL IMPLICATIONS/FUNDING SOURCES** (if applicable)

Funding for right of way acquisition has been included in the Capital Improvements Program. Federal transportation funds have been awarded for this project, including for right of way acquisition. State funding and City funding as also involved in the project.

### **ATTACHMENTS**

Ordinance No. 61-2018

Exhibit A (Parcel Purchase Process)

ORDINANCE NO. 61-2018

Determining to Proceed with the Acquisition of Real Estate Interests for the Northeast Gateway Intersection Improvement Project, Authorizing the City Manager to Acquire Certain Parcels Without Further Council Action, and Requiring Adoption of a Resolution to Authorize Acquisition of Other Parcels. (Project No. 602-14)

WHEREAS, the Northeast Gateway 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”); and,

WHEREAS, the Project requires the City of Worthington to acquire the various parcels as described in the attached Exhibit A; and,

WHEREAS, Council previously passed Ordinance No. 12-2014 determining to proceed with the Project and Ordinance No. 33-2018 appropriating the funds for the acquisition of the various 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,

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

SECTION 1. For purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the purchase of the specific parcels as described in Exhibit A and any additional parcels that the Director of Service and Engineering determines are necessary for the Project.

SECTION 2. That Council hereby authorizes the City Manager to purchase any of the parcels described in Exhibit A without the necessity of further Council action provided that the negotiated purchase price for the parcel does not exceed \$30,000 and is within \$3,000 of the fair market valuation as determined in accordance with the Ohio Department of Transportation’s Real Estate Manual.

SECTION 3. That Council adoption of a resolution shall be required 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 valuation as determined in accordance with the Ohio Department of Transportation’s Real Estate Manual.

ORDINANCE NO. 61-2018

SECTION 4. That Council adoption of a resolution shall be required to authorize the acquisition of any additional parcels not described in Exhibit A that the Director of Service and Engineering determines are necessary for the Project.

SECTION 5. 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 parcels authorized pursuant to Section 2 of this Ordinance.

SECTION 6. 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

## Exhibit A

(Ordinance No. 61-2018)

## 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

<b><u>Parcel</u></b>	<b><u>Address</u></b>	<b><u>Owner</u></b>	<b><u>FMVE</u></b>
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



**STAFF MEMORANDUM**  
**City Council Meeting – January 7, 2019**

Date: January 3, 2019

To: Matthew H. Greeson

From: D. Kay Thress, City Clerk

Subject: **Resolution No. 01-2019 Renewal of Right of Way Agreement - City of Dublin**

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**EXECUTIVE SUMMARY**

This is a renewal of a Right-of-Way Agreement and Permit for the City of Dublin. 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 the City of Dublin for renewal of its permit that expired in July 2018. 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.

**RECOMMENDATION**

Introduce and Approve as Presented

**ATTACHMENTS**

Resolution No. 01-2019  
Right-of-Way Agreement

RESOLUTION NO. 01-2019

Approving an Agreement and Permit for the City of Dublin, an Ohio Municipal Corporation, 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, the City of Dublin, an Ohio municipal corporation, 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 the City of Dublin acceptable; and,

WHEREAS, the City of Dublin has facilities within the community under a permit initially approved in 2005; and,

WHEREAS, the authority is nonexclusive; and,

WHEREAS, the City of Dublin 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 ORDAINED 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 the City of Dublin, an Ohio municipal corporation, 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 19<sup>th</sup> day of October, 2018, by and between the City of Dublin an Ohio municipal corporation, ("Company") and the City of Worthington, Ohio, an Ohio municipal corporation (the "City") pursuant to Resolution No. \_\_\_\_\_ adopted by the Worthington City Council on \_\_\_\_\_, 20\_\_.

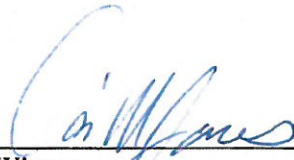
Now, therefore, in consideration of the foregoing and of the covenants, promises and conditions hereinafter set forth it is hereby agreed as follows:

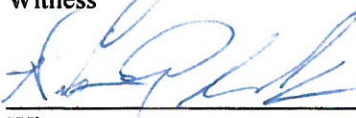
- I. That the Company, a municipal corporation, organized under the laws of the State of Ohio, its successors and assigns, is hereby granted the non-exclusive right, privilege and authority in accordance with the provisions of Chapter 949 of the Codified Ordinances of the City to acquire, construct, 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

CITY OF DUBLIN

By:   
\_\_\_\_\_  
Name: Dana L. McDaniel  
\_\_\_\_\_  
Title: City Manager  
\_\_\_\_\_

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

CITY OF WORTHINGTON

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Approved as to Form:

\_\_\_\_\_  
Law Director, City of Worthington



**STAFF MEMORANDUM**  
**City Council Meeting – January 7, 2019**

Date: December 31, 2018

To: Matthew H. Greeson, City Manager

From: Robyn Stewart, Assistant City Manager

Subject: **Resolution No. 02-2019 - Appointment - Bicycle & Pedestrian Advisory Board**

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**EXECUTIVE SUMMARY**

This Resolution appoints Katelyn Burkley to the Bicycle & Pedestrian Advisory Board.

**RECOMMENDATION**

Introduce and Approve as Presented

**BACKGROUND/DESCRIPTION**

There is a vacancy on the Bicycle & Pedestrian Advisory Board and City Council reviewed applications for the position. This Resolution appoints Katelyn Burkley to the unexpired term.

**ATTACHMENTS**

Resolution No. 02-2019

RESOLUTION NO. 02-2019

Appointing Katelyn Burkley to the Worthington Bicycle and Pedestrian Advisory Board.

WHEREAS, in 2015 City Council created the Bicycle and Pedestrian Advisory Board; and,

WHEREAS, the Board is composed of nine (9) members appointed by the Worthington City Council; and,

WHEREAS, there is currently a vacancy on the Bicycle and Pedestrian Advisory Board; and,

WHEREAS, City Council reviewed applications from individuals interested in serving on the Bicycle and Pedestrian Advisory Board.

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

SECTION 1. That Katelyn Burkley is hereby appointed to the Worthington Bicycle and Pedestrian Advisory Board to fill an unexpired three-year term which will expire on May 31, 2021.

SECTION 2. That the Clerk be and hereby is instructed to record this Resolution in the appropriate record book upon its adoption.

Adopted \_\_\_\_\_

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
Clerk of Council



**STAFF MEMORANDUM**  
**City Council Meeting – January 7, 2019**

Date: January 2, 2019

To: Matthew H. Greeson

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

Subject: **Resolution No. 03-2019 – Acceptance of SWACO Food Scraps Composting Grant**

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**EXECUTIVE SUMMARY**

This Resolution accepts a grant from the Solid Waste Authority of Central Ohio for a food scraps composting program and authorizes the City Manager to enter into a grant agreement with SWACO.

**RECOMMENDATION**

Introduce and Approve as Presented

**BACKGROUND/DESCRIPTION**

In September the Solid Waste Authority of Central Ohio announced their annual General Grants Program. The grants were open to municipalities, schools, governmental agencies and registered 501(c)(3) organizations. The City of Worthington applied for one of these grants under the category “Organics Waste/Food Waste Diversion” for a food scraps drop-off and composting program. In December we received official confirmation of grant award not to exceed \$4,680. The grants are structured as reimbursement awards, requiring a minimum of a 25% financial match from the City of Worthington. The program budget is \$6,240, thus the City’s match will be \$1,560. This program budget includes the cost for the receptacles, associated shipping, signage, installation hardware and any related publicity. The City will pay the costs and be reimbursed 75% of the total project cost (up to \$4,680) upon completion.

The project that was awarded allows for the drop off of residential food scraps for large scale composting. Partnering with Innovative Organics, up to 400 residents can receive a pail for collecting their food scraps, and drop them off (by dumping the bucket) at a self-serve drop off point in our Service Complex. This is a pilot food scraps composting initiative and will be free of charge to the 400 participating households. Once the program is launched, residents can sign up on first come, first served basis until we reach our program maximum of 400 households. Food scraps collected at the Service Complex will be picked up weekly and hauled to an Ohio EPA and

## 7.C. - SWACO Food Scraps Composting Grant

SWACO approved composting facility for processing. The program will continue through December 31, 2019.

### **FINANCIAL IMPLICATIONS/FUNDING SOURCES** (if applicable)

The City's match for the program is \$1,560

### **ATTACHMENTS**

Resolution No. 03-2019

RESOLUTION NO. 03-2019

To Accept a Grant from the Solid Waste Authority of Central Ohio for a Food Scraps Composting Program and Authorize the City Manager to Execute the Grant Agreement.

WHEREAS, in September, the Solid Waste Authority of Central Ohio (SWACO) announced their annual General Grants Program; and,

WHEREAS, the City of Worthington made application for a grant to implement a food scraps drop-off and composting program for up to 400 participating households; and,

WHEREAS, the City of Worthington was notified by SWACO that the program was selected to receive a grant; and,

WHEREAS, the City of Worthington must execute a grant agreement with SWACO to receive the funds.

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

SECTION 1. That the City of Worthington accepts the grant from the Solid Waste Authority of Central Ohio (SWACO) for the food scraps composting program.

SECTION 2. That the City Manager is hereby authorized to execute an agreement with SWACO for the grant funding.

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





**STAFF MEMORANDUM**  
**City Council Meeting – January 7, 2019**

Date: January 3, 2019

To: City Council

From: Matthew H. Greeson, City Manager

Subject: **Ordinance No. 01-2019 - Electric Aggregation Program - Plan of Operation and Governance**

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**EXECUTIVE SUMMARY**

This Ordinance approves the Plan of Operation and Governance for the Electric Aggregation Program that was approved by voters last November.

**RECOMMENDATION**

Introduce for Public Hearing on January 22, 2019

**BACKGROUND/DESCRIPTION**

On November 6, 2018, Worthington voters approved a referendum authorizing the City to pursue an electric governmental aggregation. Ohio Revised Code and Ohio Administrative Code outline requirements for the development and submittal of a Plan of Operation and Governance to the Public Utilities Commission of Ohio (PUCO). Attached is a copy of the Proposed Plan of Operation and Governance. Required public hearings on the proposed Plan will be held on January 14, 2019 at 8 a.m. and 6:30 p.m. at the Griswold Center, prior to City Council's public hearing on the proposed ordinance.

**ATTACHMENTS**

Ordinance No. 01-2019  
Plan of Operation and Governance (Exhibit A)

ORDINANCE NO. 01-2019

Adopting a Plan of Operation and Governance for  
Electric Governmental Aggregation

WHEREAS, on November 6, 2018, the electors of the City of Worthington approved a ballot issue authorizing the City to establish an opt-out electric governmental aggregation program; and,

WHEREAS, the electric aggregation program will aggregate the retail electric load of residents and businesses that are eligible to participate in the AEP Choice program for the purpose of negotiating for competitive retail electric supply at favorable rates and conditions; and,

WHEREAS, Section 4928.20 of the Ohio Revised Code and Section 4901:1-21-16 of the Ohio Administrative Code requires Council to adopt a Plan of Operation and Governance for the electric aggregation program prior to filing for certification as a governmental aggregator.

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

SECTION 1. That Council hereby adopts and approves the Plan of Operation and Governance for the electric governmental aggregation program as attached hereto (see Exhibit A).

SECTION 2. That the City Manager is hereby authorized to take all actions, including the filing of the Plan of Operation and Governance and the execution and filing of any additional forms required by the State of Ohio, necessary for the City to be certified as a Governmental Aggregator.

SECTION 3. That all formal actions of this Council concerning and related to the adoption of this Ordinance were taken in an open meeting of said Council, and that all deliberations of this Council that resulted in such formal action were made in meetings open to the public, when required by law, in full compliance with all legal requirements, including without limitation, provisions of the Charter of the City of Worthington, Chapter 109 of the Codified Ordinances of the City and Section 121.22 of the Ohio Revised Code.

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

EXHIBIT A  
(Ordinance No. 01-2019)

**CITY OF WORTHINGTON, FRANKLIN COUNTY, OHIO**

**PLAN OF OPERATION AND GOVERNANCE**

**ELECTRIC GOVERNMENTAL AGGREGATION**

**For More Information Contact:**

City of Worthington  
6550 N. High Street  
Worthington, OH 43085  
614-436-3100

**CITY OF WORTHINGTON, FRANKLIN COUNTY, OHIO**

**PLAN OF OPERATION AND GOVERNANCE**

**Electric Governmental Aggregation**

**Introduction.** On November 6, 2018, a majority of the voters in the City of Worthington, Franklin County, OH approved a referendum that authorized the City of Worthington (“the Community”) to pursue Automatic Governmental Aggregation. After the Community held two public hearings on the matter, the Community approved this Plan of Operation and Governance as prescribed by Section 4928.20(C) of the Ohio Revised Code. The Community has developed this Plan of Operation and Governance (“Plan of Operation”) in accordance with the governmental aggregation provisions in Sections 4901:1-21-16 Ohio Administrative Code. Once certified as a Governmental Aggregator, the Community will be authorized to combine multiple retail electric customer loads within its geographic boundaries (the “Aggregation”) for the purpose of facilitating the purchase of electric supply in Ohio’s competitive retail electric market.

**Governmental Aggregation Services.** The Community, as a Governmental Aggregator, will serve as purchasing agent for the Aggregation. As purchasing agent, the Governmental Aggregator shall (i) select a Competitive Retail Electric Service Provider (“Provider”) to supply the Aggregation, (ii) negotiate the terms of supply between the Provider and each Aggregation participant, and (iii) oversee the enrollment procedures administered by the Provider.

**The Contract.** The supply contract negotiated by the Governmental Aggregator for the Aggregation (the “Contract”) shall be for firm, full-requirements supply. Each Aggregation participant will be individually bound to the Provider by the terms of the Contract and will be solely responsible for payment and performance. The electric supply charges for the Aggregation will be included in the Contract that will be negotiated by the Governmental Aggregator. All electric supply charges will be fully and prominently disclosed in consumer enrollment materials (such as the Opt-out Notice), available on the Provider’s website, and available by calling the Provider’s toll- free customer service telephone number. The surcharge authorized under Section 4928.20 of the Revised Code will not be charged.

**Eligibility, Opt-out Disclosures, and Pooling Accounts.** The Community will work with the Provider to adhere to the requirements of Section 4901:1-21-17 of the Ohio Administrative Code in creation of the opt-out disclosure. The Community, or a party authorized by the Community, will request from the local electric distribution utility (the “Utility”) a list of all customers residing within the Community’s boundaries, including those who have opted off the pre-enrollment list. Per Section 4901:1-21-17(D)(1)(a), the list will include an updated list of names, addresses, account numbers, rate codes, percentage of income plan (PIPP) codes, load data and other related customer information, consistent with information that is available to Providers. The following customers are not eligible: customers already under contract with a certified electric services company; customers that have a special contract with the Utility; customers that are not located within the Governmental Aggregator’s boundaries; customers on PIPP, customers that have opted out of the aggregation, and mercantile customers that have not provided affirmative consent. It is the intention of the Community to offer its Aggregation Program to all eligible residential and non-mercantile customers in all customer classifications and in all

rate categories. The Community realizes that factors such as consumption patterns and peak demand impact rate classes differently. Consequently, some customers may not benefit by a particular rate offer. Therefore, all customers will be afforded the opportunity to opt-out of the Program at least every three (3) years without paying an early termination fee. Using this list of eligible accounts, the Provider, with the assistance of the Governmental Aggregator, will review the list to verify that the eligible accounts are located within the geographic boundaries of the Community and that an area within the Community boundaries has not been inadvertently filtered from the list. The Provider will also remove from the eligible list those customers who appear on the “do not aggregate” list as stated under division (c) of Section 4928.21 of the Revised Code. Within thirty (30) days of receipt of the list from the utility, the Provider, with assistance from the Governmental Aggregator, will prepare and mail an “Opt-out Notice” to each account that remains on the eligible list after it has been reduced as noted above. The Opt-out Notice will inform the eligible account holder that the Governmental Aggregator has formed an automatic (or “Opt-out”) aggregation, provide the price for the electric supply to the Aggregation and other terms and conditions of service, and explain how the account holder can decline participation in the Aggregation.

As required by 4901:1-21-17 of the Ohio Administrative Code, the Opt-out Notice will indicate that the account holder has twenty-one (21) days to affirmatively respond by telephoning a toll-free number or returning a postcard to the Provider that is included in the Opt-out Notice.

The Provider will receive all Opt-out requests and any Opt-out Notices that were undeliverable by mail and will remove those accounts from the eligible account list. Upon completion of the twenty-one (21) day Opt-out period, the Provider will notify the Utility of the remaining accounts that will form the Aggregation, and through an electronic data interchange transaction, enroll the Aggregation. Upon enrollment, each participant will receive an enrollment notice from the Utility that will indicate that the enrollee may rescind its participation in the Aggregation by contacting the Utility within seven (7) calendar days.

In addition to the initial twenty-one (21) day Opt-out period, each participant will be provided an opportunity to opt-out at least every three years without paying an early termination fee.

**Billing.** Aggregation participants will receive a single, monthly bill from the Utility, which will include charges from the Provider for its electric supply, as well as the Utility distribution charges. Aggregation participants will be billed according to their Utility billing cycle.

**Credit, Collections and Deposits.** The Utility’s credit and collection policy and policies regarding deposits will apply to the Aggregation participants and shall be administered by the Utility. Neither the Governmental Aggregator, nor the Provider will implement additional policies with respect to credit, deposits and collections.

**Concerns and Complaints.** Aggregation participants will have multiple means of communicating concerns and reporting complaints. As a general rule, concerns regarding service reliability and billing should be directed to the Utility. The Utility will continue to read meters, handle billing, and generally have the most information about the physical service to a location or account. Questions regarding the administration of the Aggregation should be directed to the Provider. The Provider’s customer service

center will, at a minimum, be available by telephone Monday through Friday between the hours of 8:00 am to 7:00 pm ET. Any unresolved disputes should be directed to the Public Utilities Commission of Ohio and/or the Ohio Consumers Council. As a convenience, below is a list of helpful toll-free telephone numbers.

<b><u>Nature of Complaint</u></b>	<b><u>Contact</u></b>	<b><u>Phone Number</u></b>
Outages/Emergencies	AEP	1-800-672-2231
Service turn on/off	AEP	1-800-672-2231
Billing Disputes	AEP	1-800-672-2231
Price/Joining/Leaving Program	Provider Customer Service	TBD
Program Regulatory Questions	Provider Customer Service	TBD
Unresolved Disputes	Public Utilities Commission	1-800-686-7826
Unresolved Disputes	Ohio Consumers Council	1-877-742-5622

The Provider will attempt to resolve all customer complaints in a timely and good faith manner. The Provider shall investigate and provide a status report to the customer when the complaint is made directly to them and/or the Community within three (3) business days following the Provider's receipt of the complaint. Or in the case of a Public Utilities Commission of Ohio ("PUCO") complaint the Provider will investigate and provide a status report to the customer and PUCO staff within three (3) business days following Provider's receipt of the complaint. If an investigation into a complaint received from the customer or a complaint referred by the PUCO is not completed within ten (10) business days, then a status report will be given to the customer, and, if applicable, the PUCO. These status reports will be given every three (3) business days until the investigation is complete, unless the action that must be taken takes longer than three (3) business days and the customer has been notified. Final results of a PUCO-referred complaint will be provided to the PUCO either orally (phone) or in writing (e-mail, written correspondence), no later than three (3) business days after the investigation is completed. The final results will be provided in writing to the customer no later than three (3) business days after the investigation is completed. Customers retain the right to contact the PUCO regarding complaints and disputes. All customers have the right to contact the PUCO by writing to Public Utilities Commission of Ohio, ATTN: IAD, 180 E. Broad St., Columbus, OH 43215-3793; by fax to (614) 752-8351; through their website at [www.puc.state.oh.us](http://www.puc.state.oh.us) or by calling toll free (800) 686-7826 (VOICE) or 7-1-1 (TTY-TDD). Records of customer complaints will be retained for two (2) years after the occurrence of the complaint. A copy of the complaint record will be provided to the PUCO within three (3) business days, if requested.

**Moving Within the Community.** Aggregation participants who move from one location to another within the Community boundaries and retains the same account number, will remain an Aggregation participant and will receive the same price they would have received if their location had not moved.

An Aggregation participant who moves from one location to another within the Community boundaries and is assigned a new account number may enroll their new account in the Aggregation and receive the same price as they would have received if their location had not moved, provided the new account is eligible for Aggregation. An Aggregation participant who moves within the Community and receives a new account number may be dropped from the Aggregation by the Utility, but they will not be

charged an early termination fee from the Provider. If a participant is dropped from the Aggregation due to a move within the Community, the participant must contact the Provider to be re-enrolled within 60 days of being dropped.

**Moving Outside of the Community.** An Aggregation participant who moves out of the Community boundaries will no longer be eligible to participate in the Aggregation, but they will not be charged an early termination fee from the Provider.

**Enrolling After the Opt-out Period.** Residential and small business accounts located within the Community's boundaries that were initially eligible to join the Aggregation but chose to opt-out of the Aggregation, or otherwise weren't included in the Aggregation, may join the Aggregation after the expiration of the initial Opt-Out Period by contacting the Provider. The rate for those joining the Aggregation after the expiration of the Opt-out Period may be different from the rate negotiated for the Aggregation by the Government Aggregator.

If the Provider is able to offer to newly eligible customers the same price that is provided to the current Aggregation participants, the Provider may refresh the Aggregation by providing those who move into the Community the opportunity to be included automatically, rather than waiting until the next pricing term of the Contract. The process for refreshing the Aggregation with new enrollments would follow the process noted above for determining eligibility, providing Opt-out Notices, and pooling the accounts. (Current Aggregation participants and those who previously declined participation would not receive the Opt-out Notice intended only for newly eligible customers.)



**STAFF MEMORANDUM**  
**City Council Meeting – January 7, 2019**

Date: January 2, 2019

To: Matthew H. Greeson, City Manager

From: Robyn Stewart, Assistant City Manager

Subject: **2019 Grant Program for Community Groups**

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**EXECUTIVE SUMMARY**

Staff seeks direction from City Council regarding the 2019 grant program for community groups.

**BACKGROUND/DESCRIPTION**

The 2019 Operating Budget includes funding for community groups that provide services to the Worthington community. This funding is found in the Special Groups portion of the budget. During the budget adoption process, City Council approved funding in the amount of \$55,000 for the Old Worthington Partnership and \$32,500 for the Worthington Historical Society from these funds. There remains \$33,750 for grants to not for profit community organizations. This allocation does not include grant funding for community arts-related organizations, which is budgeted separately in the McConnell Arts Center portion of the budget to be distributed by the MAC. The 2018 grant application materials are attached. Staff is seeking direction as to whether City Council would like to make changes to the funding priorities and/or the application materials for 2019.

Additionally, the City has utilized a grant review committee for the past three years to review the applications that are received and make funding recommendations to the City Council. The committee has been comprised of two City Council members, and a representative each from Worthington Schools, the Griswold Center and the Community Relations Commission. Staff would like to know whether City Council wants to utilize the same process or make changes to it.

**FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)**

The 2019 Operating Budget has \$33,750 available for disbursement to community groups.

**ATTACHMENTS**

2018 Community Grant Application Materials





January 16, 2018

Applications are now available for the 2018 City of Worthington Community Grant Program. This program is funded by a General Fund allocation from the City of Worthington. The purpose of the program is to assist non-profit organizations in the accomplishment of projects or programs in Worthington that provide wide community benefit. In 2018, \$33,750 is allocated for the program.

The grant application is available on the City of Worthington website at the following address: [www.worthington.org/grant](http://www.worthington.org/grant). You may complete the online application form or contact Robyn Stewart at 614-786-7354 or [rstewart@ci.worthington.oh.us](mailto:rstewart@ci.worthington.oh.us) to obtain a Microsoft Word document. Hard copies of the application are also available from the City Clerk in the Louis J.R. Goorey Municipal Building at 6550 N. High Street, Worthington.

**Applications must be received by the City Manager's office no later than 4:30 p.m. on Friday, February 9, 2018 in order to be considered for 2018 funding.** Applications received after this date/time will not be considered for funding. Submissions must be delivered, either by mail, email or in person, to:

Community Grant Program  
City Clerk's Office  
City of Worthington  
6550 N. High Street  
Worthington, Ohio 43085  
[rstewart@ci.worthington.oh.us](mailto:rstewart@ci.worthington.oh.us)

### **Priorities for Grant Funds**

The City Council has approved continuation of the funding priorities established last year. Proposals which address the priorities will receive preference in the order in which the priorities are listed. The distribution of funds across the priorities will be recommended by the review committee and approved by City Council.

- 1a. Basic human necessities such as provision of food and/or clothing for people in need.
- 1b. Mental health services and/or community counseling to assist people with mental or social health issues
2. Improvement of the Worthington community

## **Program Guidelines**

Groups currently receiving funding from the City of Worthington must submit a new application to request funding for 2018. Funding in previous years does not guarantee funding in the future.

In order to be eligible for funding, applicants must be non-profit organizations. The organization must serve the City of Worthington community. Within the designated priorities, preference will be given first to organizations whose primary program/initiative serves the City of Worthington and/or membership is comprised primarily of City of Worthington residents. Additional consideration will be given to those serving the Worthington School District area.

Applications for arts and/or cultural activities or programs should be directed to the McConnell Arts Center (MAC). Please contact the MAC to determine the options available and the application process to follow.

No match of the City's funds is required, however organizations will be evaluated on total percent of overall budget requested.

Applicants may be invited for formal appearance and evaluation to discuss the application. City Council will designate a committee to review the applications and make recommendations for funding. City Council will make the final determination regarding the applications to fund and applicants will be notified of the decision. Grant allocations are anticipated to be distributed by the end of the first quarter of 2018.

Recipients are subject to an audit by the City of Worthington Finance Department regarding the use of the City's funds.

For additional information, please contact the City Manager's Office at 614-436-3100.



APPLICATION - 2018  
CITY OF WORTHINGTON  
COMMUNITY GRANT PROGRAM

**ORGANIZATION NAME:**

**AMOUNT REQUESTED:**

**CONTACT NAME:**

**CONTACT ADDRESS:**

**CONTACT PHONE:**

**CONTACT EMAIL:**

**PURPOSE & ACTIVITIES OF THE ORGANIZATION:**

**AMOUNT REQUESTED IN CALENDAR YEAR 2018:**

**How will the grant funds be used?**

**(Please attached a budget for the program/project and clearly indicate the portion of the budget that is City funded.)**

**Are you proposing a multi-year program or project? If so, clearly explain the multi-year nature and how it relates to your funding request.**

**How will your program/project address the City's priorities:**

- 1a. Basic human necessities**
- 1b. Mental health services and/or community counseling**
- 2. Improvement of the Worthington community**

**What is the desired impact? How will you determine impact?**

**Please describe the people to benefit from the program or project. Include the percentage of them that are residents of the City of Worthington and the percentage that are residents of the Worthington School District.**

**Are you a membership-based organization? If so, note the percentage of your membership that are residents of the City of Worthington and also the percentage that are residents of the Worthington School District.**

**Have you received funding from the City of Worthington in the past? If so, please note when and for what purpose(s).**

**Please attach the following documents.**

- 1. Budget for the proposed program or project, clearly indicating the portion that is City funded**
- 2. Documentation of Non-Profit status**
- 3. Most recent financials, including most recent IRS filing, audit and/or financial review by a CPA.** (Note: Organizations that have applied within the past three years and whose financial reports are essentially the same since the last submittal do not need to submit new financials.)



## SCORING MATRIX - 2018 COMMUNITY GRANT PROGRAM

Excellent, Outstanding or Very Good (8-10 points per box)	Good, Strong or Adequate (6-7 points per box)	Poor, Weak or Inadequate (1-5 points per box)
<b>A. Need for Initiative:</b> <ul style="list-style-type: none"> <li>• Strong evidence of community support</li> <li>• Goals are clearly stated</li> <li>• Very evident how this request will enhance the community</li> </ul>	<b>A. Need for Initiative:</b> <ul style="list-style-type: none"> <li>• Some evidence of community support.</li> <li>• Goals are adequately stated.</li> <li>• Some evidence of how this project will enhance the community.</li> </ul>	<b>A. Need for Initiative:</b> <ul style="list-style-type: none"> <li>• Little evidence of community support.</li> <li>• Goals poorly stated.</li> <li>• Little evidence of how this request will enhance the community.</li> </ul>
<b>B. Population Served:</b> <ul style="list-style-type: none"> <li>• Population primarily residents of City of Worthington</li> <li>• Serves broad based population in the City of Worthington</li> </ul>	<b>B. Population Served:</b> <ul style="list-style-type: none"> <li>• Population primarily residents of Worthington School District</li> <li>• Serves broad based population in the Worthington School District</li> </ul>	<b>B. Population Served:</b> <ul style="list-style-type: none"> <li>• Population primarily outside of the Worthington School District</li> <li>• Serves a very limited sector of the population.</li> </ul>
<b>C. Location of Organization:</b>	<b>C. Location of Organization:</b>	<b>C. Location of Organization:</b>

<ul style="list-style-type: none"> <li>• Organization based in the City of Worthington</li> </ul>	<ul style="list-style-type: none"> <li>• Organization based in the Worthington School District</li> </ul>	<ul style="list-style-type: none"> <li>• Organization based outside of Worthington School District</li> </ul>
<b>D. Impact Indicators:</b> <ul style="list-style-type: none"> <li>• Desired impact is clearly stated.</li> <li>• Impact measures are clearly stated.</li> <li>• A method to evaluate the results of the initiative is clearly stated.</li> </ul>	<b>D. Impact Indicators:</b> <ul style="list-style-type: none"> <li>• Desired impact is adequately stated.</li> <li>• Impact measures are adequately stated.</li> <li>• A method to evaluate the results of the initiative is adequately stated.</li> </ul>	<b>D. Impact indicators:</b> <ul style="list-style-type: none"> <li>• Desired impact is poorly stated.</li> <li>• Impact measures are poorly stated.</li> <li>• There is no method to evaluate the results of the initiative.</li> </ul>
<b>E. Budget:</b> <ul style="list-style-type: none"> <li>• Initiative is highly leveraged with matching funds greater than 50%.</li> <li>• Other resources and partners are committed to the initiative.</li> <li>• Complete organizational and initiative budget information is provided.</li> </ul>	<b>E. Budget:</b> <ul style="list-style-type: none"> <li>• Initiative is moderately leveraged with matching funds less than 50%.</li> <li>• Some resources and partners identified for the initiative.</li> <li>• Partially completed organizations and initiative budget information is provided.</li> </ul>	<b>E. Budget:</b> <ul style="list-style-type: none"> <li>• Initiative is not leveraged with matching fund.</li> <li>• Very limited/no resources and partners have been identified for the project.</li> <li>• Unsatisfactory organizational and project budget information is provided.</li> </ul>
<b>F. Financial Need:</b> <ul style="list-style-type: none"> <li>• Strong evidence project cannot continue or take place without the grant.</li> </ul>	<b>F. Financial Need:</b> <ul style="list-style-type: none"> <li>• Some evidence project cannot continue or would be difficult to take place without the grant.</li> </ul>	<b>F. Financial Need:</b> <ul style="list-style-type: none"> <li>• Grant funding has little to no impact on the initiative.</li> </ul>