

RECORD OF PROCEEDINGS

Minutes of _____

Dublin City Council

Meeting _____

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

July 1, 2015

Held _____

CALL TO ORDER

Mayor Keenan called the Wednesday, July 1, 2015 Regular Meeting of Dublin City Council to order at 6:00 p.m. at the Dublin Municipal Building.

Members present were Mayor Keenan, Vice Mayor Gerber, Ms. Chinnici-Zuercher, Mr. Reiner and Ms. Salay.

ADJOURNMENT TO EXECUTIVE SESSION

Mayor Keenan moved to adjourn to executive session to discuss the purchase of property for public purposes and for conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

Vice Mayor Gerber seconded the motion.

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

(Mr. Peterson and Mr. Lecklider joined the session in progress.)

The meeting was reconvened at 7:25 p.m.

ROLL CALL

Members present were Mayor Keenan, Vice Mayor Gerber, Ms. Chinnici-Zuercher, Mr. Lecklider, Mr. Peterson, Mr. Reiner and Ms. Salay.

Staff members present were Mr. McDaniel, Ms. Crandall, Ms. Readler, Ms. Mumma, Mr. Foegler, Ms. O'Callaghan, Mr. Earman, Ms. Puskarcik, Mr. Hartmann, Chief von Eckartsberg, Mr. Hahn, Mr. Hammersmith, Ms. Husak, Mr. Kridler, Ms. Barbara Ray and Ms. Gee. Mr. Daniels of Squire Patton Boggs was also present.

PLEDGE OF ALLEGIANCE

Mr. Lecklider led the Pledge of Allegiance.

PROCLAMATIONS

- Recognition of Fred Hahn, Director of Parks and Open Space

Mayor Keenan made brief comments about 30-year employee, Fred Hahn who is retiring from the City in early July. He noted that Mr. Hahn first served the Village of Dublin and is retiring from the City of Dublin. Dublin is emulated by other communities across the country in terms of parkland, much of it due to his acumen for planning and developing a world-class parks system. His love of nature guides him in planning and determining where to let nature direct the development and where active fields and playgrounds should be placed. This intuitive sense, combined with his keen intellect and wonderful wit have made Fred a most beloved employee. His good-hearted nature will be missed, but most of all he will be missed. The City wishes him all the best in his retirement!

Mayor Keenan read and presented a proclamation to Mr. Hahn, describing many of his accomplishments during his 30 years of City service.

[Mr. Hahn received a standing ovation from those present.]

Council presented Mr. Hahn with a fishing hat and a gift certificate for his favorite fly-fishing store.

Mayor Keenan noted that his recollection of Mr. Hahn is that in response to a long, sometimes convoluted, complicated question from Council, Mr. Hahn's response would simply be "yes" or "no"!

Mr. Lecklider noted that when working with Mr. Hahn, he never felt he was interacting with a bureaucrat – but rather a friend or neighbor. He has appreciated his insight. He always was mindful of Mr. Hahn's genuine love for what he was doing. What he has accomplished is a legacy that will live on forever. The big hallmarks of what Dublin is known for is greenspace and open space. He joked that he continues to hope for platform

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tennis in the City! Congratulations on this milestone and enjoy this well-deserved retirement!

Mr. Reiner commented that he has worked with Mr. Hahn throughout his service to the City, and he has created a fantastic parks system. Per capita, Dublin may have the best ratio of greenspace to residents anywhere in Ohio! He has really enjoyed his wit and humor, his candor and honesty. In addition, he appreciates his tenacity, especially for the Thaddeus Kosciuszko Park naming. Thanks for everything you have done!

Vice Mayor Gerber noted that Mr. Hahn leaves a tremendous legacy for the reasons already stated. His departure will leave some large "shoes" to fill! He appreciates his passion for this City and for his job. He promptly responded to any calls, and provided the entire history of any issue. He appreciates his support and assistance for the Veterans monument at the cemetery. Enjoy your retirement!

Ms. Chinnici-Zuercher commented that when she first interacted with Mr. Hahn on Council, she found it somewhat challenging and felt somehow that he was bored with Council! Dublin has a fabulous parks system, as everyone has already said. She is certain that his colleagues across the country are envious of what he has been able to accomplish in Dublin and the support he has had in order to do so.

For her, the most important work he has done was to support The Miracle League. With one phone call, he was on board and he saw the project through to its completion. He should receive recognition from everyone for that project, and such recognition is received every Saturday when the children and their families use this facility.

Ms. Salay stated her first project on Council with Mr. Hahn was the Coffman Park Task Force. He guided the process well. Now, looking out on Coffman Park, those plans have come to fruition. For her, the park system and shared use path system are what she loves most in the City. She was shocked that Dublin had only four parks when he began working for Dublin! He should be very proud of what has been accomplished. She has always been impressed with his knowledge of each individual park. In a recent tour of Boston, she happened upon a status of Thaddeus Kosciuszko and she explained to them that Dublin, Ohio also has a park named in his honor. She thanked Fred for everything he has given to the community, noting his legacy will live forever.

Mr. Peterson stated that Mr. Hahn embodies everything great about City staff and the City in general – his stability, reliability, consistency and commitment to excellence. He noted that his children are now old enough to bike to the pool and beyond on their own, using the Dublin bikepath system. He hopes that Mr. Hahn realizes the impact and the legacy he leaves for everyone. He has made all of the citizens' lives better! He thanked him for his service.

Mr. Hahn stated that he has had a wonderful career in Dublin, and it was fun! Not everyone has a job like his – there was always something rewarding at the end of the process. The City Councils have all been so supportive of parks and of him – they have recognized accomplishments and discounted shortcomings. It was always important for him to have a positive working relationship with Council as a whole and individually. He appreciates all of the kind words tonight, but added that any achievements and accolades were the result of collaboration by many people. He cited great accomplishments, working closely with Council – such as the Dublin South Pool, the Veterans Park and the KIA Memorial. With the Miracle League field, it was amazing what could be done when the right people, for the right reasons, focus on a goal. He noted that in the proposed budget, perhaps Mr. Earman can address platform tennis and Council can make that decision! What a great time he has had in Dublin. He wished all Council members the very best in what they choose to pursue in the future in Dublin.

[A photo was taken at this time.]

Mayor Keenan thanked Council for all of the nice comments regarding Mr. Hahn's service to the City.

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- **Parks and Recreation Month – July 2015**

Mayor Keenan read a proclamation for Parks and Recreation Month in the City of Dublin and presented it to Mr. Earman, Director of Parks and Recreation.

Mr. Earman thanked Council for this recognition. He introduced new Nature Education Coordinator, Barbara Ray and new Director of Recreation Services, Tracey Gee.

He noted that during the month of July, a team of City interns, including Alex Schell, Kendell Kellogg and Chelsea Ingram who are present tonight and two others not present – Lucas Martin and Garrett Drumm -- have developed 22 activities to take place. The list of activities is on the City's website.

He announced that as part of the transitioning following Mr. Hahn's retirement, some changes are being made. He introduced Tracey Gee as the new Director of Recreation Services. Tracey has worked in Recreation for the City of Dublin for 20 years and has managed every work unit in Recreation Services.

He introduced the new Nature Education Coordinator, Barbara Ray. She comes to Dublin with over 14 years of experience with the Ohio Wildlife Center as their Director of Education. She has extensive knowledge of the region and local area.

Ms. Ray noted that Dublin is an environmental/wildlife educator's dream! It will be an honor and privilege to serve the City of Dublin. She noted that she is working closely with Mr. Hahn in his remaining time to gather knowledge of all the local parks. She provided a handout to Council and three of the most important tools to have for hiking in wilderness areas: a whistle, a trash bag and piece of foil. The foil is used to obtain a footprint of your hiking shoe (or your child's) before embarking into the wilderness. This will aid in finding you or your child, should someone need to do so.

Mayor Keenan welcomed Ms. Gee and Ms. Ray to their new roles with the City.

CITIZEN COMMENTS

Wallace Maurer, 7451 Dublin Road, Dublin noted that Mr. Hahn told him of the real reason he is retiring and commented that he loves this City a lot. Mr. Maurer responded that he is aware he loves it unreservedly. Mr. Hahn continued, noting that when he listens to Mr. Maurer talk, he sometimes has the impression that Mr. Maurer does not love the City that much. Mr. Hahn further commented that he is retiring and wants to give Mr. Maurer a hint. Due to time constraints, he cannot tell what his reply was to Mr. Hahn until the next meeting.

CONSENT AGENDA

Mr. Reiner moved approval of the actions listed for the seven items on the Consent Agenda.

Ms. Chinnici-Zuercher seconded the motion.

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

- Approval of 6-22-15 Regular Council Meeting Minutes
- Notice to Legislative Authority – Stock transfer for Tucci's LTD, 35 N. High Street and Patios, Dublin, OH 43017 – D1, D2, D3 and D6 permits
- Notice to Legislative Authority – Transfer of D5A and D6 permits from Dublin Hotel Co. dba Marriott Columbus NW to LSREF4 Skyline Tenant Col LLC, dba Columbus Marriott Northwest, 5605 Paul G. Blazer Memorial Parkway
- Notice to Legislative Authority – New D5A permit for LSREF4 Skyline Tenant Col LLC dba Columbus Marriott Northwest, 5605 Blazer Parkway
- **Resolution 54-15 (Introduction/vote)**
Accepting the Lowest and Best Bid for the Parking Lot and Shared use Path Maintenance Project.
- **Resolution 55-15 (Introduction/vote)**
Authorizing the City Manager to Enter into a Conduit Agreement with the Ohio Bell Telephone Company (AT&T) for the Purposes of Relocating Existing Underground Facilities from Along Existing Riverside Drive to Realigned Riverside Drive.

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- **Resolution 56-15 (Introduction/vote)**

Authorizing the City Manager to Enter into a Contract with Dublin City Schools for the Provision of School Resource Officers for 2015-2016.

SECOND READING/PUBLIC HEARING – ORDINANCES

Ordinance 41-15

Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire a 0.385 Acre, More or Less, Fee Simple Interest; a 0.004 Acre, More or Less, Fee Simple interest; and a 0.320 Acre, More or Less, Temporary Easement from Property Located at 6700 Tuller Ridge Drive Owned by LSREF3 Bravo (Ohio), LLC (formerly G&I VI Sycamore Ridge, LLC), to connect Dale and Tuller Ridge Drives, and Declaring an Emergency.

Mr. McDaniel stated that the City has extended Dale Drive to the north to connect Tuller Ridge Road in order to provide a critical north-south connection in the Bridge Street District and help provide traffic relief. In association with the relocation of Riverside Drive and construction of the SR 161/Riverside Drive roundabout projects, the City obtained two fee simple interests and a temporary easement from the grantor, and the City has reached an amicable settlement with them. Staff recommends approval of the ordinance by emergency.

Mr. Peterson asked for clarification. The number written out in the text and the number within the parentheses in both the memo and the legislation is not consistent. He believes it should be \$120,079.23 and this discrepancy should be addressed.

Mr. McDaniel stated that it should be \$120,079.23. Staff will make this correction to the documents.

Wallace Maurer, 7451 Dublin Road, Dublin stated that his comment relates to Ordinances 41-15, 42-15, 46-15, 47-15 and 48-15 on tonight's agenda. Based on the information provided, it appears that a significant amount of hard bargaining took place to resolve these matters.

Mr. McDaniel acknowledged that is correct.

Vice Mayor Gerber moved for emergency passage.

Ms. Chinnici-Zuercher seconded the motion.

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

Vote on the Ordinance (as corrected): Ms. Salay, yes; Ms. Chinnici-Zuercher, yes; Mr. Reiner, yes; Mr. Lecklider, yes; Mr. Peterson, yes; Vice Mayor Gerber, yes; Mayor Keenan, yes.

Ordinance 42-15 (Amended)

Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire a 0.137 Acre, More or Less, Fee Simple Interest; a 0.525 Acre, More or Less, Fee Simple Interest for Greenspace; a 0.578 Acre, More or Less, Fee Simple Interest for Greenspace; and a 0.197 Acre, More or Less, Temporary Easement from Property Located on the North and South Side of the new John Shields Parkway, East of Riverside Drive, Owned by Invictus Land Holdings, LLC, for the Riverside Drive Realignment and Construction of John Shields Parkway, and Declaring an Emergency.

Mr. McDaniel stated that the City is preparing to realign Riverside Drive and construct a new roadway – John Shields Parkway as part of a series of important and key area-wide roadway improvements. It is necessary that the City obtain certain property interests from Invictus Land Holdings. Staff has reached an amicable settlement with them and recommends emergency passage.

Mayor Keenan added that a number of these legislative actions are the final pieces needed to complete the roadway construction in the Bridge Street District.

Mr. McDaniel responded affirmatively, noting that Council may recall the Invictus and Vnable pieces and this was part of what was agreed to as part of the skilled nursing facility under construction. As part of the development agreement, that

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phase of John Shields Parkway was to be completed at the time Riverside Drive was relocated.

Vice Mayor Gerber moved for emergency passage.

Ms. Chinnici-Zuercher seconded the motion.

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

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

Ordinance 46-15

Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire a 0.016 Acre, More or Less, Temporary Easement from Property Located at the Southwest Corner of Tuller Ridge Drive and Tuller Road Owned by Vrable Land Holding Dublin, LLC, for the Riverside Drive Realignment and Construction of John Shields Parkway, and Declaring an Emergency.

Mr. McDaniel stated that this ordinance is related to the matters involved in Ordinance 42-15.

Vice Mayor Gerber moved for emergency passage.

Ms. Chinnici-Zuercher seconded the motion.

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

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

Ordinance 47-15

Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire a 0.036 Acre, More or Less, Fee Simple Interest; a 0.007 Acre, More or Less, Permanent Sanitary Sewer Easement; and a 0.213 Acre, More or Less, Temporary Easement from Property Located on the South Side of Tuller Road Just East of Riverside Drive, Owned by Tuller Henderson, LLC for the Riverside Drive Realignment and Construction of John Shields Parkway, and Declaring an Emergency.

Mr. McDaniel stated that this relates to the sewer easement in the same general vicinity as the preceding legislation.

Vice Mayor Gerber moved for emergency passage.

Ms. Chinnici-Zuercher seconded the motion.

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

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

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 48-15

Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire A 0.037 acre, More or Less, Fee Simple Interest; a 0.006 Acre, More or Less, Permanent Utility Easement; and a 0.047 Acre, More or Less, Temporary Easement from Property Located at 4555 W. Dublin-Granville Road Owned by Wendy's International, LLC (successor in interest to Wendy's International, Inc. by conversion), to Construct a Roundabout at the Intersection of State Route 161 and Riverside Drive and Realign Riverside Drive, and Declaring an Emergency. (Request to dispense with public hearing)

Vice Mayor Gerber introduced the ordinance.

Mr. McDaniel stated this involves necessary easements and right-of-way for SR 161 as it relates to the Riverside Drive realignment and intersection improvement at SR

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161. The land is located just east of the new intersection under construction and involves the Wendy's on the south side of SR 161. Staff recommends dispensing with the public hearing and passage by emergency.

Mayor Keenan noted that the emergency is due to the timing issue related to construction of the project.

Mr. McDaniel confirmed that is correct.

Vice Mayor Gerber moved to dispense with the public hearing and treat as emergency legislation.

Mr. Lecklider seconded the motion.

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

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

STAFF COMMENTS

Mr. McDaniel:

1. Thanked all of the parties who cooperated in the City's acquisitions and easements related to the roadway improvements.
2. Reported that a reception honoring Fred Hahn is scheduled for Wednesday, July 8 from 5:30 to 7:30 p.m. at the Recreation Center. The public is invited to attend.
3. Noted that Council has agreed to schedule a Special Meeting on Monday, July 13 with an executive session at 6 p.m. and the meeting at 7 p.m.
4. Reminded Council about the July 4th parade, concert and fireworks on Saturday, July 4. He hopes everyone is able to attend and that the weather is favorable.
5. Noted that the packet includes a memo regarding the Sister City or Friendship City international initiative.
6. Noted that a memo was provided in the packet relative to allowing chickens in residential districts and how Council may want to refer or work on this issue going forward. Any direction on this would be welcomed.

Mayor Keenan commented regarding the memo about the chickens in residential areas. Staff mentioned that perhaps the matter could be referred to the Community Development Committee. He asked for Council input.

Mr. Lecklider stated that he does not support referral of this matter. The memo has provided all of the information he needs. Further study would consume staff time and Committee member time. Hypothetically, if the City did allow chickens in residential areas, there would not be equal application across the City because of the various PUDs and their individual deed restrictions that would prohibit this.

Ms. Readler stated that even if the City amended the Code to permit chickens in residential areas in some manner, if deed restrictions would otherwise prohibit it, the property owners would have to comply with their deed restrictions. The restrictions could prohibit such items as accessory structures or farm animals.

Mr. Lecklider added that it seems confusing for the public. He assumes that the Muirfield deed restrictions would not allow chicken coops, and that comprises nearly a quarter of the community – in addition to several other neighborhoods that would prohibit this. In addition, the existing ordinance would have to be revised, which limits this activity to a minimum 40,000 square foot lot of 50 foot in width.

Ms. Chinnici-Zuercher agreed, noting that she could not support this legislation. Vice Mayor Gerber noted he concurs.

Mayor Keenan stated that the presentation by the family at a recent meeting was certainly heartfelt and he appreciates their passion. However, there are many unintended consequences if the City were to move forward with any such change.

Mr. Reiner asked if the City of Columbus allows chickens in residential areas.

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Ms. Readler responded that a permit must be obtained from the Columbus Health Department and there are development restrictions as well.

Mr. Reiner stated he cannot speak for the Muirfield Association unless this were considered by the Board. He believes that an ordinance can be written tightly that governs this, and containers could be moved around each day. It is done in many cities, but it is a complex system for property owners to adhere to in housing these chickens. It would require significant regulation.

Mayor Keenan summarized that a majority of Council does not support further study of this issue. He agrees with Mr. Lecklider that referring to Committee would require significant staff and Committee time, and there is not adequate Council support of changing the current law for the reasons discussed.

Ms. Salay asked that staff notify the family of this decision.

Mr. McDaniel agreed to contact them.

Mayor Keenan asked for Council input about the international city proposals. Staff has indicated there is a distinction between a Sister City and a Friendship City designation, and staff is recommending that the City begin with a Friendship City program, if Council does want to proceed with this.

Mr. McDaniel thanked Mr. Kridler, Ms. Gilger and Ms. Puskarcik for doing the research on this matter. If Council would like to move forward with an international relationship – particularly with Mashiko, Japan – staff would recommend pursuing the Friendship City approach, and including the Consul General of Japan in this process. From a cultural exchange perspective, this would be a good choice. Staff would also recommend that Council consider some other strategic international relationships, such as the home city of Hidaka in Japan.

Mayor Keenan noted that he is supportive of pursuing these relationships. If Council is in agreement, staff can draft a letter to the Mayor of Mashiko, Japan to initiate the Friendship City process. Staff can also take steps to initiate the Hidaka home city in Japan for purposes of business relationships.

Mr. Reiner stated that the focus of the Mashiko relationship would be cultural exchange, and the others would be business related to Ohio industries.

Mr. Lecklider agreed with staff's recommendation and their bases for initiating this at the Friendship City level. Dublin has the largest population of Japanese in the state of Ohio and there is certainly a business aspect to this. After his trip to Ireland as their guest, he had a similar proposal that relates more to Dublin's heritage. Other Dublin communities in the U.S. have a relationship with Irish communities. Dublin, California has a Sister City relationship with a city in Ireland. He recognizes this requires staff time, and he suggested that an Ireland city be pursued at the Friendship City level should the opportunity exist.

Mr. McDaniel stated that at staff level, they believe there is opportunity to do these programs with other international cities and staff recommends pursuing those as well. Where Dublin industries have a presence – whether it is Sweden, India, Ireland – there is great opportunity for international relationships. In addition, the Honorary Consul of Austria office is in Dublin and that could be considered as well. He concurs that this Friendship City program should not be limited to one country.

Mayor Keenan stated that perhaps some Dublin service clubs could provide host families for the programs. He was surprised with the numerous other cities in and around Central Ohio that have had these relationships for many years. He believes this is a very worthwhile program.

Mr. McDaniel stated that, based on this discussion, staff will move forward with formalizing the Friendship City program with the ones identified in Japan and will suggest others going forward.

Mr. Lecklider commented regarding the memo in the packet about the Muirfield Drive buffer. He agrees that it appears some attention is needed to this landscaping buffer. The ultimate conclusion seemed to indicate it is a matter of enforcement – in terms of removal of dead trees and replacement of them. The legal basis for this was not clear to him. It does not seem entirely clear whose responsibility this is. If a property owner

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planted a tree 25 years ago on their property and the tree died, if it is a hazard there is an obligation to remove it. But if a property owner decides not to replace the tree, the City cannot force the property owner to replace it, correct?

Ms. Readler responded that it depends on the situation – how the buffer was drawn, the boundaries, etc. Legal staff can review this, if it is brought to Mayor's Court, to ensure there is appropriate jurisdiction and authority to enforce this.

Mr. McDaniel added that he believes that in some areas along Muirfield Drive, there was a plan under the PUD for this buffer.

Mayor Keenan asked if the obligation for the maintenance of the plantings on that buffer was placed upon the property owners.

Mr. McDaniel responded that is correct, based upon the documents in the Planning division. Staff has been working with some of the residents regarding this matter. There may be some hardship situations involved, and reasons the City would pursue the replacement, working with the landowner – whether a commercial property or residential property. In cases where this is more right-of-way than private property, the City will take responsibility for that. Some of those areas have been identified over time where the medians have been shifted or moved, and some of the opportunities for plantings were not deemed appropriate. Staff will work with the residents with the goal of cooperating to ensure the buffers are maintained/replaced. In the cases referenced, the buffers are actually on private property – not within the public right-of-way.

Mr. Reiner noted that he recalls the original ordinance from the 1980s specified that the trees would have to be replaced if they did not survive. He asked if this provision applied to commercial sites as well as PUDs. He does recall it was mandatory in certain cases that the trees be replaced forever. It was recognized the trees had a 15 or 20-year life, but recalls this mandatory requirement for replacement from the zoning process.

Mr. Lecklider clarified that he supports the intent, but he questions who has responsibility for this buffer. This is another potential case where succeeding homeowners are not aware of this personal responsibility to replace dead and dying trees.

Mayor Keenan noted that in the case of his commercial building along Avery-Muirfield, ash trees have died and they were required to replace them under the PUD requirements.

Mr. Reiner pointed out that Mr. McDaniel has mentioned potential hardship cases, and staff will review those situations. This is part of Dublin's aesthetics along the roadways – viewsheds, buffers that hide visual clutter – and is why those laws were written back in the 1980s. The intent was to create a green city that people would be drawn to for the environment. This is the core of the community and reflective of the City slogan.

Mayor Keenan asked that staff research this matter and provide additional information, specifically about the authority and responsibility issues regarding the buffer.

Ms. Salay added that her neighborhood (Heather Glen) has a similar buffer that was installed by the developer on Innovation Drive and on Wilcox Road. There are some property owners in her area who have replaced trees, but not always with identical plantings. She is interested in learning about other neighborhoods and other areas where similar action would need to be taken, especially as the landscaping ages.

Mr. McDaniel responded that staff will review all of this. Over the history of the City, such buffers were created and he believes the responsibility for maintenance/replacement was placed on the homeowner association in some cases and in others, on the individual property owners. Staff will provide a follow-up report as requested.

Mr. Reiner added that for the major arterials, it would be worthwhile to have the City's landscape architect review the plantings, determine the life cycle, then inform the responsible party of the future maintenance. These plantings are very important to the City's aesthetics.

Mr. McDaniel noted that is a good point. As staff reviews the right-of-way issues, it is possible that the City could participate as part of the tree replacement program. Staff will review all of this.

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Mr. Reiner commented that it would be good to have a comprehensive analysis done. Some Council members advocated the 200-foot setback with 14-foot berms so that the trees would not have to be replaced, but others did not support this. Such a setback would not require the tree plantings as buffers. Others supported a smaller setback with screening provided by evergreens. However, these trees have a limited life and will need to be replaced over time.

COUNCIL COMMITTEE REPORTS

Ms. Salay, Planning and Zoning Commission representative stated that the Commission will meet just once in July and will enjoy a recess for a few weeks.

Ms. Chinnici-Zuercher, MORPC representative reported that a conference call was held on Monday with a variety of organizations and municipalities regarding WOTUS (Water of the United States) and a proposed rule to revise its definition for all Clean Water Act programs. She has a packet of information to share on this. There was a wide range of positions expressed by those participating in the conference call. The purpose of the call was for the Regional Policy Roundtable Committee to give direction to William Murdock to take to MORPC's Executive Committee tomorrow. However, the Committee cannot recommend any direction for Mr. Murdock to take forward at this time, as the viewpoints were varied depending upon the purpose of their organization, their advocacy role, and role in lobbying at the federal level.

COUNCIL ROUNDTABLE

Vice Mayor Gerber thanked Mr. McDaniel and Ms. O'Callaghan for the update on the Dublin Road South shared use path project. He noticed that the Engineer's estimates for the bids seem to be higher than expected. Will that be the case for many projects, given that the construction industry has rebounded?

Ms. O'Callaghan responded that the timing of the bidding of this project was a factor, as construction season is well underway and contractors have commitments for this season. The other factor is that the project is being bid such that traffic can be maintained during construction, and that increases the cost.

Ms. Chinnici-Zuercher stated:

1. She received a call today from Muirfield resident Nan Fowler. She indicated that her next-door-neighbor has a drone and the drone has been operating over her house as well as others. She contacted Code Enforcement about this, and they indicated the City did not have regulations addressing drones and that Council would need to address this. Ms. Fowler did raise an important consideration related to privacy. It seems appropriate the City would have some regulations, if it is possible to do so legally.

Mr. McDaniel responded that all levels of government are dealing with this issue across the country. He has been monitoring it through various municipal publications. There has been some internal discussion with Legal staff and others about drones. Cities are leveraging drones in operations more and more for topographic and other uses. The City does not currently have regulations in place, as Code Enforcement has indicated. There is debate at the state and FAA level about regulation of drones, and staff will continue to monitor this.

Mayor Keenan commented that in the insurance industry, endorsements have been created for general liability purposes. Businesses are using these drones for various purposes. It is considered an aircraft under most insurance policies and therefore excluded. The industry is awaiting the ruling and guidelines from the FAA. Many companies are imposing their own criteria before issuing endorsements. The overwhelming issue is one of privacy. Dublin needs to be out in front on this issue.

Vice Mayor Gerber added that the *Wall Street Journal* recently had an article about the FAA and their concern with drones. The greens keeper at the Country Club at Muirfield uses a drone to assess the water damage from recent storms to share with the Greens Committee. He is aware that photos can be taken by the drones and this is definitely a privacy issue.

RECORD OF PROCEEDINGS

Dublin City Council

Minutes of _____

Meeting _____

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

July 1, 2015

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Held _____

Ms. Chinnici-Zuercher noted that Ms. Fowler raised the issue about the golf course, but her assumption is that someone was taking photos of golfers. She will contact Ms. Fowler and provide her with all of this information.

Mr. McDaniel stated that staff will continue to work on this issue and bring something forward to Council in the future.

2. A letter from the Pandey family was distributed on the dais tonight. It would be interesting for the Parks and Recreation Department to review these recommendations for adding adventure items to Dublin's parks.

Mayor Keenan:

1. Reminded everyone of the July 4th parade and events. There was a time change for the evening events, and Council will need to be available earlier for the portion they are involved in at the high school. It appears the weather will cooperate for the parade and activities!
2. Reported that he, Mr. McDaniel, Vice Mayor Gerber and their spouses were recently invited to dinner at the Consul General Katayama's residence in Bloomfield Hills, Michigan. They shared a lot of conversation and it was a very enjoyable event. The group was pleased to be invited to Michigan for this event. He thanked everyone involved for taking time out of their schedule to participate.

ADJOURNMENT

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

Mayor – Presiding Officer

Clerk of Council