

RECORD OF PROCEEDINGS

Minutes of _____

Dublin City Council

Meeting

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

January 25, 2016

CALL TO ORDER

Mayor Peterson called the Monday, January 25, 2016 Regular Meeting of Dublin City Council to order at 6:30 p.m. at the Dublin Municipal Building.

ROLL CALL

Present were Mayor Peterson, Vice Mayor Reiner, Ms. Alutto, Ms. Amorose Groomes, Mr. Keenan, Mr. Lecklider and Ms. Salay.

Staff members present were Mr. McDaniel, Ms. Mumma, Ms. Readler, Ms. Crandall, Ms. O'Callaghan, Ms. Goss, Chief von Eckartsberg, Mr. Earman, Mr. Foegler, Ms. Puskarcik, Mr. Tyler, Mr. Hammersmith, Ms. Gilger, Ms. Husak, Ms. Richison, Ms. Downie and Mr. Kridler.

ADJOURNMENT TO EXECUTIVE SESSION

Mayor Peterson moved to adjourn to executive session to consider personnel matters related to the employment of a public employee, 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.

Mr. Keenan seconded the motion.

Vote on the motion: Vice Mayor Reiner, yes; Ms. Salay, yes; Mayor Peterson, yes; Ms. Alutto, yes; Mr. Keenan, yes; Ms. Amorose Groomes, yes; Mr. Lecklider, yes.

The meeting was reconvened at 7:05 p.m.

PLEDGE OF ALLEGIANCE

Ms. Salay led the Pledge of Allegiance.

PROCLAMATIONS/SPECIAL RECOGNITION

- Dublin Silver Band

Mayor Peterson stated that the Dublin Silver Band recently won top honors in the U.S. Open Brass Band championships in Chicago. The Dublin Silver Band is part of the Dublin Community Band, which formed at the time the City was celebrating its Bicentennial in 2010. City Council approved hotel-motel tax grants to help cover the start-up costs for the Band, including music, uniforms and instruments and to help with outreach and promotions. Council is very pleased with the results of the Band's hard work and dedication. In addition to being named the top band at the competition, the Dublin Silver Band was named "The Most Entertaining Band!" A quintet from the Dublin Silver Band is present tonight to perform. [The quintet played "Danny Boy" for Council and the audience.]

Mayor Peterson invited Tim Jameson, Director to accept a proclamation in recognition of the Dublin Silver Band's achievements.

Tim Jameson, Director, introduced the members of the quintet who played this evening. This is but a subset of the larger Silver Band; in the Dublin Community Band, there are nearly 200 members. It was less than six years ago that this Band was formed! The Community Band is thriving, and this is the most vigorous and largest community band organization in the state of Ohio, if not more broadly. Much credit should be given to the start-up support provided by City Council and from the people who are part of the ensembles within the Dublin Community Band. They look forward to representing the City in England next fall. He thanked Council for this special recognition.

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Ms. Salay asked about the Dublin Community Band upcoming performances.

Mr. Jameson responded that there is a website: www.dublinbands.com

In addition, www.dublinsilverband.com website is available. There is a Facebook page for the bands as well. The next performance is the "All Dublin Bands Concert" which is in mid-March, and all the ensembles from the organization will be performing at one of the local high schools.

CITIZEN COMMENTS

Christopher Ore, 353 Hampton Park North, Westerville, Ohio stated that he is present to discuss a Central Ohio problem that is centered in Dublin, Dublin Springs Hospital. He has created a handout, which was distributed to Council. Dublin Springs opened 3-1/2 years ago and since that time, there have been between 19 to 22 patients who have escaped. That is one every 60 days. In recovering the patients, the equipment used ranges from Police helicopters, airplanes, canine units, tasers and the efforts involve tackling, handcuffing, locator posters, federal entrance of data for missing people, etc. He proceeded to describe the various conditions/diagnosis/history/actions of the 22 patients who have escaped, based on the written document he has assembled. He acknowledged that the Dublin Police did an outstanding job of handling the patients, even when they found them on school property near a neighborhood. The company that owns Dublin Springs is a for profit named Springstone, worth \$100 million. The company that owns over 95 percent of Springstone is a \$22 billion private equity firm -- Welsh, Carson, Anderson and Stowe. For 3-1/2 years, Dublin Springs has not been able to handle security issues. In 2013, the Dublin Police evaluated the facility and what should be done to secure it. None of this was addressed until now – when they plan to add a higher fence and increase the number of security guards. He contrasted this with Carrollton Springs in Texas where there is less than one third the escapes experienced by Dublin Springs in the same period of time. Concrete walls, non-scalable fences, monitored videos and call chains are used to prevent and report escapes. He emphasized that he is not unsympathetic to those with psychiatric disease, as he has been hospitalized eight times. What he is not supportive of are flimsy security measures 3-1/2 years too late that will not address patients who break windows to escape, who grab badges from employees to escape, to leave through unsecured gates. He concluded by stating that it is up to the City to determine what actions to take and to take action before the loss of a small child occurs.

Mayor Peterson asked Mr. McDaniel to comment.

Mr. McDaniel thanked Mr. Ore for meeting with him, Chief von Eckartsberg and Ms. Readler regarding Dublin Springs Hospital. This has resulted in a good dialogue and sharing of the information received as a result of public information requests. The City has worked with Dublin Springs since their opening relative to their security issues and has continued to monitor them. The hospital is taking corrective action relative to their fence, and the new fencing is similar to what exists in other communities that have taken similar security actions. The City has asked Dublin Springs to review their onsite security as well. In terms of patient issues, many of their patients are voluntary admissions. There have been some elopements, as documented, and the City has responded to that. The key item is the City is working with Dublin Springs to make the best situation possible at the facility. The City has also been in discussions with the Ohio Department of Mental Health and Addiction Services, the state agency that has responsibility for oversight. They have assured the City that there are no licensing issues existing and that Dublin Springs is meeting requirements. The dialogue and improvements will continue and will be monitored by the City.

Ms. Amorose Groomes asked when reports regarding assessments will be completed and shared with Council.

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Mr. McDaniel responded that he can share what has been done to date and what is being undertaken by Dublin Springs. The Hospital has completed the Planning and Zoning Commission process relative to fence height, and this fence was approved by the Commission. It is now a matter of implementation. Staff will keep Council updated on all of this.

Joe Evans, 9963 Morris Drive, Dublin and Davyd Miller, 2339 Keep Place, Grandview, representing the Greater Dublin Realtors Association addressed Council.

Mr. Miller noted that he served as Mayor of Shawnee Hills from 1992-1996. He is the President of the Greater Dublin Realty Association, and Mr. Evans is the Immediate Past President. The organization meets each Friday morning at the Muirfield Country Club and he invited anyone to join them. In the past couple of years, the Association has raised almost \$60,000; in May of 2015, an event was held in memory of Maria Tiberi at Midwestern Auto Group to raise monies to purchase distracted driving simulators. These are used to demonstrate to young people the dangers of distracted driving. Dom and Teri Tiberi's goal is to have a simulator in every high school. To date, nine of the simulators have been purchased. They hope to have another event in May of 2016 to raise more funds. The most recent fundraiser was held on September 28, and the GDRA joined Southern Delaware County Realtors Association in a golf outing. Proceeds of the event were split between Dublin City Schools and Olentangy Schools for teen suicide prevention. They will have the same golf outing this year on September 17 at Muirfield Country Club. They have donated about 12 scholarships to the high school students. He asked that Joe Evans attend future Council meetings to provide regular reports on their efforts.

Joe Evans thanked Council for their time.

Mayor Peterson asked for more detail about the distracted driving simulators.

[From the back of the audience, Mr. Miller and Mr. Evans provided additional details from the audience and directed people to their Facebook page and website.]

Brief discussion continued about experiences with the simulators and the dangers of texting and driving.

Chief von Eckartsberg commented that, as part of the agreement when the simulators were accepted by Police, they are to be available to any other department or school to be used for education purposes. A trailer was also donated by The Maria Tiberi Foundation to facilitate transporting the simulators. They were on site at last year's State of the City at Wendy's.

Mr. Reiner suggested that the simulators be taken to all of the local schools on a scheduled basis.

Chief von Eckartsberg stated that this has been underway and he can provide more information about the community use of the simulators. The SRO at Jerome High School coordinates the deployment of the simulators.

Mr. McDaniel stated that staff can meet with Mr. Evans to learn about activities they are doing in the community that can be shared via the City communication tools.

Nelson Yoder, Crawford Hoying invited Council to a "topping out" ceremony on the Bridge Park site next week. Building C2 is ready to be topped out. This is the five-story office building on the corner. The actual steel beam to be installed at the top of the tower, 100 feet in the air, is in the lobby tonight with the City Bridge Park logo. He invited Council members to sign the beam in preparation of the event next week. This is a milestone in the public/private partnership and a reason to celebrate.

This event will be held on Wednesday, February 3 at 12:30 p.m. This structure is immediately north of where Bridge Park Avenue will be and is the tallest building there today. There is a tower element that sits where the pedestrian bridge lands that comes across onto Bridge Park Avenue. This five-foot piece of steel is part of the tower element.

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CONSENT AGENDA

Ms. Amorose Groomes requested removal of the Preliminary and Final Plats for Bridge Park, Block A from the Consent Agenda. (This item will be considered under the Regular portion of the agenda under "Other.")

Mr. Keenan moved approval of the actions for the remaining four items on the consent agenda.

Vice Mayor Reiner seconded the motion.

Vote on the motion: Ms. Salay, yes; Mr. Lecklider, yes; Vice Mayor Reiner, yes; Mr. Keenan, yes; Ms. Amorose Groomes, yes; Ms. Alutto, yes; Mayor Peterson, yes.

- Approval of 1-12-16 Regular Council Meeting Minutes
- **Ordinance 01-16 (Introduction/First Reading)**
Amending Section 150 (Building Regulations) of the Dublin Codified Ordinances to include Adoption of the 2014 National Electric Code and the 2012 International Swimming Pool and Spa Code. (Second reading/public hearing February 8 Council meeting)
- **Resolution 01-16 (Introduction/Vote)**
Authorizing the City Manager to Enter into an Agreement with the Franklin County Public Defender for Indigent Defense Representation for 2016.
- **Resolution 03-16 (Introduction/Vote)**
Authorizing the City Manager to Enter into Memorandums of Understanding with the Franklin County Board of Elections for Use of Municipal Property in the Administration of Public Elections.

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 02-16

Authorizing the City Manager to Execute a Real Estate Purchase Agreement and Necessary Conveyance Documents to Acquire a 23.75 Acres, More or Less, Fee Simple Interest Located North of Rings Road, South and East of Paul Blazer Parkway and West of Frantz Road for Economic Development, and Declaring an Emergency.

Ms. Goss stated that Frantz Road establishes an important north/south connection within the heart of Dublin and serves as a major utility artery to the many businesses and corporate offices located on Metro Place and Blazer Memorial Parkway. As previously approved project in the City's capital budget, a nearly \$2 million project is currently underway with AEP to bury the overhead utility lines across the west side of Frantz Road that will upgrade and aesthetically improve the area. It is in this area that the City's Legacy Office space is primarily located. As a proactive measure to address City Council's goal of developing and deploying strategies to ensure the City's corporate office space remains competitive, staff has identified this vacant parcel of land in the Frantz Road corridor as a strategic development site.

Key attributes of this parcel include:

- Its high visibility and strategic location. According to traffic volume and usage statistics, Frantz Road serves upwards of 37,000 vehicles on a regular daily basis. This roadway is a major connector for commuters coming into the City north from I-270 and Post Road, and south from Tuttle and Rings Roads. Six of Dublin's top 25 employers are based within the area outlined on the map, representing over 5,600 jobs.
- Over the last few weeks, staff has begun to share articles and reports with Council in which a number of consultants and experts have recognized that on a nationwide scale, owners of suburban properties are increasingly finding their assets to be obsolete. Older properties such as those located in Dublin's Frantz Road corridor and Metro Place area are challenged to compete with new offerings that have greater proximity to mass transit and multiple retail and

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restaurant establishments. The closest lunchtime dining and service options are more than a mile away.

- Control of this site provides the City an opportunity to leverage trending best practices in suburban office redevelopment. At nearly 24 acres, this parcel represents one of the largest remaining undeveloped sites within Dublin's Legacy Office parks. With established road frontage on the east, north and south, multiple possibilities for development and rejuvenation can be explored for this portion of the Frantz Road corridor.
- While the site presents great opportunities, there are some current constraints to consider, as established in the Community Plan. Areas zoned as premium office/institutional are intended to serve as major employment centers within the City. Institutional uses in this classification are intended for large-scale facilities, such as major hospitals and universities serving a regional market with gross densities generally not to exceed 16,500 square feet per acre. Development guidelines specify that this site will require high visibility, have a proportionately greater number of employees, and require access to major arterials and proximity to interchanges.
- The Frantz Road corridor will become a prominent area of focus as the City continues to develop the West Innovation and Bridge Street Districts. Due to its strategic location, this site provides a unique development opportunity to revitalize the Parkway Professional Plaza and Frantz Road corridor and would be an area of focus within the framework of the forthcoming Office Competitiveness Study.
- Planning and Economic Development divisions will be working closely together with outside consultants to identify development challenges and opportunities for consideration. Staff looks forward to sharing this information with Council as the study unfolds.

Staff recommends approval of this ordinance at the second reading/public hearing on February 8, authorizing staff to proceed with the requisite due diligence to execute the real estate purchase agreement. She offered to respond to any questions.

Ms. Amorose Groomes stated that the memo speaks of proactive measures to address City Council's goals of developing and deploying strategies to ensure the City's corporate office space remains competitive. She understands that this reaches the goal, but wonders about some policy decisions for Council in terms of the remaining property in the City and acquisition of various pieces. Her other concern is that emergency language is included in the legislation. She asked staff to respond.

Ms. Goss responded that because of the nature of the property, which is currently listed on the market and the fact that the City has entered into a real estate purchase agreement, there are 90 days within which to execute the agreement. The due diligence process is underway in order to execute the agreement within the 90-day timeframe. There is a possibility to extend the timeframe, if necessary.

Ms. Salay noted that the City typically does land acquisition ordinances on an emergency basis. Once the City makes the decision to purchase a property, it is necessary to execute the agreement quickly.

Mayor Peterson stated that there will be a second reading/public hearing at the February 8 Council meeting.

INTRODUCTION/PUBLIC HEARING/VOTE - RESOLUTIONS

Resolution 02-16

Supporting an Application for Low-Income Housing Tax Credits (LIHTC) to the Ohio Housing Finance Agency (OHFA) for the New Construction of Avondale Woods II.

Ms. Salay introduced the resolution.

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Ms. Mumma stated that in late summer/early fall 2015, National Church Residences approached the City regarding their application for Phase 2 of the Avondale Woods project. Their application is for Low-Income Housing Tax Credits as part of the Ohio Housing Finance Agency. Staff worked with them on a number of items requested as part of the application. Amy Rosenthal, Senior Project Leader, National Church Residences will provide a brief presentation, including information regarding Phase 1 as well as future phases.

Amy Rosenthal, National Church Residences stated that she is accompanied by George Berardi of Berardi Partners, architect for the project. She provided background about the project.

- Avondale is a mixed income, senior community offering enhanced healthcare services onsite.
- They want to provide an update on the project as well as request support as they prepare their application due in mid-February to the Ohio Housing Finance Agency.
- NCR is located in Columbus, Ohio but is national in scope with over 330 housing communities across the country in 23 states, including Puerto Rico. In Ohio, NCR is also a healthcare provider as well. Avondale combines both housing and healthcare services.
- There are 100 units at Avondale today that serve a senior population aged 55 and over. Avondale is located off Avery Road in the southwest portion of Dublin.
- In April of 2008, initial discussions took place between NCR and the City about the concept of developing a mixed income senior housing community. It met the needs of the Dublin Community Plan.
- They began the rezoning process in 2009; in 2009, they received Council approval for the rezoning.
- They then submitted an application for the first phase in March 2010. They received the award and began construction on phase 1 in July of 2011, followed by the project gaining 100 percent occupancy in August of 2013.
- In 2014, they applied for funding for Phase 2, but the application was not successful.
- They are now preparing to submit an application for February 2016. The City Administration has been very helpful in responding to their requests for documents.
- They hope to receive their Tax Credit award in June of 2016 and break ground in the summer of 2017, with a 12-month construction period following. The complete Avondale project, which will contain 200 units, would open by summer 2018.
- Phase 1 includes a mix of market rate and low-income units. In terms of services, they operate an adult daycare center on site as well as enhanced community room and dining facilities. They have an LPN Care Coordinator who works with the residents, assesses their needs and ensures the appropriate services are provided on site.
- Currently, they are serving about 20-25 percent residents who come from the City of Dublin; when they first opened, that number was about 21 of the original 100 residents. On average, they serve about 38 clients each day in the adult daycare and about 15 percent come from the City of Dublin.
- Phase 2 will be a mirror of Phase 1. It will include 100 units of cottages and mid-rise style. She shared a site plan and renderings.
- Phase 2 will consist of about 15 cottages and two other mid-rise buildings for a total of 100 units with a mix of one and two-bedroom units.
- The community room is in the center and is already built.
- She shared an elevation of the mid-rise building and a snapshot rendering of the cottage.

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- She shared photos of the Phase 1 project already completed.

She encouraged anyone who wants to visit to contact her for a tour. She offered to respond to questions.

Ms. Alutto asked for the current occupancy rate.

Ms. Rosenthal responded it is 95 percent.

Mayor Peterson asked Ms. Mumma if she has additional comments.

Ms. Mumma stated that NCR is before Council tonight requesting support for the second phase via the resolution drafted for the packet. NCR has also requested a \$5,000 contribution for the application. The draft resolution does not include this language regarding the \$5,000 loan, but if Council desires to support this, the resolution can be amended by motion.

Ms. Salay asked about the purpose for the loan.

Ms. Rosenthal responded that it is strictly driven by the state agency in a highly competitive program. This \$5,000 loan will give the application points for having local funding and a commitment. This is needed in order for the project to compete successfully for the tax credits.

Mr. Keenan noted that the City provided an \$800,000 loan for Phase 1 of the project. When is any payback on that loan anticipated?

Ms. Rosenthal responded there was an \$800,000 contribution from the City for Phase 1. There are several other funding sources ahead of the City of Dublin loan in terms of repayment. They are estimating that any payback would begin in approximately 13 years.

Mr. Keenan asked what kind of amortization is anticipated, given the payback will not begin for 13 years.

Ms. Rosenthal responded that it is a 40-year term.

Mr. Keenan stated that Council was very pleased to have this program in place for Dublin. He asked if NCR will be requesting another loan for Phase 1.

Ms. Rosenthal responded that at this time, they are not considering it. However, they have had discussions about the possibility of requesting another loan from the City, should their application for Tax Credits be approved.

Ms. Alutto noted that for their other projects in other cities, she assumes those cities have contributed as well. What is the typical payback period for those municipalities?

Ms. Rosenthal responded that they are very similar. Generally, they do not anticipate any payback prior to 10-15 years from the time the facility is open. They are all cashflow contingent, just as the loan from the City of Dublin.

Ms. Alutto asked about the \$5,000 requested to secure points for their application. Is that \$5,000 subject to the same financial terms as the remainder of the \$800,000 loan?

Ms. Rosenthal responded it is not – they propose to pay that \$5,000 back within three to five years.

Ms. Salay stated that it is basically the business plan. There are multiple sources of funding borrowed and there is an order of the payback status of each of the sources. The City's documents indicated that the payback was to begin several years ago. This has prompted tonight's questions. Subsequently, it was learned that this is the way such projects operate. Council wants to understand the payback plan and why it is structured in this way. She asked Ms. Rosenthal to outline the sources of funding for these types of projects.

Ms. Rosenthal stated that, typically, for Phase 1 the largest source is the sale of the low income tax credits. Therefore, funding sources would include equity from the tax

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credits; a conventional loan; a deferred fee; Columbus Metropolitan Housing Authority equity contribution; and Franklin County has some funds in Phase 1. Everyone has a different position and all the payments are cash flow contingent. Generally, there is not cash available for payback until 10-15 years into the project.

Mr. Reiner asked about the priority of the parties for paybacks for Phase 1.

Ms. Rosenthal stated that the conventional lender is first; then the deferred fee; then the investor service fee; then Franklin County Home program.

Mr. Keenan asked if they are on schedule in terms of payback for the conventional loan.

Ms. Rosenthal responded affirmatively.

Ms. Amorose Groomes asked her to articulate why the Phase 2 application was denied in 2014.

Ms. Rosenthal responded it was based on the points, and other projects scored higher than theirs.

Ms. Salay recalled that the applications required demonstrated need over a number of other projects. It is not uncommon to apply more than once.

Ms. Rosenthal responded that is correct; generally, the application must be filed two or three times before it is successful.

Ms. Amorose Groomes stated that she has some concern with payback beginning in 13 years, as the buildings will be nearly 20 years old. That is the time when multi-family buildings become expensive to maintain.

Ms. Alutto asked the age of NCR's oldest community and if the monies lent have been fully paid back.

Ms. Rosenthal responded that the oldest NCR community is 55 years old. She does know the financing structure of that project.

Ms. Alutto stated she would like more information about some of the communities built 30 plus years ago to have a better understanding of the points raised by Ms. Amorose Groomes in terms of building age and depreciation. Waiting 13 years plus the 40-year term of repayment means a very long time to wait for payback on a building that continues to age and depreciate. She would like more information about some of their older communities and how they have handled the paybacks.

Ms. Rosenthal responded that, given Phase 1 is a low income housing tax credit project and that funding exists for about 15 years, they do go into a recapitalization strategy at year 15. In fact, the investors require this. So they work with an investor to determine the best capitalization strategy for that particular project. It may be refinancing, or a new tax credit deal. There are various options considered by NCR and the investor.

Ms. Salay stated that for her, there are two separate issues. What is before Council is the support for Phase 2, which has always been desirous by the community and is a greatly needed product. She would be in favor of approving this resolution of support and of including the \$5,000 loan so that Phase 2 can get underway. If NCR is fortunate enough to secure the grant and they plan to build Phase 2, another discussion will be needed about the paybacks and financing structure. Council needs to understand better how these projects and financing/paybacks are structured. If NCR is successful in their application and plans to return to the City to request additional funding, they can work with the Finance Director to provide all of the information requested by Council.

Ms. Amorose Groomes stated that she is not certain she could support the loan of \$5,000 in pursuit of the application to build the second phase if the City is not

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prepared to partner financially in the second phase. She does not want NCR to spend money on this application and pursue it only to find out that the City may or may not be in a position to financially partner with NCR again on the second phase. That may lead to NCR's inability to execute that plan.

Mr. Lecklider noted he agrees with Ms. Salay's comments.

Mr. Keenan stated it has been a long-standing goal of Council that this type of housing is needed in Dublin. He does believe it is important to support this so that it can move forward. As far as construction details, it would be difficult to change the second phase and not build it to mirror the first phase.

Ms. Amorose Groomes clarified that she is referring to the financial component, not the physical portion.

Mr. Keenan stated that his understanding is that NCR needs \$5,000 for the application fee to move this forward. That will not obligate the City to make another \$800,000 loan to them.

Brief discussion followed about the process to amend the resolution.

Mr. Keenan moved to amend the Resolution to provide a loan in the amount of \$5,000 as outlined in the memo.

Ms. Salay seconded the motion.

Mr. Reiner asked for clarification of the payback for the \$5,000 loan.

Ms. Rosenthal responded that the contribution made by the City for Phase 1 went directly to the project. NCR is proposing that this \$5,000 contribution be made to NCR directly, not to the project.

Mr. Reiner summarized that what he understands is that NCR is not returning to seek additional funding from the City for Phase 2 and that the City will provide the loan of \$5,000 to NCR in order to secure points and move the project up in priority.

NCR will repay the \$5,000 in a short period of time – three to five years.

Ms. Amorose Groomes asked what will occur if this application is not approved again.

Ms. Rosenthal responded that they would resubmit. Their plan is to build 200 units – Phase 1 and 2 – and so they would continue to apply for the tax credits.

Mayor Peterson stated that he understands that the \$5,000 provides "points" in terms of the City supporting the project. Obviously, this Council has evidenced a tremendous commitment to this type of product, given the previous support. This is inexpensive money at three percent over 40 years. This Council committed to that level of support previously. Questioning the additional funding is no indication of nonsupport of the product or program. His concern is that at the time the money was lent to them, it was not clear that the City was far down the list in terms of priority of payback.

Ms. Mumma stated that from staff's perspective, NCR has not been in default on the loan. The agreement at the time, and based on the minutes, clearly states that the payment is due April 1 and is based off of 25 percent of their cash flow, less eight different tiers of payments. The City is the ninth tier. There is a balloon payment clause that states that any outstanding principal and interest is due at the end of 40 years. The City has not viewed NCR as in default and continues to invoice them each year. The loan continues to accrue interest until such time as those payments begin to be made.

Ms. Salay stated that the City essentially knew at that time that the payment was not expected April 1 of each year, but because of the structure, the City was comfortable with the provision of a balloon payment at some point in the future. The City made this investment into this project because of the import of it.

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Mr. Keenan stated this was never a traditional financial deal. It had been a long stated goal of this and past Councils to provide for some type of affordable senior housing in Dublin.

Mayor Peterson stated there is a motion on the table to amend the Resolution to include the \$5,000 loan and that has been seconded.

Vote on the motion: Ms. Amorose Groomes, no; Vice Mayor Reiner, yes; Mr. Keenan, yes; Mr. Lecklider, yes; Ms. Salay, yes; Ms. Alutto, yes; Mayor Peterson, no.

Vote on the Resolution as amended: Vice Mayor Reiner, yes; Mayor Peterson, yes; Ms. Alutto, yes; Mr. Keenan, yes; Mr. Lecklider, yes; Ms. Amorose Groomes, yes; Ms. Salay, yes.

Ms. Amorose Groomes added that her vote on the amendment related to the \$5,000 loan is not an indication of nonsupport. However, without knowing what the future demands will be from the community, she does not want to encourage NCR to go through the expense of an application, given the uncertainty of City funding in the future. She supports the work they do, but does not want to begin something that cannot be completed.

Mr. Reiner stated that NCR has made a commitment to pay back these funds. Based on an experience his family has had with NCR, these are great facilities.

Mr. Keenan stated that as soon as the units are built, they will be filled immediately, demonstrating the need for this type of housing.

Ms. Alutto stated that in the future, NCR should have the additional information that supports their comments. She is aware that this was not purely a financial deal and she understands that. What she is struggling with is the whole concept of not getting paid back for that extensive period of time, given this is taxpayer money, and not having an understanding of how that is going to work in terms of aging buildings and 95 percent capacity. It seems that positive cash flows should be expected earlier so that repayments can begin for some of the funding entities. She asked that they bring back additional information, especially about their older communities that are successful and have paid back monies to cities. Much of the information presented tonight is available on their website, and the information does not go deep enough. However, she will vote "yes" due to Council's commitment to this type of housing being in Dublin.

Resolution 04-16

Intent to Appropriate a 0.066 Acre, More or Less, Fee Simple Right-of-way; a 0.004 Acre, More or Less, Permanent Drainage Easement; and a 0.550 Acre, More or Less, Temporary Construction Easement from Columbus Industrial Owner I, LLC, from the Property Located at 4353 Tuller Ridge Drive, for the Public Purpose of Constructing a New Roadway and Related Public Improvements.

Mr. Lecklider introduced the resolution.

Mr. McDaniel stated that the City continues its preparation to construct the new John Shields Parkway and related improvements between Dale Drive and Village Parkway. The project requires that the City acquire property from Columbus Industrial Owner I, LLC for the purpose of relocating a commercial drive from Dale Drive to John Shields Parkway and building the new road. Staff has been in discussions with the owner and hopes to reach an amicable agreement with the grantor. This resolution allows the City to pursue the eminent domain process, should the negotiations be unsuccessful. Staff recommends approval.

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Vote on the Resolution: Mr. Lecklider, yes; Mayor Peterson, yes; Ms. Alutto, yes; Vice Mayor Reiner, yes; Ms. Amorose Groomes, yes; Ms. Salay, yes; Mr. Keenan, yes.

Resolution 05-16

Waiving Competitive Bidding Requirements, Pursuant to Section 8.04 ("Contracting Procedures"), Paragraph (C) ("Waiver of Competitive Bidding") for the Construction of Certain Fiber Optic Laterals, and Authorizing the City Manager to Enter into a Contract with Columbus Fibernet.

Mr. Lecklider introduced the resolution.

Ms. Gilger stated that, as part of the next piece of the City's 100-gigabit fiber project in the Metro Office District, and as part of the bigger strategy to keep the City's Legacy Office parks competitive, fiber optic laterals will be extended from the main line into 16 individual office buildings. This resolution proposes to waive competitive bidding for the following reasons:

- Dublin is a live system with many active users. Splicing into it to extend 16 new pathways is a very delicate task.
- Columbus Fibernet built, manages and maintains the operational integrity of the system and can provide accountability to protect Dublin from disruptions during the splicing of these laterals.
- Based on similar lateral projects, the estimate of \$250,000 for the design and construction of these 16 lateral lines is a competitive price.

Staff recommends approval of the Resolution. She offered to respond to any questions.

Ms. Alutto asked how much of the City's fiber is dedicated to municipal use.

Mr. McDaniel responded that the City has allocated one-third of the bundle. The City has 48 pair and 96 fiber, and generally has allocated one-third of that to institutional use. Of that, it breaks down between maintenance and other public uses.

Ms. Alutto asked how much of that is dark fiber.

Mr. McDaniel responded there are 15 pair or 30 fiber remaining that are unlit. That is just in the main backbone. The City recently completed an inventory. Some parts of the system have been overbuilt with an additional 96 fiber, that is as it particularly relates to the Legacy Office Parks. That fiber was overbuilt last year in order to do the 100-gigabit project. There are other segments in the system that have additional capacity.

Ms. Alutto asked how much more will the City be doing in terms of providing fiber to those areas within the Legacy Office parks.

Ms. Gilger responded that Phase 1 in 2016 will light 16 buildings, taking care of all of the office buildings in Metro.

Mr. McDaniel added that additional capital funds are budgeted in years 2017 through the remainder of the Five-Year CIP to continue to build that out through the office parks.

Ms. Gilger added that would take the fiber down through Blazer Parkway.

Mayor Peterson asked Mr. McDaniel when the City initiated Dublin.

Mr. McDaniel responded that discussions began in 1995 in anticipation of The Telecommunications Act. The City began working on the infrastructure for Dublin shortly after that. The main construction occurred in 1999 – 2000. Therefore, the City has been involved with Dublin for nearly 20 years.

Mayor Peterson stated that in talking about this fiber backbone with the School officials and business groups, it is unbelievable how forward thinking that was. There is no other city of Dublin's size that has such a program, as far as he is aware.

Mr. McDaniel concurred. An article about the City's Dublin was recently published in Area Development magazine, and he will provide a copy to Council. The 100-gigabit is part of an incentive package for local businesses who typically would not have this

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type of access. It will carry them back to the data center where they will have access to multiple internet service providers, offsite data storage, as well as the ability to house their own equipment. A small or medium-sized company would not typically have that ability.

Mayor Peterson stated that, eventually, this will include the Schools and other entities. Mr. McDaniel agreed, noting that the Schools are in discussion about coming onto the 100-gigabit backbone. Dr. Hoadley is briefing the School Board about this tonight, following some discussion last week.

Mr. Reiner stated that he recently viewed a program about why London is a financial center. Their fiber network is very advanced and has drawn great businesses to London. Hats off to Mr. McDaniel and Council who took the risk 20 years ago and implemented Dublink!

Mr. McDaniel added that Councils past and present were the key in the implementation of this.

Vote on the Resolution: Ms. Amorose Groomes, yes; Mr. Keenan, yes; Ms. Alutto, yes; Ms. Salay, yes; Vice Mayor Reiner, yes; Mayor Peterson, yes; Mr. Lecklider, yes.

Resolution 06-16

Authorizing the City Manager to enter into an Indefeasible Right to Use Agreement with Cardinal Health to Utilize Fibers Within, and Connect to Dublink Facilities.

Mr. Lecklider introduced the resolution.

Ms. Gilger stated that Cardinal Health is requesting the use of two fiber pairs (four strands) to support its global technology operations. Because of the constantly changing world of healthcare, Cardinal saw a need for more connectivity at higher speed. Dublin will allow Cardinal Health to connect from its headquarters to its global distribution centers to process a higher volume of orders and become more efficient with product fulfillment to their hospitals, doctors and patients. The City does possess additional capacity within Dublink fiber, as Mr. McDaniel has indicated, to accommodate this request. Staff recommends approval. She offered to respond to any questions.

Mayor Peterson stated that the agreement is for a relatively short period of time – nine months.

Ms. Gilger clarified that it actually relates to termination, if they would ever dip below a certain level of payroll in the City of Dublin. There is a nine-month window for them to disconnect from the fiber. This agreement carries through 10 years and is renewable as long as the payroll stays consistently above that threshold.

Vote on the Resolution: Ms. Salay, yes; Mr. Keenan, yes; Mr. Lecklider, yes; Mayor Peterson, yes; Ms. Amorose Groomes, yes; Vice Mayor Reiner, yes; Ms. Alutto, yes.

OTHER

- Approval of Preliminary and Final Plats - Bridge Park, A Block (Case 15-117PP/FP)

Ms. Downie stated that the Planning and Zoning Commission reviewed this and recommends approval. The preliminary and final plats are consistent with the Basic Plans that were approved by Council. She offered to respond to any questions.

Ms. Amorose asked if the PP3 drawing could be shown on the screen. She is aware there has been much discussion about this development as a whole, but she would like to take this opportunity to provide comments. She stated that:

- Council approved the height waiver on this building. It was originally discussed on October 26, 2015 at which time it was stated there would be an opportunity

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for significant input from the community and that public comment would be taken.

- On December 7, Council approved the height waiver for the eight-story hotel, which removed it from the purview of the Planning and Zoning Commission. She has tremendous concern that the height of the building was raised 36 feet and there was never significant opportunity for public input.
- She has concerns about the eight-story hotel building being adjacent to what is essentially a one-story building. She believes that everyone has had the experience of being disappointed by staying in a hotel in a large city only to find the view from the room is of a rooftop of a convention center next door. This is a blank slate, and there is opportunity to do better.
- In the last line of the memo to Council, under the description, it states that a small amount of excess City-owned land at the southeast corner of the site is not needed for the construction of the future roundabout and that the land will be transferred to the applicant. She asked for clarification for what piece of land comprises this excess land.

Ms. Downie responded by pointing out the strip of land on the slide.

Ms. Amorose Groomes noted there is a hatch mark in the description of the PP3 drawing and it indicates "excess land owned by the City of Dublin" and indicates it is .22 acres.

Mr. Foegler clarified that this land is the entire strip that surrounds the edge of the site. Council will recall that when the right-of-way was initially purchased, it was prior to the design of the roundabout. The development agreement with the developer acknowledged that those were preliminary estimates of right-of-way. The agreement then contemplated a whole series of land exchanges where the developer provided land to the City and the City provided land to them. This is part of what is identified in the development agreement as one of those pieces of real estate that goes back to the developer.

Ms. Amorose Groomes stated that it varies in width along the strip. Her concern with this application is that on May 20, 2013, Ordinance 38-13 authorized the purchase of 5.12 acres from the developer for right-of-way. In the exchange the City paid them \$3.327 million. This was less than three years ago, yet the City is now giving them .22 acres or \$142,957 of land back at no cost. She recalls being at a Council meeting when they were given a portion of the Wendy's site – the fast food restaurant drive-through that was purchased at great expense to the City. This land was thrown into the deal and given to the same developer. Her concerns are that in less than three years, the City buys land and then gives it back. She would like to have more discussion about this.

Mr. Foegler stated that the economic development agreement includes a graphic of a whole series of pieces of property – some pieces owned by the developer and other pieces owned by the City of Dublin. The agreement contemplates all of those acreages being looked at. The agreement provides that, because it is effectively a "wash" – those would be exchanged at no cost. The original purchase agreement, prior to the development agreement, actually had a buyback provision that if either party needed more land, they would buy it back at the appraised value of the land. Then the larger land exchange arrangement was established in the economic development agreement. For example, the new City plaza on the west side of the river is provided by the developer to the City at no cost. That is one of the pieces of land. There is a lot of back and forth pieces of land exchanged, and those were all negotiated and identified as part of the development agreement.

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Ms. Amorose Groomes stated that she understands that, as any time any development comes through there is dedication of parks and items of that nature, but this is clearly, in her opinion, land that the City had just purchased.

Mr. Foegler clarified that the plaza is not park dedication land – it is above and beyond those requirements and is a very valuable piece of land. All of those were looked at comprehensively as part of the development agreement.

Mr. Keenan suggested that staff provide an inventory all of this land as contemplated in the development agreement for later discussion.

Mr. Foegler responded that he can provide this graphic to Council. It is one of the exhibits in the development agreement.

Ms. Salay concurred that this graphic was part of the development agreement that Council approved. She agreed that a memo with this information would demonstrate to the public what the City purchased or exchanged in conjunction with the development agreement.

Mr. Foegler added that the COTA sites, excess land the developer bought that came back to the City, rights-of-way that were vacated, future plaza sites needed – all of that was met and beyond any park dedication requirements. On balance, that was one of the negotiated terms that those exchanges would occur. In fact, the development agreement calls for the exchanges to occur at time of platting. This is occurring at the time that it is provided for in the development agreement. He agreed to provide the graphic for further information.

Mr. Lecklider noted that the height waiver was of concern to Council. The applicant provided explanation for this request. The issue was not taken lightly by Council. If he understands Ms. Amorose Groomes' comment correctly with respect to the view from a hotel room being the rooftop of a convention center, his understanding of the orientation is such that this would not be the case – at least for the majority of rooms.

Ms. Amorose Groomes responded that it largely speaks to the scale. She had read the meeting minutes where there was discussion of ramping up the rooftop of the convention center to make the change less dramatic from a one or 1-1/2 story building to an eight-story building. Her disappointment lies in not being able to find some common ground so that the intent of the District could be maintained. As one travels through the roundabout, heading north on Riverside Drive, there is an eight-story building next to a one-story buildings, then back up to five-story buildings. She would have preferred this to be more cohesive. There has been much discussion about pedestrian scale. When she served on the Commission, they spent significant time writing the Code for this. Building heights matter in pedestrian scale. There was good reason for the building heights to be as written in the Code. She is disappointed that there is a blank canvas and an opportunity to make this more pedestrian-friendly and of pedestrian scale. As everyone can attest, there has been tremendous investment of time in determining what is pedestrian scale and how to engage people into the public realm. With a blank slate, the outcome is unfortunate. There was not significant opportunity for public discussion, as she had anticipated.

Ms. Salay responded that Council did recently review this as a plat, and the applicant brought forward graphics of the hotel with the proposed convention center and how it all works in terms of the pedestrian aspect. There was lots of discussion about the height and if it was appropriate or not. She is comfortable with the hotel and how it relates to the convention/event center, how it relates to the pedestrian plaza, and the view shed through that plaza back to the parking garage. Perhaps the website where the renderings are housed could be shared. She mentioned that she is always amazed at the very small number of people who attend the Commission meetings for this major initiative. The public has ample opportunity to make public comment at these meetings.

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Ms. Groomes stated that her concern is that the height of the building was never under the purview of the Planning and Zoning Commission, but instead was reviewed by Council.

Ms. Salay noted that the Commission could certainly weigh in on that and provide input to Council, as could the public at the outset of the Commission meetings.

Mr. Reiner stated there were numerous drawings as to the relative height of the building. To have the spatial excitement for a hotel, the building had to be taller. This is the same with residential units in regard to ceiling height. The applicant has done an excellent job with the hotel design to accommodate the adjacent convention center.

Ms. Amorose Groomes stated that she respects their opinions. The beauty of the democratic process is that there are different perspectives regarding matters.

Mayor Peterson invited Mr. Yoder to comment.

Nelson Yoder, Crawford & Hoying noted that the design process is always a "process" of working to find the best solutions. In this case, with the conference/events center next to the hotel, the event center is to be a community facility, owned by the New Community Authority, and needs to be special. The Moody Nolan design team described this as a "jewelry box" in the middle of the project, a very special building. This one-story building will have a sculptural roof. In addition, they are looking at a green roof on the main space. Most of the room views are focused to the east and west given the sweeping curve of the hotel, but for those rooms that may have a view of the roof, they will have a very interesting view.

Ms. Amorose Groomes stated that her preference would have been not to be able to view the parking garage over the top of the building. It is already elevated, given the grade change up from the river.

Mr. Yoder responded that, realizing the parking garage now is a canvas, what will be created is a wonderful outdoor space that includes a landscape form object that sits near the roundabout that is a work of art. Beyond that, there will be the canvas of the garage that creates a really interesting backdrop. This will be a very dynamic space, and they will make some renderings available to Council that will demonstrate this.

Vice Mayor Reiner moved approval of the preliminary and final plats.

Ms. Salay seconded the motion.

Vote on the motion: Ms. Alutto, yes; Mayor Peterson, yes; Mr. Lecklider, yes; Ms. Salay, yes; Vice Mayor Reiner, yes; Ms. Amorose Groomes, no; Mr. Keenan, yes.

Community Entertainment District – Informational Presentation

Mr. Foegler stated that staff will provide background on the Community Entertainment District. This was mentioned regularly throughout the Bridge Street planning and visioning. The development agreement with Crawford Hoying did specify that the City would use its best efforts to form such a District. It is a relatively simple process under statute to form entertainment districts. Staff believes the first step is to orient Council and the public on what they are, how they work, the statutory provisions; and then engage in a more broad community discussion to determine if there is additional information to be considered before bringing any proposed geographic areas or applications to Council.

What is a Community Entertainment District (CED)?

In reading the statutory definition, the key takeaway is the kinds of mixing and range of uses. It is very much geared toward mixed-use environments by definition. It includes things like retail, hotels, sporting, cultural arts, entertainment, cultural facilities, convention and hotel. It is applied quite broadly, but these are the kinds of uses that constitute a community entertainment district.

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Application throughout the State of Ohio

There are approximately 69 CEDs in the state of Ohio. Franklin County has 10 such districts. Hamilton County has 19. Easton itself has three CEDs. The Arena District, Lane Avenue, Shoppes at Worthington Place – all are CEDs. Kingsdale, Brewer's Yard, Grandview and The Continent are also CEDs within Franklin County.

Why Form a CED?

D5 liquor permits tend to go with restaurants, and allow serving of beer, wine and mixed drinks. Ohio law limits that number per jurisdiction of those kinds of permits and others, based on population. In Dublin, the quota for D5 permits is one per 2,000 residents. Therefore, per the Ohio Division of Liquor Control, that establishes a quota for the City of Dublin of 23 such D5 permits. Liquor Control has also indicated that 22 of those 23 permits have been issued, and there are four pending applications for the remaining permit. Supplies affect availability and cost. The marketplace dictates the pricing, and the prices have varied over time. The establishment of a CED creates a whole new geographic area with its own allocation of permits that are effectively comparable to that D5.

The other aspect of why form a CED relates to the uses of the places where they have been established. For Easton, much of that center now depends upon food and restaurants to help activate it, as opposed to 40 years where four to five major anchor retailers activated a center. The importance of these kind of restaurants in activating these locations – whether retail districts, urban neighborhoods, mixed-use districts, new projects – is very strong. If the supply is artificially constrained for any reason, the ability to create the vibrancy, the destination quality of these environments is significantly hindered.

The plans for several areas of the Bridge Street District have contemplated these kind of mix-used environments very similar to those laid out in the Community Entertainment District statutes. The statutes effectively create a new quota of a special kind of permit comparable to D5 for those districts.

Key Provisions

A CED creates a special pool of permits.

- The CED must have a minimum of 20 acres. It allows one new permit for every five acres, up to 15. Once a District is 75 acres, the number of permits enabled by a CED is maxed out.
- Each new CED needs to have a planned minimum development investment threshold of \$50 million – it can be public and private and should be going forward investment.
- Unlike the D5 permits, these CED-enabled permits may be transferred only within the boundaries of that CED, so they are geographically constrained.
- The CED liquor permits are identified as D5j as opposed to D5 and can be obtained at a much lower cost than traditional permits. This price is established by the state at \$2,344; market prices can range from \$15,000, 20,000 or 30,000, depending upon conditions existing in the marketplace at a point in time.
- The D5j permit holder can exercise the same privileges and is under the same restrictions as a D5 permit holder. There is nothing different operationally other than additional permits are being provided.
- The D5 permits are for restaurants that serve food and allow spirituous liquor for on premises consumption only and for beer, wine and mixed beverages for on premises or off premises consumption in original sealed containers until 2:30 a.m. This is the statutory language defining these permits.

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- Other key provisions are that if existing restaurants in possession of a D5 permit are included within a new CED, those restaurants can sell their more valuable, more mobile permits and buy the less expensive permits. This allows the existing restaurants to benefit from the CED and frees up permits constrained by that 23-limit quota to the rest of Dublin. That new permit must then stay within that CED. Mobility for the D5 permit is much better than for the D5j permit. Economically, this should be an opportunity for existing restaurants in a CED formed by the City to be able to sell their traditional D5 permit and purchase a D5j.
- The City controls the creation of CEDs, but the Ohio Division of Liquor Control still controls the issuance of the liquor permits. The City process for forming the CED is fairly simple and straightforward. In order for the Division to issue these permits within a CED, there must be a \$50 million investment threshold. It is important to provide evidence that the investments are moving forward at the time of issue of permits. Staff has reviewed the public and private investment in and around the river corridor. Financially, there are opportunities to create a number of CEDs if Council chooses.

Ms. Amorose Groomes asked if this would be an anticipated \$50 million investment or a \$50 million investment that has already been made.

Mr. Foegler responded that it must be forward investment of \$50 million. As building and investment is continuing, the threshold is such that there would be significant time before that would ever become an issue, given the amount of public and private investment in the pipeline. He asked Ms. Readler to provide her portion of the presentation.

Ms. Readler stated that the application and approval process for CEDs is fairly straightforward. Council has complete discretion in whether or not to create these districts. The process is completely statutory; the Ohio Revised Code sets forth the minimum requirements. The requirements include: applicant's name, address, map of proposed CED, statement that the applicant complies with the uses that are enumerated in the ORC, timeframe for development, consistency with the City's comprehensive plan and zoning, certificate from a surveyor certifying that, and a handling and processing fee to be determined when staff knows how much time is required for this process.

There is a sample application in the Council packet. A couple of additional pieces of information are required: the demonstration of the \$50 million investment and a section for the Mayor's approval of the application.

The application under the ORC must be submitted to the Mayor. The Mayor then makes recommendation to the entire City Council. City Council then decides, after notification to the public for two consecutive weeks in a newspaper of general circulation, whether to approve or disapprove the application. This approval would be done by ordinance or resolution.

Staff has prepared a draft application that addresses all of these bases. The timelines shown can be adjusted, if desired by Council.

She clarified information about Community Entertainment Districts in general.

- They simply create a new pool of liquor permits that are linked to economic development.
- There was legislation passed that authorizes cities to create Outdoor Refreshment Areas. These are areas where it is legal to have open containers of alcohol. The Outdoor Refreshment Area legislation is completely separate from the Community Entertainment District legislation. The City's proposed creation of CEDs would not permit an individual to carry alcoholic beverages openly within that CED.

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- The CED designation only creates that new pool of liquor permits. It does not limit the City's ability to regulate in terms of zoning or building approvals. It does not limit any other state liquor control laws that would otherwise be applicable to permit holders.

Mr. Foegler summarized that the major takeaways from the legislation are that the CEDs are relatively simple to form, especially in the kind of environments contemplated in the Bridge Street District, if the minimum investment thresholds are made. What is occurring now, together with what is approved and moving forward results in an investment substantially exceeding the minimum threshold. The formation of one or more of these in the Bridge Street District is consistent with the vision and will help ensure there is a ready supply of such permits for the many restaurants planning to locate in the District. The CED and the City will permit one of these permits for every five acres, with a maximum of 15 for a CED. The CED does not allow open containers and does not impact the City's regulatory processes – but simply improves the availability and cost of these kind of permits. The establishments within the CEDs with pre-existing convention liquor licenses will be able to sell those and procure a new D5j permit. Those decisions would need to be worked out between the business advisors and their attorneys as to what makes sense for them. The State of Ohio processes the D5j permits on a first come, first served basis.

Staff is requesting that Council authorize staff to move forward with assessing and proposing appropriate locations for the proposed CED boundaries and with the preparation of applications and creation of those CEDs. As part of these efforts, staff will engage its communication tools and outreach efforts, meeting with interested community members to seek input, respond to questions. Two dates have been established for these sessions: Thursday, February 11 from 7-8 p.m. and Tuesday, February 16 from 9-10 a.m. Contacts will be made with various stakeholders, business owners, property owners through all of the City's networks. This input will help guide the City in terms of communication efforts needed. Once the information is assembled after public input, staff will bring to Council for consideration geography and a recommendation. If Council is comfortable with that, or want that modified or have questions, staff will address those. If Council is in agreement, staff will request approval to move forward with preparation of a resolution for adoption. He offered to respond to any questions.

Mayor Peterson stated that, typically, supply and demand drive the transfer of liquor permits. What stops one entity from applying for all 15 immediately, giving them control of all the D5j permits for the CED?

Mr. Foegler responded that there are requirements by the state for issuance of permits – perhaps having a restaurant operational within a certain period of time after issuance of the permit.

Ms. Readler added that the permits are linked to a premise location. Therefore, this would be necessary before applying for a permit.

Mayor Peterson stated that, ultimately, the Division of Liquor Control makes that decision, correct?

Ms. Readler responded that is correct, and it is first come, first served.

Mr. Foegler added that there must be a timeframe established for use of the permit, and it is first come, first served. There are a number of permit applications that are ready to move forward in conjunction with some of the uses in the District, and they will likely be the first applicants.

Mayor Peterson stated that his understanding is that the D5j permits are located only within the CED. If someone within the CED has a D5 permit, they can sell it and purchase a D5j permit.

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Mr. Foegler responded that the D5 permit would then be made available to the Dublin geographic area.

Mayor Peterson asked if the City maxes out the permits for the CED at 15, and another restaurant desires to develop in the CED, would they have to purchase a D5 permit from another entity in Dublin's area?

Mr. Foegler responded that 15 is the limit. It would be very easy to establish two CEDs within the Bridge Street District and have 30 permits available.

Mayor Peterson stated that the liquor permits are currently governed by supply and demand, and establishing a CED would create a new dynamic. How would someone build a restaurant and then be confident they could obtain a D5j permit?

Mr. Foegler responded that in effect -- just as in Easton or other locations where CEDs have been established -- it could impact the marketplace, particularly if a CED is established and there are 8-10 existing restaurants that give up their D5 permits. That will increase the supply of D5 permits in the near term. Most of this is new product to the market, which today is constrained. If someone could not get that 24th D5 permit today, they would need to seek a TREX transfer to obtain a permit. The intent of the statute is a recognition that for the intensive, mixed-use, vibrant areas, there is need for lots of restaurants such as this and therefore need their own allocation of permits. What they will lose is mobility and the D5j permits must be associated with significant investment.

Mayor Peterson stated that within 10 years, those \$2,000-\$3,000 permits could be worth \$30,000.

Mr. Foegler responded that if all of the D5j permits are issued, it is possible that there would be a market for them again in the future.

Mr. Reiner commented that this is a key item in the success of the new Bridge Street District. He is aware that other areas around Central Ohio are also using this tool.

Ms. Salay stated that she supports moving forward with this. She will be interested in staff's recommendations regarding CED boundaries and how all of this will work. She is interested in the next phase of information from staff.

Mayor Peterson moved to direct staff to:

- move forward with assessing and proposing appropriate locations/geography for potential CED boundaries
- move forward with the preparation of applications for the creation of those CEDs for further Council consideration
- meet with and communicate with interested community members to seek input and provide information regarding this initiative
- seek Council feedback and approval regarding the boundaries of potential CEDs and the CED application
- prepare a resolution authorizing the creation of the CEDs for Council's consideration.

Ms. Salay seconded the motion.

Vote on the motion: Ms. Amorose Groomes, yes; Vice Mayor Reiner, yes; Mr. Keenan, yes; Mr. Lecklider, yes; Ms. Salay, yes; Ms. Alutto, yes; Mayor Peterson, yes.

US 33 Corridor – Update

Mr. McDaniel provided a general update, and invited Mr. Lecklider to add any comments as well. He recognized Union County Commissioner Gary Lee who is present this evening. He has done great work on the US 33 Corridor relationship building and initiatives and has been a great conduit among all of the various communities involved. He thanked him for all of his efforts.

He also recognized Council Member Lecklider who has devoted many hours of meetings regarding this initiative in the past year, as did Mr. Keenan in previous years.

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Mr. Lecklider has attended many meetings in the Corridor, and his perspective, experience and strategic thinking have been of great benefit to the staff members who have been attending from all jurisdictions as well as his peer elected officials.

The US 33 corridor is the US 33 highway corridor, its surrounding properties, businesses and communities between the City of Dublin and going north and west to the City of Marysville and just beyond. It is important to understand that there have been three dialogues occurring in regard to the Corridor.

1. The first group of dialogues involved the cities of Marysville and Dublin, the townships of Jerome and Mill Creek, Union County and Logan-Union-Champaign County Regional Planning Commission (LUC). This dialogue has been focused on the strategic visioning of what has been referred to as the US 33 Innovation Corridor. This dialogue has been very productive, focused primarily on infrastructure and economic development initiatives. A couple of measurable outcomes, such as a joint application that was recently submitted to the State of Ohio Capital Fund for the purpose of obtaining funding and support of a fiber optic infrastructure in the Corridor is an example of their coordination efforts. They are also working together to obtain the designation of the Corridor as an automotive and/or manufacturing corridor, due to the significant presence of Honda, Honda Research and Development, and all of its associated supply and research chain. They are also working with the Center for Automotive Research (CAR) out of The Ohio State University and the Transportation Research Center (TRC), which is an over 4,000-acre proving ground and research facility focused on the automotive industry. It is not "one of a kind," but it is one of the few of its kind in the nation, and it is located within the Corridor. It also includes the information technology, health care and general research and development industry, and great educational systems within the Corridor in educational clusters. This dialogue has been and will continue to be most productive to leverage our collective knowledge, experience and assets for future economic development. There is a real spirit of cooperation on this. Perhaps the greatest partnership story occurred several years ago when all parties came together to pursue and obtain funding for the I-270-US33 interchange reconstruction project, which is currently underway. Another result of this effort has been the Crossroads Area Plan, currently in process. This is a joint planning effort focused on the Hyland-Croy and Post Road corridors. The cooperation of all the entities is appreciated, especially the residents of both Dublin and Jerome Township, who have given input to that process. He hopes to have the consultant before Council in February to provide an update on the results and/or findings of that study.

2. The second dialogue is a routine monthly meeting among the staff members of all the jurisdictions and organizations, to share with each other the status of current, proposed and anticipated infrastructure and development projects. The jurisdictions all believed it was important to keep each other apprised of these projects and openly communicate.

3. The third dialogue has been ongoing discussions involving Dublin, Marysville, Union County and Jerome Township to include representatives of respective elected bodies to discuss more specifically projects that have been more immediate. This dialogue was significantly emphasized this last year after the approval of the Costco development with its related traffic implications and needed infrastructure improvements. Other projects, such as the Gorden property, Jacquemin Farms property and the Means Griffith property, all of which are within the Hyland Croy corridor, have been included in this discussion. We have discussed our concerns regarding land use decisions and their implications on Dublin, Union County, and sometimes the Ohio Department of Transportation, regarding who has to fund the infrastructure projects as a result of these decisions. Jerome Township recently approved the rezoning of the Jacquemin property, despite Dublin's best efforts to reinforce its concerns about the proposed land use, also encouraging the postponement of any decision until the recommendations of the Crossroads Area Plan

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Study were known. At this point, he believes there remains a need for sufficient discussion regarding land use in general and the Crossroads Area Plan, bringing forth some resolution. With the latest rezoning, however, he is uncertain of how much further discussion is warranted, as there is not much land left to rezone. Dublin and Union County continue to emphasize the importance of understanding and resolving the issues of infrastructure improvements and who will pay for them prior to zoning and rezoning decisions. When rezoning decisions are made, either by Dublin or Jerome Township, the primary decision makers in that Corridor, the financially responsible parties for infrastructure impacts are the City of Dublin and Union County, and possibly ODOT, although it is important to get in queue for their funding. It is important to have that partnership. A dialogue is needed between the providers of water and sewer services in the area, namely Dublin and Marysville. It is important to keep the lines of communication open, not just with other jurisdictions but with the development community, the real estate community, and with the landowners in the area. It is also important that the City of Dublin assess its options relative to land use impacts, cost of infrastructure improvements, and the need to determine the future regarding water and sewer services. He will continue to report to Council with any staff recommendations. The way ahead is not absolutely clear, but, as discussed in terms of retreat topics, something on which dialogue is needed. He welcomes Council's guidance to him and to staff as they proceed in these three dialogues. He has had great feedback from Mr. Lecklider and knows that he has also kept Council apprised. He welcomes Council's input. He invited Mr. Lecklider's comments.

Mr. Lecklider thanked Mr. McDaniel for his involvement in these initiatives, as well other staff members who have participated – Donna Goss and her staff, Planning staff, Engineering and everyone who has committed so much time and energy to these issues. Dublin exists in an era in which it is in everyone's best interests to collaborate with its neighbors. For the most part, he believes the neighboring jurisdictions recognize that. The City has had a great partnership with Union County, led by Commissioner Lee, which he greatly appreciates. The same is true of Marysville. We continue to work to improve our relationship with Jerome Township, and we are making strides in that direction. He appreciates Council's attention to these issues, as we move forward. Everyone recognizes what a great opportunity exists here, as well as the fact that we need to "get it right." The opportunity that exists along this US33 corridor is not unlike the opportunity that existed 25-30 years ago in the I-270 corridor through the City of Dublin, and that has certainly served everyone well. He wants everyone to recognize that the efforts on the part of the City of Dublin serve our interest, but also the regional interests and neighbors' interest. The City has made significant investment in infrastructure, and will likely make significant investment in the future that warrants our interest in outcomes here. He invited Commissioner Lee to comment.

Mr. Keenan noted that eight years ago, he met Commissioner Lee whose family goes back many generations in the City of Marysville. One of his first meetings with him was in a public building in Union County, and he recalls that Commissioner Lee's grandfather was on the School Board who built the building in the late 1930s/early 1940s. He appreciates his involvement, together with Commissioners Hall and Stolte.

Gary Lee, Union County Commissioner thanked Mr. Lecklider, Mr. McDaniel and Mr. Keenan for all of their hard work. The corridor project has been a priority for him during his 14 years as Commissioner. They are very optimistic that there will be good outcomes from all of this collaboration. He appreciates Dublin's support and involvement. There are infrastructure issues related to the future Costco location, and he believes that Union County and the City of Dublin will need to work to resolve these issues. He totally supports Dublin's position in this, as the US33 Corridor is the last

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"golden" corridor going to the north and west. All need to work together to preserve this. He is available at any time if anyone desires further discussion.

COUNCIL COMMITTEE REPORTS

Ms. Salay, Planning & Zoning Commission representative reported that:

1. A Commission meeting was held on January 21. Highlights of the meeting included a first look at the Bright Road Area Plan. A number of interested and engaged residents attended the meeting and provided comments. She summed up their concerns as roadways and traffic related. The land use piece of this can be worked through, but in talking about the process to date, the City has not devoted a lot of time, energy and resources toward the traffic portion of the program. Typically, land use is the first consideration and the traffic network is built around the desired land uses. But in this case, it seems it would be worthwhile to consider some roadway situations in that area where the City is providing Dublin to Dublin connections and Dublin to Dublin solutions, given that Sawmill Road borders the area on the east. Regardless of how many lanes Columbus may or may not add in the future to Sawmill Lane, it is within their control. With the volume of traffic on the roadway, adding a lane or two will not make a significant difference for Dublin's residents and businesses, current and future, in that area. She would be interested in hearing staff's professional view on this. She suggested that Dublin "think outside the box" and consider some creative traffic solutions. She has great confidence in the creativity of the Engineering staff, given the history some have with the Tara Hill Task Force and the successful outcomes in having Tara Hill Drive be a comfortable, neighborhood scale road versus a speedway.

She would be interested in staff's perspective on this. Perhaps a step back is needed in order to review potential road networks and then work the land use after we think about solutions within our own community where we can control the pace and construction. There are so many traffic constraints and problems in that area and many differing opinions about how to resolve them.

She requested that the Engineering staff and their consultants bring their expertise to bear in this issue.

Mr. McDaniel responded that he completely agrees. He is not certain if Council has been updated on the Snouffer Road study, which was authorized in 2015. The City of Columbus approached Dublin a few months ago as they were working some issues and options on the north side of the interchange of Sawmill/270. The solutions are somewhat limited, and so Columbus asked that Dublin join with them on planning efforts and traffic analysis. Staff has been working with them on the area that extends from Snouffer Road to Billingsley/Hard Road. Dublin staff appreciates the spirit of cooperation in looking at the entire segment versus pieces and parts. He is not certain if Council is aware of this effort.

Ms. Salay stated that this would be somewhat of a departure from the Bright Road Area Plan efforts. She understands that at this time, only land use is being considered and her concern is that the traffic is a huge component of planning in that area. She is not certain if this other work requires funding or direction from Council. She is interested in staff's input on this.

Mr. McDaniel responded that the traffic issues are always part of the planning efforts. It may be a timing issue. The Sawmill corridor joint effort with Columbus could inform this planning. He believes this is the sequence that should occur, given what is underway. He acknowledged that the work on the Sawmill Road -- Snouffer to Billingsley/Hard Road portion could cause some delay in the other area planning.

Ms. Salay stated that her suggestion is that the City take a step back, consider the traffic issues in the Bright Road Area Plan before considering land uses. Perhaps more resources are needed for this.

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Mr. McDaniel stated he does not believe there is a resource issue, and staff will advise Council if there is need for additional resources. Dublin is working jointly with Columbus on this.

Ms. Salay continued:

The Commission also heard a great presentation from the City's GIS staff, sharing the various tools on the City's website. Planning Commission provided suggestions about more layers that can be added on the maps and different information.

Mr. Keenan, Administrative Committee Chair reported:

1. The Committee of the Whole met earlier this evening to discuss plans for the goal setting retreat, scheduled on Thursday, March 10 and Friday, March 11. The proposed topics are being reviewed, and staff will secure the facilitator for the retreat.
2. The Committee of the Whole also discussed the performance review format for the City Manager and Clerk of Council and Council will move the process forward by the next Council meeting.

Vice Mayor Reiner, Community Development Committee Chair stated that the HOA workshops were well attended. He is pleased that the neighborhood associations demonstrated this level of interest. The facilitator, Jeffrey Kaman, Kaman & Cusimano, LLC was excellent. This legal firm specializes in HOAs, and are very knowledgeable. They shared many legal aspects related to HOAs.

Mr. Keenan, Finance Committee Chair stated he has been working with the City Finance Department on the schedule for Finance Committee meetings this year. In addition to the quarterly updates, there are many subjects Council needs to review. A Finance Committee meeting has been scheduled for Monday, February 22 at 5:45 p.m., preceding the regular Council meeting, to discuss the hotel-motel tax grants process, policy, future reserves level, future plans, etc.

COUNCIL ROUNDTABLE

Ms. Salay reported that on October 16, via a NextDoor communication, a person by the name of William Bryant started a conversation about high-speed internet in Dublin, and very knowledgeable residents commented on various municipalities' abilities to provide WiFi or fiber for their residents. They were over 102 comments. At the fall HOA meeting, she mentioned this ongoing conversation to the City's new CIO, Doug McCollough, who was aware of the dialogue. She suggested that it might be good if he were to speak to the residents about the great ideas being shared and what the City has done and is doing in this field. She understands that Mr. McCollough will host two informal meetings to engage the community on this timely topic on Wednesday, January 27 (evening) and Thursday, February 25 (afternoon) at Panera in Dublin. Mr. McDaniel may also attend, schedule permitting. She requested a report on the meeting results. Hats off to Ms. Burness (NextDoor facilitator) and Mr. McCollough! She appreciates the innovative use of these communication tools with City residents.

Mr. Keenan:

1. Thanked staff for their role in making previous Council Member Gerber's retirement reception special and Shared Vision for the excellent video they created for the event.
2. Reported that he has met with Candy Princehorn, Dublin Library's new branch manager. She will be attending the Council meeting on February 8 to introduce herself and will be contacting Council members to meet individually with each.

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He suggested that she might want to contact the City's PIO regarding a possible DTV segment to introduce herself to the community.

Vice Mayor Reiner complimented Chief von Eckartsberg on the Police heroin town hall meeting. At Mr. Gerber's retirement reception, Dr. Hoadley spoke with him about this education for the students. Researching this issue, he was surprised to learn that more people are overdosing than are dying in vehicle accidents in this nation. Chief von Eckartsberg has shared that City officers are trained and knowledgeable regarding a heroin overdose emergency procedure, which is easy to train others to do. Dr. Hoadley expressed an interest in having School staff trained at each school site. The Chief has volunteered to contact Dr. Hoadley to make these arrangements.

Mayor Peterson inquired if adding a City liaison to the Dublin Historical Society requires a Council action.

Mr. McDaniel responded that it is not necessary to take formal action.

ADJOURNMENT

The meeting was adjourned at 9:35 p.m.

Mayor – Presiding Officer

Clerk of Council