

April 8, 2013

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Mayor Lecklider called the Monday, April 8, 2013 Regular Meeting of Dublin City Council to order at 6:30 p.m. at the Dublin Municipal Building.

ADJOURNMENT TO EXECUTIVE SESSION

Mayor Lecklider moved to adjourn to executive session to discuss land acquisition matters (to consider the purchase of property for public purposes), legal matters (to confer with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action), and personnel matters (to consider the appointment of a public employee or official).

Mr. Gerber seconded the motion.

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

The meeting was reconvened at 7:15 p.m.

PLEDGE OF ALLEGIANCE

Mr. Reiner led the Pledge of Allegiance.

ROLL CALL

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. Smith, Jr., Mr. McDaniel, Ms. Mumma, Chief von Eckartsberg, Ms. Crandall, Ms. Puskarcik, Mr. Hammersmith, Mr. Earman, Mr. Hahn, Ms. Ott, Mr. Gunderman, Mr. Goodwin, Ms. Husak, and Ms. Burness.

SPECIAL PRESENTATIONS

- Community Attitude Survey – Marty Saperstein, Saperstein Associates

Ms. Puskarcik stated that Saperstein Associates conducted a "Community Attitude Survey" earlier this year. The last time such a survey was done was three years ago. At the end of 2012, the City conducted the National Citizen Survey. Tonight, Mr. Saperstein will address the results of the Community Attitude Survey, providing in some cases related data from the National Citizen Survey. If Council desires a future presentation on the National Citizen Survey results, that can be scheduled. The information presented tonight will be online so that the residents can see the summary reports and complete data for both surveys.

Mr. Saperstein noted that this research gives the residents of Dublin a voice and allows the community to express opinions on all types of issues. In doing so, it provides City officials with important data that is useful in planning for the future. This survey, unlike the one done by NCS, was done via telephone, conducted with a random sample of 400 registered voters living in the City via landlines and cell phones. Interviews were completed in February and averaged 23 minutes in length. The margin of error for the study is plus or minus 4.9 percentage points. The data is weighted to reflect population parameters. Where appropriate, he will share some of the data from the National Citizen Survey (NCS) to compare. NCS takes a standard set of questions to residents and compare that to responses for hundreds of other communities. This provides information on how a City ranks in comparison to other cities. The downside is that there is not the ability to include questions that are Dublin-specific issues.

The Saperstein survey is representative of the community at large, matching Dublin residents with respect to gender, age, ward, ownership or rental of homes, and race.

He reported the detailed results and then provided a summary of the findings:

- Most residents consider Dublin a desirable community and are highly satisfied with the city's amenities, especially the parks, the services provided by the city, and the treatment received when contacting city officials.
- Residents also praise the Dublin schools -- their status as a separate entity notwithstanding – and the roundabouts.
- Most residents are "enamored" of Dublin as a place to live and a place to work, but the city draws less praise as a place to retire.

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- Residents see Dublin as safe, clean, green and convenient. Many describe Dublin as family oriented and value the city's sense of community.
- Residents' top priorities are clear: improve flow of traffic on Dublin's streets and roads; make the Bridge Street District a reality; and bring the Dublin branch of the Columbus Metropolitan Library into the 21st Century.
- Among the components of the Bridge Street District, interest is stronger in additional parkland along the Scioto River; the pedestrian bridge across the river; an increase in civic activity, as a result of, for example, a plaza, more green space, city offices, and a relocated library.
- Interest is less strong, but not by much, in the expansion of downtown Dublin to and along Riverside Drive and in housing options within walking distance of the district's amenities.
- Respondents also observed that restaurants, bars and other entertainment venues, coupled with retail stores would go far in attracting young professionals.
- The local branch of the Columbus library is used by more than eight out of 10 Dublin households. Most residents support equipping this facility for the 21st Century with technology: more and improved digital content, computers, computer software, and online services. Low-tech suggestions include more programs and space for children, rooms for meetings, expanded quiet areas, and a café or coffee shop.
- At least one of four residents would be strongly inclined to contribute financially if updating the library requires additional funds. Many others are inclined to contribute as well, but only moderately.
- In terms of additional parkland, more residents favor river frontage and natural wooded areas than athletic fields and facilities, pavilions and shelter houses.
- In contemplating the arts in Dublin, more residents favor an outdoor amphitheater and an indoor performing arts center than art galleries, exhibit space and public art.
- For a plurality of residents, the local paper (i.e. the *Dublin Villager*) is the primary source of community news and information, aside from family and friends. The city's website is also popular. Though many have a Facebook account, few have visited the city's Facebook page. On a smaller scale, the same is true of Twitter.
- Virtually all Dublin residents have internet access and most have smart phones.
- Residents of Dublin tend to be married, have children at home, and own a freestanding house or condominium. Most are employed either full or part-time, the average age is 46, and the median household income is just short of \$150,000 annually.

Mayor Lecklider invited questions from Council.

Vice Mayor Salay stated that there is a lot of information to review and she looks forward to reading the documents in their entirety.

Mr. Reiner stated that Mr. Saperstein did not comment regarding services in comparison to services of other cities. He asked for clarification.

Mr. Saperstein responded that the pattern is very similar. Dublin always ranks much above other cities, with few exceptions. The National Citizen Survey was facilitated through another staff member; he cannot speak on behalf of that research. His understanding is that what they measured and what Saperstein measured on baseline variables are fairly similar.

Mayor Lecklider stated that he understands the survey results will be available on the city's website. Will Council receive hard copies of the reports?

Ms. Puskarcik responded that printed copies are available for each Council member tonight. The complete report is also online at the city's website.

Mr. Saperstein offered that anyone could contact him with have additional questions. Mayor Lecklider stated that the results are very positive and Council is appreciative of the work done by Saperstein on this initiative.

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CITIZEN COMMENTS

There were no citizen comments regarding items not on the agenda.

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, he moved to approve the actions listed for the seven items on the consent agenda. He noted that he would abstain from voting on the minutes of March 25, 2013 due to his absence.

Mr. Gerber seconded the motion.

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

Approval of Regular Meeting Minutes of March 25, 2013

Notice to Legislative Authority of Transfer of D1, D2 and D3 permits from Calimira LLC, dba Rusty Bucket Corner Tavern, 6726 Perimeter Loop Road, Dublin, OH 43017 to Roca Mar LLC, dba Alegria's Seafood & Mexican Grill, 6549 Perimeter Drive, Dublin, OH 43016

Ordinance 28-13 (Introduction/first reading)

Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire a 0.016 Acres, More or Less, Permanent Shared-Use Path, Utilities, Drainage, and Grading Easement; a 0.009 Acres, More or Less, Temporary Easement; and a 0.006 Acres, More or Less, Temporary Easement from Neal M. and Nancy S. Hahn. (Second reading/public hearing April 22 Council meeting)

Ordinance 29-13 (Introduction/first reading)

Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire a 0.127 Acres, More or Less, Fee Simple Interest (with 0.127 Acres as Present Road Occupied); a 0.024 Acres, More or Less, Permanent Shared-Use Path, Utilities, Drainage, and Grading Easement; a 0.015 Acres, More or Less, Temporary Easement; and a 0.017 Acres, More or Less, Temporary Easement from Angela Haley, T.O.D. (Second reading/public hearing April 22 Council meeting)

Resolution 15-13 (Introduction/vote)

Accepting the Lowest/Best Bid for the Hyland-Croy Road/Brand Road Roundabout Project – No. 07-012-CIP

Resolution 16-13 (Introduction/vote)

Accepting the Lowest and Best Bid for the Dublin Road South Multi-Use Path Hertford Lane to Rings Road Project.

Resolution 17-13 (Introduction/vote)

Authorizing the Regulation of Traffic on Muirfield Drive and Other Roads in Muirfield Village and Waiving Certain Provisions of the Dublin Sign Code and Noise Ordinance in Conjunction with the Annual Memorial Tournament.

TABLED ITEM SCHEDULED FOR HEARING

Resolution 14-13

Approving Amendments to the Agreement between the City of Dublin and the Dublin Soccer League, and Authorizing the City Manager to Execute the Amended Agreement.

Mr. Earman stated that Council is reviewing the following matters tonight: Resolution 14-13, amendments to the agreement with DSL; and input regarding the Dublin Schools soccer academy and recommendation from staff. He will first provide information about

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the soccer program models that exist in other communities. He will then provide a recommendation to Council, which will focus on a solution versus creating more issues.

Community Youth Soccer Models

- In the last presentation, he described a pyramid approach to accommodations for levels of service. That model is typically found in most communities, with the recreation component as the strong base and obligation of the community. The other two levels of higher competition are handled in a variety of approaches. Dublin's structure is no different from those in other communities.
- Dublin's program is a bit different in that there are four organizations who have historically been involved with implementing the soccer program structure. There are a variety of approaches used in other cities, some of which may have one entity providing all programs. With four organizations providing the levels in Dublin, there is a need to work collaboratively.
- The City owns the fields, and therefore the use and allocation of that resource is under the City's discretion. The City has intervened multiple times over the years and has tried restructuring the boards, the allocation for different organizations, the makeup of different organizations – and all have been valiant efforts to move forward positively. In the past, there have been agreements with each of the organizations independently, and then the agreements were handled by the Dublin Soccer League for the individual groups, with Dublin Soccer League having an agreement with the City.

In reviewing programs offered around the country, there are two basic models.

Permit/fee-based model

This model will typically accommodate every type of service in Dublin. It is based on who qualifies to use it. There is a required permit, removing the need for formal agreements and is more based on requirements for use of the facility. This structure also requires established priorities – from recreation, non-recreation status to a not-for-profit status, how an organization is valued in the community, and resident versus non-resident consistency. These factors are all considered in setting the priorities for allocation. The fee structure is based upon the subsidized versus non-subsidized approach – who is desired to be served and to what level. Field fees can be done on a per field basis or a per participant basis. Each one of these models has many variables.

1. In terms of pros and cons, there are no formal agreements involved. It is based upon a requirement to be met to obtain field allocation and payment of fees. It also creates complete independence for the various organizations in terms of their decisions regarding governing and operations. If they do not comply with the requirements set by the City, they will rank lower in priority and may pay a higher fee for the fields.
2. He noted that permit enforcement is difficult and requires staffing.
3. In terms of the administrative application and approval process, there is staff time involved to handle this.
4. In his research of other communities, he learned that those of highest priority who do not pay fees for fields tend to claim that they need all of the fields. Conversely, for those who pay for the fields, they will tend to overcrowd the fields to save monies related to field rental. Not every model works for every community, based on variables.

Municipality administered soccer model

1. If a municipality is managing or operating/administering the recreation level, they also need to manage what goes on at the club level above that. The city program would be of higher priority to the levels above recreational.
2. All of the accommodations are dependent upon the municipalities and so all of the decisions are handled by staff and/or direction given by Council.
3. Residency requirements are typical for these types of programs.
4. In terms of "pros" – it takes away from the value of having community organizations operate some of these programs. Community organizations to bring the sense of community and there is value in that. It requires a business model,

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one of which would be similar to the ones the City has for nearly every program operated in Recreation Services. It would require somewhat more management.

5. As a program fully designed by the municipality, all decisions and issues are dealt with internally.

He emphasized that it is important to note that these are the foundations upon which most programs in the country are built.

Levels of programming

1. The recreation league is the City's highest priority and one that has been set as such by City Council. All of the decisions are focused on making sure that recreational soccer programs are of the highest priority. This level serves the entire community, accommodates everyone, and is non-exclusive. The residency requirements are stringent as well, including City of Dublin resident, school district resident, and corporate resident. Resolution 14-13 focuses on separating the recreation component so that it can be a focus.
2. For middle tier soccer programs, they have fluctuated in Dublin over the years. The original intent was to create a defined middle tier level.
3. The third level includes elite and select soccer programs and needs to be defined in terms of whom it is serving. He recommends it be limited to A and B teams only, as anything below this would be in a middle tier section. This is where competition between organizations begins to attract this same group of players. It does not encourage collaboration among these organizations.
4. Each of the organizations should be contributing to coach training – at all levels. The goal is to create a system that works for the competitive clubs and does not focus on keeping players at the recreation level.
5. From a program development standpoint, each needs to collaborate on developing all of the programs for the same purpose. Many camps can be offered that do a similar job versus contracting those out to other organizations or businesses.
6. Agreeable transitions must be created between these layers.
7. Another discussion point is what to do with club organizations if they are being separated from the actual recreation component. This can be discussed later in regard to the school programming.

Resolution 14-13

1. Key components of the agreement are solely to allow Dublin Soccer League to focus on its primary recreation program.
2. It limits the agreements with the club organizations.
3. It restructures the DSL Board of Directors to include only the DSL members.
4. He noted that City Council and the DSL have previously approved the amendments related to comprehensive background checks and implementation is now underway.
5. Some additions to the agreement requested by DSL are the continuation of their middle school, high school and DSX programs that are currently in place. There is also language in the agreement about the general recreation program not traveling outside the Dublin community, but these programs do travel outside the community. DSL would like to continue doing these programs and requests that Council consider this amendment.
6. DSL also requests inclusion of language that would allow them to assess some of the administrative fees for the costs associated with service to the clubs, including scheduling of the fields, lining of the fields, player carding, and MOSSL representation.
7. There is a correction needed under Article II, Section B(2), which relates to the school interscholastic program – as distinguished from the school soccer academy. The intent is to ensure that none of the programs interfere with the interscholastic programs that the schools offer for sports. Language was inadvertently deleted in the agreement, which should provide that anyone involved with DSL should not interfere with the school program.

He offered to respond to any questions from Council regarding Resolution 14-13.

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Mrs. Boring stated that she contacted the Law Director today regarding a correction to be made in the agreement and asked if that has been incorporated.

Stephen Smith, Jr. responded that the correction has already been made to Article II, Section B(2) where the language is now reinstated about DSL interference with the school program.

Mrs. Boring asked for clarification. The only item before Council tonight is Resolution 14-13, amendments to the existing agreement, correct? Any other matters related to the Dublin Schools is informational only, correct?

Mr. Earman responded that is correct. Resolution 14-13 does not include anything regarding the school program.

Mayor Lecklider asked if Council members have other questions for Mr. Earman, based on the presentation or the materials included in the packet.

Mrs. Boring stated that Article IV, Organization, addresses the Treasurer. Since the agreement defines the duties of the Treasurer as having custody of and signatory authority of all DSL funds, and given some of the problems experienced in the community previously, why is there not a secondary signature required?

Mr. Earman responded he does not believe that is an issue and that language can be added if Council so directs.

Mrs. Boring recommends that a provision be included requiring two signatures.

Mr. Keenan asked if this refers to check signing authority for funds, noting this is standard operating procedure for most organizations. It seems this would be appropriate, given the amount of money involved.

Mr. Earman responded that, currently, the authority lies with the Executive Director to sign checks, and this indicates that the Treasurer would also be a signatory to that. For clarification, is Council requesting there be a requirement for two signatures?

Mrs. Boring responded affirmatively.

Ms. Chinnici-Zuercher stated that the language reads that the Executive Director may also serve as the Treasurer, and therefore there is not a separation of duties.

Mr. Earman responded that this correction was made in July of last year, as the previous organization structure provided that the Executive Director was also the Treasurer. It was suggested by Council that this language be removed and that someone on the Board would also have that Treasurer responsibility.

Ms. Chinnici-Zuercher responded that the language currently states, "may" – so it is not mandatory. The Executive Director may also be the Treasurer, based on this language. She does not agree with this provision. The Treasurer should be a separate position from the Executive Director.

Vice Mayor Salay noted that the executive director is a staff position, and it would make sense that the staff person would be a signer.

Ms. Chinnici-Zuercher commented that the language indicates that the executive director is secretary of the board, can be the Treasurer, and develops all of the programs. She is not certain what the Board duties are, given this language.

Mr. Keenan stated that perhaps the check signing authority should have a threshold of a certain amount and anything over that amount would require signature of another individual. He agrees that this language is problematic.

Discussion continued.

Mrs. Boring moved that language be included to clarify this, and asked Mr. Smith for suggested language.

Mr. Smith responded that Section B deals with the duties of the Treasurer. This language can be pulled out so that it is not under the Executive Director section, and a line can be added about a requirement for two signatures.

Discussion followed about a threshold amount.

Mr. Smith stated that DSL is a separate entity, and requiring two signatures would be the appropriate step, as he is not familiar with their operations.

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Vice Mayor Salay asked if it would make sense for individuals entrusted with financial matters to be required to have similar background checks.

Mr. Smith responded that everyone associated with DSL is now required to have background checks, per the amendments Council approved at a previous meeting. The background checks include a list of crimes and offenses that will appear on such a report. Staff is still working on implementation of this specific process.

Mrs. Boring stated that in Article II (Organization Requirements)(3), it indicates that DSL Board meetings shall be open to the public. She read in some documents that DSL had conducted a board meeting and an executive board meeting. What is the difference between these entities? Since the meetings are open to the public, how is an executive board established, and are they allowed to vote or only bring recommendations back to the full board?

Mr. Earman responded that the current DSL bylaws state that the executive committee – which consists of all the elected recreation members of the organizations who serve on the Board – is the body that would approve all contracts and agreements. The other members of the Board include the club organizations, and those are typically organizations that DSL has contracts with and therefore are excluded from the contract and agreement approval process. As far as executive committee, there is an executive committee and committee meetings, but it does not reflect the full Board.

Mrs. Boring asked if under the bylaws the executive committee is to bring recommendations back to the full board or can the executive committee approve a vote and represent the board.

Mr. Earman responded that the executive committee has the authority to vote on agreements and contracts only. Anything the committee discusses would come back to the full Board for implementation or approval.

Mrs. Boring stated that the information that Council received about the executive committee meeting not supporting this was not brought back to the full board. Is that accurate?

Mr. Earman responded that there were two instances in which that occurred -- one in for the executive committee at the March 4 meeting and another one in April. There were two meetings held, one of which was to discuss items of which the board was in support of or not in support of and then discussed at the full Board to secure their input. There was a second meeting called and a vote requested, indicating that Council had requested input from just the executive committee.

Mrs. Boring asked if Council gave that specific direction – asking for just the executive committee vote/input.

Ms. Grigsby responded that there was Council discussion about taking information back to the DSL Board for input regarding matters that were discussed at the Council meeting.

Mrs. Boring stated that Council did not give such direction to the executive committee.

Ms. Grigsby responded that she does not recall any specific direction that it be the executive committee.

Vice Mayor Salay added that she does not believe Council referenced the executive committee whatsoever.

Mrs. Boring stated that Council cannot require that the executive committee meetings be open to the public, correct? Her reference point for executive committee is when Council adjourns to executive session for various matters, although these are different. However, when the bylaws indicate the DSL Board meetings are open to the public, are the executive committee meetings open to the public? If not, this motion would not be a public matter. Did everyone know where and when they were meeting so everyone could attend?

Mr. Earman clarified that this was an executive committee meeting of DSL and it was not done in executive session.

Ms. Chinnici-Zuercher clarified that an executive committee of a Board generally consists of the officers.

Mrs. Boring stated that she now understands the clarification.

Ms. Chinnici-Zuercher asked for clarification from Mr. Earman. She had heard earlier that in the amendments to the agreement prepared for Council's vote tonight that the club

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membership of the DSL Board is being removed – that it would be recreational members only.

Mr. Earman responded that is correct.

Mayor Lecklider invited public testimony. In the interest of everyone's time, he asked that those who speak not repeat the testimony previously given in support of the status quo. There is an extensive record of those comments. Council expects that the majority, if not all present tonight to speak to this matter are supportive of the amendments, but everyone can certainly make their position clear. He invited Mr. McMahon to testify, to be followed by the DSL Board member who has signed up to speak, and followed by others who want to offer comments and who have signed in to speak.

Ken McMahon, 5998 Rings Road, Dublin stated that he not certain about what items he should comment about – the specific Resolution 14-13 before Council tonight or the School program, as nothing has been brought up about the school program yet tonight. Mayor Lecklider clarified that Mr. McMahon signed up to speak and can comment as he chooses.

Mr. McMahon stated that there has been a tremendous amount of misinformation about the school program, which essentially does what the Dublin United program does. The Friday Night Lights program on the Schools Community Education Program site indicated ages 4-13. That is certainly significantly different than age U9 through 14. In the fall, the Dublin Soccer Academy, advertising on the Community Education Program site, indicated ages 3-8. His question is what exactly is the program? The e-mail from the School Board indicated that it was a middle school program. In talking with Board Member Valentine, it is certainly not designed to be an interscholastic, middle school program – but that was the implication in the e-mail that was sent out. As far as the Dublin Soccer League is concerned, he has been attending their meetings since 1997, and he believes this Dublin Soccer Academy for ages 4, 5, 6, 7, has nothing to do with Dublin United but is in direct competition with what the Dublin Soccer League is doing. DSL starts at U4, but the school program has ages 3-8 on Sunday afternoon at the high schools. In talking to the high school varsity coaches, they knew nothing about the school program until they received the e-mail from the Schools. There is so much misinformation circulated, no detail, and yet it is not supposed to impact the DSL negatively? Are they actually recruiting for the age 3 group to let people know about a program that starts at age U9? Ages 3-8 are the heart of the DSL program, yet the Schools will say it will have no negative impact on the DSL. He believes it will have a tremendous negative impact. The Schools have a tremendous advantage over public entities in that they have a captive audience and can send out an e-mail to every Dublin School resident very quickly. They work with two of the Dublin high school coaches on a regular basis. They will support the high school program, but will not adversely affect the DSL. In fact, they work closely with the DSL.

Mayor Lecklider asked if he had comments specific to Resolution 14-13.

Mr. McMahon responded that in regard to the check signing, the organization writes numerous small checks and changing the bylaws in this way would be significant. Council should include a dollar amount as a threshold for requiring more than one signature. His concerns are mainly with the school program.

Mrs. Boring commented that the City has no involvement with the school program, and she suggested that anyone who wants to address or discuss the school program be referred to the Board of Education.

Mr. Gerber stated that he is somewhat confused. He recalled that at the last discussion regarding soccer, Council adopted the amendments to the agreement that related to background checks. Subsequently, the DSL Board did so as well. He had understood that Council directed that the remainder of the proposed amendments to the agreement were to be vetted by the DSL Board, worked out, voted upon, and then brought back to Council.

Mrs. Boring stated that DSL did take a vote.

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Mr. Gerber stated that the only issue before Council at this point then is to ratify the vote already taken by the DSL Board.

Mr. Earman clarified that the DSL Board has not formally ratified the amendments to the agreement. They have voted on the issue of whether or not they were in support of or not in support of the topics brought to Council tonight – without the school program being considered -- as it is not part of the amendments.

Ms. Grigsby stated that the vote at DSL was not a formal vote. They are now waiting for Council to vote and then DSL will formally vote on the amendments. DSL did have discussion and identified that four board members were in support and two were not support of the amendments.

Carri Stearns, 7269 Coventry Woods Drive, Dublin stated that she wants to comment regarding the approval of a mock vote of the DSL Board, of which she is a member. When Mr. Earman made Council aware of a correction needed to be made, that is a complete misstatement. The reason the Board approved the amendment was because that language was in the document. The correction that he is asking Council to make to the document is not something the DSL Board would have agreed to.

Mrs. Boring asked for clarification. She had asked that Mr. Earman bring forward the correction tonight – namely, that anyone involved with DSL should not interfere with the school interscholastic program– as this language was inadvertently struck in one of the versions of the revised documents. This language is to be reinstated.

Ms. Stearns stated that the correction she refers to is that the school program is the preferred provider – Dublin Soccer League does not support the inclusion of this language in the agreement.

Mr. Earman and Mrs. Boring indicated that language is not in the amendments to the agreement.

Stephen Smith, Jr. clarified that such language has been in the agreement previously and remains in the agreement before Council.

Ms. Stearns stated that language has been taken out.

Mrs. Boring stated that is not the correction to which Mr. Earman is referring.

Mayor Lecklider asked Ms. Stearns whether the comments being attributed to Mr. Earman are the ones made at tonight's meeting.

Ms. Stearns responded affirmatively. She does not have a conclusion about this matter, but would also like to address the issue of a vote or non-vote of the Board.

Mayor Lecklider clarified that the exchange between Mr. Earman and Mrs. Boring tonight was with respect to signatory authority.

Mrs. Boring stated that the other item related to the language that, "no coach or other person associated with DSL shall interfere in any manner" The "other person" language had been struck, and she has asked for that to be reinstated. The version on the dais tonight distributed by Legal staff does include that language.

Mr. Earman clarified that this language relates to the interscholastic program of the schools – not the Community Education program.

Ms. Stearns commented in regard to the vote or non-vote on the amendments. The Board did have a vote in the executive committee meeting; there was never a vote of the full Board because at that point in time, there was a pecuniary interest in the school program. For this reason, the vote was never a valid vote of the full board.

Mrs. Boring asked for clarification.

Ms. Stearns responded that a vote was not requested nor was a motion brought forward at a full Board meeting. Therefore, it was never a vote taken at a full Board meeting. Mr. Earman stated specifically that this Council did not want to have a vote by the Board of DSL, but only to assess whether the Board members were in support of or not in support of the agreement. The Board then had a vote by a motion and second at an executive committee meeting with the only members of the Board that would have been able to

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vote on it. Ms. Stearns stated that she is an elected member of the Board of the Dublin Soccer League and understands the challenges the soccer situation has brought to all of Council. She hopes that the DSL also reflects that frustration. She is not present to speak on behalf of the DSL Board. She speaks on behalf of the Dublin Soccer League and staff and to provide the League's view on the Dublin Soccer Academy school program. The DSL consists of 2,500 participants and three long tenured staff members. There are four elected members of the DSL Board – four volunteer Board members who chose to join the DSL Board and support the best interests of the DSL. Her agenda as a member of the Board is simple: she supports what is best for the DSL and, more importantly, she supports the staff and their views and opinions. The DSL staff has made it clear since they were "blindsided" by Mr. Earman about the Dublin Schools' Dublin Soccer Academy in February of 2013 that the DSL would not support this program. DSL supported sending a letter to Council, which was provided to Mr. Earman on February 11 and was to be shared with Council. However, the letter was not shared until April 4, 2013 when she brought it to Council. Not only have the facts about this program been misleading, but they continually change, based on the audience. The DSL does not support or endorse the program, which is not needed in this community, and which would inevitably do far more damage to DSL. The ages of the children targeted by the school program are the exact ages of the children in the DSL and the criteria to participate match DSL to the letter. Mr. Earman has misrepresented the view of the DSL to this Council and she is present to request that the Council members respect the position of the DSL and not support any endorsement of Dublin Soccer Academy or the School program. She finds it unfair and inappropriate that the facts about the school program that are being released to the community by Mr. Earman and Ms. Grimes are misleading families. The communications from them have misled families into thinking their children would play for their respective schools and that it is interscholastic. She would like the Dublin Schools Community Education Program to be held accountable to speak honestly to Dublin families. They should not misrepresent the DSL support of this program. There are numerous successful soccer programs thriving in the community already, including DSL and Dublin United. School resources would be better used in serving the core mission of a public school district, which is the education of children, instead of competing with private, successful established organizations. She recognizes that the Dublin Soccer Academy and the school program could move forward regardless of the actions of the DSL and the community. However, she requests that Council respect that the DSL has not supported or endorsed it and does not plan to do so in the future.

Jim Sturm, 3204 Saybrook Court, Dublin School District stated that he serves as President of the Mid Ohio Select Soccer League (MOSSL). He requests that Council adopt the proposed amendments before them tonight as well as the Dublin Schools proposal. The amendments, if approved, will permit the continued growth of youth soccer in the City of Dublin and the Dublin School District. Nothing in this proposal will restrict or otherwise impede any of the current soccer programming that exists in this community. This proposal merely expands the number of options, choices and opportunities that could exist in Dublin, side by side, with the current clubs and leagues. Why not let the players and parents have the opportunity to choose which type of programming -- considering cost, coaches and competitions -- that best suits their needs? It is noteworthy that many who now oppose this proposal represent an organization that a few years ago argued before Council that they should be recognized by the City as an alternative to the then existing soccer programming. Ironically, they are now arguing against additional programming choices for the residents of Dublin. Choice is a good thing, and he requests that Council adopt the proposed amendments.

Anthony Ciriaco, 4915 Brand Road, Dublin stated that he serves as the president of Club Ohio and is also a 30-year resident of Dublin, who has raised two children who played soccer at different levels. One played at the highest of the select levels and one played and enjoyed recreational soccer only. He is a firm believer in giving as much choice as possible to the residents of this community. Everyone wants to play and have fun, and some want to do it at different levels. He supports the proposal for three reasons. First, it puts the focus of DSL back on recreation, where it is best suited. Second, it allows the

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clubs independence, which the clubs had for over a decade prior to the current arrangement. He noted that Club Ohio and Ohio Premier have both regional and national reputations and have brought Dublin into the national and regional spotlight. In addition, the clubs have brought significant revenues to the City with tournaments that are held in the City. Third, Club Ohio supports the proposal because it improves competition. The most important thing is to give people choices so their children can play at the level in which they are comfortable. Their club is in full support, and he is in full support as a resident. He noted that Mr. Earman has done a wonderful job and has been very helpful in responding to questions.

Joe Proctor, 4857 Avondale Ridge, Dublin stated that there were many questions the last time this matter was before Council. One of the directives was around the various entities involved in Dublin soccer and that they be involved in putting together the proposal. To date, that is not happening. There have been sidebar conversations, but there has not been one discussion with Dublin United. He is a Dublin United board member, but is also a resident and someone engaged in DSL as a parent of five children. Once again, there is a lot of ambiguity and little dialogue taking place among the entities currently engaged in soccer. He agrees with the sentiment that choice can be a good thing. History over the last eight years indicates that Dublin United is providing a terrific program as well as the DSL at the middle tier level. The clubs have enjoyed a very successful decade as well. The discussion at this point is about change for something that is working quite well. The issue that is interesting is that when a new choice is provided that potentially weakens the existing choices, and then it does not succeed in its own right, there is risk to the community. What could result in a few years is three or four weakened entities, including the new one being supported. That is not part of the immediate proposal in front of Council tonight – the school program – but there is a lot of misinformation about that. There is a lot of similar misinformation about what has transpired at the DSL Board. He was told that the amendments were actually disapproved. He was told at the last Council meeting that absent approval by both the DSL Board and City Council that there would not be an ability to change the agreement. However, before Council now are changes to the agreement yet again. Lastly, the DSL is an organization that has its faults, but at the same time has worked tirelessly to provide a good product and continues to do so. It has multiple programs and has worked reasonably well with the clubs and with the middle tier over the years. He asks that Council again consider that there is a great set of programs that are working in Dublin, providing youth-based soccer and to be careful about changing what is already in existence.

Chris Clinton, 5308 River Forest Drive, Dublin stated that he is past Chair of DSL and a soccer coach with Club Ohio. He is opposed to the agreement. He does agree with the choice aspect, but he is confused about the co-mingling or lack of mingling of the school agreement with the Dublin United agreement or the DSL agreement. What he has noticed is that Mr. Earman's presentation included a pyramid, which is a model for how programs work within communities across the country. He does not understand why there is an impetus to break it up. Five years ago, he was involved in creation of many of these agreements and they are working. The soccer landscape changes from year to year, but in the end, everyone works together and puts soccer teams on the fields. Mr. Sturm and his organization of MOSSL requires that in order to play on the leagues that MOSSL sponsors one must be a member of a recreation community. He finds it hard to understand how Mr. Sturm can talk about something outside of this model, such as taking the two clubs outside of DSL. As he noted, he is with Club Ohio and Mr. Ciriaco testified that the Club is in support of this. However, he is one of many Dublin coaches and he is not supportive and was not consulted.

Mayor Lecklider invited Council members to bring forward any questions they may have for staff.

Ms. Chinnici-Zuercher noted she was not present at the Council meeting where these matters were discussed previously and missed the presentation about the reasons for consideration of these amendments. What prompts the need for these at this time?

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Mr. Earman responded that the reasons for the amendments to the agreement relate to the dissention among all of the organizations involved and the focus on club-related matters by DSL, not allowing DSL to focus on the recreation program. In each of the existing agreements between DSL and the clubs, there are ongoing issues of holding the clubs accountable for various provisions of the agreements. Each of the club organizations have technically not abided by certain provisions of those agreements. With those issues arising continuously, the DSL cannot devote time to handle them.

Mr. Keenan stated that Mr. Earman has mentioned a "straw vote" by DSL Board, voting in support of or not in support of the agreement. He asked for clarification.

Mr. Earman responded that the support requested was in regard to the key components of what is presented to Council tonight in the amended agreement. There was a unanimous vote in support of them.

Mr. Keenan asked if Council approves this resolution tonight, will the DSL Board still need to give final approval?

Mr. Earman responded that is correct.

Stephen Smith, Jr. clarified that there is an existing agreement between the City and DSL that remains in effect for two more years. Staff is requesting changes to the agreement and both parties, DSL Board and Council, would need to approve them. If the changes are approved by Council and not by the DSL Board, the existing contract would still remain in place for the next two years.

Mrs. Boring stated that she has been very dismayed with what has taken place in the community for two months regarding these matters. If the DSL Board does not approve the amendments, what options are available to the City in order to resolve the situation? The focus is obviously not on the children at this point.

Stephen Smith, Jr. responded that Legal staff could identify options going forward, but only after the DSL Board considers the amendments. A current agreement is in place for two more years.

Mr. Gerber prefaced his comments by stating that he believes the City should be involved in the recreation leagues only. He was under the impression at the last discussion about the amendments to the soccer agreement that a portion of the amendments were tabled in order that the DSL Board could consider them, fully vet the issues, vote upon the amendments, and only then would it be brought back to Council. He is not certain what the DSL Board wants to do with the agreement at this point. The Executive Director of DSL or the Board President has not testified about this matter to Council, and it seems that the Executive Director would come forward to express support. Even if Council should approve the amendments, the DSL Board may approve or disapprove the amendments. He is not certain what Council has gained over the last couple of months while this was postponed.

Mr. Earman responded that some of the confusion relates to the amendments to the agreement before Council tonight versus the school program. They are completely separate items.

Mr. Gerber stated that he is considering only the amendments before Council tonight with Resolution 14-13. It seems that the testimony relates to many other matters aside from Resolution 14-13. What has changed in the past two months about the status of the process?

Mr. Earman responded that the DSL Board has indicated they support the items in the agreement. They have not formally voted to approve the amendments, but have unanimously voted to accept the items in the agreement, as Council has requested.

Mr. Gerber asked if he is missing minutes that reflect the Board's actions.

Mrs. Boring responded that a smaller group met and voted 2-2.

Mr. Earman clarified that the smaller group of the DSL Board met regarding the school issue. In terms of the amendments to the agreement before Council tonight, these were reviewed by the Board and they expressed unanimous support for the amendments. That was reflected in the information provided in the packet.

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Vice Mayor Salay stated that there seems to be some dispute among those who spoke tonight about the DSL Board's support of the amendments.

Mrs. Boring commented that people are working under the belief that if something is working well, change is not needed. She does not believe it is working well. If the same concept is used going forward, a monopoly will continue to be supported. She has heard similar excuses from cable companies, utility companies, etc., that there is no need for competition if things are working well. It seems that people are fearful of competition, based on the input. It is very discouraging to hear about what has transpired over the past two months. If DSL and Dublin United parents were aware of what was transpiring, they would not be happy about it. Many people have contacted her regarding these matters. These amendments are consistent with Council's vision regarding recreational soccer programs. Council should approve these amendments and move forward.

Mayor Lecklider called for a vote on Resolution 14-13, including the correction that has been brought forward by Mrs. Boring and included in the document provided by Mr. Smith tonight, as well as the revision that relates to Article IV, Section 4(B) regarding the Treasurer. He asked for confirmation from Mr. Smith.

Stephen Smith, Jr. confirmed:

1. There was a change, noted by Mrs. Boring, to Section B(2)(1) that referenced an inadvertent strikeout of the language "or other person associated with DSL".
2. The language regarding the Treasurer in Article IV, Section 4(B) is to be separated out from the Executive Director duties. Further, the language that the Executive Director may serve as Treasurer is to be eliminated and Section 4(B) is to be pulled out and placed in its own section regarding the Treasurer.

He noted that a remaining issue relates to a requirement for two signatures for checks, and whether Council desires to set a threshold amount for requiring a second signature.

Ms. Chinnici-Zuercher stated that she could not recommend an appropriate threshold without having more information.

Mr. Smith responded that perhaps Council should make a recommendation to DSL about such a threshold amount and DSL could bring something back regarding what they believe is workable for them.

Ms. Grigsby stated that Council could direct staff at the administrative level to review and determine an appropriate amount for a threshold, based upon discussions with the DSL Board. Staff can then make Council aware of the dollar amount determined for such a threshold.

Vice Mayor Salay and Ms. Chinnici-Zuercher indicated they would support this plan.

3. It was the consensus of Council to require two signatures on checks in excess of a dollar amount to be administratively determined after discussion with the DSL Board.

Vote on the Resolution (including the three changes outlined above):

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

SECOND READING/PUBLIC HEARING - ORDINANCES

Ordinance 22-13

Rezoning Approximately 28.1 Acres Located on the West Side of Hyland-Croy Road, Approximately 1,030 Feet North of the Intersection with Brand Road and Mitchell-Dewitt Road, from R, Rural District to PUD, Planned Unit Development District (Celtic Crossing PUD) to Establish a 44-Lot Single-Family Detached Residential Development and 8.75 Acres of Open Space. (Case No. 12-082 Z/PDP/PP)

Mr. Goodwin stated that this rezoning ordinance was introduced at the March 11 Council meeting. The primary point of discussion at that meeting was the tree replacement

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requirements for the development. The applicant had proposed within the rezoning development text to include some modified tree replacement requirements versus a more typical tree waiver process, which typically comes before Council as a separate agenda item. Council expressed concern with this approach and requested that the language be removed from the development text and that a separate waiver be brought back to Council. The applicant has provided a revised development text that removes that language and now states that the tree replacement is per Code unless otherwise approved by Council. No tree waiver request has been included on tonight's agenda, however, as the applicant has elected not to pursue a waiver at this time. Per discussion with staff, they have decided to move through the final development plan review process with the Planning and Zoning Commission and seek additional opportunities to replace as many trees as possible on the site through that process. No other changes have been made to the text or the proposed development plan.

Ben Hale, Jr., Smith & Hale, 37 W. Broad, stated that this rezoning has been reviewed by the Planning Commission. The applicant worked very closely with the Parks Department regarding the bikepath, which will run from the school and through the park. They hope to resolve tree replacement needs through the final development plan process, but if a tree replacement waiver is needed, they will file an application requesting the waiver. An effort is being made to protect all the trees along the north property line. One of the reasons the bikepath has been placed within the field is to protect those trees. A drainage ditch along the north side of the property will pick up the sheet flow, empty it into the creek, and prevent it from reaching the homes. The bikepath and drainage issues have been thoroughly considered. They have been very careful to ensure that the homes along the tree line will not have future water issues. All the lots are 90 feet wide and can accommodate three-car garages.

Mr. Reiner stated that the plan provides an interesting variety of amenities for its future residents, and successfully retains most of the green area. The remaining question for him concerns the homeowner associations (HOA) ability to maintain it. How will it be set up?

Mr. Hale responded that most of the area will not require much maintenance. The creek will be left in its natural state. With the small number of residents, the HOA fee will not be large. The City will hold the title to the open space, so the residents will not have to pay taxes on that land. The space will also be low maintenance. In some cases, they have worked with Parks to take over some of that maintenance, although that should not be necessary in this development.

Mr. Reiner stated that, based on past experience, Council is concerned that this small number of houses will not be able to handle the cost of the maintenance and will ask the City to assume responsibility in the future. In this plan, there are three water features with aerators. He wants to ensure that the HOA funding is set up in such a way that these features are self contained and maintained, and do not become a burden for future taxpayers.

Mr. Hale responded that it will be a forced and funded association and will be able to handle the low-cost maintenance needs.

Mrs. Boring inquired if mailboxes are addressed during the plan reviews.

Mr. Goodwin stated that they would typically be addressed in the final development plan process. It is detail that is not always addressed. They can work with the developer, however, if a particular characteristic is desired.

Mrs. Boring requested that staff consider this feature during their reviews, as the mailbox appearance is important to the aesthetics.

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

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Ordinance 25-13

Rezoning Approximately 3.02 Acres Located on the West Side of Coffman Road, Approximately 300 Feet North of the Intersection with Roscommon Road, From R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District (Coffman Reserve PUD) to Establish a Six Lot Single-Family Detached Residential Development and 0.29 Acres of Open Space. (Case 12-066Z/PDP/PP)

Ms. Husak stated that the first reading of this ordinance occurred at the last Council meeting, and Council had several questions. Staff's responses to those questions have been provided in tonight's packet. The issues related to tree preservation, sidewalk connections and stormwater management maintenance issues for the HOA. The site is on the west side of Coffman Road, just north of Roscommon. The proposal is for a preliminary development plan and plat for six lots of a new street off Coffman Road.

- The street name has changed from Killarney Court, as proposed at the last meeting, to Brennan Court, which is a street name that does not already exist in Dublin.
- The plan is the same as presented at the first reading. The second reading memo points out that the proposal now includes the removal of three trees to the north of the existing home, to enable construction of the road into the development. Those are large pine trees, totaling 82 inches.
- Also included in the packet is a map that shows the trees on the north side of the proposed road, which are intended to be preserved in a reserve area. This is also the area where the sidewalk stops at the top of the cul de sac. There are 21 trees along the northern property line, which provide a natural buffer to the residents in Hemingway Village. Staff is satisfied with the sidewalk not being extended on the north side of the road for two reasons: (1) the sidewalk is not intended to be a loop, but to enable the residents to access the larger sidewalk system on Coffman Road; and (2) for reasons of tree preservation and keeping the buffer in place.
- In regard to stormwater management, Planning and Engineering staff have been working together to provide the information regarding stormwater management as requested by Council at the last meeting. The applicant and staff are most comfortable with the proposed plan as presented at the last meeting and which remains in the plan presented, including a dry retention basin between Lots 4 and 5. The City cannot waive the Ohio EPA stormwater management requirements, although they can be accommodated either underground or in this type of facility. All parties preferred the proposed arrangement, because it would be low maintenance. The HOA would have mowing costs, which the applicant estimates at \$350 year for each of the lots. The facility would also be in the open, and therefore not forgotten. An underground system would also have maintenance costs, which could be greater than these.

Vice Mayor inquired about the tree removal/replacement on the south side, at the rear of Lots 1 – 5. The neighbors have expressed a desire that the trees remain.

Ms. Husak responded that the trees are intended to remain. There will be utilities along the rear, but they are moved north so that the trees can remain.

Vice Mayor Salay stated that she assumes that means there will be the customary tree fencing. Will that be a no-build area?

Ms. Husak responded that it is a 25-foot setback, with trees very close to the common property line.

Vice Mayor Salay inquired if the 25 feet setback is sufficient for the trees' root zone.

Ms. Husak responded that staff believes it should be sufficient.

Mayor Lecklider invited the applicant to testify.

Charles Ruma, 10104 Brewster Lane, Powell, Ohio stated that they are in agreement with Planning staff to keep the plan as proposed, which provides for a detention facility. They are also foregoing any request for a stormwater waiver.

Vice Mayor Salay inquired about the anticipated construction and build out dates.

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Mr. Ruma responded that there is the possibility of constructing the road this year. If that is the case, build out should occur over the next 12 months. Based on recent home sales, he anticipates the homes to sell quickly, particularly as they are located in within the Coffman High School district.

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 26-13

Authorizing the City Manager to Enter into a Real Estate Purchase Agreement with Wendy’s International, Inc. for the Purchase of 2.37 Acres, More or Less, Generally Located to the Southeast of Riverside Drive and West Dublin-Granville Road Intersection.

Mr. McDaniel stated that this real estate purchase agreement will authorize the City Manager to execute the agreement to purchase the Wendy’s International, Inc. restaurant located at the corner of SR 161 and Riverside Drive. This purchase is prompted by the anticipated roadway improvements to be made at the intersection. Those improvements are expected to impact significantly the ingress/egress to the site, and so the City has been working proactively with Wendy’s for two years to facilitate this purchase. Wendy’s has already been before Council concerning their new restaurant that they propose to build immediately to the east behind the existing restaurant. The purchase price agreed upon for this existing restaurant property is \$2,000,000, which is considered a fair and appropriate price, based upon the appraisal and negotiations.

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

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 27-13

Rezoning Approximately 26.5 Acres Located on the North Side of Rings Road, Approximately 1,100 Feet West of the Intersection with Eiterman Road From R, Rural District and R-1, Restricted Suburban Residential District to PUD, Planned Unit Development District (Links at Ballantrae PUD) to Establish a 45-Lot Single-Family Detached Residential Development and 7.08 Acres of Open Space. (Case 12-066Z/PDP/PP)

Vice Mayor Salay introduced the ordinance.

Ms. Husak stated that this is a request to approve a new planned unit development for 26.5 acres located just south of Ballantrae on the north side of Rings Road. To the west and immediately adjacent to the site is The Woodlands of Ballantrae Condominium area. To the east is the Washington Elementary School, as well as the Northwest Chapel of the Brethren Church.

- The Planning and Zoning Commission (PZC) reviewed this plan a month ago and voted to recommend approval to City Council with several conditions. One condition was to eliminate one lot, and the plan presented to Council reflects that.
- The City will maintain approximately five acres of the 7.08 acres of open space.
- On the southwest corner, there is a portion of the Rings-Cosgray Connector, from which the development will have one of its main access points. A second access will be off Marmion Drive in Ballantrae to the north.
- Sidewalks and bikepaths are proposed along all of the public streets as well as a connection to the west with the elementary school. There is a condition that the applicant work with the school to determine the appropriate location for the bikepath.
- There is also a one-acre open space that the applicant will program for a central park area for the neighborhood.
- Also proposed is a 25-foot tree preservation zone for lots with mature trees along the rear of the development, which are the lots to the north and to the west.
- There have been some communications with the Patch family, who own a house just north of Rings Road and immediately adjacent to the site. The applicant has been working with Engineering to move the road slightly to the east and away

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from their home. There is also a condition that would require the applicant to work with staff and the Patch family at the Final Development Plan stage to provide additional buffering and landscaping for that parcel.

- The applicant has been working with staff to address the PZC conditions. All items related to the development text have been addressed and are incorporated in the revised text provided to Council. The other conditions will be addressed in the Final Development plan stage.
- There was discussion at the PZC meeting about the garages. The applicant has committed in the development text to require 50% of the lots to have a side-loaded garage. Some of the Commissioners wanted to require the applicant to provide three-car garages. The applicant has provided a letter in Council's packet tonight stating a preference for having an option for two-car garages, so that condition has not yet been addressed.

Mr. Gerber referred to Condition #16, which would require three-car garages. Is the City requiring this of developers now?

Ms. Husak confirmed that PZC did so.

Mr. Gerber inquired if that action is market driven.

Council members expressed concern regarding whether or not this is appropriate for their purview.

Ms. Husak deferred that question to the applicant's representative.

Ben Hale, Jr., Smith & Hale, 37 W. Broad, stated all the lots would accommodate three-car garages. The applicant has already committed to ensuring that at least half of the homes would have three-car garages, because there would be sufficient market for that percentage. However, some people do not want three-car garages, and they would like to have the option for two-car garages. Working with the Parks staff, they have congregated the open space, and the Parks division has agreed to take those for maintenance purposes. The plan currently has more than twice as much open space than is required by City Code. Almost all the open space in the front of the development, with the exception of the entryway area, will be maintained by the City. After it is programmed, the one-acre park space will also be maintained by the City. The homeowners association will provide the maintenance for the entryway features. They have not requested a tree waiver. He reiterated the applicant's request to maintain their current text provision that 50% of the houses will have three-car garages, which gives them the opportunity to provide a choice to their buyers.

Mrs. Boring stated she assumes that if a homebuyer chooses a two-car garage, they would have greater interior living space.

Mr. Hale responded that the homebuyer would have either a larger interior space or a larger lawn.

Mr. Reiner stated that this project has been in process for some time. Recently, Council has suggested that staff encourage a more creative layout for homes on the lots, similar to the first phases of Muirfield, where there were radiating lots. That is much more attractive than having hundreds of houses lined up on a grid, looking into three or four other properties. This is an older plan, so that has not been requested for this plan. However, it is hoped that future projects will achieve a more creative layout of the homes on radiating lots, so that homeowners do not have to invest so much in landscaping and screening to achieve privacy. This site has 26 acres, however, so it would have been possible to do a very creative layout.

Mr. Hale responded that in this case, twice the amount of open space is being provided than what is required by Code. With the future road impacting this development, not only was it necessary to consider the setback from Rings Road, but also from that future road. Working with staff, the best option was to congregate the open space and have the future road enter that open space through the middle. The space will be programmed nicely and make an attractive entryway into the subdivision. He understands what Mr. Reiner is suggesting, but it would be best not to make that a monolithic requirement, because it could result in a missed opportunity.

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Mr. Gerber stated that he and Mr. Reiner have discussed this and in the future, they would like to encourage this type of creativity in layouts.

Mr. Hale responded that he was present when the Muirfield development was approved and completely understands their point.

Mrs. Boring stated that she does support the concept of the open space at the entrance into the subdivision because the homes will not be impacted by headlight trespass. She asked why the road is curved, given the existing home in this location. Why isn't the road straighter and directed to the far corner?

Mr. Hale responded that it is for the purpose of radius.

Mr. Hammersmith clarified that the purpose is to provide a tangent section north of Rings Road, so they can have an appropriate intersection in that location. As future improvements occur, it is anticipated that a roundabout will be planned for this area. They will be working to move that point of intersection further to the east, and a road to the south that will tie into Tuttle Crossing.

Mr. Keenan asked if the City has an easement in this location for a future roundabout.

Mr. Hammersmith responded that the City owns all of that property and has worked as much as possible to achieve distance from that rear corner. It is slightly over 40 feet from this corner to the rear corner of the Patch property.

Ms. Chinnici-Zuercher stated that she believes the applicant should provide as much landscaping buffer as possible for the Patch family at the developer's cost.

Mr. Hale responded that they have agreed to do that with the Final Development Plan.

They have a good relationship with the Patch family and are trying to accommodate them in any way possible.

Mrs. Boring stated that in the past, the City required developers building in Union County to include information on their sales brochures concerning items of interest. For example, she assumes that information will be included on these sales brochures regarding the fact that the development is in the Hilliard School District. Another item important to point out to potential buyers is that there are railroad tracks existing in this vicinity.

Mayor Lecklider invited public testimony.

David Patch stated that he represents his mother, who lives at 6800 Rings Road, which is in the southwest corner. Originally, the road was immediately next to the fencerow. It is very flat in that location, and when entering a subdivision of \$400,000 homes, it seems the road should be moved further east. Staff and the applicant are trying to make that happen. Today is the first opportunity he has had to see a diagram reflecting where the road might go -- which is where he has been suggesting it be placed. He has not seen anything on the plan indicating that there should be certain trees. At some point, this should be a very busy intersection, probably connecting with Tuttle Road. The Rings-Cosgray corridor will be very busy. It would be nice to have mounding or landscaping in this location. Next to his mother's house in the southwest corner is the Amlin sign, so that area is probably not part of this. He lived in Amlin where his grandfather ran the post office and grocery store for 65 years. Amlin was to be a rural village and it would be desirable to have the Amlin sign remain in place, with some type of entry feature included. He understands that may not be this developer's issue, but perhaps Dublin would be willing to consider this in the future. His last question relates to obtaining water and sewer service for his mother's property. Rather than tearing up an existing road and all the greenspace, is it possible to bring that access to his mother's property? She has been in Dublin for 20 plus years, and still does not have access to City water and sewer.

Ms. Grigsby stated that staff can review the location of the water and sewer lines to determine how this property can be served.

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Mayor Lecklider asked that staff make a note of this and work with the Patch family regarding this particular issue.

Mr. Gerber asked if Council wants to address Condition #16, a requirement for three-car garages.

Ms. Husak clarified that the development text requires 50% side-loaded garages.

Mr. Keenan stated that the applicant indicated they would commit to 50% three-car garages.

Mr. Hale pointed out that if the garages are side-loaded, they can be three-car garages.

Mayor Lecklider stated that he does not believe it is desirable to require all side-loaded garages.

Mr. Keenan inquired how to correct Condition #16.

Vice Mayor Salay suggested that Condition #16 be eliminated.

Mr. Keenan moved to eliminate Condition #16.

Mr. Gerber seconded the motion.

Mayor Lecklider stated that a vote isn't needed tonight. Direction has been given to staff to remove this condition from the documents for the second reading.

There will be a second reading/public hearing at the April 22 Council meeting.

INTRODUCTION/PUBLIC HEARING – RESOLUTIONS

Resolution 18-13

Appointing Members to the Various Boards and Commissions of the City of Dublin.

Mayor Lecklider introduced the resolution.

Vice Mayor Salay stated that on March 6, Council met in executive session to interview candidates for board and commission openings and to consider the membership of the newly reconfigured CSAC Commission. She noted that Resolution 18-13 includes the following appointments: Rion Meyers to a three-year term on the Board of Zoning Appeals; Patrick Todoran to a three-year term on the Board of Zoning Appeals; David Rinaldi to a three-year term on the Architectural Review Board; and Philip Smith to a three-year term as City representative to the Dublin Convention & Visitors Bureau. Additional recruitment will take place for the remaining positions on the Architectural Review Board.

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 19-13

Appointing Members to the Newly Configured Community Services Advisory Commission of the City of Dublin.

Mayor Lecklider introduced the resolution.

Vice Mayor Salay stated that this resolution includes the following appointments to CSAC: Steve Stidhem and Bill Sherman to one-year terms; Mindy Carr and Todd Keiner to two-year terms; and Mel Ehrlich and Derek Graham to three-year terms.

Vote on the Resolution: Mayor Lecklider, yes; Mrs. Boring, yes; Vice Mayor Salay, yes; Mr. Reiner, yes; Mr. Gerber, yes; Mr. Keenan, no; Ms. Chinnici-Zuercher, yes.

COUNCIL COMMITTEE REPORTS/COUNCIL ROUNDTABLE

• **Finance Committee - Report & Recommendations from 4-8-13 Meeting**

Ms. Chinnici-Zuercher, Finance Chair stated that the Finance Committee of the Whole met prior to the City Council meeting tonight.

Ms. Chinnici-Zuercher moved to approve the Committee's recommendation for a \$16,000 hotel-motel tax grant to the Dublin Arts Council for a community research project.

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.

Held

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Ms. Chinnici-Zuercher noted that the Committee reviewed the first quarter financial reports and the City is in a solid financial position at this time. A lengthy discussion also was held regarding proposals for the Presidents Cup. If Council members have additional input on these proposals, they should forward them to Ms. Puskarcik as soon as possible. In general, those in attendance at the Committee meeting were essentially in agreement with the majority of what was being considered, with the exception of the Orange Barrel Media golf ball and Legacy projects.

Mrs. Boring:

1. Requested that staff contact Colleen Marshall (NBC4) and update her regarding Dublin's ranking in the Intelligent Community Forum (ICF) Top Seven Cities for two years. Ms. Marshall recently reported that Columbus was listed in the ICF Top Twenty Cities, but she did not mention any other community in Ohio that has received ICF recognition.
2. Noted that Scioto Park is schedule to receive full service facilities and asked Mr. Hahn to comment.

Mr. Hahn stated that is correct. Plans are currently under review in the Building division. As soon as a building permit is issued, the project will go out to bid.

Mrs. Boring inquired how water access will be provided to the park and whether that would factor into possible consideration of extending City water lines up Riverside Drive. Mr. Hahn responded that no such consideration is involved, as a City waterline exists immediately across Riverside Drive.

3. Referred to the Holder-Wright property update in Council packets, which indicates that the Ohio Historical Society will be cataloging artifacts from that site. In the long term, who will be able to display those or own them? Will the City retain them if a museum is established on the site?

Mr. Hahn responded that the City does not currently have a written agreement with the Ohio Historical Society, but, at a minimum, the City of Dublin will reserve the right to have these artifacts included in a City display. At this time, the ownership of those is being negotiated. Staff has made it clear that the City may have a long-term need to display any and all artifacts collected from the site.

4. Noted that one of Dublin's own young entrepreneurs was recently recognized in the *Business First* list of "40 under 40." This young man is the son of Council member Chinnici-Zuercher. Congratulations to Brian Zuercher on this honor!

Mr. Keenan briefly commented on the earlier hearing tonight of Resolution 14-13 related to the DSL agreement. It is important to clarify that much of the concern was related to money and the cost of programming. The cost can be anywhere from \$200 - \$1,000 or more for a family to have a child participate in a soccer program. The general population does not realize how much money is involved in this programming. Clearly, when passions are this high, it is often about money.

Vice Mayor Salay stated that a draft of the preliminary Council retreat agenda was provided in Council packets. The goal setting retreat will be held at the Venue at Corazon on Friday, April 26, beginning at 8:00 a.m. If Council members have any additional input, she asked that they provide that to her or to Ms. Ott. She and Ms. Ott will be meeting with the retreat facilitator, Julia Novak, to discuss the agenda.

Mayor Lecklider stated that he recently visited Dublin, Ireland over St. Patrick's Day at the invitation of the Lord Mayor and the Dublin, Ireland City Council. The trip was fantastic and he would be happy to share some of his experiences with fellow Council members at a later date. One comment of note is that their City Council consists of 52 members! They do have a City-Manager form of government. They were very grateful that our Dublin, Ohio community was represented. Other communities represented were Dublin, California; Dublin, Georgia; Dublin, New Hampshire; and a Dublin borough or township from Pennsylvania. The hosts presented him with some gifts, which he displayed. He requested that staff identify an appropriate place for their long-term display.

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

April 8, 2013

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DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held _____ 20 _____

ADJOURNMENT

The meeting was adjourned at 9:50 p.m.

Mayor – Presiding Officer

Acting Clerk of Council