

# RECORD OF PROCEEDINGS

Dublin City Council

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

June 24, 2013

Held

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Mayor Lecklider called the Monday, June 24, 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) and personnel matters (to consider the employment and compensation of a public employee or official).

Mr. Gerber seconded the motion.

Vote on the motion: Mayor Lecklider, yes; Vice Mayor Salay, yes; Ms. Chinnici-Zuercher, yes; Mr. Gerber, yes; Mr. Keenan. (Mr. Reiner and Mrs. Boring joined the session in progress.)

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

## **PLEDGE OF ALLEGIANCE**

Mr. Keenan 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, Ms. Readler, Ms. Mumma, Chief von Eckartsberg, Ms. Puskarcik, Mr. Wagner, Mr. Hammersmith, Mr. Hahn, Mr. Thurman, Ms. Ott, Mr. Gunderman and Mr. Goodwin.

## **CITIZEN COMMENTS**

Wallace Maurer, 7451 Dublin Road asked if he is correct in recalling that sometime within the last three to five months, Council approved hotel/motel tax funding to host a University and College Football Coaches event

Ms. Grigsby responded that is correct and the Top Gun Football Camp will be held at Dublin Jerome High School in mid-July.

Mr. Maurer stated that he objects to the City's hosting of that conference for football coaches. Football should be abolished from colleges and universities. It has nothing to do with colleges and universities, whose purposes are to devote themselves to studying the universe. It is a cultural problem, as well, because it gives children unrealistic expectations for being selected to play on a football team. Last November, The Ohio State University team played and won its last game of the season, giving it a perfect season. Simultaneously, he completed a written argument entitled, "Football Should Be Abolished from the University," and delivered it to a sector of the university. Although no action has been forthcoming, he planted a seed. He objects to both the money invested and the action itself. He offered to provide copies of his written argument to Council or read it at the next meeting.

Mayor Lecklider noted that at this point, the City's commitment to the Top Gun Football Camp cannot be altered.

Mike Bickley, 5839 Moray Court thanked Council for the opportunity to continue a dialogue regarding the Muirfield fence. In his previous comments on this topic, it was pointed out that the City Code prohibits this fence within Muirfield. This evening, he wants to focus on the Muirfield community. It is a unique community, comprised of 2,400 homes, approximately 8,000 residents, which constitutes 20 percent of Dublin's population. The residents chose this community for various reasons, one of which is the open spaces, vistas, views, and bike trails. The overall environment in Muirfield is unique, and they want to protect that. They have enjoyed having the Muirfield

Tournament as part of the community. As one drives through the community and walks on the paths, the course appears to be part of the community. The residents believe that any type of fence, particularly this fence, will change that ambience and environment. He was born in London, England and lived in Toronto. When one purchases a house in Canada, the next action is to install a fence. Fences run property line to property line, wall to wall. In Muirfield, there are open, green spaces with landscaping, and the community flows together. Fences will change that. The community became engaged with this issue from the start, forwarding a petition signed by 711 residents to Council, including submission of 108 written comments from community and business leaders. Their email list is comprised of 800 actively involved residents. At this point, there are two ways to proceed – either work something out as a community or end up in court together. Although they have two attorneys assisting them in their efforts, they do not want this to be taken to the courts. They believe there is still time to discuss this matter honestly and work out a resolution. A “back-room deal” between the City of Dublin and the Muirfield Village Golf Club is not the way to handle this. He requests that the City consider an opportunity to meet and discuss the matter.

Mayor Lecklider emphasized there is no “back room deal” occurring in this case. Mr. Bickley responded that he has no idea what is occurring. He simply noted that as a potential, it would not be an appropriate resolution.

**CONSENT AGENDA**

Mayor Lecklider noted that eight 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 no such requests, he moved to approve the actions listed for the eight items on the consent agenda.

Mr. Gerber seconded the motion.

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

- Approval of Minutes of June 10, 2013 Council meeting
- **Ordinance 55-13 (Introduction/first reading)**  
Amending Chapter 32 of the Dublin Codified Ordinances (Departments, Boards and Commissions) to Enact New Section 32.07, Community Service Officer Program. (Second reading/public hearing July 1 Council meeting)
- **Ordinance 56-13 (Introduction/first reading)**  
Amending Section 2 (Wage & Salary Structure/Administration), Paragraph (A) of Ordinance No. 73-06 (“Compensation Plan for Non-Union Personnel”) for the Purpose of Incorporating Certain Job Classifications and Corresponding Pay Grades. (Second reading/public hearing July 1 Council meeting)
- **Ordinance 57-13 (Introduction/first reading)**  
Authorizing the City Manager to Execute Necessary Conveyance Documentation to Accept the Dedication of a 1.330 Acres, More or Less, 40-Foot Wide Perpetual Easement for Utilities, Grading, and a Multi-Use Path from Sawmill Hard Center LLC. (Second reading/public hearing July 1 Council meeting)
- **Ordinance 58-13 (Introduction/first reading)**  
Amending the Annual Appropriations for the Fiscal Year Ending December 31, 2013. (Second reading/public hearing July 1 Council meeting)

- **Resolution 36-13 (Introduction/vote)**  
Accepting the Lowest and Best Bid for the Holder-Wright House Renovation.
- **Resolution 38-13 (Introduction/vote)**  
Accepting the Lowest and Best Bid for the Brand Road/Coffman Road Roundabout Project.
- **Resolution 39-13 (Introduction/vote)**  
Accepting the Lowest and Best Bid for the 2013 Storm Structure Maintenance Project.

**SECOND READING/PUBLIC HEARING - ORDINANCES**

**Ordinance 50-13**

**Rezoning Approximately 12.05 Acres Located on the East Side of Existing Drake Road Right-of-Way (to be Vacated), Approximately 200 Feet South of the Intersection with Springburn Drive from R, Rural District to PUD, Planned Unit Development District (Stansbury at Muirfield Village PUD) to Establish an 18-Lot Single-Family, Detached Residential Development and Approximately 4.5 Acres of Open Space. (Case 13-009Z/PDP/PP)**

Mr. Reiner recused himself because he is a voting member of the Muirfield Board.

Mr. Goodwin stated that this rezoning case was introduced at the June 10 City Council meeting. There have been no changes since the first reading. He offered to respond to any questions.

Ben Hale, Jr., representing the applicant, stated that subsequent to the Planning Commission hearing, they have continued to work with staff, and a number of the issues have been resolved.

1. They have reached an agreement with the Muirfield Association that the Association will own and maintain the open space that will be created with this development. The building plans will be subject to Muirfield restrictions and review before construction. All efforts have been made to integrate this development into Muirfield.
2. Planning Commission Condition #5 requires that the applicant verify the building envelopes to ensure all landmark trees are preserved. They have adjusted the lot lines wherever possible to protect at-risk landmark trees. Unfortunately, the landmark tree on lot 11 will be taken down, and another in the lot 13 right-of-way is questionable. All other landmark trees are in open spaces, and therefore will be preserved.

Mayor Lecklider asked if the language of Condition #5 is acceptable and if staff is satisfied that the applicant has made a good faith effort to meet that condition.

Mr. Goodwin responded affirmatively. The tree will be replaced inch per inch, per the City's tree replacement policy.

Mr. Hale responded that they would prefer the condition language requires "a good faith effort to reasonably assure that..." – even though they will replace the tree under the inch per inch guidelines.

Mr. Goodwin agreed that the language could be modified.

Ms. Readler stated that the language could be modified to state: "to ensure that, to the greatest extent possible and to the satisfaction of staff, all landmark trees are preserved." That will provide some latitude.

Mr. Hale responded that the amended language would be acceptable.

Mrs. Boring noted that Council has received a letter from the Muirfield Association expressing support for this development.

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Mayor Lecklider invited public comment.

James Zitesman, 5701 Springburn Drive, expressed strong support for the project. His property backs up to the proposed Lot 6. He has lived in his home since 1994, has been aware that development would eventually occur on this land, and was hopeful that it would be something of this quality. He always believed the City would ensure that. He is pleased, because he has seen that the process works.

Russ Randall, 2223 Belle Isle Court, stated that he also appreciates that the City's process has worked. He encouraged staff to ensure that the goals and objectives as stated will continue to be met as the process moves forward. There will be additional items to be addressed, such as street noise and storm water run-off. The properties adjacent to proposed Lots 1 and 2 have experienced some flooding. He is hopeful that consideration will be given to the concerns that have been voiced and that they are not lost within the broader effort.

### Council Comments

Mrs. Boring stated that there have been previous issues with runoff affecting neighboring properties. How can Council ensure this is addressed in this particular case?

Mr. Goodwin responded that often in cases such as this -- a remaining infill development site where there are storm water issues -- those issues are typically mitigated with the new development. There are storm water controls adopted as part of the site development. The Dublin Storm water guidelines require the site to control storm water runoff to the same level or better as its pre-development condition.

Mrs. Boring asked what has occurred with the previous cases in other areas of the City.

Mr. Hammersmith responded that when the City hears initial concerns about runoff with a proposed development, there are typically no issues after the development is completed. In the last 10-15 years, the City has done a better job with the storm water infrastructure that is required with the development, eliminating the typical problems with rear yard runoff. The adjoining properties benefit from the required infrastructure for new developments. Not only are their existing problems not aggravated, they are actually corrected.

Mrs. Boring noted that she recalls some Brand Road neighborhoods that later had to be retrofitted to correct this problem.

Mr. Hammersmith responded that the vast majority of Muirfield does not have storm water management or detention, but this new development will have it. Post development release rates are more strict than the pre-development rates.

Mayor Lecklider moved to approve the ordinance with an amendment to Condition 5 to include the language recommended by the Law Director's office and accepted by the applicant: "to ensure that to the greatest extent possible and to the satisfaction of staff, all landmark trees are preserved."

Mrs. Boring seconded the motion.

Vote on the Ordinance with amended Condition #5: Mr. Keenan, yes; Ms. Chinnici-Zuercher, yes; Mr. Gerber, yes; Vice Mayor Salay, yes; Mrs. Boring, yes; Mayor Lecklider. [Mr. Reiner abstained.]

### **Ordinance 51-13**

#### **Vacating a Portion of Drake Road Right-of-Way in the City of Dublin.**

Mr. Goodwin stated that this ordinance is associated with the Stansbury rezoning. It relates to an existing right-of-way called Drake Road. There is a stub, currently paved, that extends south from Springburn Drive. A portion of that road will be incorporated into the new Stansbury subdivision and renamed. The existing, public right-of-way portion will be vacated, and a portion to the south will be incorporated into the reserve

as part of the development. With approval of the final plat, it will be deeded to the Muirfield Association.

Mr. Reiner asked if the existing large trees that abut this roadway on the west would be removed or preserved.

Bill Adams, 8824 Dunsinane Drive, developer of Stansbury at Muirfield stated that they reviewed this with the surveyor. Those trees are actually located on the Muirfield Association's property.

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

**Ordinance 52-13**

**Changing the Name of Drake Road to Stansbury Drive in the City of Dublin, Ohio.**

Mr. Goodwin stated that as a result of the previous action tonight by City Council, the remaining portion of Drake Road will be renamed as Stansbury Drive.

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

**INTRODUCTION/FIRST READING - ORDINANCES**

**Ordinance 54-13**

**Amending the 2007 Dublin Community Plan.**

Vice Mayor Salay introduced the ordinance.

Mr. Goodwin stated that during the past year, staff has undertaken a comprehensive update to the Community Plan. A new concept for the update was introduced to Council early in 2012, as the City approached the five-year mark from the last Plan update in 2007. One of the goals of the Community Plan is that the City make periodic reviews of the Plan to make sure that it remains relevant and current. The new update has converted the entire Community Plan to a web-based format. There are advantages to this format in terms of cost savings to the City, enabling the City to be more efficient, and as time goes on, incorporating periodic amendments and updates as needed. As examples, he highlighted some key portions of the Community Plan website indicating some of the larger areas of amendment.

- The Planning and Zoning Commission has completed a number of reviews of the proposed amendments from July of 2012 through April 2013. They focused on several items, including the various objectives and strategies throughout the Community Plan. There are over 300 specific policy statements in nearly every chapter of the Plan. There are amendments to the Future Land Use Map, to the Thoroughfare Plan, and to the Special Area Plans. The majority of the proposed amendments are related to the incorporation of the Bridge Street District and the West Innovation District into the Community Plan.
- The amendment process began last June with the public meeting at the Dublin Community Recreation Center, where the public could view and provide comment on an early version of the Community Plan website.
- More recently, an alternative digital version was shared through a live webcast to accommodate those who are not able to attend a meeting. (He shared the Community Plan website and provided an orientation to its various features.) The public can access it through a link provided at the City's main website. The Community Plan website includes all of the content from the 2007 Dublin Community Plan, a more than 300-page document. In addition to the introduction, there are 10 chapters that can be accessed through a drop-down menu. There are also direct links to each of the Special Area Plans, the Future

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Land Use Map, and the Thoroughfare Plan – the key components of the Plan that staff and the public need to access quickly and frequently.

- A significant update occurred in the Land Use chapter covering key residential and commercial land use issues, particularly the Bridge Street District and West Innovation District initiatives.
- In the Foundations chapter of the Plan, which includes the building blocks or core principles, another item was added -- Sustainable Development.
- Incorporated into the Transportation chapter were a number of items from the Economic Development Advancement Zone.
- Also embedded in the Plan are interactive maps.

Mr. Goodwin noted that the Bridge Street District information incorporates the 2010 Bridge Street Corridor Vision Report as an Area Plan, updated with more recent information. The detailed graphic has also been updated, removing individual building footprints and focusing on the overall street system and block framework. The various Area Plans also include colored dots that serve as links to specific features.

Ms. Chinnici-Zuercher stated that because the Plan is now web-based, she anticipates that continuous updates will be made to the maps and land use development.

Mr. Goodwin responded that staff will now be able to update technical items, such as aerial photos, in real time. He noted that there are items that will not be updated without formal approval by the Planning and Zoning Commission and Council.

Ms. Chinnici-Zuercher asked if there would be any interaction with MORPC's system to avoid unnecessary duplication by the City, perhaps through a link to MORPC areas of greater detail, such as bike trail systems.

Mr. Goodwin responded that there are opportunities throughout the Community Plan website to provide direct links to outside agencies, such as MORPC. They have included a number of those, and others will be included as they are identified.

Mr. Goodwin pointed out that the West Innovation District was previously known as the COIC (Central Ohio Innovation Center) and, later, the EAZ (Economic Advancement Zone). Council adopted the Economic Advancement Zone Plan in 2011. That Plan is included, renamed as the West Innovation District Plan. The Coffman Park Plan graphic has also been updated, and the most recent version of the I270/US 33 interchange plan is included. However, the recent ODOT review has revised the interchange plan, so it will be updated accordingly. The 2007 Future Land Use map has been updated to include the Bridge Street District, the West Innovation District, and recent approved rezonings, such as the Delta Energy development at Emerald Parkway and Perimeter Drive office rezoning. Previously, the map included a mixed-use Town Center classification for the Dublin Village Center site. That has been expanded to an Urban Core classification, to reflect the higher density and urban, walkable character intended for that area. The Flex Office and Research and Development areas were combined into one Flex Office/R&D category. The Thoroughfare Plan has been updated to include the primary framework of the proposed Bridge Street District street system, the proposed pedestrian bridge in the southern portion of the Scioto River corridor and the single vehicular bridge in the northern portion of the corridor. The West Innovation District proposed street system has also been incorporated into the Thoroughfare Plan.

Finally, the Community Plan website is searchable by key word, and Public Comment sections provide an opportunity for the public to comment or ask questions, to which staff will provide responses.

There will be a second reading/public hearing at the July 1 Council meeting.

**Ordinance 59-13**

**Authorizing the Appropriation of a 0.201 Acres, More or Less, Fee Simple Interest of Which 0.178 Acres, More or Less, is Present Road Occupied and a 0.036 Acres, More or Less, Temporary Construction Easement from Jon L. Reynolds and Colleen M. Reynolds.**

Mr. Gerber introduced the ordinance.

Ms. Ott stated that this ordinance will authorize the Law Director to file an appropriation case with the court for Present Road Occupied right-of-way and a temporary easement in conjunction with the Coffman/Brand Road roundabout intersection improvement.

Mayor Lecklider invited public testimony.

Colleen Reynolds, 5222 Forest Run Drive, Dublin stated that she is the owner of the property at 5151 Brand Road, which is the subject of Ordinance 59-13. She asked for clarification of the reason staff is recommending that Council dispense with the public hearing.

Mayor Lecklider responded that the staff recommendation to dispense with the public hearing has been withdrawn. There will be a second reading of the ordinance at the July 1 Council meeting.

Ms. Reynolds stated that she has been a Dublin resident since 1980. Two weeks ago, she addressed Council and indicated that they were working with Ms. Ott to come to a reasonable agreement whereby they could provide the City with an easement on their land versus having the land be appropriated. Although their efforts have been unsuccessful to date, they are working toward that end. The biggest challenge they are facing is the comparables being used. They sent Ms. Ott a counter offer last week, but because Ms. Ott was on vacation she was unable to speak with her until today. Ms. Ott indicated that she is taking Council's lead, and cannot reply to her without Council's direction. For that reason, she is speaking to Council directly. She does not want to stand in the City's way on this project; she would prefer to work with the City to reach an agreement that is fair and equitable for all parties. She is not interested in selling her land to the City in fee simple. She is trying to negotiate with Ms. Ott an easement in perpetuity, which will permit the City to accomplish their goal without taking her land in fee simple. She owns 2.3 acres and the City is asking her to sell nearly ten percent of her land. For that ten percent, she is being offered \$1,046. She believes it is valued at more than \$1,046. She prefers not to go to court, but would rather work with the City to come to a fair agreement. She was presented comparables by the City's appraiser. Currently, the offer she has been given is \$55,000, increasing it to \$60,000. The comps given to her by the City's appraiser do not support that value; they have given an under valuation for her land. Most specifically, the most recent comparable and probably the closest comparable to her land is a property on Coffman Road that was purchased by the School Board two years ago for \$102,000 an acre. The other comparable that the City's appraiser gave to her was land on Brand Road that was purchased in 2007 for \$87,000. The other comparables provided were flag lots on the other side of the City in the Summitview area off Riverside Drive. She believes that is the basis for the low value because those properties are valued at \$50,000-\$55,000. The value in this area is clearly supported by the comparables the City's appraiser provided to her. In addition, she has found two other comparables that she has provided to Ms. Ott, together with her proposal to support the valuation she is requesting. She understands that several of her neighbors have also been approached about their land that is Present Road Occupied land. They told the City they did not want to convey their land, and the City agreed and withdrew. Why can't these property owners offer to do the same thing, which is to give the City an easement for the land the City is using, but continue to own their land? In a project with a budget of over \$1 million, perhaps even \$2 million, the

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difference in their negotiations is a mere \$1,600. The City provided her an appraisal of her land at \$84,800. Ten percent of that is \$8,480. She is requesting only 60% of that, in an effort to come to an agreement. She requests that Council authorize Ms. Ott to approve her offer, which she believes is fair.

Jon Reynolds, 5222 Forest Run Drive, indicated he is also an owner of 5151 Brand Road. The City has broken their offer into three parts. He has no objection to the offer for the temporary construction easement. With the land appropriation, they have offered an easement to the City to widen the culvert, re-grade the land, and remove their trees without replacing them. They are not trying to profit from this land, but want to be treated fairly. His biggest issue is with the City offering him \$1 for .178 acres of Present Road Occupied land. When he bought the land 13 years ago, he paid for this land. At that time, there was no stipulation about it not being as valuable as the rest, and he has paid taxes on it for the past 13 years. The City now considers it their legal right to take it. The Fifth Amendment of the U.S. Constitution ensures fair compensation for U.S. citizens. How can \$1 for .178 acres in the middle of Dublin be just? His understanding is that Dublin wants to own that road for safety reasons, maintenance, emergency access and for the greater good. This land is in Washington Township, and they do not have plans to annex it into the City. He is being told that if they were in Dublin, the City would not do this; because they are in the township, the City has the right to do this. He believes this constitutes excessive use of power. They are not denying the land to the City to use for the greater good. All they are requesting is fair compensation. It is the principle of the matter that is the issue; he objects to being treated unjustly.

Mayor Lecklider asked staff if the City's offer to the Reynolds differs in principle from what has been offered to other property owners in conjunction with this overall project.

Ms. Ott responded that it does not. The key point is this is Present Road Occupied (PRO) land. The easement along Brand Road was granted in the mid 1800s, when property lines extended to the centerline. The Township has maintenance responsibility for the section of roadway along properties that have not annexed into the City of Dublin, because the underlying parcel edge extends to the center of the road. There are other parcels along Brand Road that have annexed into the City, and this issue has been addressed in those annexation proceedings. The state statute is clear that when there is an existing easement, such as this, it has a compensation value of \$1 and that is the amount the City of Dublin consistently offers.

Ms. Chinnici-Zuercher stated that the \$1 amount is not addressed in staff's memo. She requested clarification.

Ms. Ott responded that \$1 of this amount is for the Present Road Occupied land. The remaining \$3,324 is for a temporary easement and approximately .002 acres of additional right-of-way. The compensation formula is consistent with the City's method of calculating the value of these lands with its appraiser, which is consistent with State law.

Ms. Grigsby noted that part of the reason the City desires to have the PRO in fee simple is that, as part of this project, the City will annex that roadway into the City, so that it is subject to City enforcement. The same action was taken recently with the intersection improvement project at Cosgray/Shier Rings.

Mr. Keenan stated that there have been maintenance problems related to the issue of road responsibility. Recently, there was a portion of this road repaired by Franklin County, but their resolution was not consistent with Dublin's level of maintenance. The desire is to standardize the maintenance and ensure consistency.

Mayor Lecklider asked if the township property owners involved in the Cosgray/Shier Rings Road roundabout and these township property owners have all been treated the same. He understands there is a difference of opinion regarding the amount of compensation; however, in principle, is the offer of \$1 for the Present Road Occupied consistent with that offered to all other property owners?

Ms. Ott responded that for this intersection project, that has been consistent. The City remains in negotiations for other properties throughout the City that have Present Road Occupied land involved.

Ms. Chinnici-Zuercher stated that both Mr. and Mrs. Reynolds have made some serious accusations. Ms. Ott is stating that State law provides for a compensation of \$1 for PRO land that is not within the City.

Ms. Readler confirmed that is correct for land that is currently being used for roadway. There is no real value to the property owner, because it is not being used for private purposes.

Ms. Grigsby stated that in the past, roadways were encumbered with an easement. Now, the City acquires rights-of-way, so that the roadway is actually owned by the City, rather than the property owner. The easement gives the City the right to maintain the roadway.

Ms. Chinnici-Zuercher stated that the Reynolds cited a concern that because they had elected not to annex into Dublin, they were being treated differently. According to staff's explanation, it does not appear that they are being treated differently. The City wants to be responsible for the road versus leaving that responsibility to the township or the property owner.

Ms. Grigsby responded that it provides consistency for maintenance and the ability for the City to provide enforcement.

There will be a second reading/public hearing on July 1.

**INTRODUCTION/PUBLIC HEARING – RESOLUTION**

**Resolution 37-13**

**Accepting the Lowest and Best Bid for the Coffman Park Phase I Construction Project.**

Mr. Hahn stated that this authorizes acceptance of the Danbert bid for Phase 1 of the Coffman Park Expansion Project. This is primarily an infrastructure project and will be followed by subsequent expansion phases. The projects provides for significant utility burial along the old Post Road roadbed, three bridges, realignment of the entrance to the Recreation Center off Commerce Parkway, and associated paths and landscaping. (Slides were shown depicting renderings of the three proposed bridges.) Construction will begin immediately following the 2013 Dublin Irish Festival. Most of the work will be completed by the 2014 Irish Festival.

Ms. Chinnici-Zuercher stated that the renderings do not reflect a realignment of the entrance to the Recreation Center.

Mr. Hahn responded that the straight approach down Post Road to the Rec Center will be altered, adding some curves, and the "Y" intersection before the bridge leading into the Rec Center will be simplified.

Ms. Chinnici-Zuercher requested a map with the proposed changes for the next Council packet.

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Mr. Reiner stated that he will enjoy the park enhancements. However, he noted that he was not supportive of the Post Road realignment in the past. This park project will now make it impossible to reinstate the previous east-west connector of Post Road, a sorely needed east-west connector. There now is not any east/west connector other than Brand Road. He will vote for this tonight, however, because he has supported having the park in this location. He firmly believes this is the wrong thing to do in terms of traffic and a host of other reasons related to the benefit of this City. He will support the park project, but with great regret. It will be a beautiful park, but in terms of traffic, it is the worst thing the City could have done.

Ms. Chinnici-Zuercher recalled that the Post Road traffic was moved to Perimeter Drive, which was widened.  
Vice Mayor Salay noted that connection appears to be working well.

Mr. Keenan added that the City gave up a tremendous amount of valuable real estate with this park expansion. He completely agrees with Mr. Reiner.

Mr. Gerber stated that he agrees with Mr. Reiner and Mr. Keener on this issue. He was not serving on Council when the vote was taken on the proposed closure of Post Road, but he firmly believes that the City lost an opportunity.

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

**STAFF COMMENTS**

Ms. Grigsby stated that staff has been reviewing the drafts of the MKSK framework plan for the Scioto River corridor. That plan will be ready within the next few weeks. Council may want to schedule a meeting in August to review that plan, or it could be scheduled under the "Other" portion of an agenda. A final draft of the plan will be forwarded to Council within the next few weeks.

**COUNCIL COMMITTEE REPORTS/COUNCIL ROUNDTABLE**

Mr. Gerber referred to the update in the packet regarding the Sunrise Senior Living project. He often receives inquiries from residents about this "eyesore." He is interested in hearing their response, which is required within 180 days.

Ms. Chinnici-Zuercher asked why the City waited so long to initiate this process. Was there some restriction that legally prohibited the City from doing so?

Ms. Grigsby responded that Sunrise had an active building permit for one year on which they were able to receive an extension. The City had to wait until that extension period had expired before taking further action.

Ms. Chinnici-Zuercher noted that the condition of the building is now seriously deteriorating.

Mr. Gerber stated that there was some evidence of clean up on the site.

Ms. Grigsby responded that there have been a series of meetings with the owner, which typically included the issue of maintenance of the grounds.

Ms. Chinnici-Zuercher:

1. Asked who is responsible for the maintenance of the wood fences along Coffman Road between Tara Hill and Roscommon and along Brand Road fronting Brandonway.

Ms. Grigsby responded that there has been a longstanding issue with the fences along Coffman Road, and the City is currently reviewing its options. Aerials indicate that the fence is located within and just out of the right-of-way. The City is working with the three homeowners associations on that issue, and staff will meet again to identify the best option. It may be that some of the fence will be removed and some of it repaired.

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Mayor Lecklider requested that staff keep Council apprised of this process. There have been attempts to address this over the 12 years he has served on Council.

Ms. Chinnici-Zuercher stated that much of the fence is broken, so there needs to be a resolution. Both of these roads are heavily traveled.

Ms. Grigsby stated that property owners have expressed concerns, as the fences help keep people off private property during the Dublin Irish Festival. Staff is considering options, including vegetation replacement for the fence.

Ms. Grigsby added that staff indicates that the Brand Road fence near Brandon subdivision is within the City's reserve but is the homeowner association responsibility. The City will follow up with the homeowner association.

2. Complimented Mr. Hahn and the Parks staff for very quickly addressing some of the repair issues within the parks that she has notified staff about, including safety related issues at Shawan Falls. She learned that some of the items that were repaired were vandalized quickly after the repair. It is disappointing that citizens would take actions that would jeopardize the safety of park users.
3. Noted that a letter was sent from Leadership Dublin and the Dublin Chamber of Commerce regarding the merger of the Leadership Dublin program into the Chamber Civic Foundation. She suggested that the Administrative Committee bring back a recommendation regarding the status of the current representative to the Leadership Dublin Board, Dave Cecutti and how this would be handled going forward.

Mrs. Boring noted that she has received several inquiries about the timing of construction of Emerald 8. She asked Ms. Grigsby for an update.

Ms. Grigsby stated that staff is in the process of finalizing the right-of-way acquisitions -- one remains to be completed, and a filing has been made with the Court.

Engineering staff continues to work with the various utilities on utility relocations needed on Bright Road. The houses on the property that the City purchased on Bright Road have been demolished, except for the two houses where property owners have the right under the contract to remain for some period of time; and staff plans to award the contract to initiate construction in the fall.

Vice Mayor Salay noted that she read in *The New York Times* about a software application called "publicstuff.com." The software application connects residents with the City and enables a photo to be uploaded in real time and sent to the City versus the current e-mails required for such service requests. This would be a good communication tool and a means for staying informed about the community, empowering the community to contact the City.

Ms. Grigsby stated that staff will investigate this software. The City also has a work order system in place, "City Works" -- which routes a call to the appropriate department or division. She is not certain if photos can be uploaded with this system. Staff will follow up on this.

Vice Mayor Salay added that many residents use email and the website "Contact City Council" for communication and this would provide another option for contacting the City.

#### Mayor Lecklider:

1. Commented that he received a personal phone call from Tony Ruscilli of Ruscilli Construction, and a letter was included in the packet that was sent by Ruscilli Construction to the City Manager. Mr. Ruscilli complimented the City and the staff for their cooperation and support throughout the Muirfield Village Golf Club improvements project. (He read the letter into the record.) The letter cites the various staff members and the township officials who went above and beyond to enable the completion of this project in a timely manner. This is a compliment to staff and Council is very pleased to hear such positive comments.

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2. Noted that on Friday, he traveled to the Detroit area for a farewell reception for Japanese Consul General Kuninori Matsuda. There were approximately 200 in attendance, the vast majority from Michigan, including county and state officials. He was given the opportunity to make comments on behalf of the City of Dublin. He will forward some photographs taken at the event. The Consul General and his staff are very appreciative of the outstanding relationship that they enjoy with the City of Dublin and the Dublin community. Consul General Matsuda will be missed and has been unrivaled in dedication to his job and the extent of his outreach to the City of Dublin.

**ADJOURNMENT**

The meeting was adjourned at 8:50 p.m.

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Mayor – Presiding Officer

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Clerk of Council