

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 10, 2012

Held

20

Vice Mayor Salay called the Monday, September 10, 2012 Regular Meeting of Dublin City Council to order at 6:30 p.m. at the Dublin Municipal Building. Council Members present were Vice Mayor Salay, Mrs. Boring, Ms. Chinnici-Zuercher, Mr. Gerber, Mr. Keenan and Mr. Reiner. (Mayor Lecklider arrived at 6:32 p.m.)

ADJOURNMENT TO EXECUTIVE SESSION

Vice Mayor Salay moved to adjourn to executive session to discuss legal matters, land acquisition matters and personnel matters related to the employment of a public employee or official.

Mr. Gerber 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

Mrs. Boring 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, Ms. Mumma, Chief von Eckartsberg, Ms. Crandall, Mr. Hammersmith, Mr. Thurman, Mr. Langworthy, Mr. Hahn, Ms. Puskarcik, Ms. Ruwette, Ms. Ott, and Ms. Colley.

CITIZEN COMMENTS

There were no comments from citizens.

CONSENT AGENDA

Mayor Lecklider noted that seven 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 seven items as proposed on the consent agenda.

Vice Mayor Salay seconded the motion.

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

1. Approval of minutes of August 20, 2012 Council meeting
2. Notice to Legislative Authority from Ohio Division of Liquor Control re. Transfer of D5 and D6 liquor permits from 3880 Hard Road, Inc. to Trip Aces LLC dba Yogi's Bar & Grill, 3880 Hard Road and Patio
3. **Resolution 50-12 (Introduction/vote)**
Accepting the Lowest/Best Bid for the Dublin Community Pool North Concession Building Alterations Project, and Authorizing the City Manager to Enter into a Contract for Said Project.
4. **Ordinance 53-12 (Introduction/first reading)**
Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire a 2.085 Acres, More or Less, Fee Simple Interest from Northern Dreambuilders Corp. (Second reading/public hearing September 24 Council meeting)

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 10, 2012

Page 2

Held

20

5. Ordinance 54-12 (Introduction/first reading)

Authorizing the City Manager to Execute Necessary Conveyance Documentation for the Acquisition of a 0.784 Acres (with 0.355 Acres as Present Road Occupied), More or Less, Fee Simple Interest, a 0.195 Acres, More or Less, Permanent Utility and Drainage Easement, and a 0.125 Acres, More or Less, Temporary Construction Easement from Orella Lyon. (Second reading/public hearing September 24 Council meeting)

6. Ordinance 58-12 (Introduction/first reading)

Designating Eligible Financial Institutions as Public Depositories. (Second reading/public hearing September 24 Council meeting)

7. Ordinance 59-12 (Introduction/first reading)

Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire a 23.469 Acres, More or Less, Fee Simple Interest from Charles W. Matthews, Jr., Kimberly K. Matthews Ross, Diana C. Lowery, Trustee, Dan E. Lowery, Trustee, Kimberly K. Ross, and Diana C. Lowery, and Appropriating Necessary Funds Therefor. (Second reading/public hearing September 24 Council meeting)

SECOND READING/PUBLIC HEARING – ORDINANCES

Ordinance 48-12

Adopting the 2013-2017 Five-Year Capital Improvements Program.

Ms. Mumma stated that staff has provided a bound copy of the proposed CIP, incorporating the changes directed to be made by Council at the workshop. A memo from staff has been provided to address comments and questions of Council. For 2012, minor adjustments have been made to reflect projects that will not occur this year – specifically the Brand Road multi-use path, where the dollars were shifted to next year and an adjustment made for a property acquisition that is likely to occur this year. An adjustment to the funding and timing was made for the improvements to the Dublin Arts Center, based on Council's request to expedite the improvements. She offered to respond to any questions.

Ms. Chinnici-Zuercher asked for clarification regarding the Council Chambers sound system. The comment indicates that users are not speaking close enough into the microphones. In other meeting locations she attends, there is not a need to speak closely into the microphone to be heard. This remains a concern of Council. The existing system seems to require a lot of adjustment by the users. The memo indicates that there are no plans to improve the sound system. Yet, during a work session, there is a constant need to adjust the microphone placement in order to have a quality recording. There are better systems available that do not require this constant monitoring. She hopes that the City is not skimping on this, as this system is used at many meetings.

Ms. Grigsby responded that she would follow up on this issue and, specifically, the problems with the work session set-up in terms of the microphone system. Staff will investigate and bring their recommendations back at the operating budget.

Ms. Chinnici-Zuercher noted that in relation to AR1301 -- park renovation and improvements -- Mr. Reiner brought up the suggestion of instituting more active park components at Glacier Ridge. She is opposed to this, as the park is a wonderful passive park, conducive to bird watching and animal watching. Many people enjoy this park, and changing the nature of the park will likely reduce the number of birds and animals. It will therefore not serve the original purpose as intended.

Mr. Reiner clarified that he is not suggesting the entire park be an active park. He was suggesting a small portion of the park could house an active recreational component. He spoke with John O'Meara about this, and indicated that Glacier Ridge lacks a focal point. He believes Metro Parks would be willing to provide and pay for an

RECORD OF PROCEEDINGS

Held

20

amenity, and he would like them to investigate this. The Whittier Peninsula includes an extraordinary climbing system, and it meets the desires of the young people using it. If Dublin is trying to attract young workers, this type of amenity will help to do so. Mr. Gerber noted that there was extensive discussion at the CIP workshop about this matter. How does staff respond to individual Council Members' requests? What is the process for approving or disapproving such changes/additions to the CIP?

Ms. Grigsby stated that the memo was intended to provide a recap of the discussion at the workshop. Staff views this as an opportunity for further discussion with Metro Parks about future park planning. There may be elements that Metro Parks or the City may have interest in, going forward. Future discussions may identify options that can be brought back to Council for review.

Mrs. Boring stated she was not present at the workshop, but believes that there may be a better location for a rock-climbing feature -- such as a more active park.

Vice Mayor Salay agreed, noting that the migratory bird population is increasing. She, too, would like to consider such an active piece for another park. She would prefer that the Metro Parks system suggest what they want for the Metro Park.

Mayor Lecklider stated that a climbing wall might be an interesting outdoor feature for a park, but not in this location. The Whittier Peninsula is in an urban location. Prairie Oaks Metro Park closely resembles Glacier Ridge, and it does not include an active outdoor feature. In fact, it is even more underdeveloped than Glacier Ridge. As he recalls, there was not majority support of Council for suggesting to Metro Parks that they actively consider a feature such as Mr. Reiner has suggested.

Mrs. Boring added that her other concern is that, once something like this is established, it seems to grow and even more activities come to the park. She would like to understand the Metro Parks' mission for this particular park.

Ms. Grigsby responded that she believes that Metro Parks has outlined what they specifically desire for this park as future options. Staff can have follow-up discussion with them.

Mr. Reiner stated that Metro Parks appreciates the high level of tax support from this area. This particular park is flat and if Metro Parks is willing to fund an improvement for a small portion, he believes there is merit to this.

Mayor Lecklider stated that he appreciated the extensive information provided by staff regarding the Earlington barn.

Mr. Keenan added that the photos are very helpful as well.

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

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 55-12

Authorizing the City Manager to Execute Necessary Conveyance Documentation to Accept the Dedication of a 0.032 Acres, More or Less, Permanent Storm Sewer and Drainage Easement from David A. Larkin and Carrie J. Turner, and Declaring an Emergency. (Request to dispense with public hearing)

Vice Mayor Salay introduced the ordinance.

Mr. Hammersmith stated that Ordinances 55-12 and 56-12 relate to a storm sewer and drainage easement needed between two properties located on Glasin Court. The two properties are located on the south side of this cul de sac; Lot 6715, owned by Mr. David Larkin and Ms. Carrie Turner; and Lot 6706, owned by Wood Run Partners. This easement will be 10 feet on the 6706 property and 7 feet on the 6715 property in order to provide drainage in the rear yards of those properties and install a storm sewer. There is a tree to the rear of the lots and staff is working with the property owners on providing better drainage for this area. Staff recommends adoption of these two ordinances by emergency, and that letters of appreciation be sent to the owners who donated these easements.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 10, 2012

Page 4

Held _____

20 _____

Mrs. Boring stated that this is relatively new development. Why was that not part of the development plan?

Mr. Hammersmith responded that it originally was, but these these lots were slow to develop. The situation occurred as the properties were developed. This has happened previously, especially in cases where there was a desire to preserve wooded areas with existing trees. At the time of the final lot grading, there is not a good way to drain it – either through the lot or to other areas. This is not common, but does happen.

Vice Mayor Salay asked if this is similar to what is occurring with the new development along Brand Road, where the adjacent property has a storm water problem in the back and there is a desire to mitigate this with the new development.

Mr. Hammersmith stated that in the past five years, the City has been more proactive about installing storm sewer if there is a question about their need. They simply require the developer to install the storm sewer. Wellington Reserve is a good example. The situation is difficult to remedy after the lots are sold.

Mrs. Boring asked if it would be possible to have the developer do this work.

Mr. Hammersmith responded that the lots have been sold to builders.

Mrs. Boring stated that she is hopeful that the City will track this better in the future.

Mr. Hammersmith responded that this is the first such occurrence in ten years.

Mayor Lecklider moved to dispense with the public hearing and treat this as emergency legislation.

Vice Mayor Salay seconded the motion.

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

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

Ordinance 56-12

Authorizing the City Manager to Execute Necessary Conveyance Documentation to Accept the Dedication of a 0.022 Acres, More or Less, Permanent Storm Sewer and Drainage Easement from Wood Run Partners, LLC, and Declaring an Emergency. (Request to dispense with public hearing)

Mr. Gerber introduced the ordinance.

Mr. Hammersmith stated that this is the other property referenced in his comments about Ordinance 55-12.

Mayor Lecklider moved to dispense with the public hearing and treat this as emergency legislation.

Mr. Gerber seconded the motion.

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

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

Ordinance 57-12

Adopting and Enacting a Supplement (S-32) to the Code of Ordinances for the City of Dublin, Ohio. (Request to dispense with public hearing)

Mr. Gerber introduced the ordinance.

Mr. Smith stated that this is a housekeeping measure and is done twice per year.

Staff requests that Council dispense with the public hearing. Recodifications are effective upon passage, per the Revised Charter.

Mayor Lecklider moved to dispense with the public hearing.

Vice Mayor Salay seconded the motion.

Held _____

20 _____

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

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

INTRODUCTION/PUBLIC HEARING/VOTE - RESOLUTIONS

Resolution 51-12

Accepting the Lowest/Best Bid for the Dublin Road South Multi-Use Path, Tuttle Road to Hertford Lane, and Authorizing the City Manager to Enter into a Contract for Said Project. (Project No. 08-009.1-CIP)

Vice Mayor Salay introduced the resolution.

Mr. Hammersmith stated that this is the first portion of the Dublin Road South multi-use path project, between Tuttle Road and north to Hertford Lane. The entire project has been in process for several years; the first public involvement meeting was in November of 2009. After Council approved the final alignment for the project last fall, staff proceeded with detailed design. There were many constraints, including utilities, stonewalls, ravines, ditches, driveways and trees. Staff believes that the first section can proceed, as it is all located within right-of-way. It is a 1,500-foot section of path, along the west side of Dublin Road, and it involves 10 property owners, several driveways, some of which are shared. Staff has been meeting with those property owners to discuss removal of trees, regrading/repaving of the driveways, and regrading of the yards adjacent to the path to best transition the path with their properties. Of the 10 property owners, there are seven right of entry agreements in hand (one in the mail); there are three remaining property owners who have not yet signed a right of entry agreement. Staff is working to address their concerns, which include the maintenance of the existing ditch, the progression of the path as it continues north and the City's commitment to complete the remaining portion of the path, the replacement of trees, the impact on sprinkler systems, etc. He emphasized that the path can be constructed within the existing right-of-way; the issue is how the transition is made with the existing driveways. The right of entry agreements give the City permission to be on private property and to work outside of the right-of-way in order to blend in both yards and driveways. In addition, the City has offered to replace the two trees that are being removed and to plant two trees on the private property as a replacement of the existing trees.

Bids were opened on August 30 and three bids were received. The Engineer's estimate was \$180,000. The bids were higher due to higher costs for asphalt, concrete pipe, block excavation needed to install the storm sewer, and some other items. In regard to the asphalt price, much relates to the handwork, which is fairly meticulous at the driveways. The three bids are very close, which means that their information brought a more realistic number than staff's estimate.

With acceptance of the bid tonight, staff will proceed toward construction that will begin later this month. The expectation is that this portion will be completed by November 1. Another advantage of the timing of this portion is that it allows for construction while Dublin Road is closed for the culvert replacement project.

Vice Mayor Salay asked if that factor impacted the bids.

Mr. Hammersmith responded that he believes it did, in terms of traffic maintenance and logistics. Absent that, the bids may have been higher.

He offered to respond to questions, noting staff will continue to work with property owners on the right of entry agreements.

Vice Mayor Salay asked about the species of the trees to be removed.

Mr. Hammersmith responded that one is a maple, which will be left in place. The remainder are ash trees.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 10, 2012

Page 6

Held

20

Vice Mayor Salay asked staff to respond to the e-mail Council received regarding the ditch and the suggestion to pipe it and make it part of the stormwater system. How much would that add to the cost of this project?

Mr. Hammersmith responded that staff discussed that last week. Engineering plans to develop a program number for the cost of improving that ditch. There are roadside safety funds within the CIP that would be available for this improvement. His desire is not to consider curb and gutter, which would change the character of the road, but to pipe the ditch, provide the road drainage in a better system that goes underground, allowing for easier maintenance of the ditch by the property owners. Staff will work on developing that cost estimate, but it is not available at this time.

Vice Mayor Salay asked if this can be done after the path construction and not disturb the new path.

Mr. Hammersmith responded it would not disturb the path, but could impact the driveways again – specifically, the portion between the path and the roadway. There are five driveways involved, so this is not a huge expense.

Mr. Reiner asked for clarification. If the ditch is to be piped, the driveways could have different dimensions of pipes per homeowner. Would the City remove all of that so that the pipe is continuous, or is there a way to join the pipes?

Mr. Hammersmith responded that the goal is to review this before the path project is too far along, install the pipes and establish the grades so that there is no need to go back and remove the driveway.

Mr. Reiner asked if it is possible to transition between a metal pipe and concrete pipe, etc.

Mr. Hammersmith responded that the City would likely install concrete pipe under the driveways for all the properties. The driveway aprons will be redone as part of the project, and so now is the best time to install the pipe, if the proper grade and size can be established. The worst-case scenario is the driveway aprons must be removed so that the new pipe can be installed as part of the ditch improvement project in two years.

Mr. Gerber asked how long the study would require to complete.

Mr. Hammersmith responded it would require 30-45 days.

Mr. Gerber stated that, theoretically, the ditch piping work could be done while the project is underway.

Mr. Hammersmith responded that would be difficult, due to the construction season. If there is a desire to advance the project, temporary asphalt can be installed on the driveway approaches over the winter. The permanent driveway asphalt could be installed in the spring.

Mr. Keenan stated that one e-mail was from the Newcombs, and Ms. Ott indicated she would respond. Is this one of the impacted properties?

Ms. Ott responded affirmatively. She has been in contact with the Newcombs, met with Ms. Newcomb in August, and spoke with them both by telephone. They have some concerns that are generally beyond the scope of this project and relate to the ditch, tree replacement, and speed on the roadway. Staff is trying to assist the residents in focusing on the issues immediately associated with this construction, separate from other operational issues or concerns.

Mr. Keenan stated that, in any case, the staff are in communication with the residents to address these issues.

Ms. Chinnici-Zuercher stated that the e-mail received from the resident was very negative about the City's process. When the design was approved, many of these residents were at the Council meeting and many testified in favor of a bikepath. In general, people requested this path in order to walk to Historic Dublin. However, the e-mail indicates that the City never engaged the neighborhood in discussion until two

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 10, 2012

Page 7

Held

20

weeks ago when they were given the final design documents by staff who offered to respond to any questions. She asked staff to comment about the process.

Mr. Hammersmith responded that this entire project consists of 6,300 feet of path between Tuttle and Waterford and the focus has been on those residents with the largest impact – removal of stone walls or mature trees and regrading of their property. When staff initially met with residents at the open house and reported back to Council, this portion of the neighborhood asked for the path to be moved further away from their homes. Originally, the path was to be west of the trees that are being removed and a permanent easement would have been needed to install the path. The residents asked that the path be installed in the existing right-of-way, to proceed with removing the trees – and that is what staff has done. There was no further discussion with the property owners, as this was a fairly easy design at that point. As staff then determined that now would be a good time to construct this project and as the plans came to closure this year, staff felt it was the best time to meet with the residents to let them know what was needed from them in order to construct the path, which are the easements. Typically, the discussion about easements does not occur until the very end of the design and alignment phase, when the design is fixed, and staff knows exactly what property is needed for acquisition from the property owner.

Ms. Chinnici-Zuercher asked if this property owner owned the property at the time the discussion about the path began over two years ago.

Ms. Ott responded affirmatively.

Mr. Hammersmith added that ownership of many of the properties has changed over the three years, and staff has contacted each to tell them about the future project. However, staff is only aware of property ownership changes by checking the Auditor's website.

Ms. Chinnici-Zuercher stated that the memo indicates that the transitions at the right-of-way will be functional, but not smooth and in some cases may be abrupt and undesirable in terms of appearance and "ride" when traversing the driveway. How does that impact the issue of liability for the City in terms of not being in keeping with the typical standards for this work?

Mr. Hammersmith responded that in terms of liability in regard to yard grade, it would simply not appear as even as residents would desire. The path grade will be as always intended. The driveways and yard grading has no impact on the path, whatsoever – its slope and configuration remains the same. The transition of the driveway itself – going from a 20 to 10 percent slope – will result in a break in the grade that can be felt.

Vice Mayor Salay stated that is the issue that the right of entry will address.

Ms. Chinnici-Zuercher asked which property owners have not provided a right of entry at this time.

Ms. Ott responded that the three properties owners are Newcomb, Fannin and Ardolino.

Mr. Hammersmith stated that Mr. Ardolino has been out of town, and not available to execute the documents.

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.

Resolution 52-12

Supporting an Attributable Funding Application for the I-270/U.S. 33 Interchange improvements, Phase 1 to the Mid-Ohio Regional Planning Commission (MORPC).

Vice Mayor Salay introduced the resolution.

Mr. Hammersmith stated that staff has submitted an Attributable Funding Application to MORPC for the I-270/U.S. 33 interchange improvements. The entire cost of Phase One is estimated at \$60-81.2 million, and will include the first flyover ramp –

RECORD OF PROCEEDINGS

Held

20

northbound I-270 to westbound 33. The request to MORPC is for \$7 million over two years, for a total of \$14 million. MORPC has approximately \$50 million available for these types of projects. The City hopes the project will rank relatively high in priority and will continue to work with partners in the private sector to advance this project. The City hopes to learn of MORPC's decision by the end of November. MORPC would then approve the funding of projects in February of 2013. Staff will keep Council apprised of the status of the application. Mr. Keenan will report on the workshop held last week where the preferred alternative for the interchange was selected.

Mayor Lecklider asked about Dublin's percentage of contribution to the overall costs for the first phase.

Mr. Hammersmith responded that it is just over 20 percent. The City's portion of the \$9 million for the first phase is \$2.25 million.

Mayor Lecklider stated that Mr. Hammersmith mentioned an \$80 million figure. What does that include and what is Dublin's contribution?

Mr. Hammersmith responded that is the total of phase one with construction included. The \$9 million does not include construction, but only preliminary engineering, design and right of way acquisition for phase one.

Mayor Lecklider asked what Dublin will contribute to the \$80 million figure.

Ms. Grigsby responded it will be between \$14 and \$15 million in total, which is slightly more than currently programmed in the Capital Improvements Program. What is being considered now is undertaking the design and acquisition for the entire project. The costs of the design and engineering studies are more than the City originally anticipated, as the City was looking at only the phase one portion.

Mayor Lecklider asked if Dublin's contribution is typical of what would occur, or is it considerably more or less?

Mr. Keenan responded that it is likely more than the typical contribution, but it serves to reflect Dublin's desire to move this project forward.

Mayor Lecklider stated that he understands the benefit for Dublin. However, given the amount of traffic that passes through this interchange and whether its destination or origin is in Dublin, he wonders if Dublin's contribution is comparable to what was done on the east side of I-270 with the New Albany interchange improvements.

Mr. Hammersmith stated that, historically, the upfront design and right-of-way acquisition was federally funded in many cases, and the typical split for construction was 80/20. However, times have changed in terms of less available federal funds for transportation. In order to position a project, contributing more at the outset may help to advance the project to the construction phase.

Ms. Grigsby stated that one benefit Dublin has is that the funds are programmed for the City's share of all of Phase One. In many cases, the entity can only program the next year or two. This gives Dublin an advantage in terms of having the local share programmed so the project can proceed.

Mr. Reiner thanked staff for working on this important project for the community. If this interchange is not improved in the near future, it will negatively impact Dublin. He appreciates the involvement of Dublin's representatives at the state and federal level.

Ms. Chinnici-Zuercher asked what projects will compete with the I-270/U.S. 33 interchange project in terms of priority.

Ms. Grigsby responded that the other two in the top three currently listed are the east-west project at Rickenbacker and the I-70/I-71/SR 315 split.

Ms. Chinnici-Zuercher stated that her understanding is that the Rickenbacker funding had already been dedicated.

Ms. Grigsby responded that the Rickenbacker project received funding in the past; it is likely the completion of that same project.

Held _____

_____20_____

Mr. Reiner stated that this interchange has become very dangerous. The traffic congestion will impact the decision of businesses who may want to locate in Dublin. Ms. Grigsby stated that the focus has been on the jobs related to this interchange improvement and the private investment involved. The main aspect of this project the City focuses on is the potential for additional jobs in the future, given the availability of land for development. The estimate at build out is a potential 32,000 additional jobs and potential for \$1 billion in private investment. It is a key economic development driver in this area.

Mayor Lecklider commented that he and Mrs. Boring met with Representative Tiberi in the Washington office several years ago regarding this same project. The state and federal officials appreciate the benefits of this project beyond just Dublin.

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

Resolution 53-12

Appointing a Dublin Representative to the Central Ohio Transit Authority Advisory Panel.

Vice Mayor Salay introduced the resolution. She noted that Council Members interviewed several candidates and Council has selected Ann Bohman for this appointment.

She asked about the language in the resolution regarding a three-year term, and the additional language that indicates the member will serve until a successor is appointed or until death, resignation or removal. Is this language included in all of the appointing resolutions?

The Clerk responded that this is standard language in all appointing resolutions.

Vice Mayor Salay moved appointment of Ann Bohman to a three-year term on the Central Ohio Transit Authority Advisory Panel.

Mr. Gerber seconded the motion.

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

Resolution 54-12

Accepting the Lowest/Best Bid for the Muirfield Drive Tunnel Improvements Project, and Authorizing the City Manager to Enter into a Contract for Said Project.

Mr. Keenan introduced the resolution.

Mr. Hammersmith stated that this project consists of the repair of two Muirfield Drive tunnels. The first is just south of Whittingham Drive, and the second is just south of Tarton Drive. At each of the locations, there are two tunnels and each of the tunnels has a headwall on each end. The tunnels are nine-foot diameter and are pedestrian tunnels that provide access to the Championship course. These tunnels were constructed in the late to mid 1970s, and the retaining walls have deteriorated. The tunnels themselves are made of concrete pipe and are in very good condition. The retaining walls have deteriorated, and stone continues to fall from the walls. Some temporary repairs were done previously, and one wall at the tunnel south of Whittingham on the east end was removed and repaired due to its condition. Staff had plans prepared this year and funds are programmed in the CIP for this project. Two bids were received for the project. The Engineer's estimate for this project was \$670,000, but the lower of the two bids was just under \$865,000 and was from Trucco Construction Co. This bid is 29 percent over the estimate. Given this, the staff report provides details of the components of the project. The existing walls are being replaced somewhat in kind. They will be concrete gravity walls, constructed on a slope, as are the existing walls. Once constructed, synthetic stone will be placed on the outside. The costs for the concrete alone is \$320,000 for these tunnel locations. Additionally, in anticipation of the bike lanes on Muirfield Drive, the project adds 16

RECORD OF PROCEEDINGS

Held

20

feet of length to the end of the tunnels to provide that additional width on Muirfield Drive. Also as part of the project, staff plans to reuse the chamfered ends of the tunnels that currently exist, which will bring some cost savings. The work done by Strawser Paving in February of 2011 did not include any retaining wall work and was \$65,000. Using the bid estimate from Trucco just to construct a wall, that is an additional \$57,000. To fix all eight ends of these tunnels would constitute a project of approximately \$975,000. Based on staff's review, they believe that the bid is true and accurate in terms of what is needed to repair the tunnels. Staff wants to ensure the work is completed prior to the Memorial Tournament and Presidents Cup next year and recommends approval of the bid from Trucco. If the bids were rejected and the project rebid, the Engineer's estimate would be raised based on what has been learned in the last month and the results of the bids would likely be similar. He offered to respond to any questions. He added that staff considered some alternative materials for the walls, but did not feel they would be acceptable in terms of aesthetics to the community and the cost savings were minimal.

Mr. Keenan asked if the contract includes language about completion prior to the Memorial Tournament.

Mr. Hammersmith responded that Trucco is anxious to proceed with the project, and staff has indicated they desire to have as much of the project done this year as possible, with any minor finish work to be done in the spring of next year.

Mayor Lecklider commented that this project is another example of the information that should be shared with the Tournament and Golf Club officials in terms of the City using higher quality materials for this project. This is one more example of the contributions that the City of Dublin makes that no other municipality is making. He would appreciate this recognition.

Ms. Grigsby responded that staff will convey this message to them.

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

OTHER

- Presentation re. Responsive City Website – Bruce Edwards

Mr. Edwards presented slides of the new City website. He noted the following:

- By 2014, mobile usage versus desktop usage will be surpassed. Therefore, the City website must be designed for smaller monitors.
- Mobile devices can now accommodate multiple technologies.
- The most popular mobile devices are Google, Apple, Blackberry and Microsoft.
- In 2011, 25 percent of visits to the Dublin website were from a mobile browser. In 2012, the Dublin Irish Festival website had an increase of 253 percent of mobile views, which is consistent with national trends.
- The City's new website is a responsive mode versus an app. Apps are utility and for a specific purpose. Developing apps requires multiple platforms.
- The City has over 2 million page views of the City's website. The digital team focused on a responsive web design. That consists of a single website, which gives a reformatted version of itself on any device. The same functionality is available from a desktop or mobile device.
- New devices are released every day, and the best way to stay "ahead of the curve" is with a responsive website.
- Other entities are also using the responsive web design, such as YouTube.
- The goal is for a seamless experience with the website. The focus is on content and how best to deliver it to all users of the website. Everyone can access and use all the features of the website from their mobile devices as well as desktops.
- With the responsive design, one can request chipper service, bikepath maintenance, and reserve facilities – from any location and with any device.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 10, 2012

Page 11

Held

20

- Over the long term, this design will result in costs savings due to the efficiencies it will bring. In addition, the City will be able to deploy information rapidly to residents and businesses with use of mobile pages. The responsive site allows for more people and more devices to access and use the City's website.

He offered to respond to questions. He noted that the previous URL for the Dublin website (dublin.oh.us) will continue to be active, but the more branded URL is now available (dublinohiousa.gov).

Mayor Lecklider asked if consultants worked with the City on this project.

Mr. Edwards responded that the project was done internally by the City's digital team of himself and Kevin Cooper. The website is built on another platform called "WordPress" and it is in the 'cloud.' Previously, specialized software was needed, but any web browser in the world can now be used.

Mayor Lecklider thanked Mr. Edwards for his informational presentation.

STAFF COMMENTS

There were no staff comments.

COMMITTEE REPORTS/COUNCIL ROUNDTABLE

Mr. Reiner:

1. Congratulated the Finance Department on the budget award they recently received. This is the 9th consecutive year they have received this award.
2. Noted that the revised agreement with the Dublin Arts Council was provided in the packet, in follow-up to the Committee of the Whole meeting and Council's direction as provided at the meeting.

Ms. Chinnici-Zuercher:

1. Asked about the next step with the Dublin Arts Council agreement.

Ms. Grigsby stated that the DAC Board will meet tomorrow evening for their review of the changes. Staff will coordinate with them and, assuming there are no additional terms to be considered, staff will bring the agreement to Council at the September 24 meeting for adoption.

Ms. Chinnici-Zuercher and Mr. Keenan thanked staff for their work on moving this agreement forward.

2. Noted a follow-up question regarding the Independence Day report. What was the actual cost for performer Joe Walsh?

Ms. Crandall responded that the base cost was \$100,000 and the total, including travel and expenses was \$103,000. The budget included \$87,500 for this item and therefore some other areas in the budget were reduced in order to accommodate this higher cost for the performance.

Ms. Chinnici-Zuercher stated that the staff memo indicated there is consideration being given to hiring a professional talent booker. How will that impact the ultimate cost, and does that mean the entertainment offering could be a performer or group from more recent years versus the 1970s?

Ms. Crandall responded that in past years, the City has sometimes used an agent for these services. Staff is reviewing the details about costs for such services – base rate or percentage of the cost of a performance. At the operating budget, staff will bring forward some different levels of cost for various types of performers. Council can then determine the level of funding they want to authorize in order to obtain their desired type of performers.

Mr. Keenan stated that Council has discussed their desire to have more input into this process. He believes Council wants to have more involvement with the process of selecting entertainment.

Ms. Chinnici-Zuercher thanked staff for their plans to provide this opportunity to Council at the budget in November.

RECORD OF PROCEEDINGS

Held _____

20 _____

Ms. Crandall added that Joe Walsh's fee is typically \$120,000. The City was able to secure a reduced cost due to his travel schedule.

3. Noted that the Mid Ohio Regional Planning Commission has issued the Executive Director profile and is now advertising for the position. Those currently serving on the MORPC Board who want to apply must resign from the Board in order to do so. She is aware that there are some individuals in the process of submitting their resignation in order to apply. She asked the Clerk to e-mail a copy of the profile to Council Members.
4. Reported that on August 29, Ms. Grigsby, Ms. Ott, Mr. McDaniel, Ms. Mumma and she attended the US 33 Corridor Joint Economic Development District (JEDD) educational session, held at the Marysville Water Reclamation Facility. Officials from the City of Springfield presented information about JEDDs and how the JEDD worked for them with their airport. Everyone who was previously involved with the US 33 Corridor group was present and all indicated they were interested in participating in some kind of a JEDD. Eric Phillips is leading this effort, and Jerome Township, Millcreek Township, City of Marysville, and Union County are interested in pursuing this. Whether or not Dublin would be party to this would depend on the project and where it is located.

Ms. Grigsby stated that there has been some discussion about what information is needed going forward. Much of the discussion relates to assembling information about what the group would see as needs for the JEDD, what individual entities objectives or goals would be for the JEDD, etc. Once some of this information is gathered, the group will reconvene for discussion.

Ms. Chinnici-Zuercher added that Mr. Phillips provided great information about Union County and how it is rapidly changing. This demonstrates the need for the various opportunities to be made available to everyone involved. It was a very good meeting, and she is hopeful that Dublin will participate in future meetings.

Mayor Lecklider asked her and Ms. Grigsby to share a practical example of how this would affect Dublin.

Ms. Grigsby responded that each of the entities would have to determine their priorities in this endeavor. In the case of Springfield, the city wanted to help develop the airport, but it was not within their jurisdiction. They entered into a JEDD agreement with the township where the airport was located with the goal of creating jobs as well as airport improvements. In this Union County discussion, the focus would be on issues such as infrastructure needs (water, sewer, roadways, and technology) and how those would be funded. One advantage of the JEDD for a township is that an income tax could be imposed on businesses located in the JEDD and they would not have to annex to a City. Under state law, a township cannot levy income tax. Some issues for Dublin's participation in a JEDD would be land use and funding of infrastructure. Much of the revenue generated within the JEDD would be distributed based on a formula set up at the outset. The distribution of a portion of the revenue would be approved by the JEDD Board. At the end of the process, the excess revenues would be distributed to the entities included in the JEDD.

This meeting was an educational, informal session to set the parameters of how a JEDD would operate. The next step will likely be more challenging in identifying the goals and objectives for each of the entities.

Mayor Lecklider asked if Dublin could participate in a JEDD for property other than what is immediately adjacent to its boundaries.

Ms. Chinnici-Zuercher responded affirmatively. The Springfield example was exactly that. It is not required that the land be contiguous to Dublin.

Ms. Grigsby added that there is no limit on the number of entities involved. Obviously, the more entities that are involved would result in more issues.

Mayor Lecklider asked if, theoretically, for the interchange at Post Road – could multiple governmental entities participate in such a JEDD?

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 10, 2012

Page 13

Held _____

20_____

Ms. Grigsby responded that is a possibility. This is an area of interest for Dublin and, potentially, development could be funded and Dublin could have some influence in how the area is developed and how the funds are distributed.

Mr. Keenan noted that it could potentially take some land uses off the table that would not be desirable for Dublin.

Ms. Grigsby added that it is worthwhile to bring all of the entities together for discussion of what will benefit the region, including discussion of the I-270/US33/SR161 interchange improvements and how all of that ties into future development of the corridor.

Mrs. Boring:

1. Noted that she was pleased to hear about the positive developments regarding Sunrise Senior Living. Has staff had contact with the group regarding their plans?

Ms. Grigsby responded that a meeting took place last week involving Dublin staff and the new owner. They expressed their intent to develop the site into the facility as planned. Staff is working with them and preparing a letter to them about some of the conditions on the site.

Mrs. Boring asked if they must file new permits.

Ms. Grigsby responded that she believes the existing permits will have expired before the transfer takes place, so they will likely have to go through the process again. Staff is in discussions with them about next steps.

2. Stated that the proposed Council meeting schedule for 2013 has been distributed again. She suggests that Council schedule discussion and adoption for the September 24 Council meeting.
3. Wished her husband, Mike, a Happy 34th Anniversary!

Mr. Keenan:

1. Reported that he participated in a meeting on September 5 with representatives from ODOT, the Federal Highway Administration, the City's consultants from CH2MHill and B&N, and City staff. The engineering design alternatives for the I-270/US 33 interchange were discussed. This was a new type of process, which included about 25 people in a daylong meeting. The meeting was very productive and informative. A final decision has not been made on the recommended configuration, but is expected to occur in the near future. Staff coordinated a letter and e-mail campaign of support to MORPC just prior to this meeting. There is a Transportation Review Advisory Council (TRAC) public hearing on Thursday, September 27 and project sponsors will have 10 minutes to present their projects for consideration. The TRAC will not vote or take formal action at the hearings, but this is an important part of the process in moving forward. He encouraged all citizens to visit the website (<http://27033interchange.org/270/33>) to view the materials and write an e-mail or submit a letter of support.
2. Reported that the new date for the leadership briefing for the I-270/US 33 interchange is Wednesday, October 10 at 7:30 a.m. and the meeting will be held at IGS Energy. Invitations will be sent to local and state elected officials as well as to CEOs and corporate government affairs staff. Congressman Tiberi is aware of this meeting as well. He noted that representatives from Marysville, Union County and some townships were not in attendance at the September 5 meeting, and it is important to keep them involved.

Mr. Gerber:

1. Reported that the Veterans Hall of Fame golf outing is scheduled on Monday, September 17 at Riviera Country Club. They anticipate a good turnout, and will have Supreme Court Justice Eve Stratton as a speaker at the gathering. In addition, a 94-year old veteran will lead the Pledge of Allegiance! Golfers from

RECORD OF PROCEEDINGS

Held _____

20 _____

throughout Central Ohio and the state will participate; it is not necessary to be a veteran to participate.

2. Noted that a second meeting of the Special Council Committee for Recognition of Dublin Veterans KIA took place on September 6. The mission of the committee is to develop a long-term protocol or policy as it relates to recognition of those individuals for recommendation to Council. The meeting was very productive, and he thanked Ms. Ott and Mr. Hahn for their work. A copy of the draft minutes has been distributed on the dais tonight, and Mr. Hahn has been asked to prepare an outline of some of the discussion items in order to have further discussion at the Council meeting of September 24. This will allow time for everyone to review the minutes and prepare for such discussion. This outline will be included in the packet for September 24.

Vice Mayor Salay:

1. Reminded Council about the need for a Personnel Board of Review appointment. She spoke with the individual proposed for appointment, and expects that Council could make this appointment at the September 24 meeting.
2. Reported she has continued to meet with the Planning & Zoning Chairperson and staff at the PZC planning meetings. They discussed the last joint Council and PZC meeting and what was accomplished and what was initiated. They want to set another meeting date, and in reviewing the Council calendar, it appears the next available date might be Thursday, October 18. She is proposing this date to Council, noting that another venue with better acoustics will be secured.

Mayor Lecklider and Ms. Chinnici-Zuercher noted they have conflicts with this date.

Vice Mayor Salay asked the Clerk to circulate some potential meeting dates via e-mail.

3. Noted that the site that houses the Ables Driving range on Avery Road, south of Dublin, is proposed for rezoning by the City of Columbus to a big box retail shopping center. The staff report on the Columbus website indicates that because Dublin is not building Tuttle Crossing and widening Avery Road in a timely fashion, Columbus needs to back off from their anticipated land use in their community plan of office use. Because of Dublin's lack of building infrastructure, Columbus plans to zone this for a shopping center. This was the basis for the Columbus planning staff's recommendation of approval of this rezoning application.

Ms. Grigsby responded that city staff has sent letters outlining the concerns with this rezoning. Staff has had discussions with Columbus staff regarding the issues related to infrastructure, and Dublin staff will attend the upcoming hearing at the Columbus Development Commission.

Ms. Chinnici-Zuercher asked if Dublin staff will be testifying or simply observing.

Ms. Grigsby responded that Dublin staff plans to testify regarding the issues outlined in the letters sent to them so that the testimony is part of the record. In addition, the proposed development is not in accordance with the Hayden Run Corridor Plan and there are significant traffic concerns related to this type of development.

Ms. Chinnici-Zuercher asked staff to e-mail to Council a copy of the letter sent to the Columbus Development Commission.

Mayor Lecklider:

1. Noted that he is not pleased to hear of this proposed development. He was driving in this area recently and noted the progress made with the National Church Residences project. Does staff have information regarding the completion date for the project?

Ms. Grigsby responded that staff does not have any update, but she recalls that the project must be completed by the end of 2012, based on their financing requirements. Staff will secure an update from NCR.

RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 10, 2012

Page 15

Held _____ 20_____

Mr. Gerber noted that in late June, NCR was accepting applications and interviewing potential residents through July and part of August. He believes the intent is to move residents into the first phase by the beginning of January 2013. There is great interest in this project and it is apparent that there is a large demand for such housing.

Mayor Lecklider stated that he understands that the Dublin project is one of NCR's largest facilities. He looks forward to receiving information about the grand opening.

2. Commented for Mr. Hahn's benefit that in watching last night's football game broadcast from Denver, there was an aerial view of a very nice skate park facility in the area!

The meeting was adjourned at 8:40 p.m.

Mayor – Presiding Officer

Clerk of Council