

# RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

August 20, 2012

Held

20

Mayor Lecklider called the Monday, August 20, 2012 Regular Meeting of Dublin City Council to order at 6:40 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, and Mr. Bittner.

## **ADJOURNMENT TO EXECUTIVE SESSION**

Mayor Lecklider 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.

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 7:40 p.m.

## **PLEDGE OF ALLEGIANCE**

Mr. Gerber led the Pledge of Allegiance.

## **ROLL CALL**

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

Staff present were Ms. Grigsby, Mr. Smith, Mr. McDaniel, Ms. Mumma, Chief von Eckartsberg, Ms. Crandall, Mr. Hammersmith, Mr. Langworthy, Ms. Ruwette, Ms. Ott, Mr. Gunderman, and Ms. Gilger.

## **SPECIAL PRESENTATIONS**

- Quarterly update from Dublin Convention & Visitors Bureau – Scott Dring, Exec. Director

Mr. Dring reported that:

- The tourism industry continues to improve this year. Hotel-motel tax revenues are up nine percent over last year at this time; they expect this growth to continue throughout 2012. They also expect an increase of 4-6 percent in hotel-motel tax revenues for 2013 as well. Despite this growth in revenues, the level of revenues experienced in 2007-2008 have not been reached; the City is attracting more visitors than at that time, but people are paying less for hotel rooms in 2012 than in 2007-2008. In 2007-2008, an average hotel room in the City was \$102; the same room this year is \$92. That is a trend being experienced nationwide. The good news is that people visiting Dublin are spending money in shopping and restaurants in Dublin, even though they pay less for the hotel rooms.
- The marketing plan for the upcoming year was presented to the DCVB Board last week and is included in the information distributed tonight. There are five key objectives in the plan, with many tactics to accomplish them. Each tactic has a measurable to it as well. There are two objectives for their overall efforts: first, to promote, market and sell Dublin as a great destination across the country through print advertising, social media, brand, etc. The second objective is to attract new events and the economic impact they bring to the City of Dublin.
- The DCVB remains in the running to secure the Top Gun Football University event. This event attracts the top middle and high school players from across the country and would generate 5,000 room nights in July 2013. The event would be held at Dublin Jerome High School. The group will be in Dublin on September 21 for a final site visit. The other two finalist cities are Williamsburg, VA and Las Vegas, NV.

# RECORD OF PROCEEDINGS

Held \_\_\_\_\_

\_\_\_\_\_20\_\_\_\_\_

- The Australian Rules Football 49<sup>th</sup> Parallel Cup was held August 4 at Darree Fields. This daylong event attracted players and bands from across the U.S. and Canada and filled two hotels in Dublin. This is a precursor to the Australian Rules Football Championship that will come to Dublin in a few years.
- Last month, they worked with Dan Sullivan and The Memorial Tournament to secure the Pure Silk Women's Collegiate Golf Championship that was held at Wedgewood in early August. It attracted 200 of the top college players from 40 universities across the U.S. All of the participants stayed at Dublin hotels.
- They continue to work on packages to attract the leisure market visitors to Dublin. The summer campaign with Columbus Zoo and COSI continues to do well. Packages are being created for Sunday overnight stays for the Tournament and Irish Festival next year.
- He noted that the Bureau is doing an organizational assessment research project and has retained a national firm to assist with this. They will interview people from across the Dublin tourism industry and community officials to help set the DCVB on the right course for the future.
- The Residence Inn has been sold and is now Sonesta Extended Stay Dublin. The Bureau met with them last week. They have just entered into the Ohio market and are very excited to be in Dublin.
- They are looking forward to the Presidents Cup town hall meeting hosted by the City at the Rec Center tomorrow morning. There are about 80 registrants for the meeting.

He thanked Council for their leadership and their efforts with The Presidents Cup and for all of the support given to the DCVB.

Mr. Reiner commented that an owner of one of Dublin's hotels stated that the Bureau is doing a fantastic job in supporting their business.

Ms. Chinnici-Zuercher stated she is very impressed with the amount of work done in view of the size of the Bureau's staff. Council is always interested in continuing to support the work of the Bureau.

## **CITIZEN COMMENTS**

Wallace Maurer, 7451 Dublin Road noted that he has two questions relative to procedural matters. They relate to the consent agenda, which was developed during his hiatus from Council meetings. If a citizen has an issue or testimony relative to any of the items on the consent agenda, how should they proceed? He noted that he does not have any such issues or testimony to offer tonight. The agenda indicates that a Council Member can remove an item from the consent agenda for further discussion.

Ms. Grigsby stated that since the implementation of a consent agenda last August, staff looks closely at what is proposed for the consent agenda. In general, the items proposed for the consent agenda include first readings of ordinances that will have a public hearing on the regular agenda and resolutions related to normal, operational matters that have been discussed or included in the capital or operating budgets. If at any time a resident has a question regarding a consent agenda item, they are welcome to contact staff about their concerns so that they can be addressed prior to the Council meeting.

Mr. Maurer noted that at the last Council meeting, a consent agenda item indicated that it would be scheduled for a public hearing at the next meeting. This is responsive to his second procedural concern.

## **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.

# RECORD OF PROCEEDINGS

Held \_\_\_\_\_

20 \_\_\_\_\_

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

Ms. Chinnici-Zuercher 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. Minutes of August 8, 2012 Council meeting
2. Notice to Legislative Authority re Transfer of D5A and D6 liquor permits from Residence Inn by Marriott LLC , 435 Metro Place South to Cambridge TRS Inc., dba Sonesta ES Suites Dublin, 435 Metro Place South
3. Notice to Legislative Authority re New D1 and D2 liquor permits for G & R Brewing Co., LLC, 7509 Sawmill Road, Dublin, Ohio
4. **Resolution 44-12 (Introduction/vote)**  
Adopting the Franklin County Natural Hazards Mitigation Plan Update.
5. **Resolution 45-12 (Introduction/vote)**  
Authorizing the City Manager to Enter into a Contract with Dublin City Schools for the School Resource Officer Program.
6. **Resolution 46-12 (Introduction/vote)**  
Accepting the Lowest/Best Bid for the Glick Road Shared-Use Path Section 2 Project, and Authorizing the City Manager to Enter into Contracts for Said Project. (Project No. 12-012.0-CIP)
7. **Resolution 47-12 (Introduction/vote)**  
Authorizing the City Manager to Execute a Lease Agreement with Metro Data Center Establishing the Dublin Entrepreneurial Center at 565 Metro Place South, Suite 300.

## **SECOND READING/PUBLIC HEARING/VOTE – ORDINANCES**

### **Ordinance 47-12**

#### **Accepting the Annexation of 3.4+/- Acres, More or Less from Washington Township to the City of Dublin.** (Harvey and Alex Vesha, 7094 Dublin Road)

Mr. Gunderman stated that this Expedited 2 annexation petition is for 3.4 acres, more or less, located along Dublin Road. The annexation includes a portion of Dublin Road. The parcel lies between Dublin Road and the river. The City has previously provided a statement of services and a statement regarding incompatible land uses for this annexation for the hearing at the county. The Franklin County Commissioners approved the annexation petition on May 1, 2012. A first reading of the ordinance to accept the annexation was held at the August 8 Council meeting.

The packet includes information regarding some concerns raised by the adjacent property owners. Generally, these issues relate to the permitted setback distances and the placement of a future house. The neighboring property owned by the Carpenters is in Washington Township and much of the concern relates to the required distance between structures on the two lots under the township zoning. Under City zoning of R-Rural, that distance could be reduced to as little as eight feet from the property line. Under the current township zoning, they would need a total separation between buildings of 50 feet -- regardless of where the property line was located. Staff has tried to facilitate meetings with the property owners to work out their differences. The owners have additional issues to be resolved apart from the zoning issues. Representatives of both parties are present to offer testimony tonight. He offered to respond to questions.

# RECORD OF PROCEEDINGS

Held \_\_\_\_\_ 20 \_\_\_\_\_

Mr. Smith clarified that Council cannot impose conditions upon an annexation; Council can either accept the annexation petition as filed or reject it. In terms of zoning districts, Dublin's Code calls for the land to be placed in an R-Rural zoning classification upon annexation. If Council does not accept or reject the annexation petition within the timeframe established by the Ohio Revised Code, the annexation petition is considered rejected. Legal staff believes that the annexation petition meets all of the requirements for acceptance by the City.

Mr. Gunderman added that the Code provides an automatic rezoning for land annexed to the City to R-Rural. The rural zoning category does have the largest setbacks of any of the City's straight zoning districts.

Mayor Lecklider stated that one item of note is the driveway access as shown on the plat.

Mr. Gunderman responded that there is an existing written document that details how driveways can be re-established. From the City's standpoint, it is a good understanding in that it limits the access to Dublin Road to that existing driveway point. Past that point, the driveway extends back along the property line and serves the adjoining house. The property owners will have to arrive at a new understanding of where the driveway connection will be. However, this is not a zoning issue or an issue that the City is in a position to influence.

Mayor Lecklider asked if Mr. Gunderman is indicating there is no option for another driveway available to the properties.

Mr. Gunderman responded that the terrain is an additional challenge in terms of driveway placement and access.

Ms. Chinnici-Zuercher asked for clarification of the property boundaries on the site map.

Mr. Gunderman stated that the Vesha property, which is proposed for annexation, is the vacant lot without a structure. At this time, the Vesha property has an existing driveway, which is used by the adjacent property owner under a written agreement.

Mr. Keenan asked if there was a house on the Vesha property in the past.

Mr. Gunderman responded he does not know.

Mr. Keenan asked if there was a lot split involved.

Mr. Gunderman responded that there was a split of what was originally a larger property.

Mr. Reiner asked about the setback from the river on this property in case the owner wants to stagger the house.

Mr. Gunderman estimated it is a minimum of 150 feet.

Mr. Keenan asked why the property owners are seeking annexation.

Mr. Gunderman responded that flexibility for the building site would be one factor, but water and sewer services are the primary factor in the annexation.

Mr. Keenan added that it has been the City's policy over the years to accept annexation petitions for unincorporated land surrounded by the City.

Mr. Gunderman noted that, in addition, a property owner can secure water and sewer services only by annexing the property to the City.

Mayor Lecklider invited public testimony.

Scott Birrer, 655 Metro Place South, Suite 600 stated that he is counsel for property owners Shawn and Jennifer Carpenter, whose property is adjacent to the Vesha property and who are objecting to the annexation. He noted the following:

- They object to the annexation because the unintended consequences of bringing the Vesha lot into the City of Dublin and the change of zoning that

# RECORD OF PROCEEDINGS

Held \_\_\_\_\_ 20 \_\_\_\_\_

accompanies that annexation will allow for the Vesha lot to be developed with only an eight-foot side yard setback. Currently, Washington Township Code requires a minimum of 50-foot structural separation. The Carpenter house, constructed in 1925 is 10 feet from the lot line. Therefore, there is a possibility that the houses may ultimately be separated by only 18 feet.

- The front of the Carpenter house actually faces into the Vesha lot.
- They appreciate the other considerations of the annexation – the desire to bring Dublin Road into the City of Dublin jurisdiction, uniform police and EMS servicing, and eliminating a township island. However, these considerations have existed for some time, and notwithstanding such, the status quo without the annexation seems to be working. Dublin Road is adequately maintained, and Police and EMS services are available to these properties. Annexing the Vesha lot will create an even more complicated island of township within the City.
- Further, the annexation of the Vesha lot will not create any new tax revenue for the City of Dublin.
- The benefits of annexation appear to outweigh the inequitable and disproportionate adverse impact on the Carpenters, by only benefitting the Vesha lot. Denial of the annexation will not preclude the Veshas from realizing the use of the property; they will merely be required to develop the property in conformance with the requirements, which were in place and which they were aware of when they purchased the lot.
- In an effort to reach a compromise, the Carpenters have proposed a 15-foot side yard setback, creating a 35-foot structural separation. However, this proposal has been rejected.
- Therefore, they conclude that the intention is to develop the Vesha lot in conformance with the eight-foot side yard setback. For this reason, they ask that the annexation petition be denied.
- In the alternative, he notes that Section 709.023(c) of the Ohio Revised Code states that where uses are incompatible, Council will require -- in the zoning ordinance permitting the incompatible uses -- the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township. He suggests that having two residential structures no more than 18 feet apart is an incompatible use. This Council has the authority to require that the annexed lot be developed with an adequate buffer separating the two homes.

He offered to respond to questions.

Mr. Reiner asked if the Carpenter house conforms to the current setback requirements.

Mr. Birrer responded that there is no side yard setback requirement for Washington Township zoning; there is a 50-foot structural separation requirement. The house was built in 1925, and the Vesha parcel has been vacant since the initial breakup of Scioto Shores. There has not been a setback issue as there has not been another structure on the property. If, in fact, the Vesha property were annexed to Dublin, it would create a legal non-conforming use on the part of the Carpenters. In the case of a casualty loss, the Carpenters would have to relocate their house on the property, as the Vesha property would be in conformance and the Carpenter property would no longer be in conformance.

Ms. Chinnici-Zuercher stated that when the Carpenters bought their house, the adjacent lot was empty. However, there was no reason to believe a lot will remain undeveloped in the future.

Mr. Birrer agreed, but noted that at the time the Carpenters purchased their house, the Vesha lot was in Washington Township . The Carpenters accepted the fact that a

# RECORD OF PROCEEDINGS

Held

20

structure could be built within 50 feet of their structure – not within eight feet of a lot line, resulting in an 18-foot setback.

Ms. Chinnici-Zuercher asked Mr. Gunderman to point out on the site plan where a 50-foot setback from the adjacent property structure would be.

Mr. Birrer pointed out on the map what their calculations show to be a 50-foot separation between structures.

Ms. Chinnici-Zuercher asked Mr. Gunderman to point out what Dublin's Code would allow in terms of the placement.

Mr. Gunderman demonstrated this on the site map, noting it could be square with the adjacent house, as close as eight feet. Dublin requires a combined 25-foot side yard setback, and eight feet is the minimum on one side, with the balance being on the other side.

Mr. Birrer clarified that they are requesting only that the 50-foot structural setback be honored.

Mr. Reiner stated that there is a floodplain issue impacting this parcel as well. The options for the house location appear to be side by side, or the new structure would have to be located forward of the adjacent property structure.

Mayor Lecklider asked if the logic of Mr. Birrer's argument is that if someone purchased a property in Washington Township, surrounded by Washington Township property, they have a reasonable expectation that the property around them will never be annexed to Dublin.

Mr. Birrer responded that he is merely stating that the circumstances of this annexation, and the adverse impact on one single family outweigh the annexation in and of itself. Because it will create this unique and very small separation between the structures, it is a basis to consider for rejecting the annexation.

Mayor Lecklider asked how long the undeveloped Vesha parcel has existed.

Mr. Birrer responded that it has existed since 1925, at the time Scioto Shores was created.

Mr. Keenan asked when the parcel was split.

Mr. Birrer responded that they are not aware of the history regarding this. In reviewing the original subdivision map for Scioto Shores, it was always two separate lots – lots 4 and 5. As opposed to a split, it seems that the Orms family owned both lots. When they sold off one lot, they reserved the easement over what is now the Vesha lot. Technically, it was not a split, but instead a reservation of an easement after lots 4 and 5 were created with a 1925 subdivision plat.

Mrs. Boring stated that Mr. Gunderman has indicated the minimum setbacks. Are there plans for a house to be constructed on the lot?

Mr. Gunderman responded that the Veshas would be in a position to apply for a building permit upon the effective date of the annexation.

Mrs. Boring commented that the property owner may choose to have a larger setback. It is not known what is being requested until the plans are submitted.

Vice Mayor Salay stated it would be to the advantage of the owner to have some separation.

Mr. Birrer responded that they have approached the Veshas on a number of occasions to obtain some type of plot plan to indicate the placement of the house. They were not able to obtain that information. In fact, based on the elevations they have seen, the Vesha house can be developed in such a way that it would be oriented with the back of the house toward the front of the Carpenter house. However, without knowing their plans, the assumption is they will build with only the minimum setbacks.

Mr. Keenan asked for clarification about the non-conforming issue referenced by Mr. Birrer.

# RECORD OF PROCEEDINGS

Held \_\_\_\_\_ 20 \_\_\_\_\_

Mr. Smith responded that if Council accepts the annexation and the Veshas build on the property, the new construction will be conforming. The development may or may not be conforming to Washington Township requirements. The parties seeking annexation have indicated the setbacks may be the minimum under Dublin Code. For the annexed property, it creates no non-conforming issue. For the Washington Township property, those issues are with the township – not the City.

Mr. Birrer stated that the non-conforming issue is created in Washington Township because of the Vesha house being constructed eight feet from the property line and having only an 18-foot structural separation. The Carpenter house would then be in violation of the 50-foot structural separation required by Washington Township. Therefore, if the Carpenter property suffers a casualty loss, problems would result in regard to the non-conforming status. They would have to rebuild the house in conformance with Washington Township Code, which requires a 50-foot structural setback.

Mr. Smith responded that Ohio law includes provisions regarding pre-existing, non-conforming uses. Whether Washington Township would ever require the Carpenters to do anything and whether that is the applicable law is the issue. Mr. Smith does not agree with Mr. Birrer's logic.

Mr. Birrer responded that it is nonetheless a fear that the house would have to be moved in such a circumstance.

Mr. Keenan commented that Mr. Birrer made a statement about no new tax revenue generated with this annexation. If there is a house constructed, there would potentially be income tax revenue and property taxes generated.

Mr. Birrer clarified that the tax revenue is already being collected from this lot.

Mr. Gerber stated that Mr. Smith indicated that Council cannot impose conditions on an annexation, but can only vote to accept it or reject it and must act within a certain time period. What criteria are considered when Council is reviewing an annexation petition? Is this discussion germane to that criteria?

Mr. Smith responded that this annexation petition was discussed and reviewed by staff at the time of the statement of services legislation. A comment made tonight related to incompatible use, yet these properties are both residential use.

Mr. Gunderman added that two single-family homes would be considered compatible in use. Incompatible uses would typically involve a commercial use adjacent to residential.

Mr. Birrer stated that he believes there is a public interest in not having residential homes with such a small separation. The incompatible use comment was an avenue for the Council to find a way to create a buffer as described in the statute. He is not saying the argument is completely without precedent, but is an argument that can be made so that a buffer can be required as opposed to a vote accepting or rejecting the annexation.

Nicholas Vesha, 4237 Kendale Road, Columbus, OH 43220 stated that he is an attorney representing the landowners Harvey and Alexander Vesha. Alexander Vesha and his wife, Virginia will actually be living on the property and have been involved in the negotiations. The Ohio Revised Code requirements for the annexation petition have been met, and there is really no legal basis for the Carpenters to object. Similarly, there is no legal "right" for the Veshas to have their property annexed to Dublin. The issues are not legal, but are private landowner issues related to setbacks, driveway location, etc. There has been ongoing negotiation regarding these private issues. In terms of the public interest in homes not being so close together, Dublin Code has already established the setback requirements for an R-Rural zoning category. In terms of the actual distance, Mr. Birrer has stated that the house is 10

# RECORD OF PROCEEDINGS

Held \_\_\_\_\_ 20 \_\_\_\_\_

feet from the property line. In actuality, the garage is 19 feet from the property line and the rest of the house is further away. The landowners can work to negotiate these matters. The driveway issue still remains. He pointed out that the Veshas purchased their lot two years prior to the Carpenters purchasing their home. The Veshas attempted to meet with them, through their realtor, prior to the closing on the purchase by the Carpenters, but that meeting never occurred. At the time the house was listed for sale that is now owned by the Carpenters, the Veshas placed an orange mesh fence along the property line to indicate to a potential buyer how close the property line was to the existing house. Clearly, the reasonable inference of doing this was that the Veshas intended to build a house. He can provide more specifics regarding the negotiation between the parties, if Council desires. Otherwise, he can respond to questions.

Mr. Reiner asked about the 15-foot setback and the size of the house to be built by the Veshas.

Mr. Vesha responded that the challenge is that the process is not far along. The owners viewed a Kevin Knight built home at the Parade of Homes in Tartan Fields a few years ago, and that is the house they want to build. He does not know the placement of the house on the lot at this time, but the owners were waiting until the annexation process was complete until moving forward with plans.

Mr. Keenan commented that it is in the Carpenters' interest to work out the issues in view of the driveway access and its maintenance.

Mr. Vesha noted that they did research regarding the potential for another curb cut, but that was not approved.

Mayor Lecklider noted that, in any case, there will need to be a shared driveway for access to the properties.

Mr. Vesha agreed, and the parties will have to resolve this.

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

## **Ordinance 49-12**

### **Amending the Annual Appropriations for the Fiscal Year Ending December 31, 2012.**

Ms. Mumma commented that, as outlined in the August 2 memo, the additional appropriations to the General Fund are related to an estate tax refund and a refund relating to Oak Park subdivision. There is also a refund component of the Oak Park subdivision in the Water Fund and the Sewer Fund. In addition, \$80,000 is requested from the Hotel-Motel Tax Fund in order to complete some improvements at the Dublin Arts Center. These improvements were previously reviewed by Council. In addition, a \$307,050 appropriation amendment is needed to the COIC Fund for costs related to the Wirchanski settlement. Within the Water and Sewer Funds, additional appropriations are needed to cover the water refund to Oak Park Dublin and costs related to the Oak Park Dublin refund as well as costs related to the Dumfries Court improvements.

Mayor Lecklider asked for clarification regarding Section 4 – Oak Park Dublin and the specific amount.

Ms. Mumma responded that the permits issued have expired, and therefore the City must refund those monies in the amount of \$23,000.

Wallace Maurer, 7451 Dublin Road stated that he supports the improvements being made to the Dublin Arts Center, as it is a "shining jewel" of the City.

Mayor Lecklider responded that these improvements have previously been discussed by Council and Council was supportive.

# RECORD OF PROCEEDINGS

Held \_\_\_\_\_

20 \_\_\_\_\_

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

## **INTRODUCTION/FIRST READING - RESOLUTIONS**

### **Resolution 48-12**

#### **Authorizing the City of Dublin to Participate in an Application for a Local Government Innovation Fund (LGIF) Grant Through the State of Ohio to Conduct a Feasibility Study of Information Technology Services and Infrastructure Consolidation.**

Mr. Gerber introduced the resolution.

Ms. Crandall stated that this is the last of three LGIF grant requests that staff is bringing forward to Council. This would provide funding to conduct a feasibility study among several Central Ohio communities to explore consolidation or shared services of information technology services. This request is for a \$100,000 grant, and there is a 10 percent match, which could be met with staff services related to the grant proposal.

She offered to respond to questions.

Ms. Chinnici-Zuercher asked if there are additional grant requests being submitted by the region, over and above these three.

Ms. Crandall responded that there may be another one or two being submitted from the region.

Ms. Chinnici-Zuercher asked the likelihood of success in obtaining a grant. What are the numbers of grant requests being submitted by the various districts throughout Ohio?

Ms. Crandall responded that she is not aware of the concentration or the distribution during the last round of grants. Staff believes there is a fairly high likelihood of success for the three being submitted by the partnership that includes Dublin.

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

### **Resolution 49-12**

#### **Waiving Competitive Bidding Requirements, Pursuant to Section 8.04 ("Contracting Procedures") Paragraph C (Waiver of Competitive Bidding") of the Revised Charter for the Purchase of Diesel Fuel, and Authorizing the City Manager to Enter into a Contract with Central Ohio Farmers Co-op (Marion Oil).**

Mr. Gerber introduced the resolution.

Ms. Crandall stated that this relates to a contract renewal for continued purchase of High Performance Clean Diesel. In 2011, the City entered into a testing agreement with EcoChem Alternative Fuels who is the developer of this fuel, the distributor of the fuel, Dublin City Schools and Washington Township. A controlled study was done with 12 school buses, using the traditional Ultra Low Sulfur Diesel as a baseline, and comparing it to the new High Performance Clean Diesel. Over the course of three months, the average fuel efficiency increase was 16.1 percent and emissions reductions were 12 percent for hydrocarbons and 13 percent for nitrogen oxides. In view of the results of this study and the continued availability of this fuel, staff would like to continue to purchase this fuel. She offered to respond to questions.

Mr. Keenan asked about the annual costs for fuel.

Ms. Crandall responded that the City spends \$1.8 million in total on fuel, although she does not have the breakdown of diesel and gasoline. Seventy-five percent of the fuel is used by the Schools, 15 percent by Washington Township, and 10 percent by the City.

Mr. Keenan stated that most of this is therefore a pass through for the other entities.

# RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

August 20, 2012

Page 10

Held \_\_\_\_\_ 20 \_\_\_\_\_

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

## **STAFF COMMENTS**

There were no staff comments.

## **COMMITTEE REPORTS/COUNCIL ROUNDTABLE**

There were no Committee reports or roundtable comments.

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

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Mayor – Presiding Officer

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Clerk of Council