



City Council Agenda

Monday, April 1, 2024 at 7:00 pm

6550 N. High Street, Worthington, Ohio 43085

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Visitor Comments

Special Presentation(s)

5. Metropolitan Transportation Plan (MORPC)

Executive Summary: A representative from the Mid-Ohio Regional Planning Commission (MORPC) will share an update on the proposed 2024-2050 Metropolitan Transportation Plan for the central Ohio region.

Public Hearings on Legislation

6. Ordinance No. 13-2024 - Deed of Dedication of Right-of-Way at 6700 North High Street

Accepting the Deed of Dedication for Additional Right-of-Way at 6700 North High Street

Executive Summary: This Ordinance authorizes the acceptance of the Deed of Dedication for additional right-of-way at 6700 North High Street and authorizes the Law Director to record the Deed of Dedication.

Recommendation: Approve as presented.

New Legislation - Resolution(s)

7. Resolution No. 26-2024 – Community Grant Program

Approving Funding to Worthington Community Groups for the 2024 Community Grant Program

Executive Summary: This Resolution approves funding for the 2024 Community Grant Program.

Recommendation: Introduce and approve as presented.

8. Resolution No. 27-2024 - Appointment to the Worthington Board of Tax Review

Appointing Jerry Katz and Rebecca Princehorn to the Worthington Board of Tax Review

Executive Summary: This Resolution re-appoints Jerry Katz to the Worthington Board of Tax Review and makes the new appointment of Rebecca Princehorn to the Worthington Board of Tax Review.

Recommendation: Introduce and approve as presented.

9. Resolution No. 28-2024 - Orange Township Joint Economic Development District Board Appointment

Joint Economic Development District Board Appointment with Orange Township

Executive Summary: This Resolution appoints Dirk Greene to the Orange Township Joint Economic Development District board.

Recommendation: Introduce and approve as presented.

10. Resolution No. 29-2024 – Renewal of Right of Way Agreement

Approving the Renewal of a Permit for Windstream KDL, LLC to Operate and Maintain a Telecommunications System Within the City of Worthington Pursuant to Chapter 949 of the Codified Ordinances of the City of Worthington

Executive Summary: This Resolution approves the renewal of a Telecommunications and Utilities Permit for Windstream KDL, LLC for utilization of the right of way.

Recommendation: Introduce and approve as presented.

New Legislation - Ordinance(s)

11. Ordinance No. 14-2024 - Appropriation for 2024 Bicycle and Pedestrian Improvements Program

Amending Ordinance No. 26-2023 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the 2024 Bicycle & Pedestrian Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 762-24)

Executive Summary: This Ordinance appropriates the 2024 Bike and Pedestrian Improvements Program Funding as included in the Capital Improvements Program.

Recommendation: Introduce for Public Hearing on April 15, 2024.

Reports of City Officials

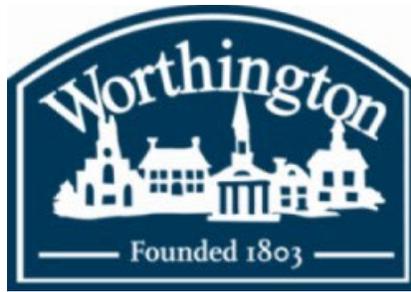
Reports of Council Members

Other Business

Executive Session

Adjournment

12. Motion to Adjourn



STAFF MEMORANDUM
City Council Meeting – April 1, 2024

Date: March 27, 2024

To: Robyn Stewart, Acting City Manager
David McCorkle, Assistant City Manager

From: R. Lee Brown, Director of Planning and Building

Subject: Ordinance No. 13-2024 – Deed of Dedication of Right-of-Way

EXECUTIVE SUMMARY

This Ordinance authorizes the acceptance of the Deed of Dedication for additional right-of-way at 6700 North High Street and authorizes the Law Director to record the Deed of Dedication.

RECOMMENDATION

Approve as Presented

BACKGROUND/DESCRIPTION

On November 15, 2021, City Council approved a Final Plat for the Subdivision that platted an access easement and created a new lot of record while dedicating right-of-way at the property located at 6700 North High Street.

On December 13, 2021, a reconsideration of Ordinance #52-2021 went before City Council for review and approval. When the Franklin County Engineer's Office reviewed the plat prepared by Advanced Civil Design it was discovered that what was believed to be public right-of-way along N. High St. had previously not been dedicated. The updated plat dedicates 0.068-acres (20'x147.60') to the City of Worthington. The proposed area to be dedicated as public right-of-way has been used for decades by the general public.

Advance Civil Design on behalf of Worthington 17 LLC has prepared a revised Final Plat that includes the previously approved subdivision and platting of the access easement and the requested formal dedication of land currently used for public right-of-way.

The reconsideration was approved by Ordinance #63-2021, however the plat was never recorded. City staff has been working with the applicant to dedicate the right-of-way portion of North High Street to get this portion dedicated and recorded.

ATTACHMENTS

- Ordinance No. 13-2024
- Exhibit A

ORDINANCE NO. 13-2024

Accepting the Deed of Dedication for Additional
Right-of-Way at 6700 North High Street.

WHEREAS, Worthington 17 LLC agreed to grant to the City an additional twenty (20) feet of right-of-way along North High Street; and

WHEREAS, Worthington 17 LLC has executed the attached Deed of Dedication granting the additional right of way.

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

SECTION 1. That the Council hereby accepts the Deed of Dedication from Worthington 17 LLC for the additional right-of-way as more specifically described and shown on Exhibit "A" of the Deed of Dedication.

SECTION 2. That the Law Director is authorized to record the Deed of Dedication and to execute and deliver any and all documents that may be necessary in furtherance of the acceptance of the additional right-of-way.

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 March 18, 2024
P.H.
Effective

**DEED OF DEDICATION
FOR RIGHT OF WAY PURPOSES**

WORTHINGTON 17, LLC, an Ohio limited liability company, whose tax mailing address is 50 West Broad Street, Ste 1600, Columbus, Ohio 43215 (“Grantor”), for valuable consideration paid, grants, with limited warranty covenants to the **City of Worthington, Ohio**, a municipal corporation, whose tax mailing address is 6550 N. High Street, Worthington, Ohio 43085 (“Grantee”), the real property located in the City of Worthington, Franklin County, Ohio, containing approximately 0.068 acres that is generally depicted and legally described on the attached *Exhibit “A”*.

Prior Instrument Reference: Instrument # 202303150024656, Recorder’s Office, Franklin County, Ohio.

This conveyance is subject to: (a) the lien of real estate taxes and assessments not yet due and payable; (b) zoning and building laws; and (c) all easements, conditions and restrictions of record.

The Grantor has caused this Deed of Dedication to be executed this 28th day of February, 2024.

Signature Page to Follow

WORTHINGTON 17, LLC

By: [Signature]
Name: Robert J. Meyers
Title: managing member

STATE OF OHIO
COUNTY OF FRANKLIN

The foregoing instrument was acknowledged before me this 28th day of February, 2024, by Robert J. Meyers, the managing member of Worthington 17, LLC.

[Signature]
Notary Public



Valerie L. Usner
Notary Public, State of Ohio
My Commission Expires 11-14-2028

ACCEPTANCE BY CITY OF WORTHINGTON

The above dedication of property for right of way purposes and public use was accepted by the City of Worthington, Ohio pursuant to Worthington Ordinance No. _____ - _____.

Law Director

This instrument prepared by:
Justin Fox, Attorney at Law,
Underhill & Hodge, LLC
8000 Walton Pkwy, Suite 260
New Albany, OH 43054

Parcel Description
0.068 Acres
North of S.R. 161 & East of North High Street

Situated in the State of Ohio, County of Franklin, City of Worthington, being in Quarter Township 2, Township 2, Range 18, United States Military Lands and containing 0.068 acres of land, more or less, said 0.068 acres being part of Tract Six of an Original 18.989 acre tract of land and being part of Auditor Parcel Numbers 100-002694 and 100-002459, said 0.068 acres being further described as follows;

Beginning for Reference, at a 5/8" iron pin (uncapped) found in the north line of Lot 32 (a partition plat of the Scioto Land Company, Deed Book "A", page 194, destroyed by fire, as demonstrated in Survey Plat Book 3, pages 136-7 [on file in the Franklin County Engineer's Office]. Descriptions of said partition lots are recorded in Deed Book "A", pages 7 & 14), the south line of Lot 33, the northwest corner of Lot 7 of Colburn Subdivision as recorded in Plat Book 38, Page 54, also being a northwest corner of said Colburn Subdivision, a southeast corner of said original 18.989 acre tract, being the northeast corner of Tract Four of said original 18.989 acre tract, in the south line of said Tract Six;

Thence N 87° 04' 42" W, along the north line of said Lot 32, the south line of said Lot 33, the north line of said Tract Four, the south line of said Tract Six, a distance of **405.83 feet**, to an iron pin set in the existing right-of-way of North High Street (93 feet - Public), the northwest corner of said Tract Four, the southwest corner of said Tract Six, the northeast corner of Parcel 37-T as conveyed to The State of Ohio in Deed Book 1207, page 205, the southeast corner of Parcel 38-T as conveyed to The State of Ohio in Deed Book 1207, page 157, said iron pin set being the *True Point of Beginning* for the tract herein to be described;

Thence N 87° 04' 42" W, continuing along the north line of said Lot 32, the south line of said Lot 33, the south line of said Section 2, the north line of said Parcel 37-T, the south line of said Parcel 38-T, a distance of **20.00 feet**, to an iron pin set at the northwest corner of said Parcel 37-T, the southwest corner of said Parcel 38-T, and in the east line of a Fee Simple tract conveyed to The State of Ohio in Deed Book 1207, page 156;

Thence N 03° 04' 28" E, along the west line of said Parcel 38-T, the east line of said Fee Simple tract, a distance of **147.79 feet**, to an iron pin set at the northwest corner of said Parcel 38-T, in the east line of said Fee Simple tract, and the southwest corner of Parcel 39-T as conveyed to The State of Ohio in Deed Book 1176, page 185;

Thence S 87° 04' 42" E, along the north line of said Parcel 38-T, the south line of said Parcel 39-T, a distance of **20.00 feet**, to an iron pin set in the existing right-of-way of said North High Street, at the northeast corner of said Parcel 38-T, the southeast corner of said Parcel 39-T, the northwest corner of said Tract Six, the southwest corner of Tract One of said original 18.989 acre tract;

Thence S 03° 04' 28" W, with the existing right-of-way of said North High Street, the east line of said Parcel 38-T, the west line of said Tract Six, a distance of **147.79 feet** to the **Point of Beginning**, containing **0.068 acres**, more or less.

Subject, however to all legal highways, easements and restrictions. The tract as herein described is part of the Old C.D. & M.E. right-of-way that had reverted back to the original owners as shown on the State of Ohio Department of Highways right-of-way plans for S.H. 4, Columbus-Sandusky Road.

The above description was prepared by Advanced Civil Design Inc. on December 28, 2023 and is based on existing County Auditor records, County Recorder records and an actual field survey conducted in September of 2021.

The basis of bearings used for this exhibit are based on the NAD83 Ohio State Plane Coordinate System, South Zone (NSRS 2007). Bearings were derived from GPS observation and determine the bearing for a portion of North High Street as having a bearing of N03°04'28"E.

All references used in this description can be found at the Recorder's Office Franklin County Ohio.

ADVANCED CIVIL DESIGN, INC.



1/2/24

Z:\21-0001-125\1\SURVEY\0.068 Acre Parcel Desc.docx



Please return this approval, along with the original description and plat of survey, as prepared by the



STAFF MEMORANDUM
City Council Meeting – April 1st, 2024

Date: March 27th, 2024

To: Robyn Stewart, City Manager
David McCorkle, Asst. City Manager

From: Alexander Novitski, Public Policy Intern

Subject: Resolution 26-2024 - 2024 Community Grant Program Recommendations

EXECUTIVE SUMMARY

This Resolution approves funding for the 2024 Community Grant Program.

RECOMMENDATION

Approve as presented.

BACKGROUND

In 2024, the Community Grant Program is once again rewarding \$40,000 to different non-profits in the Worthington area. The application window for 2024 was open from January 22nd to February 19th. Previous grant recipients were encouraged to apply again and received email notifications that the application was made live. This year, the city has received 12 applications, of which 11 are applicants who received funding in 2023. The five non-profits that did not submit applications that received funding in 2023 are the National Church Residences Foundation, Partners for Community and Character, Sharon Township Veteran’s Memorial Hall, the Worthington VFW, and Neighborhood Bridges. However, Neighborhood Bridges is now operating under Worthington Bridges, another recipient of funding in 2023. The one new applicant is the Worthington Education Foundation.

This year, funding requests are the highest they have ever been with the amount of grant funding requested totaling \$79,714. This is a 21.14% increase or \$16,847.79 more than was requested by applicants last year. The requested amount of money that applicants have requested ranges from \$1,000 to \$30,000.

Applicant Review Board Overview

On Wednesday, March 20th. The 2024 Community Grant Review Board met to review applications and discuss funding recommendations. The members of the 2024 review board were Amy Lloyd, Rebecca Hermann, Ryan Cooper, Chuck Fannin, and Vicki Gnezda. Of the five members on the review board, one member, Vicki Gnezda, was absent from the meeting. Public Policy Intern Alexander Novitski mediated the meeting and supplied board members with pertinent information about the applicants.

For the 2024 Community Grant Program, the review board was able to allocate a portion of the \$40,000 to all applicants. Every returning applicant was able to receive an increase in grant funds when compared to their 2023 amount if their amount requested was not recommended to be funded in full. The smallest recommended grant is \$700. The largest grant that is being recommended is \$6,350.

Major Discussion Points

Two major points of discussion during the meeting revolved around program funding and the Worthington Education Foundation. As it pertains to program funding, the review committee discussed increasing the annual amount of funding allocated to the Community Grant Program. As costs continue to increase and applicants request more money, the review board is requesting the Community Grant Program receive \$50,000 for the 2025 program and the subsequent years following. With less applicants this year, the review board was able to increase the amount of money that can be disbursed to returning applicants. However, should more applicants request in 2025, funding for several organizations will likely have to be cut.

This year, the Worthington Education Foundation is requesting \$30,000 which is 75% of the 2024 Community Grant Budget. The Worthington Education Foundation was made aware that the program has \$40,000 prior to sending their application in. The review board agreed that the city cannot fulfill this request. Councilwoman Rebecca Hermann discussed with the review board that the Worthington Education Foundation will have to meet with city staff and councilmembers to discuss the needs of the foundation before granting their organization \$30,000. Additionally, the review board would like to see more active discussion between the city and the Worthington Education Foundation going forward.

Funding Requests and Recommendations

American Legion Post 239

The American Legion Post has requested \$3,714 for their organization. For the 2024 funding period, the review board is recommending \$2,600 for their organization. Funds will

be used to support Boys/Girls State, the Memorial Day Parade, 9/11 Commemoration, Police and Fire Annual Awards, and a Worthington Market Day Booth. American Legion Post 239 aims to have their organization benefit the City of Worthington, the Worthington School District, and the 800 veterans that reside in the City of Worthington.

Family Mentor Foundation.

The Family Mentor Foundation has requested \$6,000 for their organization. For the 2024 funding period, the review board is recommending \$5,700. These funds will be used to provide buddy boxes and volunteers to deliver those buddy boxes directly to the schools. Buddy boxes are containers that contain food for a weekend for one child. The Family Mentor Foundation aims to provide more than 14,000 buddy boxes to 16 schools in the Worthington School District. According to the Family Mentor Foundation, 29% of students qualify for these buddy boxes.

Healthy Worthington Resource Center and Food Pantry

The Healthy Worthington Resource Center and Food Pantry has requested \$5,000 to assist and support the ongoing general operations of the pantry. The Healthy Worthington Resource Center and Food Pantry currently serves residents from eight different ZIP code in northern Franklin and Southern Delaware counties who have an income level below 200% of the Federal poverty level. The organization hopes to provide nutritious meals to individuals who are experiencing food insecurity. For the 2024 funding period, the review board is recommending \$5,000.

Syntero

Syntero has requested \$6,000 with goal of providing one-on-one home visits, telehealth, and related service coordination with Worthington Seniors. Clients of Syntero are from several northwest zip codes including the City of Worthington and Worthington School District. For the 2024 funding period, the review board is recommending \$5,400.

Kiwanis Foundation of Northern Columbus

The Kiwanis Foundation of Northern Columbus is seeking \$4,000 to support the Kiwanis Closet Program for Worthington Schools. For the 2024 funding period, the review board is recommending \$2,800. The funding will allow the Kiwanis Closet Program to purchase clothing for Worthington Schools so that local children will have emergency

clothing when needed due to an accident, lack of adequate attire, or do not have the means to purchase essential clothing.

Worthington Neighborhood Bridges

Worthington Neighborhood Bridges is requesting \$2,000 to help pay the utility bills of those in need with the Worthington City School District. In 2024, the review board is recommending \$2,000 for their mission. All \$2,000 will contribute to this fund. By assisting families with their utility bills, children attending a school within Worthington School District will be able to focus on learning. Families will then also be able to put money elsewhere.

Lifecare Alliance

Lifecare Alliance is applying for \$6,000 to help fund their Meals-on-Wheels program to Worthington Residents. The review board is recommending \$5,700 for their mission. Meals-on-Wheels provides food and daily visits to homebound older adults and individuals living with a medical challenge and/or disability. In 2023, Life Care Alliance was able to provide 12,123 meals to 61 Worthington residents and an additional 139,276 meals to 721 residents who reside within the Worthington School District. With meals costing \$7.20, Lifecare Alliance claims that 833 meals will be able to be provided.

Worthington Special Olympics

Worthington Special Olympics is seeking \$1,000 for the organization. Worthington Special Olympics provides individuals with developmental disabilities aged 8 and up with athletic and social support for athletes and families. Currently, the Worthington Special Olympics serves individuals with a makeup of 32% being from the City of Worthington, 41% within the Worthington School District, and 27% elsewhere. A \$1,000 grant would provide 15% of the proposed 2024 budget and will be used for the payment of rental spaces and for the aquatics and bowling teams to continue to serve athletes at no cost. For the 2024 funding period, the review board is recommending \$1,000 for their mission.

North Community Counseling Centers

North Community Counseling Centers are requesting \$10,000 to provide quality, accessible, and affordable behavioral health treatment services in an outpatient setting to individuals undergoing psychological stress at the lowest possible cost. Those served by

North Community Counseling Centers reside within either the City of Worthington or the Worthington School District. This year, the review board is recommending \$6,350 for their organization.

Worthington Education Foundation

The Worthington Education Foundation is requesting \$30,000 to provide support for K-12 education. The funds will be used to strengthen the foundation of the organization so that they can meet more aggressive fundraising. With these funds Worthington Education Foundation plans to hold fundraising opportunities that will be able to support other projects and programs that are requested by Worthington School District faculty, teachers, and staff to enhance student educational experiences. The \$30,000 grant request will fund 29.7% of their proposed budget. This year, the review board will recommend that the Worthington Education Foundation receives \$1,500. The review board additionally recommends that the Worthington Education Foundation and the city meet to discuss further plans for their organization regarding funding.

Worthington Interfaith Neighbors

Worthington Interfaith Neighbors is requesting \$1,000 to assist with purchasing Peace Ambassador team t-shirts word during performances and purchasing a book for every third-grade classroom in the Worthington School District. A \$1,000 grant will contribute to 2/3rds of their 2024-2025 operating budget. Worthington Interfaith Neighbors works with young children to teach them to understand the importance of treating all people with respect even when their identity is different than their own. This year, the review board is recommending that Worthington Interfaith Neighbors receive \$700 for their organization.

Jewish Family Services

Jewish Family services is seeking \$5,000 to support the general operating costs of their personalized workforce services and wrap-around supports for individuals of Jewish and Non-Jewish Heritage. 65% of the grant will go towards personnel, 16.9% will go towards fringe benefits, 1.6% towards supplies, 3% towards speaker fees, 3.5% towards advertising, and 10% towards overhead. Jewish Family Services provides help to individuals with a Worthington zip code. For the 2024 funding period, the review is recommending \$1,250 for their organization.

2024 Funding Requests and Recommendation Chart

Name	Requested	Recommendation
American Legion	\$ 3,714	\$ 2,600
Family Mentor Foundation	\$ 6,000	\$ 5,700
Lifecare Alliance	\$ 6,000	\$ 5,700
North Community Counseling	\$ 10,000	\$ 6,350
Syntero	\$ 6,000	\$ 5,400
Interfaith Neighbors	\$ 1,000	\$ 700
Kiwanis of Northern Columbus	\$ 4,000	\$ 2,800
Worthington Resource Pantry	\$ 5,000	\$ 5,000
Worthington Special Olympics	\$ 1,000	\$ 1,000
Jewish Family Services	\$ 5,000	\$ 1,250
Worthington (Neighborhood) Bridges	\$ 2,000	\$ 2,000
Worthington Education Fund	\$ 30,000	\$ 1,500

RESOLUTION NO. 26-2024

Approving Funding to Worthington Community Groups for the 2024 Community Grant Program.

WHEREAS, the City of Worthington recognizes the important contributions of community organizations in providing vital services and programming to the Worthington community; and,

WHEREAS, the programs and services provided by these organizations constitute a public purpose and serve a broad base of the residents of the City of Worthington; and,

WHEREAS, upon evaluating the purpose and goals of each organization and the programs identified in the grant applications, it has been determined how \$40,000 in funds already appropriated for Community Grants in the 2024 Operating Budget will be distributed,

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

SECTION 1. That City Council hereby awards community grants as follows:

American Legion	\$2,600.00
Family Mentor Foundation	\$5,700.00
Jewish Family Services	\$1,250.00
Lifecare Alliance	\$5,700.00
North Community Counseling Center, Inc.	\$6,350.00
Syntero, Inc.	\$5,400.00
Worthington Bridges	\$2,000.00
Worthington Education Fund	\$1,500.00
Worthington Interfaith Neighbors	\$700.00
Worthington-Linworth Kiwanis	\$2,800.00
Worthington Resource Pantry	\$5,000.00
Worthington Special Olympics	<u>\$1,000.00</u>

TOTAL: \$40,000.00

SECTION 2. That the Finance Director is authorized and directed to disburse grant funds to the organizations in the amounts indicated in Section 1.

SECTION 2. That the Finance Director shall withhold disbursing grant funds for grant recipients that received funding in prior years of the Community Grant Program until the grant recipient submits a report on the use of the prior year funds.

SECTION 3. 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



STAFF MEMORANDUM
City Council Meeting – April 1st, 2024

Date: March 25th, 2024

To: Robyn Stewart, City Manager

From: Scott F. Bartter, Finance Director

Subject: Resolution 27-2024 – Appointment – Board of Tax Review

EXECUTIVE SUMMARY

This Resolution re-appoints Jerry Katz to the Worthington Board of Tax Review and makes the new appointment of Rebecca Princehorn to the Worthington Board of Tax Review.

RECOMMENDATION

Introduce and Approve as Presented

BACKGROUND/DESCRIPTION

Chapter 1722 of the City's Codified Ordinances provides for a Board of Tax Review. The Board hears appeals of tax assessments issued by the Tax Administrator. The Board consists of three members, two of whom are appointed by City Council. The third member is appointed by the City Manager.

These appointments would be effective until March 2026.

ATTACHMENTS

Resolution 27-2024

RESOLUTION NO. 27-2024

Appointing Jerry Katz and Rebecca Princehorn to the Worthington Board of Tax Review.

WHEREAS, the Board of Tax Review has been established to hear appeals of tax assessments issued by the Tax Administrator; and,

WHEREAS, the Board is composed of three members, two of whom are appointed by the City Council; and,

WHEREAS, Jerry Katz and Rebecca Princehorn have expressed an interest in being on the Worthington Board of Tax Review; and,

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

SECTION 1. That Jerry Katz and Rebecca Princehorn are appointed to terms which will expire on March 31, 2026.

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 – April 1st, 2024

Date: March 28th, 2024

To: Robyn Stewart, City Manager

From: David McCorkle, Assistant City Manager

Subject: Resolution 28-2024 – Appointment – Orange Township JEDD

EXECUTIVE SUMMARY

This Resolution appoints Dirk Greene to the Orange Township Joint Economic Development District board.

RECOMMENDATION

Introduce and Approve as Presented

BACKGROUND/DESCRIPTION

Pursuant to O.R.C. 715.72(P)(1)(e), the City of Worthington is required to appoint two board members to each Joint Economic Development District (JEDD). The first appointment shall represent the City, while the second appointment shall represent the business owners located within the districts. David McCorkle, Assistant City Manager, City of Worthington, has already been appointed as the City representative for the Orange Township JEDD via Resolution No. 04-2024.

This Resolution would appoint Dirk Greene, Schottenstein Property Group, as the business owner representative to the Orange Township JEDD board. This appointment would fulfill the City's statutory requirement of filling two board seats. Mr. Greene would serve an initial term of (3) years. City staff have met with Mr. Greene and support this appointment.

ATTACHMENTS

Resolution 28-2024

RESOLUTION NO. 28-2024

Joint Economic Development District Board
Appointment with Orange Township

WHEREAS, Resolution 38-2023 authorized the Worthington City Manager to enter into a Joint Economic Development District (JEDD) contract with Orange Township pursuant to ORC 715.72; and,

WHEREAS, pursuant to O.R.C. 715.72(P)(1)(e), the City of Worthington is required to appoint two board members to the JEDD. The first appointment shall represent the City, while the second appointment shall represent the business owners located within the district; and,

WHEREAS, Dirk Greene has expressed interest in representing the business owners on the board; and,

WHEREAS, City Council desires to appoint Mr. Greene.

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

SECTION 1. That Dirk Greene is hereby appointed as the business ownership representative to the Joint Economic Development District for a three-year term commencing with the effective date of the JEDD, November 4, 2023, and expiring November 4, 2026.

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 – April 1, 2024

Date: March 27, 2024

To: Robyn Stewert, Acting City Manager

From: John Moorehead P.E., Director of Service and Engineering

Subject: Resolution No. 29-2024 - Renewal of Right of Way Agreement -
Windstream KDL, LLC

EXECUTIVE SUMMARY

This is a renewal of a Telecommunications and Utilities Permit for Windstream KDL, LLC for utilization of the right of way. 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 Windstream KDL, LLC for renewal of its permit that expired September 10, 2023. 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.

ATTACHMENT

Resolution No. 29-2024
Right-of-Way Agreement

RESOLUTION NO. 29-2024

Approving the Renewal of a Permit for Windstream KDL, LLC to Operate and Maintain a Telecommunications System Within the City of Worthington Pursuant to Chapter 949 of the Codified Ordinances of the City of Worthington.

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

WHEREAS, Windstream KDL, LLC, a Delaware Limited Liability Company (“Windstream”), has submitted an application for renewal of its permit that expired September 10, 2023 to provide telecommunications services in the City of Worthington; and,

WHEREAS, staff has reviewed Windstream’s application and determined that Windstream meets the criteria as set forth in Section 949.05 of the Codified Ordinances for the renewal of its permit; and

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

SECTION 1. That City Council hereby determines that Windstream should be granted the renewal of its permit pursuant to Chapter 949 of the Codified Ordinances of the City of Worthington.

SECTION 2. That the City Manager is hereby authorized to enter into an agreement with Windstream setting forth the terms and conditions of the permit, including but not limited to requiring Windstream to fully comply with Chapter 949 of the Codified Ordinances of the City of Worthington.

SECTION 3. That the City Clerk is hereby directed to record this Resolution in the appropriate record book.

Adopted

President of Council

Attest:

Clerk of Council Pro Tempore

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

This Agreement is executed on this ____ day of _____, 2024, by and between Windstream KDL, LLC a Delaware limited liability company, (“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 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.

WINDSTREAM KDL, LLC

By: Sarah Hays

Name: Sarah Hays

Title: Staff manager

CITY OF WORTHINGTON

By: _____

Name: _____

Title: _____

Approved as to Form:

Law Director, City of Worthington



STAFF MEMORANDUM
City Council Meeting – April 1, 2024

Date: March 27, 2024

To: Robyn Stewart, Acting City Manager

From: John Moorehead, P.E., Director of Service & Engineering

Subject: Ordinance No. 14-2024 – Appropriation - 2024 Bike and Pedestrian Improvements Program

EXECUTIVE SUMMARY

This Ordinance appropriates the 2024 Bike and Pedestrian Improvements Program Funding as included in the Capital Improvements Program.

RECOMMENDATION

Introduce for Public Hearing on April 15, 2024.

BACKGROUND/DESCRIPTION

The City’s Capital Improvements Program includes an annual allocation for Bicycle and Pedestrian improvements. The City’s Bicycle and Pedestrian Advisory Board makes recommendations on the use of the funds, taking into consideration the Bicycle and Pedestrian Master Plan. The Advisory Board has identified nine priority projects to be advanced in 2024. The nine projects are as follows:

- Bicycle Boulevard Pilot
- MORPC Attributable Funds Grant Applications
- Sidewalk Gap Program – Highland Avenue
- Intersection Enhancements (bike boxes) – Caren Avenue and High Street
- Riverlea Sidewalk Connection
- Foster Avenue Pedestrian Enhancements
- SR-315 and SR-161 Pedestrian Improvement Strategies
- Park Boulevard “Five Points Intersection” Feasibility Study
- Shared Use Path Planning – Linworth Road

Some of these projects are “shovel ready” and will be constructed in 2024. Others require support from consulting firms for planning, scoping, cost estimating, and/or design. With authorization from the City Manager, the Service and Engineering Department will acquire consulting support following a review and evaluation of qualified firms.

Staff recommends appropriating the remaining 2024 Bike and Pedestrian CIP funds totaling \$170,000 to support the Board’s 2024 priority projects.

FINANCIAL IMPLICATIONS/FUNDING SOURCES (if applicable)

The 2024 CIP included \$350,000 for the Bike and Pedestrian Improvements. \$180,000 of this amount was previously appropriated through Ordinances No. 02-2024 and 11-2024 to support the Bicycle Boulevard Pilot Project and Sidewalk Gap Program.

ATTACHMENTS

Ordinance No. 14-2024

ORDINANCE NO. 14-2024

Amending Ordinance No. 26-2023 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the 2024 Bicycle & Pedestrian Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 762-24)

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. 308.8150.533492 an amount not to exceed one-hundred seventy thousand dollars (\$170,000) to pay the cost of the 2024 Bicycle and Pedestrian Improvement Program (Project No. 762-24).

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. Pursuant to Section 3.02 of the Charter of the City, the City Manager is authorized to execute any contract necessary for the completion of this public improvement; provided that the total of such contracts shall not exceed the total appropriation as authorized in Section 1 of this Ordinance.

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
P.H.

Clerk of Council