

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

July 2, 2012

Held

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Mayor Lecklider called the Monday, July 2, 2012 Regular Meeting of Dublin City Council to order at 6:30 p.m. at the Dublin Municipal Building.
Council Members present were Mayor Lecklider, Vice Mayor Salay, Mrs. Boring, Ms. Chinnici-Zuercher, Mr. Gerber, Mr. Keenan and Mr. Reiner.
Staff members present were Ms. Grigsby, Mr. Smith, Mr. McDaniel, Ms. Mumma, and Chief von Eckartsberg.

ADJOURNMENT TO EXECUTIVE SESSION

Mayor Lecklider moved to adjourn to executive session to discuss employment-related issues, specifically matters involving performance evaluations of various City employees; and to discuss matters required to be kept confidential under state law, including confidential law enforcement information and matters involving security arrangements/protocols.

Vice Mayor Salay seconded the motion.

Vote on the motion: Mr. Reiner, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Gerber, yes; Mrs. Boring, yes; Mayor Lecklider, yes; Vice Mayor Salay, yes.

The meeting was reconvened at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Ms. Chinnici-Zuercher led the Pledge of Allegiance.

ROLL CALL

Present were Mayor Lecklider, Vice Mayor Salay, Mrs. Boring, Ms. Chinnici-Zuercher, Mr. Gerber, Mr. Keenan and Mr. Reiner.

Staff present were Ms. Grigsby, Mr. Smith, Mr. McDaniel, Ms. Mumma, Chief von Eckartsberg, Ms. Crandall, Mr. Hammersmith, Mr. Langworthy, Mr. Harding, Mr. Hahn, Mr. Earman, Mr. Thurman, Mr. Gunderman, Ms. Ott, Mr. Ashford and Ms. Ruwette.

CITIZEN COMMENTS

Laurie Gyurko, 6301 Wynford Drive, Dublin stated that she is present to speak regarding trees on their property. Her husband addressed Council about the same topic five years ago. They moved to Dublin in 2004. In 2005, they planted Norwegian spruce trees along their back property line after receiving approval by City Forester Paula Chope. Her husband secured all necessary approvals from the City before planting the trees. They also checked with all of their neighbors about the planting, including the neighbors to the rear. Once the plantings of the 1.5-foot trees were completed, the neighbor at their back property line filed a formal complaint with the City's Zoning department based on the fact that the trees constituted a fence. Her husband spoke to Council about this matter and Council did not require them to cut down the trees. Now, five years later, another complaint has been filed by the same neighbor. They are now complaining that the landscaping constitutes a hedge and their major complaint is that it attracts too many birds and bunnies – describing the situation as "living behind an aviary." Ms. Gyurko noted that she gave the Zoning department permission to inspect the trees on their property. Some of the trees have not survived since the planting. They were informed by a letter from the City that they need to rectify the situation by August 1. The Code is very vague, and does not provide specific guidelines about the spacing of the trees. They have sent a reply to the City with some additional information. She is present tonight because she was told by the Zoning department that there is no enforcement done unless a complaint is filed. However, there are hundreds of properties in Dublin with trees that may constitute a hedge in the no build zone. To her, this seems to be selective enforcement in that they have been asked to rectify the situation, whatever that means. They were told five years ago that the matter would be referred to a Council Committee and that the Committee would discuss it and make a decision, but apparently, a decision was not made. She is asking tonight that Council discuss this matter and stated that the fence Code adopted in 2000 may need to be revisited. She does not want to cut down the trees, which are now 10-14 feet in height. This will be an economic hardship. The major

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issue noted in the letter sent by the neighbor was not about the trees, but with the birds they attract. If the City requires them to remove the trees, she plans to replant trees in her yard, and therefore, the number of trees on her property will not decrease. In addition, they live behind a neighbor who frequently complains and she is uncomfortable with these neighbors closely watching them. The trees have provided some security and safety for them. After hearing nothing from these neighbors for five years, she is not certain why they now want an open space to their yard.

Mayor Lecklider stated that he has had some contact with Mr. Gyrko in the last week. Did she or her husband contact the City today?

Ms. Gyrko indicated that they had a call from Brian Martin today and her husband returned the call. They were told that they could file an appeal, and they are now pursuing that process. Next week, they will meet with staff to learn about the process and then fill out the paperwork for the filing of an appeal.

Mayor Lecklider asked if the Gyrkos were provided with assurance that nothing needs to be done with the trees in the near term until this meeting occurs.

Ms. Gyrko responded that they were given until August 1 to rectify the situation. They have asked for an extension so that they can determine what the appeal process will involve. They were not granted any formal extension by the City staff.

Mayor Lecklider stated that Mr. Gyrko lives a block away from his residence and recently came to his home and shared an e-mail exchange that had taken place with the neighbors. Mr. Gyrko then came to his home on Sunday morning with the letter from the Planning Department regarding the fact that the landscaping has been determined to constitute a hedge and that there needs to be some remedy by August 1. Mayor Lecklider noted that he sent an e-mail last night to Mr. Langworthy and Mr. Martin and asked the Clerk to research some records on this topic. He had believed that the issue raised in 2007 was resolved. Once he received the minutes, it did refresh his memory with respect to what had occurred and how the matter was to be addressed. However, he remains somewhat confused with the status today with respect to the Code, what constitutes a hedge, and what is being enforced and not enforced.

Mr. Langworthy responded that this issue goes back several years. It involved a "no build" zone and fences are not permitted in such a zone. At the time, there was discussion from the complaining property owner that the plantings were done in such a manner as to enclose the property, which met the definition of a fence in the Code. At the time, staff reviewed the landscaping and believed it did not constitute a fence, as it was not solid and had not grown together. Staff did alert the property owner at the time that at a future date when the plantings grew close together, there could be an issue if they were not trimmed. The landscaping is now at that point as the trees have begun to grow together. Mr. Martin reviewed the Code and determined that the trees are more closely aligned to a hedge than a fence because they are a continuous row of vegetation. He indicated that the best way to address the issue was to have the trees not be continuous. The previous issue raised was related to the 50 percent opacity limitation for fences. But if it is determined to be a hedge, there is not an opacity issue – rather, it cannot be a continuous row of vegetation. Staff's intent was to work with the Gyrkos to have them break up the continuity of the plantings to create more of a landscape feature versus a hedge or fence. That is how the situation stands. Mr. Martin is out of the office today and tomorrow, so he has not been consulted regarding the latest contact from the Gyrkos.

Ms. Gyrko asked for clarification of "breaking up" the continuity, as one tree has died leaving a large open space and some of the plantings are not touching. What is the guideline for a hedge and its length? Can some of the trees be trimmed to leave space in between them?

Mr. Langworthy stated that there is no numerical computation established. For this reason, Mr. Martin offered to work with the property owner.

Ms. Gyrko responded that she was told he could come and evaluate, but then received a letter in the mail that the situation needed to be rectified by August 1.

Mr. Langworthy noted that is the standard letter sent out. He had asked that Mr. Martin contact the property owner and work with them to resolve the issue.

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Ms. Gyurko responded that is why she is concerned. Will this be an every year situation going forward, given the growth and change in the plantings? She would like some closure. Unless a neighbor complains, the other property owners in Dublin with similar plantings do not have to take these measures.

Ms. Grigsby stated that she was not aware of the recent activity regarding this issue. Staff will obtain all of the information and will work with the resident to resolve it. Staff will also consider granting an extension of time for the property owner to remedy the situation.

Ms. Chinnici-Zuercher recalls visiting the Gyurko property at the time the original complaint was filed five years ago. She, too, believed the issue was resolved, but will be interested in reading the minutes. Her recollection was that the City was not going to require anything to be done then or in the future for this property. In addition, it is inappropriate to respond to an individual complaint about a matter. Five years ago, the Dublin staff approved installation of these trees so it is not reasonable for the City staff to indicate at this time that they do not agree with the previous interpretation. All of this needs to be considered. However, she believes the Gyurkos should not have to make any modifications to the landscaping.

Mrs. Boring noted that she, too, believed that the issue was resolved. Her recollection was that the landscaping benefitted both property owners. Pine trees are used for screening and buffering throughout the City. In her opinion, if the City approved this installation five years ago, this landscaping should be grandfathered.

Ms. Grigsby responded that because she does not have all of the details, she recommends that Mr. McDaniel and Planning staff work to resolve the issues related to this. She will keep Council apprised of the progress in the resolution.

Mr. Gerber stated that this is a fair approach, but he does recall that this matter was discussed and resolved several years ago. There are trees throughout the City that have grown substantially and could constitute hedges. It concerns him that the Gyurkos will have to wait until sometime prior to August 1 to hear from the City on the decision regarding this matter. He would recommend at this point that the City rescind the letter.

Mayor Lecklider asked the Clerk to forward the records from the various meetings on this matter.

Mr. Langworthy stated that the Committee meeting occurred at the point that discussion was taking place about a general Zoning Code update. Staff believed at the time that a change to that portion of the regulations could be included in the Code update. However, the Zoning Code update did not go forward for a variety of reasons.

Mr. Reiner noted that his recollection of the discussion was that the landscaping added value for both property owners in terms of privacy. Since the City approved the installation of trees at the outset, his understanding from the previous discussion was that there would not be further steps taken. If a property owner had not secured City approval and had installed plantings with the intent to violate the Code, that would be a different matter altogether.

Mr. Langworthy stated that this direction is fine. Staff did not recall the end result of the last discussion. Staff can certainly call off any enforcement, if that is Council's desire.

Ms. Grigsby stated that, after consulting with Mr. Smith, if Council's direction tonight is as several Council Members have articulated, that is the direction staff will follow.

Vice Mayor Salay added that Council did discuss the fact that trees are used throughout the city as fences, hedges, and privacy screening and that was an accepted feature of the community. She recalls having that discussion with the Law Director.

Mrs. Boring pointed out that it is interesting that the City has long desired a high level of opacity for landscaping, screening, and mounding, yet now seems to be implying that the City does not desire such opacity for a property owner's landscaping. She is in agreement

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that this situation was reviewed five years ago and was determined to be acceptable. She would request a follow-up on this general policy matter to understand how this is being interpreted and enforced citywide.

Mayor Lecklider asked that the Clerk circulate the minutes to all interested staff as well. Staff can follow up if there is need for a Code amendment going forward so that this issue does not occur in the future.

Mr. Langworthy clarified that a Code amendment would be necessary so that the provisions could be enforced.

Pedro Weisleder, 7934 Caraway Avenue stated that he is present tonight to address Council regarding a situation with a neighboring property at 7926 Caraway Avenue. The owners have four dogs and the dogs have not been trained. Whenever the dogs are outside, they bark incessantly. This is tolerable during the day, but not when they let the animals out at various hours throughout the night. He has spoke to the Code Enforcement officer regarding the noise problems. The officer has visited the property on several occasions and left notices about this. Unfortunately, the problem continues to occur on a regular basis. In addition to the City of Dublin, he has contacted animal control and the park ranger for the Metro Park area behind their property. He has brought the issue to the homeowners association and the Association sent a letter to the property owner. The situation improves for a few days, but then reoccurs. He was told at some point that his only recourse is to contact Dublin Police, and he has done so on some occasions. Is there something that can be done or some additional assistance available to resolve this problem?

Mayor Lecklider asked what advice the Police Department has given to him.

Mr. Weisleder noted that the Police responded and went to the door of the property owner who then brought the animals inside.

Chief von Eckartsberg asked for clarification – did he contact the Police or Code Enforcement?

Mr. Weisleder responded that he has contacted both. Initially, he contacted Code Enforcement.

Chief von Eckartsberg offered to meet with Mr. Weisleder after the meeting. If dogs are barking excessively and generating excessive noise, that can be addressed by the Police. He is not familiar with the specifics of this case. If the animals are running at large, that is a separate issue, but that does not seem to be the case. He would be happy to discuss this further with Mr. Weisleder.

Mayor Lecklider asked what advice is given to a resident about this general situation.

Chief von Eckartsberg responded that it is best to contact the Police Department in such a situation. Code Enforcement is not staffed 24/7, as is the Police Department. They take calls such as this frequently. Typically, a warning is given and if the Police are called back in a short period of time, a citation is issued. Animal Control would only be involved if an animal is running at large.

Mr. Gerber asked Mr. Smith whether a citizen can also pursue private remedies for such a situation.

Mr. Smith responded affirmatively, noting that a property owner has the right to live undisturbed on their property and can retain an attorney to resolve this. Civil remedies are available to the property owner if the situation cannot be resolved by the government. Mr. Weisleder thanked Council and staff for their suggestions.

CONSENT AGENDA

Mayor Lecklider noted that ten items are proposed for action on the consent agenda. He asked whether any Council Member requests removal of an item for further consideration under the regular agenda.

Hearing none, Mayor Lecklider moved approval of actions requested for the ten items as proposed on the consent agenda.

Mr. Gerber seconded the motion.

Vote on the motion: Vice Mayor Salay, yes; Mayor Lecklider, yes; Mr. Reiner, yes; Mr. Keenan, yes; Mr. Gerber, yes; Ms. Chinnici-Zuercher, yes; Mrs. Boring, yes.

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1. Approval of Minutes of June 18, 2012 Council meeting
2. Receipt of Notice to Legislative Authority – Ohio Division of Liquor Control – New D5 liquor permit for 4415 WDG Road, Inc. at 4415 W. Dublin Granville Road, Dublin, Ohio
3. Receipt of Notice to Legislative Authority – Ohio Division of Liquor Control – New D5 liquor permit for Emerald Liquor Two, LLC, 5689 Woerner Temple Road, Building 4, Dublin Ohio
4. **Ordinance 43-12 (Introduction/First Reading)**
Providing for the Issuance and Sale of Bonds in the Maximum Principal Amount of \$2,700,000 for the Purpose of Paying the Costs of Improving the Municipal Sewer System by Repairing and Relining Sewer Lines, Together with All Incidental Work and Related Appurtenances Thereto. (Second reading/public hearing August 8 Council meeting)
5. **Ordinance 44-12 (Introduction/First Reading)**
Providing for the Issuance and Sale of Bonds in the Maximum Principal Amount of \$2,500,000 for the Purpose of Paying the Costs of Improving the Municipal Water System by Constructing a Water Tower, Together with All Incidental Work and Related Appurtenances Thereto. (Second reading/public hearing August 8 Council meeting)
6. **Ordinance 45-12 (Introduction/First Reading)**
Providing for the Issuance and Sale of Bonds in the Maximum Principal Amount of \$2,300,000 for the Purpose of Paying the Costs of Improving the Municipal Street Lighting System by Replacing the Existing Street Lighting with Light Emitting Diode Street Lights, Together with All Incidental Work and Related Appurtenances Thereto. (Second reading/public hearing August 8 Council meeting)
7. **Ordinance 46-12 (Introduction/First Reading)**
Providing for the Issuance and Sale of Bonds in the Maximum Principal Amount of \$4,240,000 for the Purpose of Paying the Costs of Currently Refunding the City's Avery-Muirfield Drive Interchange Improvement Note, Series 1999, Which was Originally Issued for the Purpose of Paying Costs of Improving the Vehicular Transportation System in the City by Modifying the Avery-Muirfield Interchange, Including Deck Widening and Ramp Widening; the Widening of Avery-Muirfield from the Interchange to Perimeter Drive, Adding One Lane in Each Direction; Adding a Lane from Perimeter Drive to Post Road; and Installing a Closed Loop Signal System, Together with All Necessary Appurtenances. (Second reading/public hearing August 8 Council meeting)
8. **Resolution 34-12 (Introduction/Vote)**
Accepting the Lowest/Best Bid for the Kiwanis Riverway Park Trail Extension Project and Authorizing the City Manager to Enter into a Contract for Said Project.
9. **Resolution 35-12 (Introduction/Vote)**
Accepting the Lowest/Best Bid for Dublin Community Recreation Center Cleaning Services and Authorizing the City Manager to Enter into a Contract for Said Services.
10. **Resolution 36-12 (Introduction/Vote)**
Accepting the Lowest/Best Bid for the Fishel Drive Water Main Extension (No. 12-007.0-CIP) and Authorizing the City Manager to Enter into a Contract for Said Project.

Mayor Lecklider asked whether Council would object to moving the fee waiver request up to this point on the agenda. There are two boy scouts in attendance regarding this matter.

There was no objection from Council.

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OTHER

- Fee Waiver Requests for Certificate of Zoning Plan Approval Applications – St. Brigid of Kildare PUD and Indian Run Meadows PUD (related to Boy Scout service projects at St. Brigid of Kildare School and St. Patrick’s Episcopal Church)

Mr. Langworthy stated that these fee waiver requests relate to two community service projects being undertaken by boy scouts. One is related to a 500-square foot patio at St. Brigid of Kildare School for use by teachers and students; the other is related to a 12 feet by 8 feet small storage shed for garden equipment at St. Patrick’s Episcopal Church. Typically, these improvements would require a certificate of zoning plan approval and related fees. The scouts are requesting that Council approve fee waivers for these two projects.

Mayor Lecklider invited the applicants to comment.

Joshua Thomas, 7828 Brandonway Drive, Boy Scout Troop 200 noted that he is the applicant for the St. Patrick’s Episcopal Church project.

Nicholas Turadian, 6466 Wyndburne Drive, Boy Scout Troop 117 stated that he is the applicant for the St. Brigid of Kildare School project.

There were no further questions from Council.

Mr. Reiner moved approval of the fee waivers as outlined in the packet materials.

Mr. Keenan seconded the motion.

Vote on the motion: Mayor Lecklider, yes; Mrs. Boring, yes; Vice Mayor Salay, yes; Mr. Reiner, yes; Mr. Gerber, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes.

Council Members thanked the scouts for their efforts with these projects.

SECOND READING/PUBLIC HEARING – ORDINANCES

Ordinance 42-12

Accepting the Annexation of 2.5 Acres, More or Less from Washington Township to the City of Dublin. (Terry Lowe, 7672 Fishel Drive)

Mr. Gunderman stated that Council previously approved two resolutions related to this annexation – statement of services to be provided and a statement regarding incompatible land uses. This annexation is located on Fishel Drive and consists of 2.5 acres. The City negotiated with this property owner to provide a sanitary sewer easement along the edge of the property to serve the Job Ready site. The annexation fee for this petition was previously waived by Council. Franklin County Commissioners have approved the annexation petition. This property would come into the City in the EAZ-ID2 zoning classification.

Mr. Keenan asked for clarification – is the immediate area surrounding this property in the township?

Mr. Gunderman confirmed that is correct.

Mayor Lecklider recalled that this annexation is related to the City’s need to run a utility line through the property.

Ms. Grigsby responded that this property owner provided an easement for a sanitary sewer line extension to comply with the City’s Job Ready Site grant application.

Vote on the Ordinance: Vice Mayor Salay, yes; Mr. Keenan, yes; Mr. Gerber, yes; Mayor Lecklider, yes; Mr. Reiner, yes; Mrs. Boring, yes; Ms. Chinnici-Zuercher, yes.

INTRODUCTION/PUBLIC HEARING/VOTE – RESOLUTIONS

Resolution 37-12

Accepting the Lowest/Best Bid for the Hirth/Wolpert Dublin Road Culvert Improvements Project and Authorizing the City Manager to Enter into a Contract for Said Project. (No. 12-010.0-CIP)

Vice Mayor Salay introduced the resolution.

Mr. Hammersmith stated that this relates to a storm sewer culvert for the Hirth/Wolpert creek or waterway beneath Dublin Road, just south of Hertford Drive. The existing culvert is approximately 70 to 80 years old and is a cast in place concrete structure. Staff became concerned with this structure in the last couple of years, based on the fact that a

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downstream headwall was beginning to move and deteriorate. This project was not included in the CIP previously, but the design and construction of this project has been accelerated due to the situation. (He shared a slide depicting the location of the culvert.) The Engineer's estimate for the project was \$340,000 and two bids were received. The lowest and best bid was submitted by Kwest Group, LLC in the amount of \$308,573.43. This project will be funded through Permissive Tax Funds. Staff has not previously worked with this contractor, but the reference checks done for comparable projects were very favorable. Staff has worked with the project manager previously, during his employment with another company. The project will require full closure of Dublin Road, and the detour route will be Tuttle Road to Frantz Road to Rings Road. Staff anticipates the construction to commence in late July, with completion date of October 19. Staff recommends acceptance of the bid from Kwest. He offered to respond to questions.

Vice Mayor Salay stated that just to the north, there is another culvert under Dublin Road. This will have to be crossed with the future bikepath as well. Is the condition of this culvert acceptable?

Mr. Hammersmith responded that this culvert was actually replaced a few years ago and the condition is fine.

Mayor Lecklider asked if this culvert feeds into a ditch east of Dublin Road in this location. Mr. Hammersmith responded affirmatively, noting there is actually a scenic waterfall through a rock formation as it outlets to the Scioto River.

Mayor Lecklider asked if this culvert drains a ditch far to the west – as far west as I-270.

Mr. Hammersmith responded that it drains a ditch through this neighborhood, which meanders to the west, but not as far as I-270. It is more of a natural creek than a ditch. Mayor Lecklider stated that he assumes it drains or traversed the former Hirth and Wolpert farms.

Mr. Hammersmith stated that is correct.

Vote on the Resolution: Mr. Keenan, yes; Mr. Gerber, yes; Mrs. Boring, yes; Mayor Lecklider, yes; Vice Mayor Salay, yes; Ms. Chinnici-Zuercher yes; Mr. Reiner, yes.

Resolution 38-12

Approving the Declaration of Mutual Support and Agreement Between the City of Dublin and the Dublin Soccer League, and Authorizing the City Manager to Execute the Agreement.

Mr. Gerber introduced the resolution.

Mr. Earman stated that this relates to the renewal of a three-year agreement with Dublin Soccer League (DSL). The agreement has been reviewed by staff and in several discussions with DSL. The Legal Department has reviewed it, and the agreement has been approved by the DSL Board. The staff memo highlights some of the changes in the agreement. Those changes will address the new flexibility needs for the DSL as well as bring more of a community focus on what is being provided for the community. Staff recommends approval of the agreement. He offered to respond to questions. He also introduced Chris Northup, Chair, DSL Board. He has been instrumental in creating a new synergy for soccer in Dublin.

Chris Northup, 7996 Inistork Drive, Dublin stated that he grew up in Dublin and graduated from Dublin High School. It has been a privilege to serve as Chair of the Board of the DSL. It is refreshing to have so much excitement in youth soccer. They are the largest cross gender sport in Dublin, with over 3,500 youth playing soccer. They have been able to enhance programming with the assistance of the City. He also acknowledged the work of Chris Nichol, Rob Wagner and their City teams at the fields.

Mayor Lecklider thanked Mr. Northup for his contributions in this role. Council is grateful for citizens who enthusiastically volunteer for such an organization that is such a major part of the community. Thanks to him and the Board for all of their hard work on behalf of youth soccer in Dublin.

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Mrs. Boring stated that on page two, the term "reasonable compensation" is noted. She had a call from someone about this. Is there any portion of the agreement that speaks to a Board Member who may have a conflict of interest, i.e. if someone formed an organization and receives compensation for the services of that organization to DSL?

Mr. Earman responded that within the bylaws of DSL, there is the ability of the Board to address those concerns. The Board can certainly vote to remove someone from the Board if such a situation occurs.

Ms. Chinnici-Zuercher stated that not-for-profit organizations would have conflict of interest statements that each Board member would be required to sign. She added that a conflict of interest does not necessarily mean a person would not benefit, but rather relates to disclosure of a relationship and any benefit that results. A person may choose to abstain from voting on an issue that would result in personal benefit to him or her. It is not necessarily prohibitive, but rather one of disclosure.

Mrs. Boring asked if this type of disclosure is required by the DSL Board members.

Mr. Northup responded that it is required.

Mrs. Boring stated that her other question relates to the composition of teams. On page 4, in section "e" it states that, "Dublin expressly reserves the right, at their sole discretion, to impose fees for any teams or organizations that are not composed primarily, as determined by Dublin, of residents of Dublin or the Dublin School District." This seems ambiguous, as it could change.

Mr. Earman responded that the reason that this statement is very general is that it is nearly impossible to impose a specific percentage requirement. Much of this depends upon the players who show up for tryouts. There may be a very small number of Dublin or School District residents who turn out for a specific age group. However, two years ago, a non-resident fee was imposed for all players who are playing in the select leagues and at the middle tier level so that they would pay a field use fee for each season that they participate in that program.

Mrs. Boring summarized that the way the issue of the percentage of non-resident players using the fields has been addressed is by imposing an additional fee. Is that correct?

Mr. Earman responded that this fee is imposed on those who are not residents of Dublin or the Dublin School District.

Mrs. Boring stated that for the middle tier, the residency percentage is defined.

Mr. Earman responded that is correct. He added that, as a result of DSL efforts, an environment has been created for multiple levels of players that will help with the increase of the residency percentages in the club levels. Another factor is the recent discussion that DSL has held with Dublin Schools about potential future programming. He is confident that the percentage of Dublin and Dublin School District residents in these programs will increase in the future.

Ms. Chinnici-Zuercher asked for clarification regarding the Schools' participation with soccer and how it differs from the other sports offered by Dublin Schools.

Mr. Earman responded that Dublin Schools have community education programming and they are trying to incorporate youth sports into the programming. They will work with organizations like DSL so that it is not so much of a Dublin Soccer League to club sport but more of a soccer league of players moving up through levels that are community based. By the Schools offering this program, there potentially could be more field space and a higher percentage of residents/school district residents.

Ms. Chinnici-Zuercher asked for specifics of the "program" being offered.

Mr. Northup responded that as a parent of four children playing in Dublin sports, there are some things that would be nice to have. There is much existing strain on the City's fields. DSL has had Middle School Soccer Association for middle school aged children. There is a desire to enhance that. Currently, everyone who signs up is welcome on the team. The teams compete with other middle school age teams in towns around Columbus. There is light travel involved and it is not competitive, but recreational. The opportunity he sees is that there are enough players to separate into teams and name them by middle school mascots, such as Sells Middle School Rocks team or Davis Middle School Irish team. He asked the middle school principals if they were open to this concept and letting these teams play on their varsity fields in the fall for home games. All the principals were receptive to the idea. This program would serve to help the middle school children

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maintain their identity as athletes through a recreational program. DSL continues to work with Dublin Schools on development of this program.

Ms. Chinnici-Zuercher asked if DSL would still operate this program – only the location would change to a school field for games.

Mr. Northup responded that is correct.

Ms. Chinnici-Zuercher stated that there are schools primarily on the east side of Dublin, which are in the Dublin School District, although many of the students are Columbus residents. Therefore, these students do not actually participate in youth sports in Dublin. There is a disconnect, as these students attend Dublin schools but are not competitive in some sports because they have not had the same opportunities for play as those in DSL and DYA. How will DSL work to recruit youth in the District but outside of Dublin's corporate limits?

Mr. Northup stated that is a good point. DSL's primary recruiting method has been attraction versus promotion -- participants having a good experience and talking about it to others. They do little advertising. They have become aware of the same issue, but have not determined the best way to proceed. The Schools could support DSL by allowing the students to pre-register, such as is done with football. Anyone interested in joining the team could attend the meetings to gather information. If there is a way that the Schools can support this type of meeting for soccer, that would be very beneficial.

Vote on the Resolution: Mr. Gerber, yes; Mr. Reiner, yes; Vice Mayor Salay, yes; Mrs. Boring, yes; Mayor Lecklider, yes; Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes.

STAFF COMMENTS

Ms. Grigsby noted the following:

- Following the storm event on Friday evening, information has been shared via the website and other communication tools that the Rec Center is open and available for residents who are without power. They can use the facility to recharge electronic devices or for those without water service to use for showering.
- Each year, fogging for mosquito control is done in the area of Coffman High School for the July 4th event. Because of the power outages and residents with windows open, the City will not do fogging, but will do some non-airborne spraying for mosquito control.
- Currently, AEP reports there are 2,268 outages in Dublin. Union Rural Electric, which serves a portion of Tartan West reports no outages for Dublin. Ohio Edison, which serves the western portion of the City currently reports three outages in Dublin. Staff will continue to monitor and share updates from AEP regarding outages.
- In terms of removal of storm debris, the streets were all cleared and passable by Saturday evening. There were many trees and limbs down as a result of the storm. Staff did a great job of clearing the roadways.
- There were issues with power for traffic signals, but there are back-up systems and generators for those signals. Currently, all signals are operational and two remain on back-up power until full power is restored.
- Several street lamps in Historic Dublin were destroyed by the storm and several were damaged. Funds are programmed next year for replacement to a different type of lamppost, so staff will replace those destroyed or damaged with the new type.
- Due to electric lines being down, there were two road closures up until late today. The Martin Road line has been moved out of the roadway, and the road reopened. A portion of Franklin Street remains closed, but the roadway is open from Town Center II parking lot to Bridge Street.
- Recreational programming has continued, although some rescheduling for Wyandot Camps was done. The Dublin North Pool remains closed until power is restored by AEP. The Dublin South Pool is open.
- There was some storm damage to the Rec Center roof, but that has been replaced.
- There was minor damage to other structures throughout the City. The Coffman House roof replacement was nearly complete when the storm hit, but that has now been addressed.

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- The bikepath along what was previously known as the Starkey property is closed due to trees down on private property and the resulting danger to those using the bikepath. This is the connection piece to Coventry Woods and the Woods of Indian Run. Signage will be installed alerting people to this situation.
- In regard to public safety, the website has information for people leaving their homes due to power outages and that they can contact the City for vacation watch by the Dublin Police. Residents are also warned about contractor fraud and issues that can occur following these storm events.
- On Friday night, the Police department reported over 850 calls during the first four hours after the storm. The City of Westerville experienced problems with their phone system, and so the Dublin Police and the dispatchers were able to provide assistance to them.
- The City has had calls from those who want to volunteer and yesterday, 25 volunteers helped with clean up of trees and branches in Coffman Park.
- A storm recovery web page has been established, and residents can find updates on this web page. As of last night, there have been 2,200 hits on this web site.

She summarized that good progress has been made on the storm response. In terms of debris pick-up, the focus has been on the stadium site for the July 4th event and the parade route. Beginning Thursday, debris pick-up will take place in the neighborhoods using a zone process. There will be pick-ups in every zone each week and staff estimates that a sweep of the entire City can be done within three to four weeks. Another sweep will be done after that time. The entire process of debris pick-up may require six to eight weeks, similar to the storm recovery after Hurricane Ike in 2008. She expressed appreciation for all of the work by staff over the weekend and their dedication in responding to the situation quickly.

Mrs. Boring asked for clarification about when the yard waste service will resume.

Ms. Grigsby responded that the debris should be taken to the curb for the chipper service to handle. In terms of the regular Monday pick-up, items need to be bundled in sections no longer than four feet. Staff will contact Rumpke about trash pick-up and the additional food waste to be picked up.

Vice Mayor Salay commented that the City of Worthington has a dumpster available for residents to bring their food waste for disposal. Perhaps this should be considered.

Mayor Lecklider asked if the City staff can accomplish the debris pick-up without securing additional manpower.

Ms. Grigsby responded affirmatively, but added that staff is considering the potential of using contractors. In addition, a disaster situation was declared by the state and the county, so there may be reimbursement available for damage and costs incurred. If there is more debris than anticipated, the City may use an outside contractor or may borrow equipment from another community through a mutual aid agreement.

Mayor Lecklider asked if the Rec Center remains available during the regular hours for those without power. He assumes they do not need to be Rec Center members.

Ms. Grigsby stated that the facility is available to non-members as well and staff is encouraging residents to use the facilities if needed. Some of the volunteers are working with employees in the senior area of the Rec Center to call and check on those at risk to let them know the Rec Center is available as a cooling site.

Mayor Lecklider asked if there is power available at Coffman stadium for the July 4th events.

Ms. Grigsby responded affirmatively. Everything is on schedule as planned.

COUNCIL COMMITTEE REPORTS/COUNCIL ROUNDTABLE

Ms. Chinnici-Zuercher commented:

1. In regard to the DCVB bid for the Football University Top Gun camp, she notes that staff attended the meetings and committed to a grant of \$15-25,000, indicating that staff would request Council's approval of the grant, should the conference bid be awarded to Dublin. Perhaps this type of item should be reviewed by the Finance Committee prior to any commitment being made. The DCVB is doing a great job of bringing in various activities to fill the hotel rooms in Dublin, but is in

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need of financial commitments from the City in order to be competitive in the bidding process. Currently, the process seems to be that staff is making those commitments and Council is asked for approval at the end of the process. At that point, Council is not in a position to do anything other than approve the request. In discussing this with Mrs. Boring today, they suggest Council consider an alternative of setting aside a sum of hotel-motel tax funds that would be available for the DCVB as they are assembling the bid packages. This would set aside monies for this type of use and would require the DCVB to review how many of these types of agreements they would pursue and at what level of funding. She is not certain of what venue this discussion should take place, but she is uncomfortable with the way the process is currently working in view of Council's input at the end of the process.

Ms. Grigsby responded that the only other time she recalls this type of commitment being requested was for the Can-Am Games, but there was a year of lead time for it. For the Top Gun event, until mid-June, staff believed it would not move forward because of the costs incurred for the event sponsor to have it in Dublin. The original intent was to bring this to Council prior to the DCVB committing to filing an application. Dublin Schools came back in early to mid June with a significant reduction in their costs for field use, and the DCVB increased their allocation from \$15,000 to \$25,000. Staff can explore some options going forward. This situation does not occur frequently, and the DCVB does work well with the City and communicates regarding these type of events.

Ms. Chinnici-Zuercher stated that this seems to be a new trend in assembling the bid packages for such events.

Mr. Gerber noted that at an earlier Finance Committee meeting this year, there was discussion about timing of hearing applications. Perhaps it makes sense for the Committee to meet more frequently than once per year to review applications. This application might be suitable for such a process. He is not willing to commit a sum of funds without having details of the conference. He believes that the Finance Committee should consider hearing hotel-motel tax grant applications more frequently, if this is the new way of doing business for securing conferences.

Ms. Chinnici-Zuercher agreed, but noted that the regular application process could remain as once per year and the Committee could meet to review applications such as this one from the DCVB. It does need to be early in the process.

2. In regard to the memo about the possible creation of a Community Entertainment District for the Bridge Street District, she is confused about why the City would not move forward with this, as this would be essential to the development of the area.

Ms. Grigsby responded that there was discussion about the timing of this, and staff has learned that the process is relatively simple and quick. Staff wanted Council to have background information on how these districts work. In addition, there are some policy issues that will likely need Council review and guidance -- the number of entertainment districts and where they might be located and how they will be set up. Staff wanted to provide Council with an update at this point.

3. Regarding the update about government affairs, she attended the government affairs day at the villa at the Tournament. It seemed that fewer attended this year, and there were no representatives from the City of Columbus. Perhaps at some point, Council could be engaged in some conversation about what the City is trying to achieve in that kind of venue and how to ensure that the representatives from various jurisdictions are present. There also seemed to be less business sector representation than in the previous year. Last year, she recalls that the event was very well attended by elected officials as well as major corporate representatives.

Ms. Grigsby responded that staff will provide a report in follow up.

Mr. Reiner commented:

1. He is pleased to hear that staff had a successful meeting with the Ohio Department of Transportation officials regarding the Glick Road/Dublin Road intersection improvements. He would like follow-up on the details of the meeting and next steps.

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2. The Compressed Natural Gas (CNG) opening was very exciting, especially in view of the current gasoline prices. This is really the dawn of a new age for America of energy independence. It will have a major impact on Middle East policy and what American will be doing over the next 50 to 100 years. He is proud of Dublin as the first suburban city with a CNG fueling station. He is hopeful that the rest of the country follows the lead of Dublin. This will provide a secure energy source for generations in the future.

Mrs. Boring commented:

1. In regard to the City Manager's evaluation, she asked Vice Mayor Salay if there is a date set for this process to begin.

Vice Mayor Salay responded that she and Ms. Grigsby have had some preliminary discussion, and she is aware that the evaluation is due. She will work to have a report to Council on this item by the August meeting.

Mrs. Boring asked if the first step is for Ms. Grigsby to complete a self performance evaluation.

Vice Mayor Salay responded that Council needs to determine what type of process will be used – whether Council will have a facilitated performance evaluation and of what type. She plans to discuss this with Ms. Grigsby.

Mrs. Boring asked if the Administrative Committee or Council will meet at some point to determine how they desire to conduct the performance evaluation.

Vice Mayor Salay responded that she plans to seek input from the City Manager, and then the Administrative Committee of the Whole can meet to determine next steps.

2. She was very impressed with staff's response to the storm event. She noted that generators were used to power major signals that were without power, and stop signs were erected at key locations on Riverside Drive to ensure safety. She does not believe there is another community whose staff would respond in this manner, and she congratulated staff and thanked them for all of their hard work. She is very proud of Dublin's response.

Ms. Grigsby stated that she will share these positive comments with staff.

Mr. Keenan reported that he attended the CNG dedication, and the turnout was very large in spite of the nearly 100 degree temperatures. Thanks to staff for their efforts!

Mr. Gerber reported that the Council subcommittee on KIA recognition met last Thursday. The subcommittee consists of Mr. Keenan, Mr. Reiner, and himself. This was an initial meeting to discuss various concepts, and staff will provide additional information for the next meeting on September 6. He is hopeful that the group can have a recommendation, including costs, for Council to consider in October.

Mayor Lecklider commented:

1. In regard to staff's response to the storms, he echoed the sentiments expressed by other Council Members. All departments of the City worked well together in response. Thanks to all of them for their efforts.
2. There was an article in yesterday's *Columbus Dispatch* with respect to what is being called an "anti-poaching" agreement and the City of Columbus staff's comments, which he found interesting. If Council is in agreement, he believes it would be interesting to review some statistics with respect to employment in the aggregate of all 15-16 suburbs comprising Central Ohio relative to those statistics of the City of Columbus. This is not intended to be adversarial, but rather to gain some perspective.
3. Ms. Chinnici-Zuercher recently noted that several years ago, Council hosted a regional meeting at the Makoy Center in Hilliard and that perhaps Dublin City Council should take the lead in convening a meeting of the suburbs to have a conversation. He does agree with some of the comments in the *Dispatch* article attributed to Columbus officials with respect to what the suburbs are doing – in many cases, abiding by the spirit of what was intended with this proposed agreement.

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Ms. Grigsby responded that the Mayor did mention to her his interest in obtaining the employment statistics. She had some follow-up conversations with Steve Campbell, the Columbus staff member facilitating the coordination of information for the regional agreement about this and the fact that there was some discussion at Dublin City Council about having a meeting of elected officials in regard to the proposed agreement. Mr. Campbell indicated that they were fine with such a meeting, but at this time, their goal is to complete the first round of reviews by all of the communities to determine the status of the agreement. She will follow up with Mr. Campbell to see if he has been able to obtain any of the statistics or the timeframes for receiving this information as well as coordinating and setting up a meeting of elected officials.

Mayor Lecklider stated that he would like for Dublin to be in a position to respond because it appears to him that the media is inclined to portray Dublin as being the reason other suburbs have made decisions not to enter into the proposed regional agreement. This is also an opportunity for Dublin to take a leadership position and to be more proactive. He recalls an editorial in the *Dispatch* following the Memorial Tournament that included no acknowledgment that the Tournament was held in Dublin. He is not sure that Dublin can influence what is written in a *Dispatch* editorial. However, in his view, there needs to be some recognition by the City of Columbus and the Columbus Partnership of the value of the individual suburbs, of the decades long efforts that all of the suburbs have made toward establishing their respective identities, and what the suburbs contribute to the fabric of Central Ohio. He believes this can be a positive effort and can work to benefit all of Central Ohio.

Ms. Chinnici-Zuercher stated that she agrees and wants Dublin to take the lead in setting up a meeting of elected officials. The article about the regional economic development agreement demonstrated there was hesitancy to sign it – not just by the City of Dublin – but also by other communities. All of the communities have the same goal of developing a thriving region, and all are aware that it is essential to have a strong central city in addition to a strong region, comprised of suburban communities and other counties. All have the same tools available for economic development. No one is attempting to take another jurisdiction's workforce from them in order to gain the tax base. It is simply a matter of having a responsibility to respond to those companies who approach the City. Cities have only certain economic development tools available to use, and cities elect to use certain of those tools just as other communities elect to use other tools. She does not see a problem with that, but she is aware that Council has not had formal conversations with its counterparts in the other communities. That is the meeting that she is interesting in having Dublin facilitate – perhaps at the Rec Center.

Vice Mayor Salay stated that this is a great idea and may help define the discussion versus cities "speaking" with one another through the media. In terms of the City of Columbus, no one at the 2002 meeting hosted by Dublin is still serving on Columbus City Council.

Mayor Lecklider pointed out that, as Ms. Chinnici-Zuercher has indicated, there was no one from the Columbus City Council at the villa at the government day at the Tournament. It would have been nice to have had interaction in that setting.

Vice Mayor Salay commented:

1. The dinner meeting with the Planning & Zoning Commission is scheduled for Wednesday, August 15 from 6:30 to 8:30 p.m. at the Golf Club of Dublin. She is working with the PZC Chair and staff on agenda items for discussion by the group.
2. She is disappointed that the Committee meeting regarding the Dublin Arts Council agreement could not take place on June 25. She assumes that Mr. Reiner will work with staff to identify a meeting date in August for this discussion.
3. She echoed the positive comments about the storm response, which made her very proud of the City and of staff. The calls she received were all complimentary of the City's efforts. Thanks to everyone!

Mr. Reiner noted that he agrees that Dublin should host a regional meeting because Dublin has the second biggest economy in the region and has a history of leadership in progressive ideas and legislation. This meeting would be beneficial for all and would bring

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resolution to this issue. The concept of not "poaching" is right and he believes that the issue can be resolved.

Mayor Lecklider wished everyone a Happy July 4th and noted that he looks forward to seeing everyone at the Wednesday events!

The meeting was adjourned at 8:25 p.m.

Mayor – Presiding Officer

Clerk of Council