

# RECORD OF PROCEEDINGS

Minutes of

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held

December 7, 2015

## CALL TO ORDER

Mayor Keenan called the Monday, December 7, 2015 Regular Meeting of Dublin City Council to order at 6:00 p.m. at the Dublin Municipal Building.

## ROLL CALL

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

Ms. Chinnici-Zuercher 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. Lecklider, yes; Mr. Peterson, yes.

The meeting was reconvened at 7:17 p.m.

Staff members present were Mr. McDaniel, Mr. Smith, Ms. Readler, Ms. Mumma, Ms. O'Callaghan, Ms. Goss, Mr. Earman, Mr. Rogers, Chief von Eckartsberg, Ms. Puskarcik, Mr. Shawn Smith, Mr. Hammersmith, Ms. Gilger, Mr. Kridler, Mr. Gracia, Ms. Shelley, Mr. Garwick, Ms. LeRoy, Ms. Ray, Ms. Husak and Ms. Downie.

## PLEDGE OF ALLEGIANCE

Vice Mayor Gerber led the Pledge of Allegiance.

## SPECIAL RECOGNITION

Mayor Keenan recognized two members of City Council who will be leaving Council at the end of this month.

Vice Mayor Gerber was first elected as an At-Large Representative in November of 2007, and has served two terms on City Council. He was elected by Council to serve as Vice Mayor in January of 2014. He has chaired the Finance Committee, the Administrative Committee and represented Council as liaison to the Dublin Board of Education. Prior to his Council service, he served seven years on the Planning and Zoning Commission and served as both Chair and Vice Chair during his tenure. He also was a member of the Community Services Advisory Commission and the Transportation Task Force, serving as Chair of both of these groups. As a Veteran, he was proud to serve as Chair of the Veterans Committee, which was assigned to pay tribute to veterans killed in duty. As a result of the Committee's work, the City dedicated the K.I.A. memorial in the Dublin Cemetery on Memorial Day 2013. In addition, he and Council Member Salay took the lead in the City's social host legislation, designed to reduce and prevent underage drinking. Vice Mayor Gerber is a graduate of the Dublin Citizens Policy Academy. Throughout his public service career, he has risen to the top in leadership roles. He thanked Vice Mayor Gerber for his service to the City of Dublin and his support as Vice Mayor over the past two years. Mayor Keenan invited Council members to comment.

Mr. Lecklider stated that he served on the Planning and Zoning Commission with Vice Mayor Gerber. He appreciates his service on Council, and his perspective as a Commissioner as well as a Council member. He will be missed. He has made many significant contributions to Council, and he wishes him well! He knows that he will stay in touch and he will be interested in his ongoing feedback.

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Mr. Reiner noted that much of the serious business of Council occurs in executive session and he appreciates Mr. Gerber's astute knowledge as a business attorney that added to Council's discussion about many major issues. Mr. Gerber is a fellow Veteran and has championed the City's recognition for Veterans with his leadership role on the various Veterans groups. He thanked him for all of his service.

Mr. Peterson stated that Vice Mayor Gerber constantly referenced Dublin's core values. In the deliberations regarding difficult decisions, the decision are easier when based on core values. He always was committed to what was in the City's best interest, remaining true to Dublin's core values in many courageous decisions. He appreciates his leadership and guidance, and he will continue to emulate his approach to public service. He thanked him for his service and his friendship.

Ms. Salay noted that she, too, first met Mr. Gerber when serving on Planning and Zoning Commission and then continued to work with him on Council. She appreciated his perspective, his business acumen, and his ability to be mindful always of the City's core values. He is also a Ward 2 resident and she could always rely on him to understand that perspective as well as community wide. She thanked him for his work on the social host legislation, and his involvement with Dublin P.E.R.C. and Dublin A.C.T. She believes the social host law will be one of his proudest achievements, in that it will save and change lives. He will certainly be missed! She looks forward to seeing him in his new law offices in Historic Dublin.

Ms. Chinnici-Zuercher stated that her impression has always been that Mr. Gerber is a man of few words, but those words are always extremely important to the dialogue at Council and help shape the policy being made. She agrees that the social host legislation is of critical importance to this community and will have impacts into the future for Dublin, saving lives and giving some parents the extra "backbone" needed when confronted with these kinds of issues. Having worked on the Finance Committee with him throughout his service, his background in business law and tax was extremely beneficial. It was reflected in the thoughtful questions raised in those meetings that were important to the Committee's recommendations and ensuring the financial health of the community is maintained. She also thinks of him in his role as an advocate for Veterans, as he was instrumental in ensuring the proper recognition was given to Veterans in the community. He also serves on the Board of the State of Ohio Veterans Hall of Fame, which demonstrates his continual interest and advocacy in this area that is certainly needed.

Vice Mayor Gerber stated that it has been a privilege and honor to serve the residents and this community for the past 20 years. His involvement began as a result of his concerns about traffic issues. His background is in business and taxation, and he never contemplated public service. However, the more he became involved, the more his interest grew. His service has been incredibly rewarding, educational, and he will always cherish this experience. He is incredibly proud of Dublin, and especially the dedicated, hard working, innovative staff. He is deeply proud of this Council and their passionate service, and is proud to have been a part of this. Dublin is a great community with great schools, great economic and business development, great government services, and Dublin has a fantastic future ahead. Serving the City has been very rewarding, and has been a humbling experience as well.  
[The audience gave him a standing ovation.]

Mayor Keenan commented regarding the service of outgoing Council Member Marilee Chinnici-Zuercher. He noted that she has served 16 years on Council, six of those years as Mayor; prior to Council, she served four years on Planning and Zoning Commission, which she chaired and was a member of the Personnel Board of Review. She has served on Council's Administrative Committee and chaired the Finance Committee; served as Council representative to the Mid-Ohio Regional Planning

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Commission and Chair of the MORPC Regional Policy Roundtable; was one of two Ohio representative to the Public Safety and Crime Prevention Committee of the National League of Cities; and represented Dublin during former New York City Mayor Bloomberg's launch of the Cities of Service initiative. She is a recipient of the YWCA Women of Achievement award, the Dublin Chamber of Commerce Spotlight Dublin Award, and the National League of Cities Women in Municipal Government Leadership Award. In addition, she is a graduate of the Dublin Citizens Police Academy. She is most proud of the creation of The Miracle League Field in Dublin, where she continues to serve as a "buddy" to a ballplayer. He added that he has a special appreciation for her time and dedication to serving as Mayor and member of Council. He thanked her for her service to the community!

Mr. Lecklider noted that he served on the Planning and Zoning Commission while Ms. Chinnici-Zuercher was Chairperson. She set a great example for him and others during this peak time for development in Dublin in the 1990s. He recalls her leadership in establishing The Miracle League field, and he shares her interest in this. The success of this endeavor was largely due to her leadership and efforts. As Mayor, he succeeded her, noting that she set a new standard for serving as Mayor in Dublin. The community was growing and the demands on both Council and the Mayor were greater. While holding a full-time job downtown, Ms. Chinnici-Zuercher attended all events and ceremonies associated with serving as Mayor. He strived to continue what she accomplished in the role as Mayor! He appreciates the time and energy she as well as other Council members invest in this position. The time she has devoted in serving as the Council representative to MORPC, as the Mayor, and her involvement throughout the region have been incredible. He thanked her for her service, and wished her well in the future!

Mr. Reiner stated that she dedicated 16 years plus to the community. She totally focused on every aspect of this job, in and out of Dublin. Her service on committees and many other entities was an amazing life achievement. She brought The Miracle League to Dublin, and that will impact children with needs for years into the future. He appreciates her wisdom and dedication to Dublin.

Vice Mayor Gerber stated that she has left her footprint and heart all over this City! It will take special people to fill her role. He learned so much from her, as she is smart and pragmatic as well. She taught him that community service/volunteerism is one of the most personally rewarding things a human can do. What she has done with The Miracle League initiative is remarkable, and it will be in Dublin for children for the future. In terms of the time and commitment required to serve on Council, Marilee has always operated in a higher gear – doing more than anyone for longer hours! He has always marveled at this, and has been proud to serve with her. It has been a true honor and privilege to work with her!

Mr. Peterson stated that what stands out for him is her amazing, unbelievable attention to detail. For many important issues, she always would ask the appropriate question about aspects – and they were always the important details. Her dedication of time was truly amazing. Her presence was not just a Dublin one, but a regional presence in the surrounding communities and the country, representing Dublin. She will leave a giant void and it will be difficult to replace her. He wishes her the very best!

Ms. Salay recalled meeting Ms. Chinnici-Zuercher while representing her Heather Glen neighborhood at a Planning and Zoning Commission meeting. Ms. Chinnici-Zuercher suggested that the Commission establish a subcommittee to study this major rezoning. The result was much better for her neighborhood. This experience gave her a passion for public service, and she has considered Ms. Chinnici-Zuercher a mentor over the years. She always learned something from the questions Ms. Chinnici-Zuercher raised.

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For The Miracle League Field, children with disabilities will benefit long into the future, as they make friendships and connections in their community. Her shoes cannot be filled, as she is one of the most accomplished persons in Central Ohio. It is important to keep her "in the mix" going forward as her contributions have been invaluable. She has devoted her whole life to public service, and she thanked her on behalf of this great community.

Ms. Chinnici-Zuercher thanked everyone for their kind remarks. Representing a fantastic community like Dublin – with its resources and talent – was a pleasure.

- She also thanked her late husband, Bob, who encouraged her from the beginning to run for political office. He knew of her love for Dublin and felt she could make a contribution to the development of Dublin. Dublin 35 years ago was a much smaller community and those involved were building of dreaming a community in which to raise their families.
- She thanked her son, Brian, who tolerated her absence for much of his life while she was serving the community, and to his wife, Liz, as well for listening to her stories about Council meetings, people, relationships, etc. and how everyone worked together in their decision making for the betterment of this community.
- To the fabulous past and present staff, no one on Council could look as good without all of the staff. The packets of information provided to Council enable Council to carefully consider the issues prior to the Monday meeting and contact staff with any questions as well. She is aware from her discussions with others in the region and nationally that not every city has staff like Dublin's who are very professional and provide the information needed to make great decisions.
- She thanked the Dublin people who elected her for four election cycles. Without their support, she would not have been on Council. She thanked those who helped with her campaigns as well.
- Dublin is an extraordinary community, and the elected leadership – previous, current, and future – have always been people willing to take the risks necessary to build a number one community in this country. That is what is needed to have an outstanding community. People that are too conservative in those decisions do not foster great communities. Dublin continues, month after month, to be named number one in some ranking – not just in the region, but also in the state and country.
- She noted that she is a follower of David Mathews, President and CEO of the Kettering Foundation of Dayton. He was the former director of Health, Education and Welfare under President Ford and a former President of the University of Alabama. When attending her first Planning and Zoning Commission meeting years ago, she recognized there was clearly a need for training the members to run public meetings. She pursued a fellowship in the Kettering Foundation under David Mathews, who at the time was teaching people how to engage with the public through active listening, and to make public decisions about policies that would impact them. Most importantly, he talked of what Alex de Tocqueville spoke of – that one must engage the public in dialogue. Through that engagement, Council can make better decisions. Alex de Tocqueville said when he came to the U.S. that, "The health of a democratic society may be measured by the quality of functions performed by its private citizens." Thus, it is important for all of us to recognize that each and every citizen is the community – and it is everyone's responsibility to be as engaged as possible, as talents and time permit. She trusts that all future Councils and staff will build on this philosophy, as it has been the foundation for building this terrific community.

She thanked each and everyone for having given her this incredible life experience!  
[The audience gave her a standing ovation.]

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Mayor Keenan stated that although Council members do not always agree, the mutual respect for each other is obvious in the comments made tonight. He added that the City is hosting a retirement reception for Ms. Chinnici-Zuercher on Thursday, December 10 at the Conference Center at OCLC from 5:30-7:30 p.m. He invited everyone in the community to attend.

He noted that an event would be held in January to celebrate Vice Mayor Gerber's service to the community. Those plans will be announced at a later date.

## CITIZEN COMMENTS

Cathy Boring, 9015 Picardy Court, Dublin stated that she and Vice Mayor Gerber have known each other for years – through his involvement with the Transportation Task Force, Planning and Zoning Commission and Council. She commended his efforts on the Planning and Zoning Commission, in particular, to build relationships among the members. She will always remember him on Council as a "go getter" – and as everyone has said, he is a man of few words who works to get things done in an expedient manner. She thanked him for his service over many years.

Her friendship with Ms. Chinnici-Zuercher began as somewhat "rocky," but their relationship grew because they both cared for the community. Ms. Chinnici-Zuercher cared to listen and meet with all, took action on behalf of those who approached her, cared about businesses in the City, often as the first one to welcome them. She always supported local businesses by taking her own business to them, and she encouraged her friends to do so as well. She built networks and relationships for the benefit of this community. She cared about improving her personal leadership skills as demonstrated in her participation in training and seminars. She cared about her colleagues, and encouraged everyone to provide their opinions about the issues before Planning and Zoning Commission.

In her Council service, she encouraged each member to present their best thoughts and to be well prepared for a meeting. She cared about the future vision of Dublin and was quick to remind everyone that Dublin was growing and reaching its fullest potential. That is evidenced today by her strong support of the Bridge Street District. She continues to serve the community in a volunteer capacity, and will do so in the future. Tonight, she thanks her for all of her service on Council and, most of all, for caring about Dublin.

## CONSENT AGENDA

Vice Mayor Gerber moved approval of the actions for the five 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; Mr. Peterson, yes; Vice Mayor Gerber, yes.

- Approval of 11-16-15 Regular Council Meeting Minutes
- Notice to Legislative Authority re. New D5A liquor permit for Tuttle Inn Developers LLC, dba Holiday Inn Express, 5500 Tuttle Crossing Boulevard, Dublin, OH 43016
- **Ordinance 99-15 (Introduction/first reading)**  
Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire a 0.263 Acre, More or Less, Permanent Easement; a 0.254 Acre, More or Less, Permanent Easement; a 0.061 Acre, More or Less, Temporary Easement; and a 0.091 Acre, More or Less, Temporary Easement from the Country Club at Muirfield Village from the Property Located Along Glick Road for the Construction of the Glick Road Shared-Use Path. (Second reading/public hearing January 12, 2016 Council meeting)

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- **Resolution 84-15 (Introduction/vote)**  
Accepting the Lowest and Best Bid for Guardrail Improvements – Phase 1 Riverside Drive and Dublin Road Project. (Project No. 15-029.0-CIP)
- **Resolution 85-15 (Introduction/vote)**  
Requesting the Delaware, Franklin and Union County Auditors to Draw Money that May be in the County Treasuries and to Issue a Draft to the Director of Finance of the City of Dublin for any money that May be in the Accounts for the City of Dublin.

Mayor Keenan suggested that the agenda be modified to hear Ordinance 93-15 and the proposed policy for utility extensions to existing developed property at this time, given the number of citizens in attendance regarding this item. There was no objection from Council.

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

### **Ordinance 93-15 (Amended)**

#### **Amending Chapters 51 and 52 of the Codified Ordinances Revising the Connection Requirements for the Sanitary Sewer and Water Systems.**

- Public Water Utility and Sanitary Sewer Utility Extensions to Existing Developed Property Policy

Mr. McDaniel stated that after hearing input over the years and more recent discussions regarding existing and extension of sewer and water services, staff is proposing tonight another approach to achieving the key objectives of City Council. He applauds Council's intent to provide the services to unserved areas with the effect of protecting the City's watersheds, making safe public drinking water available, and ensuring the availability of sewer and water should household sewage treatment systems fail – which they ultimately will do – or should well water no longer be feasible. Council has approved a plan in the CIP to extend these services to unserved areas in a 15-year timeframe and at no cost to those who will be able to use these services. Cities typically assess the costs to the property owner on a frontage footage basis. What remains to be discussed is when the residents who currently have access to these services and those who will have access to the services as a result of the service extensions will be required to connect.

01730183019302030e he became involved, the more his the proposed changes to the connection program before Council. Based on the discussion at the last meeting, some changes have been made to the proposed legislation and policy.

Mayor Keenan added that many of the modifications are due in large part to the contacts with the residents and their testimony at the last meeting.

Ms. O'Callaghan stated that staff has presented lots of information regarding this topic over the past couple of years. All of that information is on the web and in the Council packet available to the public. Staff has shared much of this information with the public along the way. Because tonight's focus is on the second reading/public hearing of the Ordinance, she will focus on the feedback received at the last meeting and subsequent to that meeting. Many individual meetings with residents have been held, group e-mails, phone calls, etc. and all of this prompted additional research and consideration of proposed changes. Her presentation tonight will focus on the changes as well as the rationale behind those changes.

1. For quite some time, the focus had been on developing a policy and implementation plan for extending services within the parameters of the existing Dublin City Code. Based on input, staff re-examined City Code and the past few discussions with Council related to proposals to amend the Code. Tonight, staff is recommending that two existing sections of the Dublin Code be repealed.

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2. Tonight, the topics will include a high-level background, focusing on the proposal presented at the last meeting for the benefit of those not in attendance at the last meeting. The overarching goals will be revisited because of the discussion that has occurred regarding policy and procedure. Up to this point, the connections to water and sanitary service has been discussed hand-in-hand, primarily because the Code handles them in that manner. The requirements in the existing Code are the same for both services. Based on feedback at the last meeting and other input, staff began to look at water connections separately from the sanitary sewer connections. Therefore, each of these will be discussed separately tonight; in the past, the focus has been on sanitary sewer leading the way, with water following. The proposed policy will be recapped, which is largely the same as discussed at the last meeting. Finally, the recommendations will be presented to Council.

## Background

At the last meeting, she reviewed all of the tasks that have been completed over the years to this point. It has been a collaborative, iterative, public process with a lot of public feedback taken into consideration. Staff believes that this entire process and feedback received has allowed the City to develop a policy and plan that achieves Council's goal and balances the needs and concerns of residents with varied interests in the subject.

Staff has presented several proposals for consideration in the past. Those proposals have evolved and changed, based on the public process.

At the last meeting on November 16:

1. Staff presented Ordinance 93-15 as originally drafted, which would have amended Chapters 51 and 52 of the Code, revising the existing connection requirements for sanitary sewer and water. The existing timeframe in the Code is 90 days and staff had proposed relaxing that to two years. Staff also proposed adding new language into those sections that would provide guidance for hardship waivers that residents might seek in order to relax the requirements.
2. Discussion took place about the existing conditions where a number of properties appear to meet the conditions for required connections that are set forth in the Code. However, for one reason or another, those properties are not currently connected to the public systems. The connection requirement in the Code had not been consistently enforced in the past, and staff wanted to start working toward getting those properties connected for Code compliance.
3. The draft policy was reviewed that would address and propose processes whereby extensions could be initiated as well as how the design and construction of those extensions would be implemented.

Residents have expressed concerns with many items, including the prioritization process, the required connections, and the timing of their connection on the schedule. Staff also heard about examples from residents with circumstances that staff believes would likely lead to those property owners seeking a hardship determination in the future and the fact that all of those hardship waivers would have to be completely vetted.

The goals that the City is trying to achieve are to protect the public health, safety and welfare of the residents; to provide access to public utility systems throughout Dublin for all Dublin property owners; and to have an equitable, documented systematic process to accomplish the extensions throughout Dublin. It is important that the Code language carries out Council's policy direction, has integrity, and can be effectively administered by staff.

## Water Connection

The plan has been to extend both water utilities together with sanitary sewer moving forward, primarily for cost effectiveness and the time to construct the services and

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impacts on the neighborhood or area of the work. The driver of the prioritization effort in terms of when the extensions would occur has been sanitary sewer services. Dublin Code currently sets forth the same requirements for connections to water as it does for sanitary sewer. As discussed before, the Code currently requires that once the City extends water and sanitary sewer to within 100 feet of the property line, the property owners are required to connect to the systems at their expense within 90 days. There was discussion of extending this timeframe for required connection. Since the last meeting, the water connection requirement has been considered independent of the sewer connection requirement and extensive conversations have been held with contacts at Franklin County Public Health as well as some other communities regarding connection requirements for water. Staff found that not all public entities require connection to water. The reason for this is that any potential risk associated with private water systems on private property would most likely be limited to that private property itself as opposed to posing a public health hazard. Therefore, there is not as much regulation in terms of requiring connections to public water systems. For those reasons, staff recommends that Section 52.00 of the Dublin Code be repealed so that property owners are no longer required to connect to the public water system.

#### Sanitary Sewer Connection

Dublin Code has the same language requiring connection to sanitary sewer as for water. Since the last meeting, discussions have taken place with Franklin County Public Health to gain a better understanding of their inspection processes, their authority and their processes with regard to Household Sewage Treatment Systems. They have oversight for these systems and have extensive processes in place, and the City has worked with Franklin County in the past on the administration. There are state laws addressing the HSTSs as well, and Franklin County Public Health is involved because in the event there are issues with any of the systems, those systems could pose a potential public health risk.

Franklin County Public Health has the authority under the Ohio Administrative Code to require connection to accessible public sanitary sewer systems. They have a process, and those processes are already outlined in the OAC. They have been used throughout the county. They also have appeals and variance processes in place, and the City has worked with them in the past to administer and assist in these matters. In the past, the City has found their enforcement practices to be reasonable. In terms of definition, an accessible public sanitary sewer system is defined as within 200 feet of the structure itself as opposed to the property line.

Based on these assurances, staff recommends Section 51.40 of the Dublin Code be repealed so that property owners are no longer required to connect to the public sewer system under Dublin Code. In the future, staff would work closely with Franklin County Public Health to ensure that HSTSs in Dublin are inspected on a routine basis, and then connection would be required when the HSTS is inoperable or malfunctioning and the public sewer system is accessible. The City would also require connection by working with Franklin County Public Health when they receive a new application for a Permit to Install a new system within Dublin for a property where sanitary sewer service is accessible. In those instances, Dublin would work with Franklin County Public Health to require connection.

Staff believes that these parameters would achieve the overarching goal of protecting the public health, safety and welfare of the residents.

#### Policy for Public Water Utility and Sanitary Sewer Utility Extensions to Existing Developed Property

Ms. O'Callaghan stated that the policy is largely the same as the version that was discussed at the November 16 Council meeting. The primary difference is that references to the Dublin Code requiring connection to the public utility systems have been removed throughout the document. To recap how the policy works:

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1. Provides parameters while also providing the City with flexibility to react to changing circumstances as well as re-evaluate the plan on an annual basis as part of the Capital Improvement Program.
2. Lays out two processes by which utility main line extensions may be initiated. First, the City will prioritize and program planned extensions as a part of the annual CIP process. The second process is the petitioning process whereby property owners in one of the extension areas can petition the City to reposition their priority within the 15-year plan, and potentially move up in that plan.

The City has already begun to utilize the first initiation process, given the significant discussion at the past CIP workshop. The criteria listed (on the slide shown) were all taken into account in developing the 15-year extension plan. The plan adopted is based upon what is known at this time, but can be re-evaluated on an annual basis, which is very important. It can also be adjusted, based on any changes or potential for health risk, opportunities to leverage CIP projects, available resources, property development, and any petition submitted throughout the year.

The second process by petition is a tool whereby property owners can reposition their area to receive the extensions. The process is identical to what was described at the last meeting.

In terms of implementing, the City would fund 100 percent of the cost of the design and construction of the extensions of the main lines of the system. This is unprecedented for a City, based on all the entities that the City researched. Other entities typically assess the cost of the main lines to the adjacent and benefitting property owners. Property owners would be required to pay for their private connection costs, which include tap fees and capacity charges, private service lines from the public utility mains, and any interior plumbing necessary at the time a property owner chooses to connect to the available water line, or a trigger occurs that requires them to connect to the sanitary sewer line.

In the case of property owners who have petitioned to reposition their area in the priority, it is important that the City secure a commitment from those property owners upfront prior to advertising the construction bidding for the project. This is because another area's priority could be impacted as a result of the petition.

The incentive discussed previously is that the City of Dublin would provide a waiver of 50 percent of the Dublin capacity charges, provided that connection is made within two years.

Monitoring and reporting is the same as discussed at the last meeting. This section of the policy calls for staff to prepare an extensive, comprehensive report that would be submitted to Council annually as a part of the CIP process.

Communication is key and will be provided on the website. The maps are already on the website and indicate the proposed extensions, based on information known at this time. The 15-year implementation plan will be on the website as well as the connection processes. Staff will assist residents with the connection process for the public utility services. Annual notification would be provided to the residents who live or own property in those extension areas that are programmed on an annual basis as part of the CIP. Staff is always available for face-to-face meetings, e-mails and phone calls to help with understanding the policy and process.

#### Goals Achieved with this Plan

- Protecting the public health, safety and welfare of the residents.

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The package presented tonight focuses on the sanitary sewer services and Dublin will continue to work with Franklin County Public Health on the inspections. As issues are encountered, staff will work with Franklin County to ensure that property owners are connected to the public system. This plan provides that the main lines will already be in place, so that properties not currently connected can connect quickly when needed versus waiting for a sewer line to be available and having to purchase a new system. That is the major benefit of this proposal.

- Provides access to public utility systems throughout Dublin for all Dublin property owners.

The 15-year extension plan developed does this.

- To have an equitable, documented, uniform systematic process to accomplish the extensions throughout Dublin.

The policy as proposed provides this.

- To have Code language that carries out Council's goals, has integrity, and that staff can effectively administer.

The requirements for connection have long existed in the Code, but it has been difficult to administer those requirements. By removing the required connection provisions from the existing Code, residents and staff will be clear on the policy direction and expectation moving forward.

## Recommendation

Staff believes that this approach will achieve all the previously referenced overarching goals and balances the interests of Council and those of the residents who may have differing opinions, based upon circumstances.

Staff therefore recommends Council take the following actions:

1. Approve Ordinance 93-15(Amended), which repeals the two sections of the Code that require connection to water and sanitary sewer service.
2. Adopt the proposed policy for public water utility and sanitary sewer utility extensions to existing developed property.

She offered to respond to any questions.

Mayor Keenan thanked staff and Council as well for the input and collaboration to get to this point. Whether or not residents choose to connect, the lines will be available and the City will have fulfilled its obligation to make the services available and protect the waterways and groundwater resources

Mr. Lecklider asked the total cost in today's dollars to accomplish this program.

Ms. O'Callaghan responded that the cost of extending the main lines is approximately \$18 million for both sewer and water.

Mr. Lecklider recalled that in a previous iteration, there was a staff proposed 25-year plan. Council modified that to a 15-year plan in the CIP discussion. With the changes to the connection requirements, does this impact staff's recommendation?

Mr. Reiner stated that with fewer property owners connecting to help reimburse the City for this investment, perhaps the timeframe for the overall program should be extended.

Mr. McDaniel responded that staff's initial proposal was for a 25-year timeframe, just looking at the funding in the CIP. Council desired to have a shorter timeframe, and so it was compressed to a 15-year timeframe. In the end, looking at the fees generated by users and the fact that the City is not assessing frontage fees for the lines, but instead subsidizing the sewer and water funds to do this primarily from the General Fund, the cost recovery is not a critical factor. After the analysis of a 15-year rollout, staff determined it could be done and Council has programmed this in the Five-Year CIP. He suggests Council stay with the 15-year timeframe at this point. Council will review this on an annual basis. The first property owners to have the lines available will be in year three of the Five-Year CIP, allowing for design and execution. Staff will

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actively engage residents between now and that time to ensure everyone knows of the plan and when the services will be available to them.

Ms. O'Callaghan added that for the first few years of the extension plan proposed and the first few years that are funded in the CIP, those projects are timed to leverage other planned CIP projects in those areas. That is why they are occurring at that point in time. Staff would want to do these extensions anyway in conjunction with other CIP projects, as it makes sense. There is adequate time to review and reconsider in the future.

Mr. Lecklider commented that this is a good example of how good public policy is made, with the hard work of staff, input from the public, and with the ideas brought forward by Council members. A good conclusion is the result.

Ms. Salay asked about the mechanism for inspection. She is aware that in the past couple of years, the City has worked with Franklin County Public Health to identify all of the HSTSs and their condition. How does that process look in terms of inspection going forward so that the City is protecting the health, safety and cleanliness of the waterways?

Ms. O'Callaghan responded that the City would contract with those agencies, similar to what was done in the past every few years on a routine basis to perform those inspections. In addition, Franklin County Public Health is now actually required by the state to inspect all of the systems. Currently, only a couple types of systems must be inspected, but moving forward, they must develop a plan for their inspection of all of the systems themselves. In the meantime, the City will contract with them to ensure the systems in the City are inspected.

Mr. McDaniel added that he served on the Franklin County Board of Health for 10 years and is aware of many state mandates placed on county health systems, including this inspection process. It is difficult to do these inspections without the funding to carry it out. He envisions the City will contract with the county to ensure those inspections occur. What the City learned in the inspection process is that residents are maintaining their systems, and the problems found were corrected quickly. The map shows areas in red that are prone to problems, relative to soil type and impacts on watersheds, and so those areas will be addressed first. In the end, the goal is to protect the watershed. The frequency of inspections has not yet been determined.

Ms. Salay stated that she appreciates staff and Council's work on this. Much study has gone into this, and she believes this final policy does what she did not envision was possible years ago – a solution that might satisfy everyone. The lines will be available so they are in place when needed; neighborhoods have the option of moving up the priority based on the petition process; the funding is in place; it is sensitive to the homeowners and their financial concerns, property concerns, life plan concerns relative to requiring connection. She is very proud of Council and staff for getting to this point with the policy.

Mr. Peterson stated he agrees completely with Ms. Salay. He supports this plan. The whole problem and solution is a good example of the process being necessary. All of the discussion over the years on this issue has come together in the past couple of weeks. This plan was fine-tuned and within the next 15 years, every portion of Dublin will have sewer and water lines available. The petition process will allow for an earlier priority for a neighborhood. No one is required to connect unless they need to do so. This allows for the property owner to make their own financial decisions about the timing of their connection, based on their individual circumstances. He appreciates everyone's participation and persistence as this plan and policy were being formulated.

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Mr. Reiner asked if staff has information about the percentage of residents who are interested in connecting to sewer and/or water.

Ms. O'Callaghan responded that staff does not have current information about this. Surveys were last done in the early 2000s. Staff does have a list of residents who call regarding requests for services, but there is not a percentage available at this time.

Mr. Reiner stated that he supports the option that residents can petition for a change in priority of their neighborhood. This will allow the neighborhoods who desire the services to have them earlier. At the time this was previously discussed, the City learned that many residents were not interested in connecting to the lines. This is a good solution.

Mr. McDaniel noted that the petition process does have parameters. In addition, there could be engineering considerations involved for extending the lines in some areas due to other constraints. There is a sequencing of the extensions that could affect the petition process.

Ms. O'Callaghan added that all of those factors must be weighed every year as part of the CIP process. In the case of a major transportation project, it would make sense to extend the utilities as part of it. It would not make sense to delay a transportation project to allow for a petition process.

Mayor Keenan stated that his understanding is there will be no mandatory connection for water. For the septic systems, if a system should fail, the property owner can still secure a permit to install a new system versus connecting to the sewer line, correct?

Mr. McDaniel responded that at the point the existing septic system fails and needs to be replaced, that is the trigger point for connection if the line is available within 200 feet.

Ms. O'Callaghan clarified that permits to install are submitted to Franklin County Public Health, which prompts them to contact the City to identify where the closest public sewer line is located.

Mayor Keenan invited public testimony.

Rollie Cruze, 6316 Post Road, Dublin stated that he and his wife have lived at this address since 2004. The south fork of Indian Run runs through his property, and he has always been interested in this waterway. He previously resided in Indian Run Meadows, on the northern side of this waterway. He has a viable interest in the health of this waterway. Currently, he has a well and drilled a new well in 2009, even though a waterline was available within 100 feet of his property line. He elected to do this as he utilizes the well water extensively for the landscape on his large lot. Given the fact he has a new well, he was not interested in being mandated to connect to City water. His well is safe and has a long expected lifespan. He supports the ordinance as proposed, and he believes it provides for the protection of the community and environment through the existing agencies that already exercise oversight – especially over the Household Sewage Treatment Systems. It achieves the necessary oversight without being overly punitive as were some of the previous ordinances. The systems have a relatively long lifespan. He applauds the fact that in terms of the water, staff recognizes the absence of any liability to the surrounding community or the environment when a resident utilizes well water for personal use. He noted that in the former language it was required that waivers for connection be considered by Council. He suggested that when and where possible, those types of decisions should be handled by City staff and the appropriate experts versus City Council. It would be a more efficient and effective mechanism to defer these decisions to staff.

Mayor Keenan stated that such decisions are now off the table, as they will be handled by the county.

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Mr. McDaniel agreed – these will be handled by the county Board of Health and their professional staff will render most of those decisions at staff level, with the exception of variances that would be considered by the Board.

Mr. Cruze state that he is pleased with the final form of the ordinance and urges passage. He thanked City staff, especially Ms. O'Callaghan, as she and her staff have been extraordinarily responsive. He was often shocked at the quick response on her part, which is very gratifying as a resident. He recognized his fellow residents of Area 7 along Post Road who have kept him informed as well. Finally, he personally thanked Ms. Salay who has expended extra efforts on this issue.

Kevin Langen, 5020 Dublin Road, Dublin chose not to testify in the interest of time.

Mike Gagel, 5060 Dublin Road, Dublin stated that he and his wife have resided in Dublin for 16 years. They have City water, but not City sewer. He is not certain of the distance from the existing lines, but his name was not on the list of those required to connect to City sewer. He asked that Council consider the cost to the homeowners and consider ways that the costs for the homeowner to connect could be financed. Perhaps there could be a creative solution, such as the City providing a contractor at a cost that would be far less for an individual homeowner; less disruptive to neighborhoods. On the map, there are 11 areas identified as those with concerns for the sewer. He supports the ordinance and requiring public sewage system treatment, but in the meantime, there are many retirees like himself who cannot finance the \$3,000 to \$12,000 estimate for the connection costs. That is likely a low number, as his home is 185 feet from Dublin Road. There are many things not known at this time. Another issue is that there was no notification. He encourages the City in the future to send a notice to the 358 property owners regarding an ordinance that will require some expenditure or will impact their properties. He asked that Council consider tabling the ordinance and consider these alternatives.

Mr. McDaniel stated that staff makes every attempt to share information regarding all legislation being considered. Staff recognizes there have been a couple of hundred properties within 100 feet of available utilities for a number of years, yet there has been no enforcement under the current Code. There is extensive communication and engagement needed with the public on this, and staff will do so.

Kathy Sheehan, 5040 Thornhill Lane, Dublin noted that she and her husband have one of the household sewage treatment systems that empty into the river. Having been the recipient of both downhill and downstream sewage overflows from Dublin for 30 years, whenever they occurred, she is very aware of the need to have functioning systems. She thanked staff and Council for taking into consideration all of the comments and concerns and responding to them. Since their property is downhill from where any sewage line would be, will lift pumps be required, will one be required for every house, will this be her expense to install or a City expense, and will the maintenance of such a pump be hers or a City expense? These are likely engineering and design questions, but at the time the survey was done several years ago, no one was able to provide the answers to these questions. She thanked staff and Council for being responsive on these issues.

Ms. O'Callaghan stated a similar question was posed by another resident today in another area. The preliminary layout for this area does show a pump station being required, and that pump station is a part of the public system and so the City would build that pump station to serve the entire neighborhood.

Mayor Keenan stated he believes that this question came from a resident adjacent to Thornhill.

Ms. O'Callaghan stated that in some instances, the preliminary layouts show a need for a pump station as a part of the public system.

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Mayor Keenan noted that the location of a pump station is an engineering issue and the major question is where the pump station will be located within a neighborhood. It will be driven by the engineering.

Ms. O'Callaghan added that the detailed design would not be done until the year prior to the planned construction. Therefore, design would be done one year and acquisition of needed easements and construction the next year. Some preliminary layouts were done across the City, but the sole purpose of those was to arrive at a citywide cost estimate for construction.

Mayor Keenan stated that information about priority of the neighborhood and timeline should be communicated to the residents.

Bobbi Feller, 5173 Hirth Road, Dublin stated that she and her husband live in Area 9 of the expansion proposal. There are several in Area 9 present tonight. She and her husband support the ordinance as amended, deleting the connection requirements from the Code.

Mayor Keenan called for the vote on Ordinance 93-15(Amended).

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

Mayor Keenan moved adoption of the policy as proposed.

Ms. Chinnici-Zuercher seconded the motion.

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

Mayor Keenan thanked everyone for their hard work on this plan.

## **Ordinance 83-15**

### **Adopting the Annual Operating Budget for the Fiscal Year Ending December 31, 2016, and Declaring an Emergency.**

Ms. Mumma stated that the 2016 operating budget was included in the packet, and reflects input from the workshops held on November 9 and 18. She offered to respond to any further questions.

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

Ms. Chinnici-Zuercher, Finance Committee Chairperson thanked Ms. Mumma and all of her staff for the hard work in preparing this budget. Council made minimal changes to the proposed budget, which speaks to the active listening on the part of staff regarding Council's goals and how to reflect that in the budget.

## **Ordinance 82-15**

### **Amending Section 2 (Wage & Salary Structure/Administration) of Ordinance No. 73-06 ("Compensation Plan for Non-Union Personnel").**

Mr. McDaniel stated that this is a companion ordinance to the operating budget document approved tonight. Previously, the Human Resources department was asked to evaluate, reorganize and define the purpose of the City's administrative staff network. The overarching goal was to review and create a classification with higher progressive knowledge skills, abilities and tasks within the common profession. The City retained J.K. Evans and Associates in October 2014 to do this assessment. The staff report in the packet included information regarding the proposed changes to the compensation plan. Also during the budget review, there was discussion of the need

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for a Network Engineer position as it relates primarily to maintaining the City's information technology system and with the advent of much more work relative to Dublin and bringing that work on board. Mr. Rogers, Director of Human Resources is present to respond to any questions. Staff recommends approval of the ordinance.

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

## **Ordinance 85-15**

### **Petitioning the Franklin County Commissioners for Annexation of Approximately 16.0 Acres of Land, located along Brand Road, to the City of Dublin.**

Mr. McDaniel stated this relates to the land associated with the design of the Coffman/Brand Road roundabout as well as the Wallace property that was purchased for parkland. Staff recommends approval of this ordinance.

Ms. Salay asked for the timeframe for annexation to the City of Dublin.

Ms. Readler responded that after the 30-day period until the ordinance is effective, it is filed with the county. Typically, the annexation is approved at the second hearing of the county commissioners and is effective immediately upon journalization.

Mayor Keenan stated that once this is effective, some of the signage issues can be addressed.

Mr. McDaniel confirmed that is correct.

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

## **Ordinance 86-15**

### **Establishing the Location and Amount of Cash on Hand for Change Funds.**

Ms. Mumma stated this is routine legislation. It will change the amount of cash on hand for the Planning division from \$50 to \$100 in order to improve customer service. This will also eliminate the change fund currently in place at Streets and Utilities.

Ms. Chinnici-Zuercher asked who in each department is responsible for this type of fund.

Ms. Mumma responded that all of these funds are in a locked box and are tested periodically throughout the year to ensure the balance is in accordance with the ordinance. Finance staff also works with departments to address security and process/procedure matters.

Ms. Chinnici-Zuercher asked if the individuals responsible for these funds are required to be bonded.

Ms. Mumma responded they are not bonded.

Mayor Keenan added that these individuals would be covered under the City's policy.

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

## **Ordinance 87-15**

### **Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire a 0.008 Acre, More or Less, Permanent Easement and a 0.033 Acre, More or Less, Temporary Easement from Romanelli and Hughes Building Company (formerly Coffman Partners LLC), for the Property Located off Discovery Boulevard for the Construction of a Shared-use Path.**

Mr. McDaniel stated this relates to a shared use path for Discovery Boulevard continued to Wall Street. Staff has reached agreement with the property owner on purchase of this property, consistent with the appraised value of \$3,050. Staff recommends approval of the ordinance.

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

## **Ordinance 88-15**

**Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire a 0.037 Acre, More or Less, Permanent Easement and a 0.093 Acre, More or Less, Temporary Easement from Connelly Brueshaber Real Estate Holdings, LLC, for the Property Located at 4340 Dale Drive for the Construction of a Roundabout at the Intersection of State Route 161 and Riverside Drive and a Shared-use Path Adjacent to Riverside Drive.**

Mr. McDaniel stated that this relates to a shared use path, the details of which are in the memo. Amicable discussions have taken place with the grantor and agreement has been reached for purchase in the amount of \$24,655.00, which is consistent with the appraised value. Staff recommends approval of the ordinance.

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

## **Ordinance 91-15**

**Amending the Zoning Code Sections 153.002 (Definitions) and 153.028 (Community Commercial-CC District) of the Dublin Code of Ordinances to Permit Business Training as a Permitted Use. (Case 15-103ADMC)**

Ms. Husak stated there are no changes since the first reading. She can respond to any questions. A representative of the applicant is present as well.

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

## **Ordinance 92-15**

**Declaring the Improvement to Certain Parcels of Real Property in the City's Bridge Street District to be a Public Purpose and Exempt from Taxation; Providing for the Collection and Deposit of Service Payments and Specifying the Purposes for which those Service Payments May Be Expended; Specifying the Public Infrastructure Improvements Directly Benefiting the Parcels; Authorizing Compensation Payments to the Dublin City School District and the Tolles Career and Technical Center; and Repealing Ordinance No. 61-94.**

Ms. Mumma stated there are no changes to the documents since the first reading.

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

## **INTRODUCTION/FIRST READING – ORDINANCES**

Note of clarification: Ordinance 94-15 was introduced, a staff presentation was provided, and votes were taken. However, the staff presentation given related to Ordinance 95-15, and therefore Council voted to rescind the actions taken. Ordinance 94-15 was read into the record again and reintroduced.

## **Ordinance 94-15**

**Amending the Annual Appropriations Ordinance for the Fiscal Year Ending December 31, 2015.**

Vice Mayor Gerber introduced the ordinance.

Ms. Mumma stated that this is the final housekeeping ordinance for the year, which provides for appropriations to accounts in accordance with other contracts awarded throughout the year.

Vice Mayor Gerber moved to dispense with the public hearing.

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Ms. Salay seconded the motion.

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

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

## **Ordinance 95-15**

### **Establishing Appropriations Based on the 2016 Operating Budget of the City of Dublin, State of Ohio, for the Fiscal Year Ending December 31, 2016.**

Vice Mayor Gerber introduced the ordinance.

Ms. Mumma stated that this ordinance establishes the appropriations in all of the accounts in accordance with the 2016 operating budget just approved.

Vice Mayor Gerber moved to dispense with the public hearing.

Mr. Reiner seconded the motion.

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

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

## **Ordinance 96-15**

### **Authorizing the Provision of Certain Incentives to Heritage Wealth Partners LLC to Induce it to Retain and Expand an Office and Associated Operations and Workforce within the City, and Authorizing the Execution of an Economic Development Agreement.**

Vice Mayor Gerber introduced the ordinance.

Ms. Ray stated that staff has been in discussion with Dublin-based independent wealth management firm Heritage Wealth Partners about its interest in relocating and expanding its corporate headquarters in Dublin. The company is currently located in a 1,100 square foot office facility on Venture Drive. The company plans to purchase and occupy a new 2,100 square foot office building at the Camden Professional Center on Emerald Parkway. The project includes the retention of four employees and the addition of two new employees by 2021. The proposed economic development agreement is a four-year, 12 percent performance incentive on withholdings, capped at \$3,600 over the term of the agreement. The company must reach predetermined annual withholdings targets to qualify for these incentives. The company will also use a \$2,500 relocation grant to assist with permitting and moving costs. Based on the company's payroll projections, it is estimated that the City will net approximately \$18,659 in income tax withholding revenue over the four-year term of the project. Staff recommends approval at the second reading/public hearing on January 12.

There will be a second reading/public hearing at the Tuesday, January 12, 2016 meeting.

## **Ordinance 97-15**

### **Authorizing the Provision of Certain Incentives to Updox LLC to Induce it to Retain and Expand an Office and Associated Operations and Workforce within the City, and Authorizing the Execution of an Economic Development Agreement.**

Vice Mayor Gerber introduced the ordinance.

Ms. Ray stated that Updox is a Dublin-based software company that is interesting in relocating and expanding its corporate headquarters in Dublin. The company was founded in 2008 and is currently located at 5500 Frantz Road. It delivers customer relationship management software for healthcare providers, and helps enhance relationships between physicians and their customers through secure healthcare communications software and digital messaging systems. Updox was recently named as 14<sup>th</sup> on the Columbus Business First Fast 50 list, and number 524 on Inc. Magazine's list of America's 5,000 fastest growing companies. The proposed EDA is a

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three-year, 10 percent performance incentive on withholdings, capped at \$40,000 over the term of the agreement. This project includes the retention of 48 employees and the addition of 72 new employees by 2019. The company must reach predetermined annual withholdings targets as well as execute a minimum five-year lease on a location within Dublin to qualify for these performance incentives. Based on the company's payroll projections, it is estimated that the City will net approximately \$639,077 in income tax withholding revenue over the five-year term of the project. Staff recommends approval at the second reading/public hearing on January 12. There will be a second reading/public hearing at the Tuesday, January 12, 2016 meeting.

### **Ordinance 98-15**

#### **Authorizing the Provision of Certain Incentives to CareWorks Ltd. To Induce it to Retain and Expand Offices and Its Affiliated Entities, Associated Operations and Workforce within the City; and Authorizing the Execution of an Economic Development Agreement.**

Vice Mayor Gerber introduced the ordinance.

Mr. Gracia stated that this economic development agreement is proposed for CareWorks and York Risk Services Group. Staff has been in discussions with them about their need to renew and expand their three current office locations in Dublin. He noted that York first entered the market in 2011. Subsequently, in January of 2014 CareWorks family of companies was purchased by York Risk Services Group, based out of New Jersey.

The EDA replaces and extends the current EDA through 2025. It is a 15 percent performance incentive on withholdings collected between 2016 to 2025, which is capped at \$1,809,000. In consideration, the company will retain 1,185 jobs and create 250 jobs by the end of 2027. The company will also expand its footprint by initially 40,000 square feet at Glendon Court. The City estimates it will net approximately \$9.67 million over the term of this agreement. Staff recommends approval at the second reading/public hearing on January 12.

There will be a second reading/public hearing at the Tuesday, January 12, 2016 meeting.

### **INTRODUCTION/PUBLIC HEARING/VOTE - RESOLUTIONS**

#### **Resolution 86-15**

#### **Rejecting Discrimination of Any Kind, and Urging the Ohio General Assembly to Consider Legislation to Ensure Equal Opportunity and Respect for All Persons.**

Vice Mayor Gerber introduced the resolution.

Ms. Readler stated that this resolution is a policy statement, which explicitly rejects discrimination of any kind, including discrimination based on sexual orientation and gender identity. The resolution urges the Ohio General Assembly to consider legislation to ensure equal opportunity for all people on a uniform, statewide basis. The resolution also encourages other central Ohio municipalities to pass similar legislation. Grandview Heights has already adopted similar legislation. Also included in the meeting materials are summaries of additional administrative actions that City staff will be taking to further enhance equal opportunity in Dublin, including amending the current non-discrimination provision in Dublin's standard public contract to require non-discrimination encompassing sexual orientation and gender identity, and amending the City's affirmative action policy to prevent discrimination based on sexual orientation and gender identity in City employment.

Ms. Chinnici-Zuercher stated that this is an important subject for Council to address and an important statement to make to the public and City employees about their equal protection.

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

**Resolution 87-15**

**Authorizing the City Manager to Enter into a Contract for the Provision of Legal Services.**

Vice Mayor Gerber introduced the resolution.

Mr. McDaniel stated that this resolution would approve the proposed agreement between the City of Dublin and Frost Brown Todd LLC to provide all general legal services for the years 2016 and 2017. Stephen J. Smith is the designated law director. The agreement provides for routine services to be provided to the City for a flat rate as well as Mayor's Court services. He views the Legal team as an extension of City staff and appreciates their service and institutional knowledge. Their performance is continually assessed in order that any issues can be addressed, should they occur. The Legal team reports to Council, as well, so if Council should have any issues, they can direct him to take those under consideration. The contract includes a termination notice of 60 days.

Vice Mayor Gerber stated that as an attorney, he recognizes the inherent value in the relationship between client and attorney. This legal team has provided great service over the years, and the institutional knowledge they provide is very valuable.

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

**Resolution 88-15**

**Authorizing the City Manager to Enter into an Agreement with Washington Township for the Purpose of Providing Certain Information Technology Services.**

Mr. Lecklider introduced the resolution.

Mr. McDaniel stated that Washington Township Administrator Sara Ott and Fire Chief Alec O'Connell have requested that the City of Dublin enter into a master services agreement for the delivery of information technology services to Washington Township. They would forego existing service contracts and bring those services to the City of Dublin relative to technology coordination consistency and pursuit of quality service. The City has the ability to deliver those services to the township in a very cost efficient manner. This reflects an approach to shared services and partnership with a neighboring jurisdiction. He thanked Ms. Ott, Chief O'Connell and Mr. McCollough, Dublin's Chief Information Officer for working through the issues.

Mayor Keenan stated that the City has enjoyed a good relationship with Washington Township for many years, and this agreement further enhances that.

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

**OTHER**

• **Basic Plan Review – Bridge Park, Block A**

Mr. McDaniel stated City Council previously approved the Basic Development Plan on January 20, which the applicant has revised with the application presented tonight. This will begin the approval process for Block A. The purpose of Council review of Basic Plans when development agreements are contemplated is to obtain feedback at the inception of the projects when the City is considering financial participation. This Basic Plan application is unusual from the aspect that the development agreement has already been approved by Council. The development agreement with Crawford Hoying was executed in August and this phase of the project, Block A, was included in the agreement. Although the City's financial contribution pertained only to Phase 1, and

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more specifically Blocks B and C, consisting of parking structures and roadways for that phase, the agreement itself covered the entire development area. The Code, however, requires Council's review and designation of the reviewing body for all subsequent development reviews. Because Council has seen the concept for this phase several times, if it is Council's pleasure, staff suggests designating the Planning and Zoning Commission as the reviewing body in approving the Basic Plans. Council would also be required to approve any requested waivers, but they are relatively straightforward and the Administrative Review Team has recommended approval of all of those. If desired, staff will provide a detailed presentation.

Mayor Keenan inquired Council's preference.

Mr. Reiner stated that he does have a comment. In his review, he noted that there is a section for the tree planters, but it is well known today that an urban tree needs an eight-foot space within a continuous greenspace connection to survive. In the past, the City has used three and four-foot tree wells for urban trees, and over the years, the trees die. An example would be the trees on North High Street in front of the OSU campus, which have been replaced frequently. He has discussed this issue with the campus landscape architect, who has stated that to encourage tree survival in an urban environment, an eight-foot pit is necessary. When he inquired how that affects adjacent sidewalks, he shared that countersunk metal grates are now used over which brick pavers of walkways can be laid to any adjacent concrete. The other solution is to have a continuous green zone, as used on Gay Street in Columbus where small metal fences connect the shade trees. This will ensure that the trees will grow to their maximum potential. Within this plan, that seems to have been accomplished, except on a few streets. He would like assurance from the landscape architect that the plans there will work, that those trees will successfully grow to 30-40 feet to achieve the desired softening effect of the urban architecture along that roadway. Overall, he believes this is a great project that will add much to the City of Dublin.

Mr. Lecklider stated that in the staff report related to the Basic Site Plan, several items are called out under Principles of Walkable Urbanism – pedestrian-oriented design, including setbacks, building entrances, etc. How will those be addressed?

Ms. Downie responded that those details will be reviewed with the Final Site Plan and Final Development Plan. Staff does have concerns with some of these items and they will be further reviewed in the next stages.

Mayor Keenan stated that the Planning and Zoning Commission would thoroughly review those details.

Vice Mayor Gerber noted that is the question – who reviews the Final Site Plan?

Ms. Downie responded that Council determines the reviewing body.

Vice Mayor Gerber inquired if this process is related to the resolution adopted by Council in December 2014.

Ms. Readler responded that those amendments to the Code made Council responsible for designating a subsequent reviewing body when development agreements are contemplated for a project.

Vice Mayor Gerber stated that he voted in opposition to that action, and this is the reason. It is perfectly acceptable and good policy for City Council to review the concept initially because an economic development agreement is anticipated. However, the legislation that was adopted requires Council to be more involved with waivers, etc. Hasn't the Planning and Zoning Commission been reviewing various aspects of this project all along?

Ms. Downie responded that at this stage, the Commission has not done so.

Vice Mayor Gerber stated that PZC has not seen this yet, so if Council begins to opine on some of these waivers, Council is in essence persuading the Commission how to proceed and, in some respects, limiting their ability to address other details.

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Ms. Downie responded that any additional waivers in the future would be addressed by Council's determined reviewing body.

Vice Mayor Gerber stated that in his opinion, Council has appointed very qualified people to PZC for the purpose of reviewing the many details of these types of projects. Although many current Council members previously served on the Commission, they no longer do so on a regular basis as in the past. His preference would be to table this and send it to PZC for review, then bring it back to Council, if that action is consistent with the legislation.

Ms. Readler responded that there might be another option. Because the Basic Plans are very conceptual at this time, Council could approve the Basic Plans with conditions, designate the reviewing body and request the applicant to postpone their waiver requests until the Development Plan and Site Plan are reviewed by PZC. However, per Code, there is a deadline for decisions and therefore Council would need the applicant's acquiescence.

Ms. Chinnici-Zuercher inquired what could be added that would ensure that the timelines continue to proceed in the proper manner.

Ms. Readler responded that once an application is filed, there are mandatory deadlines provided by the Code. That assures that the application continues to move forward. This is a very large project, so there are understandable delays. However, there are protections provided by the Code to ensure progress.

Vice Mayor Gerber asked if this matter is referred to the Planning Commission, would the process conform to the required timeframes.

Ms. Readler responded that to approve the waivers, it would not; therefore, it is necessary to receive the applicant's concurrence to move those waivers to a subsequent review.

Vice Mayor Gerber inquired if the notice requirement for a review by PZC is 10 days.

Ms. Readler responded that the applicant would file the waivers with the Development Plan and Site Plan application. With this Basic Plan approval, that would occur sometime in the future.

Mr. Lecklider stated that in regard to façade materials, brick, stone and glass are the committed primary building materials for both the corridor building and the parking structure. What is proposed extends well beyond. How will that be addressed?

Ms. Downie responded that it would also be addressed at the final review.

Mr. Lecklider stated that is, presumably, without input from Council.

Ms. Downie responded that the applicant is willing to take all input at this stage regarding any portion of the plan, but it is not an identified waiver that ART voted on due to the percentages and calculations that are required. It remains somewhat preliminary.

Mayor Keenan stated that Council is forging new ground in terms of recent action with the economic development agreement to require this review by Council.

Ms. Salay suggested that if Council has preferences at this stage in regard to building materials or other details, Planning Commission will review the minutes of Council and is very interested in Council's opinions and ideas and will look to those for guidance. She noticed the metal panels, as well. In some cases, those materials have been approved or disapproved at Planning Commission, depending on the building. Certainly, if Council has input, this is the opportunity to provide it, and staff will pass that along to the Planning Commission for their consideration in future discussions with the applicant.

Mr. Lecklider stated that with respect to the façade materials, there is only one paragraph regarding materials that are not approved. Is there another section in the

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report that provides staff's basis for believing that these materials outside of the stone, glass and metal are acceptable?

Ms. Downie responded that is not staff's statement in this report. The only waivers proposed for approval tonight are the six waivers that are listed. Any and all other waivers would have to be considered at the Final Plan review. Staff has provided only the general overview of the application. The detailed review has not occurred at this stage.

Mr. Lecklider stated that the parking garage falls short of his expectations, based on discussions that occurred in the earlier stages and conceptually compared to the other parking garages.

Ms. Downie responded that the parking garage architecture was provided to staff after the ART review, so the ART did not vote on any aspect of this architecture. At this point, it is very conceptual, and staff also believes that it needs some additional work. They have identified Banker Drive, running east to west, as the primary frontage for that building. They will work with the applicant on the modifications to the building.

Mr. Lecklider stated that his expectation, as he previously publicly stated, is that the parking garages should resemble what exists in the Arena District, in terms of character and quality. For the record, this concept does not come close.

Mr. Reiner stated that he agrees with Mr. Lecklider. There are interesting facades that could be added that would block out those open, blank spaces. He assumes that those design elements will be added.

Ms. Salay stated in regard to the Building Materials that her expectations are for more brick, stone and glass and less metal. She prefers metal as an accent material. She is also concerned about the parking garage. She noticed that there was some discussion about open space between blocks and she encourages staff to continue that discussion. For Council and PZC's benefit, she would also appreciate staff addressing in a staff report the landscaping and street trees. There has been much discussion about how to ensure street tree survival, and the City's plans to accomplish that. The urban landscape is so much a part of the character that the City is trying to achieve. She has had conversations with the staff landscape architect, Ms. Shelley, and information has been shared over the past year about what is currently constructed there. Council wants to be confident that this is being done right. She believes the building will be really interesting. With regard to the signage on the AC Hotel, "less is more." Because there is a risk in detracting from the architecture, she wants to ensure that whatever signage is on the building enhances the architecture in a "Dublin" manner – perhaps monument signs. In downtowns across the country, once beautiful skylines of buildings now also contain signs on every building. Her favorite art deco building in downtown Columbus now has a huge bank sign that has destroyed its appearance. She thanked everyone for taking her input into consideration.

Mayor Keenan inquired the procedure for Council action.

Ms. Readler inquired if Council is amenable to considering the waivers tonight, or is the preference to request the applicant to consent to postpone the consideration to a future reviewing body.

Ms. Salay stated that it would be her preference to consider the waivers to be consistent with the process that has been set forth and the process that was used previously. It is more straightforward and provides Council the opportunity to weigh in with its expectations.

Ms. Downie described the requested waivers, as follow:

- Basic Development Plan Waiver - Corner Side Property Line – Hotel. (Code Section 153.060(C) ). To provide the garage with a front property line, Banker

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Drive must be identified as a front property line, creating two front property lines instead of a front property line and a corner side property line for the hotel.

- Basic Site Plan Waivers:
  - Ground Story Height – Conference Center. (Code Section 153.062(O)(5)(3)(b)) - For the conference center ground story to exceed the 16-foot height limit.
  - Building Stories – Hotel. (Code Section 153.062(O)(5)(3)(b)) – For the hotel to be permitted to be eight (8) stories instead of the maximum permitted six (6) stories.
  - Ground Story Height – Hotel. (Code Section 153.062(O)(5)(a)(3)(b)) – For the ground story of the hotel to exceed the maximum height of 16 feet height.
  - Story Height – Hotel 8<sup>th</sup> Story. ( Code Section 153.062(O)(5)(a)(3)(b)) – For the eighth (8) story of the hotel to exceed the maximum of 14 feet; it is proposed for 14 feet, 8 inches.
  - Building Length – Garage. (Code Section 153.062(O)(12)a(2)) – Permits the garage exceeds the maximum permitted 300 feet length, due to the unique shape of the lot.

Ms. Salay requested that clarification be provided for the justification of the eight-story building height.

Russ Hunter, Crawford Hoying Development, 555 Metro Place, presented a brief overview of the plan. He stated that this development is more than a building or a block; it is an entire neighborhood. During the last two years, the plan has evolved, and Block A has improved. Longshore Street now goes all the way through, creating a separate block for the garage. The other programmatic elements in the original design – the hotel, events center and office – remain, but have been moved around slightly. The hotel is located adjacent to the roundabout, which will encourage pedestrian activity at the ground level. In regard to the conference center -- they have begun conversations with the Dublin Convention and Visitors Bureau. The office building has yet to be designed, but will be sufficiently flexible to accommodate one large tenant or several smaller tenants.

Vice Mayor Gerber inquired why they are asking for waivers.

Mr. Hunter responded that it is important to have some of the bigger items, such as the proposed eight stories, resolved tonight, before continuing to invest time, effort and money in further development of the project. They cannot proceed with development of the plan and at the end learn that something is unacceptable to Council. There will likely be more waiver requests as they continue to develop the project.

Brian Sell, Moody Nolan stated that the inspiration behind this block is the idea of "exchange." This is a business and events use block, and will be very active. More importantly, it is where the river and the natural park setting come together with the new urban context. They wanted this block to accomplish that in materials and form. This building façade does not have a single curve, but multiple curves – a reference to the inspiration of the river curves. It will also sparkle, as moving water would.

*Height Waiver* – The purpose for their request for a waiver to permit a taller space here is that the hotel user has offered them the opportunity to place a bar and event space on the roof. This use will cleverly mask all the rooftop mechanicals, and only hotel user activities could be seen. The event center, however, is one story – a large room or event space that can be divided into multiple rooms. It will connect to the adjacent public space. The height difference appears to be drastic, but it allows the pedestrian space in the multi-use plaza to be a more pedestrian scale next to the

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event space. The open air, pedestrian space forms a large gateway to the whole development.

*Garage Footprint* – Due to the size of the site and the geometry of that plan, this waiver of the garage length is necessary in order to avoid having exterior sloping ramps. The garage is a three-sided building, instead of a four-sided building, which follows the curve along Longshore.

Mr. Hunter stated that they have begun to develop plans for the interior of the hotel. [He shared two preliminary renderings]. It has a 20-foot ground floor, and they are trying to create something dynamic. The AC brand is a luxury, high-end brand. They have a specific look – European, lean lines, and it takes a little more height to accomplish it. The outside view of the hotel is of a glass wall that sweeps along Riverside Drive. The ground floor public spaces – the breakfast area, bar, lounge spaces – all align along that edge. One of the interior designer's idea is to, rather than using solid ceiling planes to define space, use light. He envisions a glowing glass box at night. [A Reveal Visual animated video of the inside and outside units was shown.] He summarized that the waivers are important for them to proceed with investments in the project. Their goal is to have this project open by the 2017 Memorial Tournament.

Mr. Reiner inquired what is meant by their reference to the excitement of the glass – the reflective quality, the type, the cadence of the glass with the other elements. Mr. Sell responded that is in reference to the transparency and reflectivity of the glass. Glazed metal panels are used for the curtain wall system. They are not shiny metal panels, but are a natural looking, aged copper material, with variations from one panel to the next. It will work with the mullions to create a faded pattern. Each room has the same window size.

Mr. Reiner inquired if Moody Nolan is also designing the garages.

Mr. Sell responded affirmatively.

Mr. Reiner inquired if they have addressed the screening of the open spaces in the garages at this point.

Mr. Sell responded that they need to lay out that concept diagram. A triangular garage is difficult to do. The big feature of the garage will be the façade, which will be treated as a community art piece. That is where the stairs and elevator are and feeds right across the street to the hotel and event center. That is what will be seen looking through the pedestrian space. However, the waiver for the garage length is essential, as it is not possible to "bend" the garage to make it work with the site.

Mr. Reiner inquired about the kitchens in the rooms.

Mr. Hunter responded that those are in the apartments.

Mr. Reiner noted that the ceiling heights in the rooms appear to be greater than eight feet.

Mr. Hunter responded that they are nine feet; in the penthouses, they are slightly higher.

Mr. Reiner stated that is great. That was one of the drawbacks with their Arlington project. The lower ceiling heights made the rooms appear smaller. He is pleased to see that correction in this projection. He understands the need for the waivers related to the ceiling heights in the hotel, and their attempt to make the lower and upper stories exciting.

Ms. Readler advised that the waivers should be voted upon individually.

- Basic Development Plan Waiver: Corner Side Property Line – Hotel (Code Section 153.060(C) )

Ms. Chinnici-Zuercher moved to approve the waiver.

Mr. Reiner seconded the motion.

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

- Basic Site Plan Waiver:
  - *Ground Story Height – Conference Center* (Code Section 153.062(O)(5)(3)(b)) - For the conference center ground story to exceed the 16-foot height limit.

Ms. Chinnici-Zuercher moved to approve the waiver.

Ms. Salay seconded the motion.

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

- *Building Stories – Hotel* (Code Section 153.062(O)(5)(3)(b)) – For the hotel to be permitted to be eight (8) stories instead of the maximum permitted six (6) stories.

Ms. Chinnici-Zuercher moved to approve the waiver.

Ms. Salay seconded the motion.

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

- *Ground Story Height – Hotel* (Code Section 153.062(O)(5)(a)(3)(b)) – For the ground story of the hotel to exceed the maximum height of 16 feet height.

Ms. Chinnici-Zuercher moved to approve the waiver.

Ms. Salay seconded the motion.

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

- *Story Height – Hotel 8<sup>th</sup> Story* (Code Section 153.062(O)(5)(a)(3)(b)) – For the eighth (8) story of the hotel to exceed the maximum of 14 feet; it is proposed for 14 feet, 8 inches.

Ms. Chinnici-Zuercher moved to approve the waiver.

Ms. Salay seconded the motion.

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

- *Building Length – Garage* (Code Section 153.062(O)(12) a (2)) – Permits the garage exceeds the maximum permitted 300 feet length, due to the unique shape of the lot.

Ms. Chinnici-Zuercher moved to approve the waiver.

Ms. Salay seconded the motion.

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

- Basic Development Plan with six conditions
  - 1) Define Banker Drive as a Front Property Line.
  - 2) Mooney Street extending from Banker Drive to W. Dublin Granville Road and Longshore Street should be identified as private drives with appropriate easements.
  - 3) Revise the "Corner Property Lines" to be side yard setbacks in all appropriate locations.
  - 4) Work with Engineering to finalize details and alignment of the right-in one-way access from W. Dublin Granville Road.
  - 5) Work with Engineering and the Acura dealership to modify the existing access point.
  - 6) Work with staff to provide for a more walkable, pedestrian scale, and connected site.

Ms. Chinnici-Zuercher moved to approve the Basic Development Plan with six conditions.

Ms. Salay seconded the motion.

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

- Basic Site Plan with four conditions

- 1) Work with Staff to provide for a more walkable, pedestrian scale, and connected site. This includes, but is not limited to:
  - a. The modification of the proposed open spaces;
  - b. Ensuring that all doors are not impeding on pedestrian areas;
  - c. Ensuring that all pedestrian features are at the appropriate scale;
  - d. Modifications to the proposed hotel pick-up/drop-off area.
- 2) Any parking spaces impacted by the proposed compressor be eliminated.
- 3) The site distance issue along Longshore Street at the proposed garage exit will need to be resolved.
- 4) The applicant will need Conditional Use applications approved by the Planning and Zoning Commission for the proposed parking structure and conference center.

Ms. Chinnici-Zuercher moved approval of the Basic Site Plan with four conditions.

Ms. Salay seconded the motion.

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

- Required Reviewing Body Determination for future Development Plan Review, Site Plan Review, and Conditional Use applications (CC, PZC, or ART).

Mayor Keenan moved to designate the Planning and Zoning Commission as the reviewing body for future development plan, site plan reviews and conditional use applications.

Ms. Salay seconded the motion.

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

## STAFF COMMENTS

Mr. McDaniel:

1. Reminded everyone of the following meetings:
  - Bright Road Area Plan community meeting will be held Wednesday, December 9, 6:30-8:00 p.m., Dublin Scioto High School.
  - Police town hall meeting also scheduled on December 9 at the Dublin Community Recreation Center at 7 p.m.
  - Crossroad Area Plan meeting regarding the joint Visioning Plan for the US 33 Corridor on December 17 at 6:30 p.m. at Dublin Jerome High School.
2. Encouraged everyone to shop local Dublin businesses during the holiday season.
3. Noted that there is a Communications Outlook document included in Council packets. There will be three companion pieces coming: one regarding City Manager activities; another regarding state and federal activities; and a third providing updates regarding capital improvement projects. This is the first of an ongoing communications effort to synchronize community engagement and ceremonial activities. Council feedback is welcome. If desired, adjustments can be made.
4. Asked Mr. Earman to provide an update regarding renovations planned at the DCRC in 2016.

Mr. Earman:

Stated that in Council's last meeting packet, there was a memo related to the 2016 renovations planned at the Community Recreation Center. The facility will be 20 years old next year and is need of some extensive repairs and renovations, which include the following:

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- Roof replacement – February through August. The work will not impact facility activities; there will be an effort to minimize the noise impact. This project is expected to be a five to six-month project.
- Gymnasium floor resurfacing. Last year, there was water damage due to a sprinkler head rupture in the gymnasium. The floor will also be re-stripped to accommodate additional sports, such as badminton and pickle ball. This project is anticipated to be a four-week project.
- Pool deck and drain, which is the largest project. It will involve lighting fixtures inside the pool. The existing lightbulbs are inefficient and expensive. All of the lighting housing and systems will be replaced, which requires going below the surface of the deck. All of the drain systems on the pool deck will also be replaced. This project is anticipated to be an eight-week project.
- The software program for registration for all of the recreation programs will be upgraded. This is a one-week update, and should not impact the patrons.

These renovations will have an extended impact on Rec Center members and patrons. In recognition of this, the annual memberships will be extended by two months. Outdoor pools will also remain open as long as possible to accommodate any potential need to use them, and daily hours of operation for the outdoor pools will begin at 6:00 a.m. rather than 10 a.m. This will accommodate the lap swimmers before the swim teams arrive. There will be no budget impact, because those dollars will not be spent on staffing the pools inside the Recreation Center. They are also checking with Dublin Schools to determine if there is some gymnasium space that could be used, and are checking with private entities in the area for other opportunities.

Ms. Salay inquired if, to accommodate the lap swimmers who have Rec Center memberships, their membership will permit them to swim their laps at the outdoor pools instead?

Mr. Earman responded that they have been offering all Rec Center members access to the outdoor pools during their annual shutdown.

Ms. Chinnici-Zuercher inquired if the gymnasium floor replacement is only for the basketball court floor.

Mr. Earman responded affirmatively.

Mr. McDaniel continued:

- On behalf of staff, he thanked Council for all of their efforts in this past year. It has been a challenging but productive year. He trusts staff has done all that they should have to assist them along the way.
- He also acknowledges and thanks both Mayor Keenan and Vice Mayor Gerber for serving in their roles, which require additional efforts.
- Also on behalf of staff, he thanks Ms. Chinnici-Zuercher and Vice Mayor Gerber for their service to this community, their support of staff, and for challenging everyone to reach for the next higher level. He thanks them, also, for their guidance, leadership and inspiration. As he tries to impart to City employees, public service is selfless and requires much effort. His preferred phrase, "all in, all the time," reflects what it truly takes to be a committed public servant, and Ms. Chinnici-Zuercher and Vice Mayor Gerber have certainly set a good example for all to follow.

## **COUNCIL COMMITTEE REPORTS**

- Hotel/Motel Tax Grant Recommendations – Finance Committee

Ms. Chinnici-Zuercher, Finance Committee Chair, stated that the Finance Committee met last week. She and Mr. Lecklider were in attendance; Vice Mayor Gerber was out of town. The committee met to consider hotel-motel tax grant requests. The

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committee's recommendations for the 15 grant requests are included in the meeting materials.

Ms. Chinnici-Zuercher moved to approve the Finance Committee's recommendations. Vice Mayor Gerber seconded the motion.

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

Committee recommendations for approval:

Arthritis Foundation Classic Auto Show - cost of City services and stage rental, not to exceed \$10,000

Club Ohio Soccer - Nike Challenge Cup & Fall Classic Tournament – cost of City services and specifically outlined costs, not to exceed \$13,000

Dublin AM Rotary – Blarney Bash - cost of City services, not to exceed \$10,000

Dublin Arts Council (DAC) – Seed money, not to exceed \$25,000, for costs related to the BREAD! Festival and work with staff on waiver of necessary City services similar to other DAC events

Dublin Coffman High School Interact Club - Drive-In – Costs to purchase an outdoor movie screen for drive-in charity fundraisers, not to exceed \$2,500

Dublin Jerome High School Homecoming Parade – cost of City services, not to exceed \$1,112

Dublin Scioto High School Lacrosse Boosters – cost of City services for the Ohio Middle School Tournament, not to exceed \$7,000

Dublin Soccer League – cost of City services and other specifically outlined costs for the

Dublin Charity Cup, not to exceed \$31,977

Dublin United Soccer Club – cost of City services for the Champions Cup Soccer Tournament, not to exceed \$6,000 with the stipulation that the Soccer Club must work with the Dublin Convention and Visitors Bureau (DCVB) to set up room blocks at Dublin hotels

Dublin Youth Athletics (DYA) – cost of City services for the Wayne Williams Memorial Baseball Tournament, not to exceed \$19,500

Historic Dublin Business Association - costs related to the 2016 Community Engagement Campaign, not to exceed \$25,000 with the stipulation that some of the grant funds must be used for website improvements

Kiwanis Club of Dublin – cost of City services for the Frog Jump, not to exceed \$5,000

National Intercollegiate Flying Association (NIFA) – costs for facilities rentals, trophies and an awards banquet for the 2016 SAFECON event, not to exceed \$10,000

World Archery of Ohio – costs of field rental, EMS support, permits, and field lining for United States Archery Team (USAT) qualifying event, not to exceed \$22,280

Committee recommendation for denial:

Down Syndrome Association of Central Ohio – request for \$5,300 for the Run for Down Syndrome 5K (denial based on City policy regarding support of races)

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Mr. Reiner thanked the Finance Committee. He noted that the Dublin Art Council's request for funding for a Bread Festival sounds very exciting and should be a real draw to the downtown area.

Ms. Chinnici-Zuercher noted that a high school student presented the Dublin Coffman Interact Club grant request for a drive-in movie screen. He did an excellent job. She was impressed that a student was confident enough to bring an application forward for minor funds for a project to benefit of the community.

Vice Mayor Gerber, Administrative Committee Chair, reminded the next Chair of the Committee that the City Manager and Clerk of Council evaluations will be due in February.

Mayor Keenan noted that board and commission candidate interviews and appointments would also occur in the March timeframe.

Mr. Peterson, Dublin School Board of Education Liaison, stated that there will be a board meeting this Wednesday, after which he will provide a report.

Mr. Lecklider, Logan-Union-Champaign County Regional Planning Commission representative, stated that he attended the annual dinner held on November 19. Mr. Hammersmith has served as the president of that organization for the last year. Mr. Hammersmith and many other staff members take on leadership positions beyond the jobs that they hold with the City, for which they should be commended. Often, that involves much work beyond the daily work they do for the City. Thank you to Mr. Hammersmith and all other staff members who go "above and beyond."

Ms. Chinnici-Zuercher, Mid-Ohio Regional Planning Commission representative, stated that a meeting of the Commission will be held later this week.

## **COUNCIL ROUNDTABLE**

Mr. Peterson stated:

1. There will be a Police Town Hall meeting this Wednesday evening at the Recreation Center. He asked Chief von Eckartsberg to provide a brief overview of the meeting objective.

Chief von Eckartsberg stated that Dublin is fortunate to be partnering with some great organizations, including the Attorney General's Office, Syntero Counseling Service, Dublin Schools, Franklin County Prosecutor's Office and Franklin County Coroner's Office. Facts will be presented to make the community more aware of the serious heroin problem in many Ohio communities and how that affects the crime rate.

2. It has been an honor serving with Vice Mayor Gerber and Ms. Chinnici-Zuercher. He wishes them the very best!

Ms. Salay stated:

1. It has been a privilege and honor to have served with Vice Mayor Gerber and Ms. Chinnici-Zuercher. They will be missed greatly. Council looks forward to celebrating Ms. Chinnici-Zuercher's service on Thursday evening, December 10.
2. There will also be a Bright Road Area Plan meeting on Wednesday night, December 9. The Dublin-Jerome Crossroads meeting will be held on Thursday, December 17.
3. Thanked staff for all their hard work this past year – Council really appreciates it!

Ms. Chinnici-Zuercher:

1. Expressed her thanks to everyone – serving on Council has been a fabulous experience!

# RECORD OF PROCEEDINGS

Minutes of \_\_\_\_\_

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held \_\_\_\_\_

December 7, 2015

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2. As many are aware, the City is developing a "Friendship City" relationship with Mashiko, Japan. They will be visiting Dublin on December 13. Council members will have a number of meetings and dinners with their delegation. Council looks forward to introducing them to our community, and the opportunity to reciprocate the warm welcome they extended to Mayor Keenan, Mr. Gracia and herself on their earlier visits Japan. They anticipate an enjoyable time!

Mr. Lecklider stated:

1. He attended the December 1 Dublin Irish Festival annual meeting, where an annual report was presented and volunteers were recognized for their service. The event was fun and well attended.
2. He, along with many other Council members, attended and enjoyed the Tree Lighting ceremonies last Thursday evening.
3. Thanked staff for all their hard work in 2015 and the many accomplishments they achieved. He is looking forward to 2016.
4. Thanked his colleagues and Ms. Chinnici-Zuercher and Vice Mayor Gerber, in particular, for their hard work and dedication this past year. The many accomplishments could not have occurred without them!
5. Happy holidays to all!

Mr. Reiner:

1. Thanked staff for all the work they execute with diligence and excellence. They make Council proud. Dublin is blessed with some of the most driven, focused staff members. The past 18-19 years working with staff have been great!
2. Stated that he will miss Ms. Chinnici-Zuercher, with whom he has served on Council the past 16 years. She has contributed immensely to the community and made many lives better.
3. Expressed the same appreciation to Vice Mayor Gerber for the many great things he has brought about in this community. He has enjoyed his friendship and the many discussions. He has been a great asset to the community.

Vice Mayor Gerber thanked everyone. He wished all a Merry Christmas and Happy New Year. He will be seeing them all around the "campus"!

Mayor Keenan stated that:

1. On November 18, he addressed the Jerome High School Student Council. The group was comprised of 75 students, and they had many good questions.
2. Last week, he attended the Irish Christmas at the Abbey Theater and the Christmas Tree Lighting.
3. Thanks to Sharon Lecklider for the great Christmas cookies provided tonight!
4. Reminded all of the Police Town hall meeting on December 9<sup>th</sup> and Ms. Chinnici-Zuercher's retirement reception on December 10<sup>th</sup>.
5. It has been an honor and privilege to have served as mayor the last two years. He appreciates the support he has enjoyed. As he stated two years ago when he was appointed, he believes this role should rotate. Therefore, there will be a new mayor for the next term.

## ADJOURNMENT

The meeting was adjourned at 10:12 p.m.

\_\_\_\_\_  
Mayor – Presiding Officer

\_\_\_\_\_  
Clerk of Council