



6550 N. High Street  
Worthington, Ohio 43085

T: 614-436-3100

## Worthington City Council Agenda

### Virtual Meeting

Link through: [Worthington.org](http://Worthington.org)  
Our Government – Live Stream

Monday, May 18, 2020 ~ 7:30 PM

### CITY COUNCIL MEMBERS

#### **Bonnie D. Michael**

President

#### **Scott Myers**

President Pro-Tem

#### **Peter Bucher**

Council Member

#### **Rachael Dorothy**

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. Special Presentation

#### 5.A. Community Visioning Update

*Executive Summary:* Community Visioning Committee Chair Joe Sherman will provide an update on the work of the committee on the Community Visioning initiative. The slides they are using to present to community groups are attached.

### 6. Approval of the Minutes

#### 6.A. Meeting Minutes - May 4, 2020 – Joint Meeting

#### 6.B. Meeting Minutes - May 4, 2020

*Recommendation:* Motion

## 7. Public Hearings on Legislation

### 7.A. Ordinance No. 10-2020 Code Amendment - Tourist Homes

To Amend Section 1123.30(b) and Section 1123.73 to the Codified Ordinances of the City of Worthington to Modify the Definition of Dwelling Unit and Add a Definition of Transient Guest to Tourist Homes in the Definition Section of the Planning & Zoning Code.

Executive Summary: This Ordinance amends Section 1123.30(b) and Section 1123.73 of the Codified Ordinances of the City of Worthington to amend the definition of Dwelling Unit and add a definition of Transient Guest to Tourist Homes in the Definition Section of the Planning & Zoning Code.

Recommendation: Motion to Amend and Approve as Amended

Legislative History: Introduced on March 2, 2020 by City Council and referred the the Municipal Planning Commission for a recommendation.

### 7.B. Ordinance No. 16-2020 Appropriation - Huntley Bowl Improvements Design

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Design Costs of the Rush Run Stream – Huntley Bowl Improvements and Determining to Proceed with said Project. (Project No. 708-20)

Executive Summary: This Ordinance appropriates \$37,000 to complete design of the Huntley Bowl Improvements, Project Number 708-20

Recommendation: Approve as Presented

Legislative History: Introduced on May 4, 2020

### 7.C. Ordinance No. 17-2020 Appropriation - Corporate Hill Drive Extension Design

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the West Wilson Bridge Rd. Municipal Public Improvements TIF Fund Unappropriated Balance to Pay the Design Costs of the Corporate Hill Extension Improvements and Determining to Proceed with said Project. (Project No. 709-20)

Executive Summary: This Ordinance appropriates \$95,000 to complete design of the Corporate Hill Extension Improvements, Project Number 709-20

Recommendation: Approve as Presented

Legislative History: Introduced on May 4, 2020

**7.D. Ordinance No. 18-2020** Appropriation - Street Improvement Program

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the 2020 Street Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 707-20)

Executive Summary: This Ordinance appropriates \$929,355.13 for the 2020 Street Improvement Program

Recommendation: Motion to Amend and Approve as Amended

Legislative History: Introduced on May 4, 2020

**8. New Legislation to Be Introduced**

**8.A. Ordinance No. 19-2020** Appropriation - Refund Allocation for Camps and Programs

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund Unappropriated Balance and Declaring an Emergency.

Executive Summary: This Ordinance appropriates \$200,000 fo refunds associated with cancelled Parks & Recreation programming.

Recommendation: Introduce and Approve as An Emergency

**8.B. Resolution No. 25-2020** FACE Program Application - Play: CBUS

Authorizing the Award of Façade Assistance and Corridor Enhancement Funds to Help Improve Facility Exterior Facade and Streetscape Along Certain of the City's Commercial Corridors (535 Lakeview Plaza).

Executive Summary: This Resolution authorizes \$25,000 in exterior enhancement assistance under the FACE Program to Play: CBUS, at 535 Lakeview Plaza Blvd.

Recommendation: Introduce and Approve as Presented

**8.C. Resolution No. 26-2020** Appointments - Community Relations Commission and Bicycle & Pedestrian Advisory Board

Re-appointing and Appointing Members to the Worthington Community Relations Commission and the Bicycle and Pedestrian Advisory Board.

Executive Summary: This Resolution makes appointments to fill expiring terms on the Community Relations Commission and Bicycle & Pedestrian Advisory Board

Recommendation: Introduce and Approve as Presented

**9. Reports of City Officials**

**10. Reports of Council Members**

**11. Other**

**12. Executive Session**

**12.A.** To consider compensation of public employees


**13. Adjournment**



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A presentation slide for the Vision Worthington Speaker's Bureau. The top left features the Vision Worthington logo. To its right is the text "Vision Worthington Speaker's Bureau". Below this, the date "May 14, 2020" is displayed in blue. Underneath the date, the names "Joe Sherman, Austin Mitchell, Laura Abu-Absi" are listed in blue. Further down, the website "visionworthington.org" is shown. To the left of the website is a QR code. To the right is a photograph of two informational posters on easels in a room with patterned curtains. At the bottom, a dark blue bar contains the website "WWW.VISIONWORTHINGTON.ORG" and a small number "2".

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# COVID-19

When written in Chinese, the word 'crisis' is composed of two characters. One represents danger and the other represents opportunity.

John F. Kennedy

- How can our efforts help to lift up the community and get others back to full function?
- How can we support our city leaders by giving them real time information on the thoughts and needs of our community?

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# Community Visioning Committee

					
Laura Abu-Absi	Kathryn Burris	Catey Corl	Paul Cynkar	Cynthia Findlay	Matthew Lees
					
Jon Melchi	Linda Mercadante	Austin Mitchell	Don Mottley	Joe Sherman	Beth Sommer
					
Graham Wood					

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## Who Is PDG? What Is Their Role?

**The City hired Poggemeyer Design Group, Inc. (PDG) to assist VC in visioning process, worked with them to set up a scope for the project.**

- Poggemeyer is a professional planning consultant hired by City Council to consult with the Visioning Committee on visioning best practices.
- They have helped us organize around the American Planning Association's best practices.
- Poggemeyer is apolitical, meaning that it is neutral on all issues facing Worthington as they do not have any other current or future projects planned with the City. They serve as facilitators rather than controllers.
- They have a small office in Hilliard, but this project is being run out of their Westlake and Bowling Green offices.



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## How Are City Council and the City Staff Involved?

City Council has expressed from the beginning of this process that the Community Visioning needs to be citizen-led so that it truly reflects the views of the community. City Council and City staff provide logistical and informational support, while deferring leadership and management of the process and results to the Visioning Committee comprised of 13 Worthington residents.




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## Why Does Worthington Need a Vision?

- Proactive communities recognize that the future is something they can plan for and help shape.
- A citizen-led community visioning process increases the chance of finding mutually agreed upon values and aspirations.



**Worthington Area 360 – February 2010**  
City Partnered with Worthington Schools and Libraries – produced 10 specific vision statements and supporting action items.



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## What is Visioning?

- Visioning, as part of Worthington's Community Engagement process, is an important way to define **our** future, not just **a** future.
- It's a way to collaboratively reach consensus around the desired future for a community in order to set goals, make plans and solve problems
- It enables citizens and stakeholders to actively engage in dialogue and exercises about alternative futures
- It leads to broad discussion about preferred futures, leading to implementation strategies involving changes in public policy and actions

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## Vision Worthington Goals

- Discover the kind of future our community desires
- Provide Worthington residents a platform to express their opinions on the future of our community
- Create a well-grounded articulation of the community's aspirations
- Build consensus around a community vision that is embraced by a majority of residents
- Help community leaders strategic planning and decision making
- Establish a greater sense of trust and belonging among Worthington residents

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## How Will the Vision Be Used?

The Visioning Committee will produce a final document that will guide community leaders when making decisions about strategic and operational planning, with the goal of achieving the desired shared Vision.

It is anticipated that the City will use this visioning document when making decisions on the future of Worthington.

The committee does not have decision-making authority.



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## Vision Statements

Here are some examples of Vision Statements from other communities:

*"To be a city with an emerging urban vibrancy guided by a small town sense of community."*

*"The city is dedicated to providing exemplary municipal services to our community fostering prosperity while embracing unique heritage and character"*

*"A global city of choice. Vibrant. Innovative. Engaged"*

*A city where community pride, thoughtful planning, collaborative approach, financial stability are the cornerstones of ourselves.*

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## Speaker's Bureau Goals

Our goal is to encourage broad based community engagement, lead provocative discussions, gather multiple opinions and inform the public about the progress of the Visioning Committee. We will use both on-line and face-to-face tools to accomplish our goals.

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## How Can You Get Involved?


**On-Line**

- Visit [visionworthington.org](https://visionworthington.org) to register or use the QR Code on our engagement cards to access our website
- Participate in on-line surveys
- Tell your story, share your personal vision
- Use word of mouth marketing to share the website with your friends and neighbors

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## Join Our SOAR Analysis

Strengths, Opportunities, Aspirations, Results

The Online SOAR Analysis will include collaborative group work and discussion that ensures all participants have an opportunity to share their ideas and perspectives.

<b>May 27</b>	<b>7-9 pm</b>	<b>June 2</b>	<b>7-9 pm</b>
<b>May 29</b>	<b>10 to 12 noon</b>	<b>June 4</b>	<b>3-5 pm</b>

<https://www.signupgenius.com/go/409054EABA929AB9-vision1>

Please review the available slots by preferred session date below and click on the button to sign up for one session only.

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## Sage Advice for Our Times

You can design and create, and build the most wonderful place in the world. But it takes people to make the dream a reality.

- Walt Disney



Kites rise highest against the wind, not with it

Winston S. Churchill

[www.glimpsofheavenbook.com](http://www.glimpsofheavenbook.com)

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## Speaker's Bureau

- Q & A
- Discussion
- Feedback
- Project Update



Website: [VisionWorthington.org](http://VisionWorthington.org)

***What is your personal vision for Worthington?***

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**City of Worthington and Sharon Township  
Joint Meeting Minutes  
May 4, 2020**

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

Worthington City Council met remotely in Joint Session with Sharon Township Trustees on Monday, May 4, 2020, via Microsoft Teams video conference. Worthington City Council President Michael called the meeting to order at or about 7:30 P.M.

**City Council Members Present:** Peter Bucher, Rachael R. Dorothy, Beth Kowalczyk, Scott Myers, David Robinson, Douglas K. Smith, and Bonnie D. Michael

**Sharon Township Trustees Present:** Lindsay Duffey, John Oberle, Laura Kunze

**Member(s) Absent:**

**Also present:** City Manager Matthew Greeson, Assistant City Manager Robyn Stewart, Director of Law Tom Lindsey, Director of Finance Scott Bartter, Director of Planning & Building Lee Brown, Director of Service & Engineering Dan Whited, Director of Parks & Recreation Darren Hurley, Chief of Police Robert Ware, Chief of Fire & EMS Mark Zambito, Clerk of Council D. Kay Thress

**PLEDGE OF ALLEGIANCE**

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

*Prior to introductions, President Michael shared that anyone wishing to submit comments during this meeting can do so by e-mailing to: [Council@worthington.org](mailto:Council@worthington.org) or calling the phone number and submitting the conference ID information provided on the screen.*

**NEW LEGISLATION TO BE INTRODUCED**

**Resolution No. 22-2020**

Levying Tax for the Maintenance of Union Cemetery dba Walnut Grove and Flint Cemetery for the Tax Collection Year 2021.

**Introduced by Mr. Oberle.**

**MOTION**

Ms. Dorothy made a motion to adopt Resolution No. 22-2020. The motion was seconded by Ms. Duffey.

*Mr. Greeson explained that City Council and the Sharon Township Trustees convene annually to consider levying the tax for maintenance of its cemeteries, Walnut Grove and Flint cemetery. He welcomed the Trustees and apologized for being unable to meet in person. The Cemetery Board is once again requesting the continuation of five-tenths of one mill for 2021. He reported it being customary to hear from the Cemetery Board Chair,*

*Courtney Chapman. He welcomed Mr. Chapman to the virtual meeting and turned the meeting over to him*

*Mr. Chapman thanked Council and the Trustees for the opportunity to share the Walnut Grove & Flint Union cemeteries yearly update. He together with Ms. Dorothy and Mr. Oberle make up the Cemetery Board. As mentioned by Mr. Greeson, they are here to request the continuation of one-half of one mill for the year 2021.*

*Mr. Chapman shared that the trustees are still working towards the recently acquired Ozem Gardner house becoming the cemetery's office. They have recently completed roof structural stabilization on the building and are in the process of replacing the roofing material. New downspouts and gutters should be completed soon. The next step in the process is enveloping the house, which will secure it all the way around. There will be new windows, tuck pointing, new doors, replacement of the cellar and removing the porch on the back of the house. The unfinished garage has been replaced with a new and much improved one that stores the heavy equipment used at the cemetery. Since much of the work was done in-house, they were able to save about \$12,000.*

*Mr. Chapman reported that because they want to follow the high standards of the City and the Township in their selection of planners for this project, there are two that he would like to mention. Hardlines Design Company is a woman- and minority-owned architecture, planning and historical preservation firm headquartered in Columbus. It is important to preserve and rehabilitate projects such as this throughout the United States. The other group is POD design. Their work should be familiar because they are currently doing playground work for the City. The Trustees are pleased with the work they have been doing for them.*

*Mr. Chapman reported that the Circle of Honor at Walnut Grove Cemetery has been refurbished so that it would be ready for Memorial Day. Unfortunately, the Memorial Day parade has been canceled. They have had the tradition of planting flags at the side of every veteran they know about and that practice will continue this year. Some 11,150 flags will be placed at graves in both cemeteries. That tradition will allow family and friends who wish to visit loved ones have an opportunity to do so and view their efforts.*

*Mr. Chapman shared that the cemetery is an essential business and they are maintaining regular hours during this pandemic. Staff is available by phone or email. They are also asking families to limit the number of those that come to the gravesites*

*Budget considerations during this time included looking at things they need to do and identify those things that they would like to do. If there is a shortfall, the trustees have identified \$170,000 or 22% that they can move out of their budget. If things really get tough, they have a total of \$257,000 identified or 33% of their budget that they could not spend. Mr. Chapman said he would not put these cuts in concrete, but they are a first step. No one knows how all of this is going to play out, but they will stay alert and flexible and make whatever corrections need to be made. They have items identified that will provide guidance when and if decisions need to be made.*

*Mr. Chapman shared that there are always unsung heroes. The people who work at the cemetery are the ones that prepare the graves, place the tarps, set up the chairs and when*

*the service is over, they pick the stuff up and complete the burial. They prepare the grounds to be cared for, for the next 100 years and they do it quietly. They have a great staff. Tom Kayati has been there for forty years. Much of the staff has been there about ten years. Because of the Coronavirus, people are not gathering. Some people have not been able to have a showing. Recently, those guys who have been in the background doing all the work have been asked to be pallbearers for those families. There was also a family that could not have a showing. Family members requested that the casket be opened at the cemetery so that members could view their loved one. The guys have done it very well and it is time to recognize that.*

Mr. Chapman again thanked Council and the Trustees and invited questions.

*Mr. Robinson thanked Mr. Chapman for the presentation. He asked for clarification on the budget information. Specifically, the figures that were presented on Page 15 to the ones that correlates to a 22% decrease in spending if the short fall is \$170,000. It looks to him like total expenditures are a little over \$400,000 so a 22% reduction would be closer to \$85,000 instead of \$170,000. He asked for help understanding. Mr. Chapman replied that he did not have the numbers in front of him. He asked Mr. Oberle or Ms. Dorothy if they could respond.*

*Mr. Robinson stated that he would just jump ahead to the heart of his question. In these times of serious economic uncertainty, it seems we should be looking everywhere, including expenses of the cemeteries, where we might defer non-essential spending. He was wondering whether the tax levy could be reduced, perhaps to 4/10ths, leading to a reduction of about \$75,000 in revenue. He asked how that change would impact the cemeteries operation.*

*Mr. Oberle responding to Mr. Robinson's first question, agreed that these are in and out times. He thinks the 22% and 33% were likely placed there just in case tax revenues were coming in smaller than anticipated. They are thinking there may be tax bills that may not be paid, and they may have a reduction. He thinks any further reduction could impact their core mission. They are trying to build a sustainability fund. In 100 years when the next generations are taking care of this community, they must make sure there is enough money to take care of the cemeteries. He thinks that is an investment over time. They are working on long-term capital projects that are very important. These are well sustained investments over the years. While he understands the thought, he thinks the reduction would only have an impact of about \$10 per household at \$300,000 value. He thinks it is a great question. He personally supports maintaining the current levy because he thinks through Mr. Chapman's leadership with the Advisory Board, and with the help of Ms. Russell and Mr. Kayati and the good work that is being done, there are so many good things that are being done for the community. He walks through the cemeteries several times a week. It is a park and it all takes money to keep those resources going.*

*Mr. Robinson thanked Mr. Oberle for his comments. He asked if there was a reduction of \$175,000, what could be deferred for the year. Mr. Chapman reported that being part of what they were looking at. At first cut they would not necessarily eliminate certain elements but would rather cut them down to be frugal with their monies. They have a history of being very conservative with their funds. There are some things that they cannot touch. They have put together the sustainability fund and is something they have built up*

*and something they need to continue to build so that in 25, 50 or 75 years from now they have the funds to take care of the cemetery.*

*Ms. Dorothy shared that she serves on the Cemetery Trustee Board and has been a trustee for a while. She recognizes that they have had a very long-term vision and planning process to be able to undertake all the projects that they want to over the future for both properties, Walnut Grove and Flint cemetery. The planning for Flint has been going on for over 20 years and any additional revenue they have had, they have been saving to be able to develop those lands. There is Phase II and Phase III of the cemetery proper. They recently purchased the Ozem Gardner property to be the forever office in the Flint Road cemetery and need to spend capital funding to provide for that office. They can defer having that office since they do have one at Walnut Grove, which is where Ms. Russell works most of the time. There are only a few spaces left in Walnut Grove so anyone wanting a full space can contact Ms. Russell. Flint cemetery has space and because this is a pandemic, there are many with real needs for the cemeteries. There are people coming in daily. Going from .5 mill to .4 is a 20% reduction in funding, which is a significant revenue source for Walnut Grove. It does not do much for typical homeowners, saving \$5 or \$10 but it is a significant decrease in the budget to provide services. It maintains those park settings for people. They recently partnered with the Historical Society and provide a walking tour with the history provided regarding the graves of people who came and participated in Worthington history. There are many partners who put time and effort into the gardens and the plans. They are judicious to implement the plans. She does not think that such a reduction would provide good bang for a buck.*

*President Michael thanked Mr. Oberle and Ms. Dorothy for their service on the Board.*

*In response to Ms. Kowalczyk's question regarding loss of property taxes, Mr. Chapman replied that the Board is working to stay ahead of the game, which is why they have been going over the different scenarios.*

*In response to President's Michael question about whether staff has any information about property tax collections/projections, Mr. Bartter replied no. There is no way to know how many are not going to pay their property taxes in the second half.*

*Mr. Kowalczyk concluded that while things appear to be unpredictable, the approach the Board is talking about seems to be flexible. She does not believe that it is a good time to consider making changes.*

*Mr. Chapman reported there being two stages; one is to be alert to what is happening and then be flexible to deal with whatever occurs.*

**There being no additional comments, President Michael requested a roll call on Resolution No. 22-2020. The motion carried by the following vote:**

<b>Yes</b>	<b>10</b>	Bucher, Robinson, Kowalczyk, Dorothy, Smith, Myers, Michael, Duffey, Oberle, and Kunze
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<b>No</b>	<b>0</b>
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**Resolution No. 22-2020 was thereupon declared duly passed and is recorded in full in the appropriate record book.**

*President Michael expressed her appreciation not only to the Township trustees, but also the cemetery staff, Board members and the many volunteers who have been working with them to develop the Flint property. She remembers when it was no more than a piece of grassy land and it is amazing what has been done. She appreciates their hard work and dedication.*

**OTHER**

**ADJOURNMENT**

**MOTION**                      There being no other business, Ms. Kowalczyk made a motion to adjourn the meeting. The motion was seconded by Mr. Oberle.

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

President Michael declared the meeting adjourned at 8:04 p.m.

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Clerk of Council

*APPROVED by the City Council, this  
18<sup>th</sup> day of May 2020.*

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President of Council



**CITY OF WORTHINGTON**  
**Worthington City Council Minutes**  
May 4, 2020

6550 N. High Street  
Worthington, Ohio 43085

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

Worthington City Council met remotely in Regular Session on Monday, May 4, 2020, via Microsoft Teams video conference. President Michael called the meeting to order at or about 8:05 p.m.

**ROLL CALL**

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

**Member(s) Absent:**

**Also present:** City Manager Matt Greeson, Assistant City Manager Robyn Stewart, Law Director 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 Police Robert Ware, Chief of Fire & EMS Mark Zambito, Clerk of Council D. Kay Thress

**PLEDGE OF ALLEGIANCE**

*President Michael waived reciting the Pledge of Allegiance since it had just been done for the Joint Meeting with Sharon Township.*

**VISITOR COMMENTS**

*There were no visitor comments.*

**APPROVAL OF THE MINUTES**

- Meeting Minutes – April 13, 2020
- Meeting Minutes – April 20, 2020

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

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

## **NEW LEGISLATION TO BE INTRODUCED**

### **Resolution No. 23-2020**

Designating Public Depositories and Awarding Public Monies of Active and Interim Deposits.

**Introduced by Mr. Smith.**

### **MOTION**

Mr. Myers made a motion to adopt Resolution No. 23-2020. The motion was seconded by Ms. Dorothy.

*Mr. Greeson detailed how every so often, we have to issue a request for proposals (RFP) for where we deposit the City's resources. Our finance department has recently managed that process.*

*Mr. Bartter explained how we are in year five of our current banking contract for deposit services. We issued an RFP and received six quality proposals back. Three members of the finance department evaluated the proposals based on seven areas. We are recommending the Park National Bank proposal, who is our current depository. They proposed a no increase fee and we are very happy with our current services.*

**There being no additional comments, the motion to adopt Resolution No. 23-2020 passed unanimously by a voice vote.**

### **Resolution No. 24-2020**

A Resolution Agreeing to Cooperate with the Director of the Ohio Department of Transportation in the Construction of the Northeast Gateway Intersection Improvement Project (FRA-CR84-1.36, PID 95516), to Participate in the Cost of the Project, and Authorizing the City Manager to Enter into Contracts with the Director of Transportation Necessary for the Completion of the Project. (Project No. 602-14).

**Introduced by Mr. Robinson.**

### **MOTION**

Mr. Bucher made a motion to adopt Resolution No. 24-2020. The motion was seconded by Ms. Kowalczyk.

*Mr. Greeson said that we have been committed for quite some time to moving forward the Northeast Gateway Project, which is largely federally funded. This is a critical pre-construction piece of legislation that would allow the project to move forward to the construction bidding phase.*

*Mr. Whited explained how this will finalize the steps allowing the Department of Transportation to put this on their bid docket in August to proceed toward construction. Assuring they will get payment for our share of the construction, there are multiple*

*reimbursements, including the Ohio Public Works Commissions (OPWC) and others. This is important to get us to the point in the process where we can start to get dirt moving.*

*President Michael asked when we expected to see dirt moving. Mr. Whited responded that he would anticipate sometime in September or October depending on how the contractor selection goes and when the notice to proceed is given.*

*Ms. Dorothy explained how we have been planning for this for quite a long time, but now everyone is concerned about where we are getting our money. She asked where we are getting money for this match. Mr. Bartter detailed how we are going to borrow it. The longer explanation is that we are going to have to submit for reimbursement of about \$2.3 million through the OPWC. We are slated to receive about \$1.8 million back from OPWC which will offset a significant portion of the construction expenses. Ms. Dorothy asked if we are eventually going to have to bond for that difference. Mr. Bartter replied that we will front the cash and then we will issue a debt on it including the right-of-way acquisitions and our portion of construction. Ms. Dorothy expressed how she hopes we will be able to get a great interest rate. We are obviously bonding this project out because it is a long-term investment and something that we are comfortable paying over the lifetime of this. She thinks it will be a great improvement and it is multi-modal in looking at all modes of transportation. She is very excited to see earth moving as well.*

**There being no additional comments, the motion to adopt Resolution No. 24-2020 passed unanimously by a voice vote.**

**Ordinance No. 16-2020**

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Design Costs of the Rush Run Stream – Huntley Bowl Improvements and Determining to Proceed with said Project. (Project No. 708-20)

**Introduced by Mr. Smith.**

**Ordinance No. 17-2020**

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the West Wilson Bridge Rd. Municipal Public Improvements TIF Fund Unappropriated Balance to Pay the Design Costs of the Corporate Hill Extension Improvements and Determining to Proceed with said Project. (Project No. 709-20)

**Introduced by Mr. Myers.**

**Ordinance No. 18-2020**

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the 2020 Street Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 707-20)

**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.

Policy Item(s)

- Revised Implementation of 2020 Capital Improvements Program

*Mr. Greeson presented how when we developed our Capital Improvements Program (CIP) last year, it was pretty tight. We focused heavily on “Must-Do” activities, things that were maintenance of what we have, and fulfilling legal mandates. We also focused on continuing already obligated major projects, strategic initiatives, and things we have already accepted funds for such as the Northeast Gateway project. Outside of those things, our limited dollars were focused on things that were Council priorities. Now we are facing the fiscal impacts of COVID-19 and we are beginning to take a number of careful measures to prepare for some of that impact. We previously gave you a preliminary forecast of the impacts based on data given to us by the Regional Income Tax Agency (RITA) and we are using that to prepare plans in our capital and operating budgets.*

*When looking at the capital budget, we looked at what we thought could be delayed, and if we thought it could be delayed, we have recommended that it be delayed. However, many of these things will not go away as needs, so you will see them arise over the next several years as projects.*

*Ms. Stewart explained how staff is anticipating revenue decreases of about \$500,000 in 2020 CIP revenue. When looking at each planned expenditure, some of them have already been spent, particularly with the replacement of equipment, so those are not things we can capture funds back from. Much of the discussion has looked at the projects side of things. Many of these recommendations are just delaying investments because there are not many optional expenses. She has received questions about some projects that are bonded. Reducing the debt that we are taking on gives us greater cash on hand, because as Mr. Bartter explained earlier with the Northeast Gateway, we usually front the money and then get reimbursed later. If our revenues decrease, then the cash flow is important in terms of what cash we have on hand. The Kenyon Brook improvement is a critical project and needs to be done based on the sewer study in compliance with our consent order with the Ohio EPA. However, we expect this year to focus on design and land acquisition. The*

*construction for that project is likely to occur around 2022 and it is a bonded project. The only expenses in 2020 relate to land acquisition and final design.*

*For the Building Improvement Program, this is a bundling of multiple smaller projects in maintaining our existing city buildings. We are suggesting that we cut that program in half and delay some of the scheduled maintenance. This also includes delaying the resurfacing of the pools at the Community Center as well as the replacement of the south end door. For the fire hydrant replacement, both replacement and painting are planned. We recommend only the replacement and cancel any planned painting for this year. We suggest moving forward with the investments at the Police Building for the HVAC and remediation, as well as the roof repair. It has also been recommended to cut in half our traffic signal improvements. We have an allocation every other year to maintain traffic signals. We updated the cost for the stormwater improvements at Worthingway. That is a shared project with the schools. We want to postpone a discussion on McCord park renovations, which staff is evaluating the different components and options. We suggest delaying the Selby Park playground until next year. We propose eliminating the 2020 Bicycle and Pedestrian improvements and we also have on hold a large portion of the 2019 allocation that was to fund the crossing at Pingree across 161 until we better understand what resources we will have available.*

*On the equipment side, staff advises we look at reducing our computer replacement and replacement of server and network components. We will not eliminate them entirely, but reduce the amounts allocated and postpone replacements and upgrades. With our firefighter protection equipment, we expect a lower cost. We think there are savings with the fire hose allocation which can be eliminated from 2021 because we have the funds available in the allocation this year to get us what we need. We propose replacing only two computers in the fire vehicles and delay the others. We think we can reduce the records management based on current quotes to save money. We have a couple of reductions in the Service and Engineering department related to tools we have purchased for the garage and a woodchipper based on current costs. All of those actions result in about \$1.2 million in plain cash expenditures we would put on hold pending understanding what happens with our finances.*

*If we find our revenue for 2020 ends up better than where we were projecting, that money is available in the CIP fund and would be there to fund these items in 2021. That would be helpful because we pushed these items into 2021, which puts a lot of pressure on 2021. We anticipate that we will continue to lag in revenues because if this year we are down, we will grow off of a lower base in the future. We can expect the reduction in revenues to continue on for several years in the CIP which will make the future years rather challenging. We advise dealing with those future years when we adopt the 2022-2025 CIP later this year.*

*Ms. Dorothy asked about the Street Improvement Program and Bicycle and Pedestrian improvements. She knows Council passed a Complete Streets resolution policy and we want to try to do a better job with different modes of transportation. There are more people biking and walking in the street. Because there are less cars, we have seen an increase in*

speed. An Ohio State study cited that there has been quite a bit of an increase in speed around 161. When someone is hit by a car at 20 miles per hour, they have a 90% chance of survival, but if they are hit at 40 miles per hour, they have a 10% chance of survival. She is horrified we are pushing off from 2019 and now 2020 into 2021, we are not having a pedestrian improvement to get families from Pingree to Granville Park at 161. We had kids going to school at Kilbourne. We had quite a bit of accidents happening at Hartford and 161 and people speeding in vehicles. It is not safe. She thought we made it a policy to try to promote all modes of transportation. The road funding is funded through by just general taxes and the gas and license tax is incorporated in there. She would like to hear more about what we are doing to implement our Complete Streets policy.

Mr. Greeson explained how the Service and Engineering department has done a good job of taking into account the adopted Complete Streets policy. As we prepare various projects, we are required to look at the policy and whether there is an opportunity to do Complete Streets as a result of it. So much of our projects this year are basic maintenance, so the opportunities were few and far between. He asked the Service and Engineering Department to write up what they did find about that program, which will be distributed this week so you can see the work and their Complete Streets evaluation of the Street Maintenance Program. The other things we are doing, it has been a priority to try to enhance in the Wilson Bridge Road area to address concerns of businesses and foster opportunities for redevelopment. We have now started embedding in our RFPs for consultants, language that asks them to evaluate Complete Streets as part of their planning, engineering, and design contracts. Ms. Dorothy said she appreciates hearing that we are thinking through these improvements. One thing she hopes goes into the thought process is reducing speed. Speed kills people who are not in cars. On Corporate Hill Drive she thinks there is a design guideline of 30 miles per hour. We have a bike and ped plan that says bike boulevards should be 20-25 miles per hours. If we want bikes on that, we should be 25 miles per hour or lower. Same with Proprietors.

Ms. Kowalczyk asked how the reduction and delay on signal maintenance and upgrades for traffic signal improvements has safety implications for bike and pedestrian activity. Mr. Whited responded that the answer is that it could, but that is largely for maintenance type of work. We tend to use that if we can, we use it for safety improvements such as indicators. Typically, it is used for maintenance of the equipment during the year. There is no clear answer other than if there were something that could be done, would be done, that would be delayed if we did not have the funding for it.

Mr. Robinson asked Ms. Stewart what percentage the \$1.2 million is of the CIP budget. Ms. Stewart said if you look at the 2020 CIP, we had intended to have debt proceeds so the debt is a little different, we may not issue all the debt this year. Taking out the debt amount, we had anticipated that we would have \$5.2 million in income tax coming in. There is a little miscellaneous revenue. When you take away debt issuance, income tax makes up 96% of all revenue coming into the CIP. If you take out bonded projects, the intended total expenditures equate to about \$5.5 million. Mr. Bartter added it is about 22%. Mr. Robinson asked if the RITA estimate of \$2.7M ends up being close to reality, what is the impact on the projects Ms. Kowalczyk and Ms. Dorothy referenced. Mr. Greeson explained

*how they went through an objective exercise to identify everything they thought we could be delayed. We did not start with that fixed 10% number. We think it is prudent to delay all the recommended things that we have outlined. You are correct, if we find out that the economic forecast is in line with what RITA has projected, or somewhere in between, or less, there could be discussions about what priorities might get added back in and moved forward. Mr. Robinson commented how he supports staff's approach. Economic conditions are moving so rapidly that a month from now they could be different.*

*Ms. Dorothy brought up how right now we have people not working. If we have money and projects, we want to put that money and people to work. She thinks we might have a much better bid opportunity right now this year, to spend that money. It was a really hot construction market but then a lot of things put on the brakes. If we had money as a governmental entity, we have good public projects and public money we can put in the hands of contractors to get everyone back to work. She believes we should look at that. She definitely would want to do as many improvements as we can possibly this year.*

*Mr. Myers expressed how he thinks the approach is appropriate. We have no idea what is going to happen in the second half of this year. If we get lucky and the money is there in the second half of the year, then we can put it back in. President Michael agreed that we can always put money back in we have not spent.*

*Mr. Greeson acknowledged and expressed his appreciation for Ms. Dorothy's sentiment. He heard it. This is a Council adopted CIP. He is not sure we need an amendment of the CIP at this juncture, but our intent is consistent with the memorandum to not move forward with the projects outlined, and essentially delay them as articulated tonight.*

**MOTION** Ms. Dorothy moved to remove Number 12 from the proposed delays. President Michael said there was not a second.

### **THE MOTION FAILED**

*Mr. Greeson explained how there have been several conversations with Central Ohio cities about postponing July 4<sup>th</sup> fireworks. There is likely to be a recommendation from the Central Ohio Mayors and Managers Association to collectively postpone fireworks within each jurisdiction, based upon available public health advice. That recommendation is being developed because there has not been statewide guidance on these larger events that are a little bit further out on the calendar. It is hard to project what July looks like. Much like our region's effort to coordinate Halloween, there will be an attempt to coordinate an announcement about fireworks in the next couple weeks. Our fireworks vendor would like an answer about what the plan is within the next ten days. They need to schedule what they need to buy and what plans they need to make. They have been a good long-term partner and we want to be respectful of that and need to make a decision. Our rain date is the Sunday before Labor Day. The vendor would move the fireworks to another date at no cost. They fully understand the situation clients are in. He is inclined to join the emerging consensus of communities and postpone to the rain date and then see where we are as we get closer to that date.*

*President Michael brought up how she has been in calls and a point brought up is if one community has fireworks and the others do not, you are going to have almost no chance to handle crowd control. For Beggars Night, Worthington is the only one to always hold it on Halloween night and we have people driving from all over the area to drop their kids off. July 4<sup>th</sup> fireworks will be even more. That is why communities are working together.*

*Mr. Greeson said the reality is we do not know exactly what will be allowed in the fall and Labor Day weekend. Our vendor would like to have us fulfill our contractual commitment to them sometime in the calendar year. We have flexibility, but these kinds of events require advanced planning.*

*Mr. Myers asked if we are planning with other communities an end of summer celebration, so we do not run into the same issues of July 4<sup>th</sup>. Mr. Greeson said that is correct. Most people are looking at Labor Day weekend as a potential alternative. Mr. Myers shared how not celebrating July 4<sup>th</sup> in this country hurts.*

*President Michael expressed how we need to be concerned about what people are doing in their backyards for fireworks displays. Mr. Greeson replied we are aware of that and the absence of organized fireworks means more creativity in backyards. There will be a lot of education around that.*

*Mr. Bucher asked if Columbus is leaning this way with Red, White, and Boom. Mr. Greeson replied that is a private event, but Columbus is getting involved in the conversation.*

*Mr. Greeson discussed the City's reopening plans, which more detailed plans will be distributed in the next couple days. We are looking at doing a staged reopening with Stage One beginning next Monday, following the best practices as outlined by the Ohio Department of Health such as wearing masks, social distancing, taking temperatures, and monitoring the health of employees. We will also continue to have people working from home. We have a strategy laid out department by department. There will remain significant restrictions to accessing our public safety facilities in order to maintain the health and safety of our first responders. It is encouraged for people to continue to do business with us digitally, via the phone and meetings like this. We have a lot of success stories where we have been able to serve the public through alternate means other than face to face interactions.*

*Ms. Kowalczyk asked about people coming into the buildings if there will be requirements for them in regard to social distancing and facemasks. Mr. Greeson explained how each of our building's lobbies are different. In one lobby it does not make sense to have more than one person in there at any time because you cannot keep people six feet apart. We will limit the number of people in the lobby at the Service Department. In other lobbies we will mark the floors like in retail locations and have signage that encourages wearing masks. The Service Department has built plexiglass shields for the countertops to protect*

*our employees. Ms. Kowalczyk expressed how she believes it is important to stress the point of wearing a mask to protect others.*

## **REPORT OF COUNCIL MEMBERS**

*Ms. Dorothy reminded everyone that Giving Tuesday started and she encouraged supporting local Worthington non-profits.*

*President Michael thanked staff for all of their hard work and time that they are putting in to keep everyone safe.*

## **EXECUTIVE SESSION**

**MOTION** Mr. Bucher moved, Ms. Kowalczyk seconded a motion to meet in Executive Session to consider appointment of public employees to boards and commissions and compensation of public employees.

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

**Yes 7** Robinson, Dorothy, Smith, Myers, Bucher, Kowalczyk, Michael

**No 0**

Council recessed at 9:04 p.m. from the Regular meeting session.

**MOTION** Mr. Myers moved, Ms. Dorothy seconded a motion to return to open session at 9:40 p.m.

**The clerk called the roll on returning to open session. The motion carried by the following vote:**

**Yes 7** Smith, Bucher, Kowalczyk, Robinson, Myers, Dorothy, Michael

**No 0**

## **ADJOURNMENT**

**MOTION** Mr. Robinson moved, Mr. Bucher seconded a motion to adjourn.

President Michael declared the meeting adjourned at 9:40 p.m.

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Management Assistant

*APPROVED by the City Council, this  
18<sup>th</sup> day of May, 2020.*

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Council President



**STAFF MEMORANDUM**  
**City Council Meeting – May 18, 2020**

Date: March 31, 2020

To: Matthew H. Greeson, City Manager

From: R. Lee Brown, Planning & Building Director

Subject: Ordinance No. 10-2020 to Amend the Codified Ordinances - Text Amendment - Definition of Dwelling Unit & Definition of Transient Guest to Tourist Homes

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**EXECUTIVE SUMMARY**

This Ordinance amends Section 1123.30(b) and Section 1123.73 of the Codified Ordinances of the City of Worthington to amend the definition of Dwelling Unit and add a definition of Transient Guest to Tourist Homes in the Definition Section of the Planning & Zoning Code.

**RECOMMENDATION**

Motion to Amend to incorporate the changes included in the As Amended version of the attached Ordinance; Approve as Amended

**BACKGROUND/DESCRIPTION**

Introduced on March 2, 2020 by City Council and referred the the Municipal Planning Commission for a recommendation.

**Background & Request:**

As you know there has been an increased interest in short-term rentals (Airbnb, VRBO, HomeAway, etc.) throughout the country and we have seen an increase here in Central Ohio. The City of Worthington does not permit short-term rentals within our jurisdiction. Many of our surrounding jurisdictions regulate short-term rentals in a variety of ways, however many do not permit them within their jurisdiction.

We have considered any short-term rental of residential property for less than 30-days as a Tourist Home. A Tourist Home means a building other than a hotel where lodging is provided and offered to the public for compensation for not more than fifteen individuals and open to transient guests. A Tourist Home is not listed as a Permitted Use or

Conditional Use in the Planning & Zoning Code for residential districts therefore the use is not permitted.

We also noticed a conflict in the definition of Dwelling Unit in the Definition Section of the Planning & Zoning Code that referenced rental or lease on a weekly, monthly or longer basis. Staff believes that the reference to weekly is confusing and conflicting with other sections of the Planning & Zoning Code.

We have had several recent issues with properties being used as short-term rentals where there has been a high turnover of guests that has disrupted a typically quiet neighborhood.

On March 5, 2020 the Board of Zoning Appeals heard an Appeal from a property owner in Colonial Hills that was operating an Airbnb out of a property they owned. The Board voted by a 5 to 0 vote that the use was a Tourist Home. A Tourist Home is not a permitted or conditionally permitted use in our residential districts.

The Ohio Revised Code (ORC) and the Ohio Building Code (OBC) also refer to transient as it pertains to 30 days for less.

Staff felt that it was time to strengthen the language found in the Planning & Zoning Code as it pertains to transient guests being referenced in the definition of Tourist Homes unless otherwise directed by City Council.

**Current Language:**

**1123.73 TOURIST HOME**

"Tourist home" means a building other than a hotel where lodging is provided and offered to the public for compensation for not more than fifteen individuals and open to transient guests.

**Proposed Language:**

**1123.73 TOURIST HOME**

"Tourist home" means a building other than a hotel where lodging is provided and offered to the public for compensation for not more than fifteen individuals and open to transient guests. Transient guests means a person or persons renting, using, or occupying a dwelling or living accommodation for a period of 30 consecutive calendar days or less.

**Current Language:**

**1123.30 DWELLINGS.**

(b) "Dwelling unit" means one room or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities.

**Proposed Language:**

**1123.30 DWELLINGS.**

(b) "Dwelling unit" means one room or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a monthly or longer basis, and physically separated from any other rooms or dwelling

units which may be in the same structure and containing independent cooking and sleeping facilities.

The Municipal Planning Commission discussed the following:

- There seems to be a need for clarifying the language currently found in the Planning & Zoning Code.
- There is probably a need to have a greater discussion with City Council on short term rentals being permitted or conditionally permitted within the City.
- Would the proposed language impact existing situations where there is a mother-in-law suite attached to an existing home that is accessed from inside the home and is not used as a separate dwelling unit?
- The Commission discussed the use of different terms found throughout the Planning & Zoning Code with a focus dwelling, dwelling unit, single-family dwelling, two-family dwelling and multi-family dwelling found under the definition of Dwellings.

Please see meeting minutes for specific details of their discussion. The above items are just a few items we discussed.

**Recommendation:**

Staff is recommending **approval** of the proposed text amendment to the Definition section of the Planning & Zoning Code because we believe it will strengthen the current language and provide clarity to others. The Planning & Zoning Code was adopted in 1971 at a time when short term rentals were not typically common. There is a need from time to time to monitor, update and revise the Planning & Zoning Code.

On March 12, 2020 the Municipal Planning Commission reviewed and unanimously recommended **approval** to City Council on an Ordinance to Amend the Codified Ordinances of the City of Worthington.

**ATTACHMENTS**

- Ordinance No. 10-2020 (As Amended)
- Ordinance No. 10-2020
- March 12, 2020 MPC Meeting Minutes

ORDINANCE NO. 10-2020  
(As Amended)

To Amend Section 1123.30(b) and Section 1123.73 to the Codified Ordinances of the City of Worthington to Modify the Definition of Dwelling Unit and Add a Definition of Transient Guest to Tourist Homes in the Definition Section of the Planning & Zoning Code.

WHEREAS, it is the wish of City Council to monitor and revise the Planning and Zoning Code of the City to ensure economic viability and preserve the character of the City; and,

WHEREAS, the Municipal Planning Commission reviewed this item on March 12, 2020 and recommend approval to amend the definition of a Dwelling Unit and add a definition of transient guest to the Tourist Homes definition found in the Planning & Zoning Code; and,

WHEREAS, it is the desire of City Council to approve this amendment.

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

SECTION 1. That Section 1123.30(b) and Section 1123.73 of the Codified Ordinances is amended to read as follows:

**1123.30 (b) DWELLING UNIT**

“Dwelling unit” "Dwelling unit" means one room or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities.

**1123.73 TOURIST HOME**

“Tourist home” means a building other than a hotel where lodging is provided and offered to the public for compensation for not more than fifteen individuals and open to transient guests. Transient guests mean a person or persons renting, using, or occupying a dwelling or living accommodation for a period of 30 consecutive calendar days or less.

ORDINANCE NO. 10-2020  
(As Amended)

SECTION 2. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and 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 2, 2020  
MPC March 12, 2020  
P.H. May 18, 2020

ORDINANCE NO. 10-2020

To Amend Section 1123.73 to the Codified Ordinances of the City of Worthington to Add a Definition of Transient Guest to Tourist Homes in the Definition Section of the Planning & Zoning Code.

WHEREAS, it is the wish of City Council to monitor and revise the Planning and Zoning Code of the City to ensure economic viability and preserve the character of the City; and,

WHEREAS, the Codified Ordinances requires City Council to refer any district boundaries or classification changes to properties to the Municipal Planning Commission for a recommendation; and,

WHEREAS, the Municipal Planning Commission will review this item on March 12, 2020 and forward its recommendation based on the Planning Goals of the City, as referenced in the Land Use Plans.

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

SECTION 1. That Section 1123.73 of the Codified Ordinances is amended to read as follows:

**1123.73 TOURIST HOME**

“Tourist home” means a building other than a hotel where lodging is provided and offered to the public for compensation for not more than fifteen individuals and open to transient guests. Transient guests means a person or persons renting, using, or occupying a dwelling or living accommodation for a period of 30 consecutive calendar days or less.

SECTION 2. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and 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 March 2, 2020  
MPC March 12, 2020  
P.H.  
Effective

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

PORTION OF MINUTES OF THE REGULAR MEETING  
WORTHINGTON ARCHITECTURAL REVIEW BOARD  
WORTHINGTON MUNICIPAL PLANNING COMMISSION  
March 12, 2020

The regular meeting of the Worthington Architectural Review Board and the Worthington Municipal Planning Commission was called to order at 7:00 p.m. with the following members present: Mikel Coulter, Chair; Thomas Reis, Vice-Chair; Kathy Holcombe, Secretary; Edwin Hofmann; David Foust, Richard Schuster and Susan Hinz. Also present was Lee Brown, Director of Planning & Building. Lynda Bitar, Planning Coordinator, was absent. Scott Myers, Worthington City Council Representative, was absent.

**A. Call to Order - 7:00 pm**

1. Roll Call
2. Pledge of Allegiance
3. Oath of Office

Ms. Susan Hinz was sworn in and took the Oath of Office as the newest member of the Architectural Review Board.

4. Approval of minutes of the February 27, 2020 meeting

Mr. Reis moved to approve the minutes, and Mr. Foust seconded the motion. All Board members voted, "Aye," and the minutes were approved.

5. Affirmation/swearing in of witnesses

**C. Municipal Planning Commission**

**2. Amendment to the Planning & Zoning Code**

Mrs. Bitar reviewed the following from the staff memo:

- a. PUD - Caliper Inch Fee – **APZ 01-2020**
- b. Definitions – Tourist Home & Dwelling Unit – **APZ 02-2020**

Mr. Brown reviewed the following from the staff memo:

**Findings of Fact & Conclusions**

**Background & Request:**

City Staff has been directed to prepare legislation to Amend Section 1174.05(c)(B) of the Codified Ordinances of the City of Worthington to Amend the Caliper Inch Fee Associated with the Natural Features Section of the Development Standards and Development Standards Text Found in the Planned Unit Development from the \$450.00 per caliper inch to \$150.00 per caliper inch.

As you may recall in 2016 that during the 6-month review and adoption of the Wilson Bridge Corridor Zoning Districts at City Council that they discussed the tree replacement fee in great detail. The draft version of the text originally referenced \$450 per caliper inch to match with the Planned Unit Development - PUD section of the Planning & Zoning Code. At that time Council asked that we do additional research to see what other jurisdictions in our region charged or if they charged a fee. At that time, we looked at Westerville, Dublin, Hilliard and Delaware. There were very few local jurisdictions that had a tree replacement fee. The fees ranged from \$100 to \$300 per caliper inch for anything over 6-inches. Council then adjusted the fee to \$150 per caliper inch.

In 2018 this was again discussed when City Council reviewed the Final Development Plan for the new apartments at Granby Place on E. Wilson Bridge Rd. At that time the applicant was requesting a variance from the entire tree replacement fee for the site. During that meeting we referred to our previous discussion in 2016 during the adoption of the text for the Wilson Bridge Road Corridor that there was a conflict with the fees in the Planning & Zoning Code.

In 2019 at the City Council Retreat we briefly discussed a tree preservation plan and fees, that topic did not make the Top 10 list for 2019.

On December 17, 2019 City Staff prepared a memo to City Council outlining possible issues related to the tree fee found in the Wilson Bridge Road Corridor Guidelines and within the PUD language found in the Planning & Zoning Code.

On February 18, 2020 City Council discussed the tree fee associated with the Natural Features section of the Development Standards and Development Standards Text found in the Planned Unit Development text as part of their review of a rezoning request to a Planned Use District and the conflicts with the fee outlined in the Wilson Bridge Road Corridor Guidelines.

City staff confirmed that the previous jurisdictions used as benchmarks have not updated their fees as it pertains to a fee associated with the removal of trees as part of a project.

City staff believes one of the goals of having a fee associated with a development is to identify significant trees or tree stands that should be saved or incorporated into the development. A few examples would be the 200+ year old Bicentennial Oak that was preserved as part of the Kemper House project and the large Sycamore and Oak that will be preserved at Stafford Village.

### **Recommendation:**

Staff recommended approval of the proposed text amendment to reduce the caliper inch fee from \$450.00 per caliper inch to \$150.00 per caliper inch to be in line with the guidelines adopted for the Wilson Bridge Corridor Zoning Districts and Guidelines. There is a need from time to time to monitor, update and revise the Planning & Zoning Code.

**Discussion:**

Mr. Hofmann asked if this would be a permanent change to all future PUD's and Mr. Brown said yes, this would be a text amendment, so if this goes to City Council and if City Council were to agree with it, or modify it, we would then start a 60-day waiting period for any change to the Planning & Zoning Code and then it would go into effect. Any new PUD's coming forward it would have the \$150.00 dollar per caliper per inch instead of \$450.00 dollars per caliper inch. Mr. Brown said staff viewed this as a housecleaning clean up but felt they needed to have the conversation with the Board members to see how they felt about the 150, 250 or 350, but felt the cost should match with the Wilson Bridge Corridor. Mr. Hofmann asked if there were any other precedents that were not necessarily a dollar amount but allows this to be adjusted as inflation goes on. Mr. Brown said one of the things, from the city staff standpoint, was the Administration had asked them to look at the overall fees. For example, the Architectural Review Board (ARB) minimum fee is \$2.00 dollars, and maximum \$200.00 dollars, and has been \$2.00 since 1967. Mr. Brown said our fees compared to our counterparts are extremely low, however, from the staff's standpoint, we look at it, at least from the Design Guidelines, we want compliance. We do not want to penalize or overcharge you, but what has been asked of us, from the staff's standpoint is to start to look at the fees and see what fees need to be adjusted. They do not need to be the highest or the lowest or anywhere in between, but to actually reflect what is staff time. I think one of the things, like for example when the Holiday Inn came in for the first four years, before they rezoned to the PUD, their maximum fee was the ARB application fee of \$200.00 dollars. Four years and notification requirements and probably hundreds of caliper inches of trees they felt that certain fees would probably need to be adjusted. As part of this, as we go forward, later this year and reviewing our fees department wide we can look back at this, is the 150 or 450 still consistent, but as of three weeks ago we called around to our counterparts again to confirm their fees were in line with that, if we went to the \$150. The \$450 is high, but the goal was to find that tree or that significant tree stand that you thought really needed to be protected and use that also as your bargaining chip. Mr. Brown said if someone came in and wanted to remove the Bicentennial oak tree the fee would be astronomical, but there would have been an outcry from the public, and the Boards and Commissions and that never would have been approved. Mr. Hofmann asked if that was the right tool to try to save trees. Mr. Brown said there were probably other better methods. He said from the staff's side, there have been discussions over the years which related to a certain project that occurred in town, a residential lot, where every tree on the property was removed, and that started the discussion. Should there be a tree fee or be a jurisdiction that would review any removal of trees.

Mr. Coulter said he felt this was an improvement because there was a developer that was going to walk away if they were held to the \$450.00 fee. Mr. Brown said if someone removed a 100 caliper inches of trees and replaced them with 50, then someone would owe 50. He said with the Fresh Thyme project, there was thick vegetation but many of the pine trees were at the end of their life and diseased. When Fresh Thyme came forward, they probably had a tree fee of approximately twenty thousand dollars. When they jumped to the second PUD, with the lodge development, there were not a lot of trees on the property. There were some Braford Pears, which were already frail and there were a few on Dewey's parking lot. What was added as part of the lodge development was increased over what was existing. The Kemper House site only had about three trees to begin with, one of which needed to be protected, the Bicentennial Oak. Stafford Village will need to move trees that cannot be added back so what City Council approved for Stafford was

to be charged the \$150 per caliper per inch which came to approximately \$27,000.00 dollars versus the two or three hundred thousand if they followed the \$450.00 dollar per caliper. Mr. Foust asked if \$150.00 dollars per inch is reasonable to allow you to plant new trees. He said they should not make it too easy for someone to come in and cut down all these trees. Mr. Brown said with Stafford Village they knew what would be added back and what was being removed. It is not a small chunk of change. City Council could always grant a waiver from that requirement with a recommendation from the ARB. Mr. Foust asked if the city still had the Street Tree Program and Mr. Brown said yes. Mr. Brown said the tree fee money goes into a tree re-forestation fund with the Parks Department for City Street trees and for the parks. He asked if there should be a tree ordinance city wide and what that would look like with the direction from City Council. Mr. Brown said a resident would need permission from the City's Arborist before cutting down a tree, or if there is a contentious debate over the tree, it would go before a Board of Commission. Mrs. Holcombe asked if there would be a penalty if someone cut down a tree without permission. Mr. Brown said as of right now, no, but they could take a look at the original plans and make the developer plant the trees according to the original approval. Mr. Coulter asked if there was anyone present that wanted to speak for or against this application, but no one came forward.

#### **Municipal Planning Commission Motion:**

Mr. Reis moved:

**THAT THE REQUEST TO MODIFY THE CALIPER INCH FEE ASSOCIATED WITH THE PUD SECTION FROM \$450.00 PER CALIPER INCH TO \$150.00 PER CALIPER INCH, AS PER CASE NO. APZ 01-2020, BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL BASED ON THE PLANNING GOALS OF THE CITY, AS REFERENCED IN THE LAND USE PLANS AND ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.**

Mr. Foust seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Reis, aye; Mrs. Holcombe, aye; Mr. Hofmann, aye; and Mr. Foust, aye. The motion was approved.

#### **b. Definitions – Tourist Home & Dwelling Unit – APZ 02-2020**

Mr. Brown explained they were not deciding whether Airbnb's short-term rentals were permitted in the city. Currently, within the city limits they are not a permitted use or a conditionally permitted use in residential districts, but they do have language which defines what they are. Mr. Brown said what happened last Thursday at the Board of Zoning Appeals (BZA) meeting, they had a property owner which had purchased property specifically just for short-term rental. The homeowners did not live there, they were just using the property as a short-term rental which created a little bit of heartache with the number of turnovers on a daily basis and on the weekends. The city defines that as a Tourist Home. One of the good things that happened last Thursday, the Board upheld the decision that the home met the definition of a Tourist Home. Mr. Brown said they felt this was a good time to clarify what that means. A Tourist Home is not permitted or conditionally permitted in residential districts, but they felt this was a good opportunity to clarify thirty days. One of the questions asked by the homeowner was where the language was coming from for the thirty days so Mr. Brown explained it was tied back to the Ohio Revised Code and to the Ohio Building Code but felt this was a time to actually clarify it and the actual language itself. The proposed language just

adds the additional sentence which says transient guest means a person or persons renting for thirty consecutive days or less. This was also a question that was brought to the Board by the Appellant was “what is transient” mean, so he felt this was a good time to define the language in the Code. Under the definition of dwelling, which is a single-family home or apartment unit. The definition of a dwelling should not reference a weekly rental. He said a homeowner should require someone to at least live there for thirty days. Mr. Brown felt there was a better discussion with City Council to be had to clean the language up in the current Code.

Mr. Foust said there had been two situations that had come up in the past twenty-five years. One was a single-family homeowner who wanted to take a two-car garage and convert it into a livable space for their mother-in-law, ending up with two houses on one lot and there was another situation a few years ago, a Bed & Breakfast, set up on High Street, that was approved, just south of the Methodist Church, and it operated for several years. He said they made up some Code arrangement to make that work at the time, but he did not know if that was similar to this situation. Mr. Brown said Bed & Breakfasts are conditional uses in the C-5 District, and that is something the Board can look at and possibly add additional criteria for such approval of that conditional use, such as hours of operations, number of employees, etc. He said there may be certain districts where short-term rentals may be appropriate but from the discussions at the last BZA meeting, the neighbors were really upset about the transient traffic coming in and out of the rental house. Mrs. Holcombe felt the word dwelling was misused. She said when you live in a home by yourself in a single-family dwelling, unless your emphasis is on “unit”. If someone was renting, the heading should not be dwellings.

Mr. Brown said Granby Place apartments has sixteen dwelling units per acre. They could be an apartment or condo unit, or a single-family home, a duplex or a four-plex. He said what you do not see in the definition section, 1123-30 Dwellings, any building or portion thereof which is designated for or used for residential purposes. The next definition for “Dwelling Unit” they have recommended removing the word “weekly.” He said since they are cleaning up the Tourist Home definition, he felt they also need to clarify what “transient” means. Mr. Coulter asked if the Appellant was going to Appeal to City Council and Mr. Brown explained that an Appeal to a BZA decision would have to be filed in Franklin County Court of Common Pleas. Mr. Coulter asked if there was anyone present to speak for or against this application.

Mr. Steven Webster, 5765 Granby St., Worthington, Ohio, lives across the street from the house in question. He said he would not go into great detail about everything they have had to deal with because of this home, but it was awful. He said to add clarity to the rules would great because he would like to see all the loopholes closed. Mr. Webster said he wanted to publicly thank City staff for all their assistance through the process last fall.

Mr. Paul Cook, 186 Park Blvd., Worthington, Ohio, said he came to the meeting to make sure the wording of the definitions were tightened up because he also lives near the Airbnb.

#### **Municipal Planning Commission Motion:**

Mr. Foust moved:

**THAT THE REQUEST TO MODIFY THE LANGUAGE FOUND IN SECTION 1123.73 TOURIST HOME AND SECTION 1123.30(b) DWELLING UNIT, AS PER CASE NO. APZ**

Page 5 of 6

Portion of the ARB/MPC March 12, 2020 Meeting Minutes  
Minutes

**02-2020, BE RECOMMENDED TO THE CITY COUNCIL FOR APPROVAL BASED ON THE PLANNING GOALS OF THE CITY, AS REFERENCED IN THE LAND USE PLANS AND ON THE FINDINGS OF FACT AND CONCLUSIONS IN THE STAFF MEMO AND PRESENTED AT THE MEETING.**

Mr. Hofmann seconded the motion. Mr. Brown called the roll. Mr. Coulter, aye; Mr. Reis, aye; Mrs. Holcombe, aye; Mr. Hofmann, aye; and Mr. Foust, aye. The motion was approved.

**D. Other**

There was no other business to discuss.

**E. Adjournment**

Mr. Foust moved to adjourn the meeting, and Mr. Hofmann seconded the motion. All Board members voted, “Aye,” and the meeting was adjourned at 8:42 p.m.



**STAFF MEMORANDUM**  
**City Council Meeting – May 18, 2020**

Date: April 29, 2020

To: Matthew H. Greeson, City Manager

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

Subject: **Ordinance No. 16-2020 - Appropriation - Huntley Bowl Improvements Design**

---

**EXECUTIVE SUMMARY**

This Ordinance appropriates the funds required to complete design of the Huntley Bowl Improvements, Project Number 708-20

**RECOMMENDATION**

Approve as Presented

**BACKGROUND/DESCRIPTION**

As outlined during a special presentation at the Committee of the Whole on April 13<sup>th</sup>, Strand and Associates in partnership with Sustainable Streams conducted a study of the Rush Run corridor in 2019. A recommendation was made to redesign the Huntley Bowl to better utilize the facility for storm water erosion control, and water quality improvements downstream. This ordinance provides funding of \$37,000 for the design work of the Huntley Bowl Improvements, and allows the City Manager to enter into a Professional Services Agreement with Strand and Associates.

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

The 2020 Capital Improvements Program budgeted \$420,000 for design and construction of these improvements. The design cost is \$37,000.

**ATTACHMENTS**

Ordinance No. 16-2020

ORDINANCE NO. 16-2020

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Design Costs of the Rush Run Stream – Huntley Bowl Improvements and Determining to Proceed with said Project. (Project No. 708-20)

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. 308.8140.533438 an amount not to exceed thirty-seven thousand dollars (\$37,000) to pay the cost of the Rush Run Stream – Huntley Bowl Improvements Design and all related expenses (Project No. 708-20).

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

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

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

Passed \_\_\_\_\_

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

Attest:

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



**STAFF MEMORANDUM**  
**City Council Meeting – May 18, 2020**

Date: April 29, 2020

To: Matthew H. Greeson, City Manager

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

Subject: **Ordinance No. 17-2020- Appropriation - Corporate Hill Drive Extension Design**

---

**EXECUTIVE SUMMARY**

This Ordinance appropriates the funds required to complete design of the Corporate Hill Extension Improvements, Project Number 709-20

**RECOMMENDATION**

Approve as Presented

**BACKGROUND/DESCRIPTION**

Through conversations with employers and employees along the W. Wilson Bridge corridor, the City identified the need to mitigate traffic safety risks and lessen vehicular congestion at the intersection of W. Wilson Bridge Road and Old W. Wilson Bridge Road. This corridor has experienced increased redevelopment in recent years, and further development is expected to occur with the development of the Worthington Gateway project and the potential redevelopment of the Shops at Worthington Place. The City partnered with Carpenter Marty Transportation to study the vehicular traffic patterns in the corridor. The traffic analysis found that as a result of longer wait times at the stop sign at the corner of Old W. Wilson Bridge Road and W. Wilson Bridge Road, many vehicles were using neighboring parking lots and service drives as alternative “cut through” routes. This cut through traffic can create safety concerns, is intrusive to private property, and just shifts the traffic congestion. As a result of the traffic analysis, Carpenter Marty Transportation and the City’s Service & Engineering Department recommended that a public drive be created to divert traffic away from the intersection of Old W. Wilson Bridge Road and W. Wilson Bridge Road., and towards the existing traffic signal at the corner of Corporate Hill Drive and W. Wilson Bridge Road.

The Service & Engineering Department has solicited Request for Proposals, which included *"preparation of right of way and construction contract plans for the extension and realignment of Corporate Hill Road. The roadway will connect West Wilson Bridge Road and West Old Wilson Bridge Road in the City of Worthington, Ohio. The project includes reconfiguration of commercial parking areas to accommodate the extension and realignment."* This ordinance will fund the cost of design of \$95,000 and allow the City Manager to enter into a Professional Services Agreement with Korda/Nemeth Engineering, Inc. to perform the design.

It is anticipated that the City will use available monies from the Tax Increment Financing (TIF) fund associated with the redevelopment of The Heights apartment complex to complete the necessary roadwork improvements. The City also anticipates applying for grant funding through the Ohio Department of Transportation and the Ohio Development Services Agency.

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

\$95,000 to be funded by TIF funds.

**ATTACHMENTS**

Ordinance No. 17-2020

ORDINANCE NO. 17-2020

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the West Wilson Bridge Rd. Municipal Public Improvements TIF Fund Unappropriated Balance to Pay the Design Costs of the Corporate Hill Extension Improvements and Determining to Proceed with said Project. (Project No. 709-20)

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 West Wilson Bridge Rd. Municipal Public Improvements TIF Fund Unappropriated Balance to Account No. 920.9020.560985 an amount not to exceed ninety-five thousand dollars (\$95,000) to pay the cost of the Corporate Hill Extension Design and all related expenses (Project No. 709-20).

SECTION 2. That the City Manager be and hereby is authorized and directed to enter into an agreement with the firm of Korda/Nemeth Engineering, Inc. for the provision of the aforementioned services.

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

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

Passed \_\_\_\_\_

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

Attest:

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



**STAFF MEMORANDUM**  
**City Council Meeting – May 18, 2020**

Date: May 13, 2020

To: Matthew H. Greeson, City Manager

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

Subject: **Ordinance No. 18-2020 Appropriation - Street Improvement Program**

---

**EXECUTIVE SUMMARY**

This Ordinance appropriates funds for the 2020 Street Improvement Program

**RECOMMENDATION**

Motion to Amend and Approve as Amended

**BACKGROUND/DESCRIPTION**

This Ordinance was introduced with blanks for the amount and the firm pending the results of the bid opening. On Wednesday, May 13, 2020 at noon, staff opened bids for the 2020 Street Improvement Program. Three firms submitted acceptable and verified bids below the Engineer's estimate of \$901,297.88. The lowest and best bid was submitted by Strawser Paving Company in the amount of \$844,868.30. Staff is requesting an appropriation of \$929,355.13 which includes the bid amount and a contingency of 10%, and permission for the City Manager to enter into a contract with Strawser Paving Company.

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

The 2020 Capital Improvements Program includes \$900,000 for this project.

**ATTACHMENTS**

Ordinance No. 18-2020 (As Amended)  
Ordinance No. 18-2020

ORDINANCE NO. 18-2020  
(As Amended)

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the 2020 Street Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 707-20)

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. 308.8150.533437 an amount not to exceed Nine hundred twenty nine thousand, three hundred fifty five dollars and thirteen cents (\$929,355.13) to pay the cost of the 2020 Street Improvement Program and all related expenses (Project No. 707-20).

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

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

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

Passed \_\_\_\_\_

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

Attest:

Introduced May 4, 2020  
P.H. May 18, 2020

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

ORDINANCE NO. 18-2020

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for an Appropriation from the Capital Improvements Fund Unappropriated Balance to Pay the Costs of the 2020 Street Improvement Program and all Related Expenses and Determining to Proceed with said Project. (Project No. 707-20)

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. 308.8150.533437 an amount not to exceed \_\_\_\_\_ (\$\_\_\_\_\_) to pay the cost of the 2020 Street Improvement Program and all related expenses (Project No. 707-20).

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

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

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

Passed \_\_\_\_\_

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

Attest:

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

Introduced May 4, 2020  
P.H. May 18, 2020



**STAFF MEMORANDUM**  
**City Council Meeting – May 18, 2020**

Date: May 13, 2020

To: Matthew H. Greeson, City Manager

From: Darren Hurley, P&R Director  
Scott Bartter, Finance Director

Subject: **Emergency Ordinance No. 19-2020 Appropriation - Refund Allocation for Camps and Programs**

---

**EXECUTIVE SUMMARY**

This Ordinance appropriates \$200,000 for refunds associated with cancelled Parks & Recreation programming.

**RECOMMENDATION**

Introduce and Approve as Presented

**BACKGROUND/DESCRIPTION**

Due to circumstances and concerns related to COVID-19, the Parks and Recreation Department has had to cancel several spring programs and will begin the process of cancelling and refunding summer camp registrations which were already in place. Current summer camp enrollments for 2020 total around \$170,000 so additional funding is needed in our refund line item in order to process that volume of refunds for participants. This ordinance should be passed an emergency by 6/7 vote of the City Council to timely refund these registrations. If not passed by emergency, staff would have to wait until June to process refunds, negatively impacting our customer.

**ATTACHMENTS**

Ordinance No. 19-2020

## ORDINANCE NO. 19-2020

Amending Ordinance No. 45-2019 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund Unappropriated Balance and Declaring an Emergency.

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; and,

WHEREAS, City Council has determined that due to the need to appropriate additional funding to provide for timely refunds to residents for recreation programs that are being cancelled as a result of COVID-19 that it is in the best interest of the City of Worthington to waive notice of public hearing and to declare this Ordinance an emergency measure effective immediately;

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

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

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
<b><u>General Fund #101</u></b>		
101.4040.540525	Refunds – Recreation Programs	\$ 200,000.00
<b>General Fund Totals</b>		<b>\$ 200,000.00</b>

SECTION 2. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the Municipality due to the need to timely refund residents for recreation programs that are being cancelled as a result of COVID-19 and to be effective immediately upon its passage and publication. 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.

SECTION 3. That the waiver of notice of public hearing, the waiver of the waiting period, the declaration of immediate effectiveness, and the adoption of this Ordinance was passed by a six-sevenths vote of the members of Council in accordance with the Charter of the City of Worthington, Ohio.

Passed \_\_\_\_\_

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

Attest:

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



**STAFF MEMORANDUM**  
**City Council Meeting – May 18, 2020**

Date: May 13, 2020

To: Matthew H. Greeson, City Manager

From: David McCorkle, Economic Development Director

Subject: **Resolution No. 25-2020 FACE Program Application – Play: CBUS**

---

**EXECUTIVE SUMMARY**

This Resolution authorizes \$25,000 in exterior enhancement assistance under the FACE Program initiative to Play: CBUS, at 535 Lakeview Plaza Blvd.

**RECOMMENDATION**

Approve as Presented.

**BACKGROUND/DESCRIPTION**

The City of Worthington launched a façade improvement grant/revolving loan fund program in May 2014 to induce private, commercial property owners and tenants to make exterior focused improvements. Worthington called this initiative the Re-emergent Corridor Assistance Program (ReCAP). After its fifth year in operation, the program was revised in 2019 to expand its geographic eligibility beyond the City's industrial corridor. The new program, the Façade Assistance and Corridor Enhancement (FACE) Program, continues to encourage exterior investment and enhancement to commercial, industrial and office properties within the City. Worthington's commercial real estate is largely comprised of older properties which lag behind comparable properties elsewhere in the Central Ohio region, many of which are marked by declining investment and depressed leasing rates. Reimbursable grants and no-cost financing are available under the FACE Program to fund commercial building exterior enhancements. FACE provides half of the total award amount up-front as a loan payment to awardees, with the remaining half being a reimbursable grant that is received upon proof of invoices and payments. This assistance is intended to partially fund well-designed exteriors that enhance design integrity and secure participating buildings against further devaluation and disinvestment.

The Community Improvement Corporation (CIC) met on May 8, 2020 and reviewed the proposed exterior improvements to 535 Lakeview Plaza Blvd. The CIC Board recommended approval of funding for the project, contingent upon the applicant's compliance with the Building & Planning Department. The application submitted by Play: CBUS was scored by both City staff and the CIC Board, receiving a final score of 80 points (out of 100 possible; a minimum score of 65 points is required). Staff recommends that City Council approve \$25,000 in FACE assistance to Play: CBUS for the property located at 535 Lakeview Plaza Boulevard. Funds will be used to make improvements pursuant to the program's guidelines and procedures.

#### **ADDITIONAL INFORMATION**

Application was made by Greg Carlin, founder of Play: CBUS, to make improvements to the property at 535 Lakeview Plaza Boulevard. The applicant recently signed a 10-year lease at the building, committing to grow its second location on Ohio. The work proposed by the applicant consists of constructing a new entryway, installing new windows for natural light, updating ADA accessibility at the main entrance, a new accent paint scheme, new signage, and updating the landscaping. The proposed timeline for the project is 5-6 months. The total cost of the exterior project is expected to be between \$75,000-\$100,000.

In addition to the exterior work, Play: CBUS expects to invest an additional \$3,000,000 for interior improvements and will employ over 100 fulltime and part-time employees at the Worthington location.

The Neighborhood Design Center ("NDC") provided design and application assistance for this project. For 2020, NDC is on engagement with the City to provide no-cost (to the applicant) design and planning services to FACE projects.

#### **FINANCIAL IMPLICATIONS/FUNDING SOURCES**

Funding is available in the 2020 Operating Budget to fund this application.

#### **ATTACHMENTS**

Resolution No. 25-2020

RESOLUTION NO. 25-2020

Authorizing the Award of Façade Assistance and Corridor Enhancement Funds to Help Improve Facility Exterior Facade and Streetscape Along Certain of the City's Commercial Corridors (535 Lakeview Plaza).

WHEREAS, in January 2019 the City launched its Façade Assistance and Corridor Enhancement Program, or FACE, as an exterior façade and streetscape enhancement initiative to induce property owners and tenants to re-invest in their commercial properties in Worthington; and,

WHEREAS, those properties eligible for FACE assistance during program year 2020 are located in one of the City's commercial corridors; and,

WHEREAS, the City received one application for program assistance from Play: CBUS, to make exterior improvements to commercial real property the applicant leases at 535 Lakeview Plaza Blvd., City of Worthington, Franklin County (the "Property"); and,

WHEREAS, as specified in the FACE Policy & Procedures, City staff prepared the application materials for review by the Worthington Community Improvement Corporation ("CIC") at its regular meeting on May 8, 2020; and,

WHEREAS, the CIC Board reviewed the applications and recommended approval; and,

WHEREAS, City Council is desirous of encouraging the exterior renovation and streetscape improvements to be made by Play: CBUS as set forth in its application for FACE assistance, which is attached hereto and incorporated herein as EXHIBIT A.

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

SECTION 1. That the Council of the City of Worthington does hereby approve an award up to a maximum of \$25,000 in assistance under the Façade Assistance and Corridor Enhancement Program for 535 Lakeview Plaza Blvd., to Play: CBUS, for the work described in EXHIBIT A. Said assistance is structured in the form of one-half the amount in grant funds and one-half the amount in loaned funds to encourage investments in, and improvements to, the Property.

SECTION 2. These awards of FACE assistance shall be in accordance with and subject to the requirements set forth in the FACE Policy & Procedures, including the use of City funds for only those Eligible Improvement Costs as identified therein.

RESOLUTION NO. 25-2020

SECTION 3. The City Manager, the Director of Finance and the Director of Law, and any other City official, as appropriate, are each authorized and directed to sign the necessary documents to evidence the FACE assistance approved herein, and are authorized and directed to sign any other documents, instruments or certificates and to take such actions as are necessary or appropriate to consummate or implement the transaction described in or contemplated by this Resolution.

SECTION 4. That the Clerk of Council be instructed to record this Resolution in the appropriate record book.

Adopted \_\_\_\_\_

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

Attest:

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

**EXHIBIT A**

**Façade Assistance & Corridor Enhancement (FACE) Program  
Application for Assistance (2019)**

Those interested in receiving FACE financing for exterior improvements must complete this form and submit to the City of Worthington. The City will review the information to determine whether an award of FACE assistance is approved for the described project.

Applicant Information	
Applicant Name	Play: CBUS
Applicant's Mailing Address	535 LAKEVIEW PLAZA BLDG, 43085
Contact Name & Title	GREG CARLIN, CEO
Contact Email	greg@playcle.com
Contact Phone No.	(216) 450-0160
Project Site Address	<div> 535 LAKEVIEW PLAZA BLDG  WORTHINGTON </div> <div> Is this site:  <input type="checkbox"/> Purchased  <input checked="" type="checkbox"/> Leased (lease ends: 2/29/29) </div>
Applicant's Federal Identification Number (FEIN)	83 - 2535776 (attach sheet if additional FEINs)
Describe the Economic Impact of the Project, including jobs created/retained, payroll considerations, and total investment	Play: CBUS is investing over \$3,000,000 to the project AND expects to initially hire up to 100 employees - Full and part time positions.
Attach Copy of Applicant's Recent Letter of Credit or Loan Commitment from a Banking Institution	If the Applicant cannot show recent correspondence from a Banking Institution, Applicant can supply a completed Personal Financial Statement (SBA Form 413).
Property Owner Information	

<b>Property Owner Name*</b>	RM-VSE, LLC
<b>Email</b>	calcommercial@hotmail.com
<b>Phone No.</b>	(619) 306-3314

*\* If Applicant is NOT the Property Owner, then Property Owner must supply notarized acknowledgement.*

**As the owner in fee simple of the real property at the Project Site Address, I hereby acknowledge and approve of the Applicant submitting this request for City of Worthington FACE assistance to improve said property.**

**PROPERTY OWNER**

\_\_\_\_\_

STATE OF OHIO                    )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

Before me, a Notary Public, in and for said county, personally appeared the above-named Property Owner who acknowledged the signing hereof to be his/her voluntary act for the purposes therein mentioned.

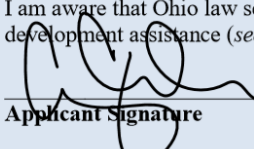
Signed: \_\_\_\_\_  
Notary Public, State of Ohio

My Commission expires: \_\_\_\_\_

<b>Project Site – Current Conditions</b>	
<b>In the Space Provided, Describe the Project Site's Current Conditions, including Building &amp; Site Improvement Needs</b>	(Attach additional sheets if necessary) THE SITE IS CURRENTLY BEING CONVERTED FROM THE FORMER ROADRUNNER SPORTS WAREHOUSE. ALL NEW HVAC, PLUMBING, LIGHTING, INTERIOR BUILDINGS INCLUDING A KITCHEN, BAR, EVENT SPACES AND OTHER FINISHES ARE PART OF THE SITE.
	<b>Attach Current, As-is Photographs of the Project Site</b>

<b>Project Scope of Work &amp; Applicant Experience</b>
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<b>Estimated Total Exterior Project Costs</b>	\$ 75,000 - 100,000
<b>In the Space Provided, Describe the Exterior Improvement Project's Scope of Work</b>	<p>(Attach additional sheets if necessary)</p> <p>THERE ARE SEVERAL KEY ELEMENTS FOR THE EXTERIOR.</p> <ol style="list-style-type: none"> <li>1. MAIN CUSTOMER ENTRY FOR PLAY: CBUS</li> <li>2. UPDATED ADA ACCESSIBILITY AND LANDSCAPING TO SUPPORT #1.</li> <li>3. NEW EXTERIOR SIGNAGE</li> <li>4. ADDING ACCENT PAINT AND WINDOWS TO ADD NATURAL LIGHT INTO THE BUILDING FROM THE SOUTH WALL.</li> </ol>
<b>In the Space Provided, Describe the Applicant's Experience in Undertaking / Managing Similar Projects</b>	<p>PLAY: CBUS IS THE SECOND LOCATION FOR PLAY: AND A SIMILAR CONVERSION WAS COMPLETED IN 2017 IN AVALON, NJ.</p>
<b>Attach Renderings, Illustrations and/or Drawings for the Exterior Improvement Project</b>	

Project Work Bids	
<b>Attach Three (3) Written Bids for All Exterior Improvement Work to be Performed under the Project</b>	<p>Applicant must supply at least three (3) written bids for the work to be performed. Applicants must ensure that all bids are based on the <u>same work</u> (example: if Bid 1 is for tuckpointing, window replacement, and flashing, Bids 2 and 3 must also be for same scope of services)</p> <p><b>NOTE: Although FACE awards are calculated only per the lowest bid, Applicants are free to accept higher bids.</b></p>
Contractor Selected & Construction Schedule	
<b>Contractor(s) Selected</b>	Name: <u>CCS CONSTRUCTION</u>
<b>Construction Schedule</b>	<p>Approximate date work to begin: <u>1 / 10 / 2020</u>      Approximate date work to be completed: <u>6 / 30 / 2020</u></p> <p>In all cases, FACE-assisted construction must be completed within 24 months of making application</p>
Compliance with City Laws & Regulations	
<p>Please verify the following by providing a check mark next to the ones that are true.</p> <p><input checked="" type="checkbox"/> Property taxes are up to date on this property.</p> <p><input checked="" type="checkbox"/> Applicant is in full compliance with City income tax obligations.</p> <p><input checked="" type="checkbox"/> Property is fully compliant with the City's building &amp; zoning code; There are no known violations.</p>	
Applicant Signature	
<p>As an authorized representative of the Applicant, I hereby submit this Application. I understand that this Application, once submitted, in no way constitutes a commitment of funds by the City of Worthington.</p> <p>I hereby represent and certify that I have reviewed the information contained in this Application, and the foregoing and attached information, to the best of my knowledge and belief, is true, complete and accurately describes the proposed project for which the City's FACE assistance is being sought.</p> <p>I am aware that Ohio law sets forth criminal penalties for falsification on applications for economic development assistance (<i>see</i> Ohio Revised Code §2921.13(A)(4)).</p>	
<u></u> Applicant Signature	<u>Carol W. CEO</u> Printed Name & Title
	<u>4/29/20</u> Date

Applications are to be submitted to the following:  
**City of Worthington, Economic Development**  
**6550 North High Street**  
**Worthington, Ohio 43085**



**STAFF MEMORANDUM**  
**City Council Meeting – May 18, 2020**

Date: May 14, 2020

To: Matthew H. Greeson, City Manager

From: D. Kay Thress, City Clerk

Subject: **Resolution No. 26-2020 Appointments to Boards and Commissions**

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**EXECUTIVE SUMMARY**

This Resolution makes appointments to fill expiring terms and vacancies on the Community Relations Commission and Bicycle & Pedestrian Advisory Board

**RECOMMENDATION**

Introduce and Approve as Presented

**BACKGROUND/DESCRIPTION**

The Community Relations Commission consists of nine members, at least seven of which shall be residents of the City. Members serve three year overlapping terms and Angela Mahaffey, whose term will expire on May 31, 2020 wishes to continue serving. There is a vacancy on the CRC and Shawna LaRue Moraille, would like to be appointed.

The Bicycle and Pedestrian Advisory Board is composed of nine members. Michael Bates and Kelly Whalen's term will expire on May 31, 2020 and each wish to continue serving on this Board. There is also a vacancy and Brian Meilton would like to fill that position.

**ATTACHMENTS**

Resolution No. 26-2020

RESOLUTION NO. 26-2020

Re-appointing and Appointing Members to the  
Worthington Community Relations Commission and  
the Bicycle and Pedestrian Advisory Board.

WHEREAS, the Worthington Community Relations Commission (CRC) consists of nine members, at least seven of which shall be residents of the City; and,

WHEREAS, the CRC members serve three-year overlapping terms; and,

WHEREAS, the term for Angela Mahaffey will expire on May 31, 2020 and she wishes to continue serving on the CRC; and,

WHEREAS, Shawna LaRue Moraille would like to be appointed to the CRC; and,

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

WHEREAS, the terms for Michael Bates and Kelly Whalen will expire on May 31, 2020, and they wish to continue to serve on the Advisory Board; and,

WHEREAS, Brian Meilton would like to be appointed to 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 Angela Mahaffey and Shawna LaRue Moraille are hereby appointed to the Worthington Community Relations Commission, each for a three-year term commencing on June 1, 2020 and expiring on May 31, 2023.

SECTION 2. That Michael Bates, Kelly Whalen and Brian Meilton are hereby appointed to the Bicycle and Pedestrian Advisory Board, each for a three-year term commencing on June 1, 2020 and expiring on May 31, 2023.

SECTION 3. 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