

RECORD OF PROCEEDINGS

Held
November 14, 2022

CALL TO ORDER

Mayor Fox called the Monday, November 14, 2022 Regular Meeting of Dublin City Council to order at 6:00 p.m.

ROLL CALL

Present were Ms. Alutto, Ms. Amorose Groomes, Vice Mayor De Rosa, Mayor Fox, Mr. Keeler, Ms. Kramb and Mr. Reiner.

Staff members present were Ms. O’Callaghan, Ms. Readler, Mr. Stiffler, Mr. Ranc, Mr. Rogers, Mr. Gable, Ms. Weisenauer, Mr. Hammersmith, Mr. Farrar, Mr. Earman, Ms. Rauch, Ms. Noble, Chief Paez, Ms. Goliver, Ms. Blake, Ms. Miglietti, and Mr. Ament.

Also present: David Guion, Ph.D., Dublin Arts Council; Scott Dring, Visit Dublin Ohio; Rob Crane, MD and Amanda Turner, Preventing Tobacco Addiction Foundation; and Bob Adamek, Wreaths Across America.

ADJOURN TO EXECUTIVE SESSION

Mayor Fox moved to adjourn to executive session:

- To consider confidential information related to a request for economic development assistance that involves public infrastructure improvements that are directly related to an economic development project, and which executive session is necessary to protect the possible investment or expenditure of public funds to be made in connection with the economic development project.

Ms. Alutto seconded.

Vote on the motion: Mr. Keeler, yes; Ms. Kramb, yes; Ms. Alutto, yes; Mr. Reiner, yes; Vice Mayor De Rosa, yes; Mayor Fox, yes; Ms. Amorose Groomes, yes.

PLEDGE OF ALLEGIANCE

Mayor Fox invited Vice Mayor De Rosa to lead the Pledge of Allegiance.

SPECIAL PRESENTATIONS

- Prohibiting the Sale of Flavored Nicotine – Rob Crane, MD and Amanda Turner

Mayor Fox invited Rob Crane, MD and Amanda Turner to come forward and address Council regarding their efforts toward prohibiting the sale of flavored nicotine products. He shared that, in Ohio, nearly 30% of high school students and 12% of middle schoolers smoke e-cigarettes. Ohio ranks 5th in the nation for tobacco use. 81% of kids who have ever used a tobacco product started with a flavored product. 7 out of 10 kid e-cigarette users say they use them because they “come in flavors I like.” Dr. Crane stated that the proposal being considered by Columbus would not allow retailers to sell flavored nicotine or tobacco products including menthol cigarettes and flavored e-cigarettes. Individual possession, use or purchase would not be illegal. Enforcement would happen at the retail level by the Health Department using civil procedure. Dublin is one of the cities that has a Tobacco Retail License in place to assist with monitoring and enforcement.

One comment was received online for this topic. Ms. Weisnauer read the following comment from Peggy Kilty, 7568 Ashlord Court, Dublin:
"Good evening, Mayor Fox, Vice-Mayor DeRosa, Dublin City Council Members, City of Dublin Employees, and fellow community members,
I am writing to you today in a show of support for Dr. Rob Crane and The Preventing Tobacco Addiction Foundation’s efforts to prohibit the sale of flavored nicotine and tobacco products. I learned of Dr. Crane’s initiative at a recent Dublin ACT Coalition meeting. While listening to his presentation, I began to think about the power that persuasive advertising and product placement can hold over any of us at any age. It also reminded me of the candy cigarettes of my youth. They were sold in packages that looked like actual cigarette boxes and were even once advertised with a picture of a child holding a cigarette next to the words "Just like Daddy". Indeed, this was very targeted advertising.

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There is a reason you no longer see candy cigarettes for sale in stores: First, a 2007 University of Rochester study of 25,000 people showed that respondents who consumed candy cigarettes as children were roughly twice as likely to become smokers later in life. Second, tobacco settlements in the 1980s included restrictions on tobacco advertising and product placement, making candy cigarettes less desirable. Today, a new "candy cigarette" prevails in the form of flavored nicotine and tobacco. They are sold in colorful containers with sparkling designs, photos of fruit and fancy graphics. Vape products come in bright colors and sweet flavors—a most appealing combination for tweens and teens.

We know that both nicotine and tobacco have addictive properties. We know there is a correlation between using tobacco, cardiovascular disease, and respiratory illnesses. Like myself, I am sure many of you in this room this evening knows someone impacted with either nicotine or tobacco addiction or a related disease. I've lost a grandfather and a father to respiratory illness due to tobacco use. I'm currently watching three siblings manage nicotine addiction and COPD (Chronic Obstructive Pulmonary Disease). As much as I would like all addictive tobacco and nicotine products to be permanently banned, I know that will not happen. While the United States Food and Drug Administration has the power to regulate the tobacco industry, all of you as city council members have the power to regulate the sale of flavored nicotine and tobacco products here in Dublin. I applaud Dr. Crane's work to reduce tobacco use in our community and in our state and I hope you will join me in supporting his effort!

Sincerely, Peggy Kilty."

Council members expressed support for the initiative.

- Dublin Hospitality Industry Update – Scott Dring

Mr. Dring provided a brief update of the hospitality industry. He stated that bed tax is up 48% year-to-date and a 4-6% increase is being projected for next year. He stated the increase is not due to occupancy; rather it is due to the higher rates. The average daily rate is not sustainable. Corporate travel continues to lag. Restaurants had a great year. They are pleased that visitors are coming into Dublin to enjoy our restaurants. Inflation and workforce continue to be issues for the restaurant industry. Attractions and events have also been great this year. There was a tremendous increase in room nights this year versus last year. Patron numbers at the Memorial Tournament reached 2019 levels. He highlighted a few of the sporting events that were held this past year in Dublin that helped bring in visitors. Visit Dublin Ohio continues to market downtown Dublin. He stated that the Downtown Dublin Strategic Alliance is still going strong. He shared that the visitor center has seen visitors from 38 different states and 11 different countries. Council thanked Mr. Dring for his work. Mr. Dring thanked Council for their continued support.
- Dublin Arts Council Update – David Guion, Ph.D.

Mr. Guion stated that two new riverboxes were activated this year, which brings the total to 18 riverboxes available to view. 2023 will be the 15th anniversary of this initiative. Dublin artist Don Staufenberg created these two newest additions, entitled "Equal East" and "Equal West."

The Sundays at Scioto concert series concluded on October 9. With parking at capacity for these concerts, a Rideshare initiative was introduced. Dublin Arts Council representatives will be meeting with City event staff to collaborate and seek recommendations.

Mr. Guion provided a brief marketing update for Geocaching in Ohio and surrounding states. He shared that in 2022, traditional media reached 15.1 million people. The website has had 69,000 views in the last two quarters and social media has reached 135,000 in the last two quarters.

Mr. Guion encouraged everyone to visit the Gallery in the next four weeks to see the work of renowned ceramicist Masayuki Miyajima that is on view through December 15. He thanked Hidaka USA, Cardinal Health and the Dublin Community Foundation for the continuous support.

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Coming in January 2023, is “Emerging” featuring artwork submissions from Dublin’s youth artists. Another 2023 highlight will be Anita Golapaswamy; a Minneapolis based artist will be providing an enhanced connection with the Indian community. She will be sharing “Chapa Sari: the story of cotton.” Mr. Guion provided an update on the progress of “The Boat in the Field” public art installation. He stated that one of the materials being used in the art piece is recycled stone from the steps of St. John Cathedral in Cleveland, a historic Roman Catholic Church building completed in 1852. He shared that there will be a community engagement opportunity in the near future with the artist via Zoom.

Mr. Guion expressed how important volunteers are to the Dublin Arts Council organization. They welcomed new board members in September. They are placing an emphasis on Diversity, Equity, Inclusion and Accessibility (DEIA) and are currently developing their own plan. The strategic plan continues through 2024 with five overall goals: Programming, community engagement and well-being, awareness, fiscal stewardship and organizational excellence.

In collaboration with Visit Dublin Ohio, Dublin Arts Council is promoting “Discover Dublin Art” with promotional categories: Outdoors, Downtown, Events and Family Fun. This collaboration is driven by requests from visitors via hoteliers, to promote art as a Dublin brand element. Mr. Guion stated that stakeholders are asking for more public art and Dublin Arts Council is listening. He thanked Council for their ongoing support, suggestions and encouragement. He ended his presentation with their Impact Statement, which is, *"We improve lives through the convergence of creativity, curiosity, and well-being. We provide lasting, meaningful, life-changing experiences for the community."* Mayor Fox thanked Mr. Guion for the update and their work for the community.

CITIZEN COMMENTS

Bob Adamek, 8288 Adare Lane, Dublin, came forward to talk about the Wreaths Across America event that is coming up. Before discussing the event, he mentioned listening to the latest Link Ahead podcast featuring Mr. Reiner. He thanked Mr. Reiner for his commitment and dedication all these years to this community.

The Grand Leprechauns will be hosting the Wreaths Across America event on Saturday, December 17 at 10:30 a.m. They will have 431 wreaths to place this year and are thankful for all those who come out and help place them. He noted that the addition of the cemetery locator is a tremendous asset for anyone looking for a loved one in the cemetery. He thanked City staff for their assistance and welcomed everyone to the event.

CONSENT AGENDA

- Minutes of the November 1, 2022 Special Council Meeting
- Minutes of the November 1, 2022 Work Session
- Minutes of the November 7, 2022 Regular Council Meeting
- Notice to Legislative Authority of a New D1 and D2 Liquor Permit for Fukuryu Ramen Dublin Inc, dba Fukuryu Ramen, 1st Fl and Patio Only, 4540 Bridge Park Ave, Dublin, Ohio 43017.

There was no request to remove a consent agenda item.
Ms. Alutto moved to approve the consent agenda.
Mr. Keeler seconded.

Vote on the motion: Mr. Reiner, yes; Mayor Fox, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes; Ms. Kramb, yes; Ms. Alutto, yes; Ms. Amorose Groomes, yes.

SECOND READING/PUBLIC HEARING – ORDINANCES

Ordinance 55-22

Adopting the Annual Operating Budget for the Fiscal Year Ending December 31, 2023

Mr. Stiffler stated that there are no changes from the first reading of this Ordinance. Staff recommended approval.

There were no public comments.

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Vote on the Ordinance: Ms. Amorose Groomes, yes; Mr. Keeler, yes; Vice Mayor De Rosa, yes; Ms. Kramb, yes; Mr. Reiner, yes; Ms. Alutto, yes; Ms. Fox, yes.

Ordinance 57-22
To Appropriate an Easement from Carla Grace Baldwin, Amy Jo Hall, Danny Lynn Johnson, and the Heirs of Roy Carl Johnson (Deceased), from the Property Located at 105 Franklin Street, for the Public Purpose of Carrying out the South High Street Utility Burial Project 19-030-CIP
Mr. Gable stated that there are no changes from the first reading of this Ordinance. Staff recommended approval.

There were no public comments.

Vote on the Ordinance: Ms. Alutto, yes; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Mayor Fox, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes; Mr. Reiner, yes.

Mayor Fox moved to waive the Council Rules of Order and read Ordinances 58-22 through 61-22 together.
Ms. Alutto seconded.

Vote on the motion: Vice Mayor De Rosa, yes; Ms. Kramb, yes; Mr. Keeler, yes; Ms. Alutto, yes; Mr. Reiner, yes; Mayor Fox, yes; Ms. Amorose Groomes, yes.

Ordinance 58-22
Authorizing the City Manager to Execute and Accept Necessary Conveyance Documents and Contracts to Acquire an Easement from the Property Located on Franklin Street, Identified as Franklin County Parcel Number 273-000140-00 from Hal Stuart Mueller and Arlene Gaudens Mueller, for the Public Purpose of Carrying out the South High Street Utility Burial Project 19-030-CIP

Ordinance 59-22
Authorizing the City Manager to Execute and Accept Necessary Conveyance Documents and Contracts to Acquire an Easement from the Property Located on South High Street, Identified as Franklin County Parcel Number 273-000093-00 from Stephanie Allespach and Mark O. Allespach, Co-Trustees of "the Allespach Convertible Investment Property Trust", Dated December 13, 2011, for the Public Purpose of Carrying out the South High Street Utility Burial Project 19-030-CIP

Ordinance 60-22
Authorizing the City Manager to Execute and Accept Necessary Conveyance Documents and Contracts to Acquire an Easement from the Property Located on Franklin Street, Identified as Franklin County Parcel Number 273-000125-00 from Alan P. Szuter and Mary L. Szuter, for the Public Purpose of Carrying out the South High Street Utility Burial Project 19-030-CIP

Ordinance 61-22
Authorizing the City Manager to Execute and Accept Necessary Conveyance Documents and Contracts to Acquire an Easement from the Property Located on Franklin Street, Identified as Franklin County Parcel Number 273-000129-00 from Shannon Marie Crone, for the Public Purpose of Carrying out the South High Street Utility Burial Project 19-030-CIP
Mr. Gable stated that there are no changes from the first reading of these Ordinances. Staff recommended approval.

There were no public comments.

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Vote on the Ordinances: Ms. Kramb, yes; Ms. Amorose Groomses, yes; Mayor Fox, yes; Mr. Reiner, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes; Ms. Alutto, yes.

Mayor Fox announced that she would be recusing herself from the reading and vote on Ordinance 62-22 as she is related to the property owners.

Ordinance 62-22
Authorizing the City Manager to Execute and Accept Necessary Conveyance Documents and Contracts to Acquire an Easement from the Property Located on Dublin Road, Identified as Franklin County Parcel Number 273-011777-00 from John Begley and Lori Begley, for the Public Purpose of Carrying out the South High Street Utility Burial Project 19-030-CIP
Mr. Gable stated that there are no changes from the first reading of this Ordinance. Staff recommended approval.

There were no public comments.

Vote on the Ordinance: Ms. Alutto, yes; Mr. Keeler, yes; Vice Mayor De Rosa, yes; Ms. Kramb, yes; Mr. Reiner, yes; Ms. Amorose Groomses, yes.

Ordinance 63-22
Authorizing the Modification of the City’s Investment Policy
Mr. Stiffler stated that there are no changes from the first reading of this Ordinance. Staff recommended approval.

There were no public comments.

Vote on the Ordinance: Mayor Fox, yes; Ms. Kramb, yes; Ms. Alutto, yes; Mr. Reiner, yes; Vice Mayor De Rosa, yes; Ms. Amorose Groomses, yes; Mr. Keeler, yes.

Ordinance 64-22
Amending Chapter 51 Establishing User Fees and Capacity Charges for the Sanitary Sewer
Mr. Stiffler stated that there are no changes from the first reading of this Ordinance. He noted that additional information was added to Council’s meeting packet regarding water rates as requested. Staff recommended approval of the Ordinance.

There were no public comments.

Vote on the Ordinance: Vice Mayor De Rosa, yes; Ms. Kramb, yes; Mr. Keeler, yes; Mr. Reiner, yes; Mayor Fox, yes; Ms. Amorose Groomses, yes; Ms. Alutto, yes.

Ordinance 65-22 (Amended)
Amending Various Sections of Ordinance 15-17 (Compensation Plan for Non-Union Personnel)
Ms. Miglietti stated that there was a correction made regarding one position that was inadvertently omitted from the Ordinance during first reading. Staff recommended approval.

There were no public comments.

Vote on the Ordinance: Mr. Reiner yes; Ms. Kramb, yes; Ms. Amorose Groomses, yes; Ms. Alutto, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes; Mayor Fox, yes.

INTRODUCTION/FIRST READING/PUBLIC HEARING - ORDINANCES
Ordinance 66-22
Establishing the Appropriations Based on the 2023 Operating Budget of the City of Dublin, State of Ohio, for the Fiscal Year Ending December 31, 2023
Ms. Alutto introduced the Ordinance.

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Mr. Stiffler stated that this Ordinance appropriates funds for the 2023 calendar year based on the approved 2023 Operating Budget, and first year of the 2023-2027. Staff recommended approval at the second reading/public hearing on December 5, 2022.

There were no public comments.

Second reading/public hearing is scheduled for the December 5, 2022 Council meeting.

Ordinance 67-22
Amending the Appropriations for the Fiscal Year Ending December 31, 2022 (Q4 Supplemental)

Ms. Alutto introduced the Ordinance.
Mr. Stiffler stated that this Ordinance contains several changes to the appropriations as explained in the accompanying memo to Council. He stated that this memo will be amended when it returns for the second reading/public hearing due to tax return refund information that was just received.

There were no public comments.

Vice Mayor De Rosa asked about Section 4 of the Ordinance regarding the allocation of debt payments. She asked if the amount is not budgeted until it is known and therefore is added to a supplement. Mr. Stiffler stated that Section 4 contains completely offsetting revenues and the amounts are not known by the deadline to have an operating budget completed.

Mayor Fox noted the impact that remote work has had on the tax refunds and the amounts that have been appropriated and continue to be appropriated. Mr. Stiffler stated that remote work is certainly a novelty this year as staff works through those computations. He stated another issue has been net profits.

Second reading/public hearing is scheduled for the December 5, 2022 Council meeting.

Ordinance 68-22
Authorizing the City Manager to Execute and Accept Necessary Conveyance Documents and Contracts to Convey Easements to the Ohio Power Company from City-Owned Properties Located on South High Street and Franklin Street, Identified as Franklin County Parcel Numbers 273-000111, 273-000037, 273-000062, 273-000043, and 273-000143, for the Public Purpose of Completing the South High Street Utility Burial Project 19-030-CIP

Ms. Alutto introduced the Ordinance.
Mr. Hammersmith stated that this Ordinance conveys easements on City-owned property to the Ohio Power Company (also known as AEP Ohio) for the South High Street Utility Burial Phase 1 project. This ordinance provides AEP Ohio with a required easement on City owned property for routing of the existing primary overhead electric lines and placing them underground. The easement will also provide for the installation of necessary above ground electrical components. Locating these items on City property allows the City to keep these units off private property and provides the ability to perform landscaping installation and future maintenance. The screening plan was reviewed by the Architectural Review Board (ARB) and received a positive response. He briefly reviewed the five properties associated with this Ordinance. This project is anticipated to be completed by late summer/early fall 2023.

There were no public comments.

In response to Mayor Fox’s question regarding the six remaining easements that are needed, Mr. Hammersmith stated that they are still negotiating with the property owners for those easements.

Second reading/public hearing is scheduled for the December 5, 2022 Council meeting.

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Ordinance 69-22
Authorizing the City Manager to Execute and Accept Necessary Conveyance Documents and Contracts to Convey an Easement to Ohio Power Company from City-Owned Property Located on Darby Street, Identified as Franklin County Parcel Number 273-003680, for the Public Purpose of Completing the Franklin Street Extension Project 21-012-CIP

Ms. Alutto introduced the Ordinance.

Mr. Hammersmith stated that the Franklin Street extension project will construct an extension of Franklin Street from West Bridge Street north to North Street and reconstruct Franklin Street from West Bridge Street south to Sells Alley. The project will construct the roadway, install permeable paver parking bays, brick paver sidewalks, street trees, street lighting, and bury the overhead utility lines from Sells Alley to North Street. The intersection of West Bridge Street and Franklin Street will be signalized and include pedestrian crossings and the temporary pedestrian crossing of West Bridge Street at Darby Street will be removed. This Ordinance provides the Ohio Power Company (also known as AEP Ohio) with a required easement on City-owned property for routing of the existing primary overhead electric lines and placing them underground. The easement will also provide for the installation of necessary aboveground electrical components. Locating these items on City property allows the City to keep these units off private property and provides the ability to perform landscaping installation and future maintenance. This project is planned to start construction in early 2023 and is anticipated to be complete in the fall of 2023.

There were no public comments.

Second reading/public hearing is scheduled for the December 5, 2022 Council meeting.

Ordinance 70-22
Amending Zoning Code Section 153.074 Regarding Accessory Uses and Structures to Add Language Addressing Renewable Energy Equipment for Solar (Case 21-151ADMC)

Ms. Alutto introduced the Ordinance.

Ms. Noble stated that staff identified an opportunity to clarify how renewable energy, specifically solar panels, are reviewed in commercial and residential districts within the City of Dublin. The City is committed to sustainable practices including efforts with the Dublin Sustainability Framework while balancing community, aesthetics and community values. Renewable Energy Equipment is permitted as an accessory use in all districts within the Western Innovation District, Bridge Street District, Mixed Use Regional District and Historic District. It is not specified in any other areas of the code. The proposed amendment is based on an increase in requests for solar panel installations on residential and non-residential properties as a result of financial incentives that are currently available. Ms. Noble shared some national trends in renewable energy, such as:

- Energy costs are rising and nationwide electric costs have increased 16% and gas prices are up 33%;
- Solar Energy has increased in the residential market by 30% and has accounted for 514,000 installations nationwide;
- Additional interest has been created by federal and state funding and tax incentives; and
- Increased applications have been filed within the City of Dublin for solar energy equipment.

Staff has collaborated with private installation companies, energy providers, local partners and advocacy groups. Boards and commissions have conducted discussions on solar energy. Staff benchmarked other communities to gain insight on their practices with solar regulations. In general, communities permit solar panels with restrictions or regulations similar to what is proposed.

Staff reviewed the building permit history to understand the demand for solar panels, the location of the panels, and if permits were issued for the installation. In the last ten years, there have been 74 building permits, almost exclusively on residential

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homes. They also reviewed all residential PUD's to determine if approved development texts outline permitted roof materials. They found 17 residential PUD's that would restrict roofing materials. An initial outreach to Home Owners Associations (HOA) was conducted and included a letter, a survey and a presentation at the fall HOA meeting. The survey results showed that 50% of the associations reported having no regulations for solar. The remaining 50% stated that the City should consider the location and aesthetics.

Regarding boards and commissions, discussions were held by the Joint Work Session (August 2022), Planning and Zoning Commission (October 2021 and April, September and October 2022), Community Services Advisory Commission (September 2022) and Board of Zoning Appeals (September and October 2022). Overall there has been support of solar and sustainability efforts with an interest in ensuring the communities' aesthetics. There has been discussion about possible additions and clarifications to the Code while still allowing for technological advancements.

Staff shared the recommendation of adding code language to 153.074 – Accessory Structures and Uses. The draft language differentiates between ground-mounted and building-mounted equipment. The purpose of the draft code is to “promote sustainable environmental practices and environmental stewardship while balancing the high-quality standards that define the character of community.” Ms. Noble reviewed some of the general provisions in the draft language, including: wiring, frames, flashing and hardware must be concealed, review materials that have dual function as building materials, and equipment shall remain in working order or be removed.

Ms. Noble stated that building mounted solar to the front of the structure is permitted if it performs as a building material. She noted that it is important to address advanced technologies and future code updates are anticipated. Ground-mounted equipment is permitted in the draft language as long as it is located to the side or rear of the principal building, it is sited to minimize view from the public right-of-way, meets all required setbacks, and does not exceed six feet in height measured from established grade. In non-residential districts, it shall not exceed 25% of the gross floor area of the principal structures unless otherwise permitted. Building or roof mounted equipment, per the draft language, should be:

- located to the side or rear of a principal building;
- shall be a color that is complementary to the roof and shall not extend more than 12 inches above the plane of the roof and be non-adjustable;
- integrated into the design of the building to the extent practical that it can function normally; and
- for pitched roofs:
 - parallel to the roof plane;
 - placed in such a way as to limit protrusions and not extend above ridge line or beyond the edge of the roof; and
 - configured to complement the roofline, installed to minimize corners and avoid complex or nonsymmetrical configurations.

The draft code language was presented and discussed at the Planning and Zoning Commission meeting of October 20. Planning and Zoning recommended approval of the proposed amendments with minor revisions. Ms. Noble noted that City Council will have additional time to review and consider the proposed Code amendment. Staff is recommending that the second reading/public hearing be scheduled for February 13, 2023 to allow time for additional public input and a Council work session.

There were no public comments.

Mr. Reiner stated that this gives him pause because he is aware of one subdivision's lawsuit over solar panels and what would be allowed. He stated it would be important to add the need for screening around the ground-mounted equipment in the draft code. He believes this will be a controversial issue for the community.

Ms. Amorose Groomes shared her concern over the ground-mounted units being permitted widespread over the City and whether screening them would inhibit their ability to gather the solar rays. Commercial spaces would be more appropriate for

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ground-mounted and she would like to see the City promote the use of this in those spaces, primarily with parking. She is not in favor of allowing ground-mounted equipment in the residential areas of the community. She expressed her fear that trees would need to come down in order to allow the equipment to take in as much solar energy as possible. She stated that would turn the clock back on the progress that has been made establishing the green canopy in this community.

Ms. Kramb stated that there are no provisions in the draft code about the amount of space it could occupy in residential as there are for non-residential. She stated there certainly should be either a prohibition or a limit to the space. She also stated that this equipment is required to be mounted to a base of concrete or something like that, so that is additional yard space needed. In response to Ms. Kramb’s question regarding the required feet from the structure, Ms. Noble confirmed it is required to be five feet. Ms. Kramb would like additional explanation regarding the following at the next discussion:

- the requirement of five feet to the structure;
- material types as it is specified in the draft Code (why certain materials types would be included or excluded);
- clarification regarding eave extension and corners.

Vice Mayor De Rosa asked if any of the 74 permits that were issued were for a ground-mounted unit. Ms. Noble stated they were not. Vice Mayor De Rosa provided the following comments for the purposes of clarification at the next discussion:

- The pictures provided are not from our community, she would like to see pictures and examples of what we have in the community;
- The “front” of the house needs to be defined and clarified;
- She would like to see examples of legislation in other regions with similar light versus cloud ratio to Ohio; and
- The materials themselves are going to have to have more clarity in the Code.

She asked if we have any solar on any of our City buildings. Ms. Noble responded that the City does not have solar on any of their buildings. Vice Mayor De Rosa suggested having solar installed on some of our buildings to better educate us on the whole process. She expressed her appreciation for the public input portions prior to second reading.

Mr. Keeler stated that he agrees with the statements of the other Council members. He asked if the terms “front”, “side” and “rear” are defined in the Code. Ms. Noble responded affirmatively. She stated that graphic illustrations could help. Mr. Keeler agreed. He thought it was odd to have the equipment protruding off the roof when solar panels are thin. Ms. Noble stated that some of the installation companies they have spoken with have said it could be less than 12 inches.

Ms. Kramb clarified that with more panels, they are put on a grid, so it is likely the grid and mechanicals that are causing the height, not the panel itself.

Mr. Reiner suggested deferring to the HOAs. He would like to take this slowly.

Mr. Keeler stated he agrees that the City should utilize solar on our buildings, specifically the Service Center, to educate ourselves about it more. Ms. O’Callaghan stated that staff routinely checks-in with IGS Energy to see if they would be interested in partnering on a project like that for the Service Center. IGS Energy has indicated that they are interested; however, the regulatory environment has not made it cost effective to do so.

Ms. Alutto stated that deferring to the HOAs will not work because there are homes in this community that are not covered under an HOA. She also agreed that additional clarification is needed regarding determining the front, back or side of a residence.

Ms. Amorose Groomes stated that she would like to see an application with some sort of expiration date. She would like some motivation for homeowners to get upgraded equipment when better technologies emerge or when the equipment reaches the end of its life-span. She would like to be able to hold homeowners accountable for outdated equipment that is not functioning but is still mounted to their homes.

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Ms. Kramb stated that the commercial solar farms equipment has a life expectancy of 10 years. Ms. Amorose Groomes would rather see solar panels cover asphalt than farmland.

Mayor Fox stated that additional clarification is needed regarding the building materials review on the front of the structure. She asked about emerging technologies, such as Solar Skin, and how that would change the Code if something was on the building materials themselves. She wants to make sure that we can be adaptable to new technologies.

Second reading/public hearing is scheduled for the February 13, 2023 Council meeting.

INTRODUCTION/PUBLIC HEARING/VOTE – RESOLUTIONS

Resolution 54-22
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

Ms. Alutto introduced the Resolution.
Mr. Stiffler stated that this is a routine Resolution allowing the City to collect money that has been collected to the benefit of the City a few months early. Staff recommended approval.

There were no public comments.

Vote on the Resolution: Ms. Alutto, yes; Mr. Reiner, yes; Ms. Kramb, yes; Ms. Amorose Groomes, yes; Mayor Fox, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes.

Resolution 55-22
Authorizing the City Manager to Cooperate and Enter into an Agreement with The Ohio Department of Transportation for the Resurfacing of SR-745 from Emerald Parkway north to Shawnee Hills (ODOT PID Number 106081)

Ms. Alutto introduced the Resolution.
Mr. Taylor stated that the Ohio Department of Transportation (ODOT) is planning improvements to the SR-745 (Dublin Road) corridor from just north of the Emerald Parkway intersection in Dublin to the southern corporation limits of the Village of Shawnee Hills, totaling 3.11 miles. The work includes pavement milling, resurfacing, curb ramp repairs, and pavement markings. Staff coordinated with ODOT to advance this project from State Fiscal Year 2025 to the spring of 2023 to improve the conditions of SR-745 and to resurface over the temporary asphalt patches placed as part of the Deer Run Force Main and Lift Station Project to provide a safe and smooth roadway for the travelling public.

There were no public comments.

Ms. Amorose Groomes asked about whether or not Shawnee Hills received any funding for this paving. Mr. Taylor stated that the area of this road going through Shawnee Hills was repaved within the last two years.

Vote on the Resolution: Ms. Kramb, yes; Ms. Amorose Groomes, yes; Mr. Reiner, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes; Mayor Fox, yes; Ms. Alutto, yes.

Resolution 56-22
Accepting the Lowest and Best Bid for the Franklin Street Extension Project (21-012-CIP)

Ms. Alutto introduced the Resolution.
Mr. Hammersmith stated that this project will construct an extension of Franklin Street from West Bridge Street north to North Street and reconstruct Franklin Street from West Bridge Street south to Sells Alley as shown on the attached exhibit. The work for the project will consist of constructing the roadway, installing permeable paver parking

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bays, brick paver sidewalks, street trees, street lighting, and burial of the overhead utility lines from Sells Alley to North Street. The intersection of West Bridge Street and Franklin Street will be signalized and include pedestrian crossings and the temporary pedestrian crossing of West Bridge Street at Darby Street will be removed. Finally, the overhead utility lines will be buried as part of this project as well. This project required coordination with the Dublin City School District, Darby Street Parking Lot, J. Liu's of Dublin, Congregational Church of Dublin and Old Dublin Town Center II. The aesthetics of the project include: brick paver sidewalks, street trees, permeable brick paver parking bays, granite curb and streetlights. Regarding landscaping, the project will include street trees and utility screening. Mr. Hammersmith noted that there will be additional landscaping on Dublin Schools property as well as J. Liu of Dublin. The engineer's estimate for the Project is \$3,224,542.75. Complete General Construction Company submitted the lowest and best bid of \$3,834,795.76. The Engineering Division has consulted with the Finance Department, and Finance Staff determined the funds necessary to cover the additional Project cost are available from previously appropriated funds in the 2022 – 2026 CIP. These funds are available from one or more projects appropriated as part of the 2022 – 2026 CIP that will not proceed in 2022 and have been included in 2023 – 2027 CIP. Staff recommended Council approval of the Resolution.

There were no public comments.

Ms. Amorose Groomes asked about power supply capabilities in the street tree wells. Mr. Hammersmith will investigate that for Council. Ms. Amorose Groomes stated that a power supply would be nice for lighting the trees for events, holidays, etc.

Ms. Kramb asked about the access road for the schools that will be added. Mr. Hammersmith stated that it will be stop controlled. Mr. Gable stated that staff coordinated extensively with the school district. He stated that this access road is technically a one-way that will be intended for buses only. Buses will load from the sidewalk and no one will be in the roadway to load onto buses. The schools consider this a big improvement.

Mayor Fox asked about the traffic flow and whether or not traffic will back up at one of the intersections. Mr. Hammersmith stated that he would encourage use of either intersection and explained that they are far enough apart that he does not anticipate traffic backing up because the signals would be coordinated. She also asked about tree wells on the south side and whether or not there was sufficient room for them. Mr. Hammersmith stated that he believes there are tree wells on both sides.

In response to Vice Mayor De Rosa's question about burying fiber in this area when the utilities are buried, Mr. Hammersmith stated that there is already Dublinlink in this area. She also asked if this area would be marked as a bike thoroughfare. Mr. Hammersmtih stated there will not be bike lanes on the road, but they will look at signage.

Vote on the Resolution: Ms. Amorose Groomes, yes; Mr. Keeler, yes; Ms. Alutto, yes; Vice Mayor De Rosa, yes; Mayor Fox, yes; Ms. Kramb, yes; Mr. Reiner, yes.

Resolution 57-22
Accepting the Lowest and Best Bid for the Emerald Fields - Bike Track Project

Ms. Alutto introduced the Resolution. Mr. Earman stated that on October 25, 2022, three bids were received and publicly opened for the Emerald Fields – Bike Track Project. Janco LLC (Janco) submitted the lowest and best bid amount of \$176,002.00, including two alternate bids to switch the foundation and infield materials from asphalt to concrete. The engineer's estimate for the Project was \$150,000 in 2021. The project will install a modular pump track at

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Emerald Fields and will consist of site area grading, a concrete foundation for the installation of the pump track system, storm water bio-retention basins, plantings for the bio-retention basins, and site restoration. This project was bid earlier in the year with no response; the concrete material was added as an alternate to give bidders more flexibility in materials. From the City's perspective, concrete is arguably more durable than asphalt and will likely require less maintenance. Staff recommended approval of this Resolution.

There were no public comments.

Ms. Kramb asked if there was lighting associated with this project. Mr. Earman stated there is no lighting associated with this project due to the close proximity of this location to residences. This area will close at dark when the park closes. Vice Mayor De Rosa asked if there was a safety difference of concrete versus asphalt. Mr. Earman stated that he could not speak to the structural safety difference, but that safety gear will be recommended on signage in the area. He also explained that the concrete will hang over approximately one foot on either side of the track, so it will not be an obstruction. Mayor Fox asked about proper drainage of water on the track. Mr. Earman stated that there are cross-sections of track that allow the water to drain. Mr. Reiner asked about parking for cars near this site. Mr. Earman stated that there are other amenities with parking close by.

Vote on the Resolution: Mr. Keeler, yes; Vice Mayor De Rosa, yes; Mr. Reiner, yes; Ms. Amorose Groomes, yes; Ms. Kramb, yes; Ms. Alutto, yes; Mayor Fox, yes.

Resolution 58-22
Accepting the Lowest and Best Bid for the Coffman Park Lighting and Wi-Fi Infrastructure Improvements

Ms. Alutto introduced the Resolution. Mr. Earman stated that this project had been out to bid twice this year with no bids received. A third attempt was made to bid the project this fall and on October 20, 2022, one bid was received from Danbert, Inc. Danbert submitted the only bid in the amount of \$406,652.80. The bid amount is 24 percent higher than the engineer's estimate of \$327,808.36. Staff attributed the elevated bid amount to the increased cost of construction materials and labor due to inflation. The total cost of the Project is \$486,652.80, which includes the bid price and the cost to purchase City supplied materials. The project will install 14 permanent light poles with LED luminaires and Wi-Fi antennas in Coffman Park to replace the six existing temporary wood utility poles, which currently house the Wi-Fi equipment used for operations and point of sale systems at the Dublin Irish Festival. The style of the new poles are consistent with those installed in the Bridge Park development. Additionally, the project includes custom pole bases designed to mount the City's Wi-Fi infrastructure. Staff recommended approval of Resolution 58-22 accepting as lowest and best the bid of Danbert, Inc. in the amount of \$406,652.80, and authorizing the City Manager to enter into a contract with Danbert, Inc. for the Project.

There were no public comments.

Mr. Keeler clarified the \$67,992.44 is for a different phase of the project. Mr. Earman stated that the \$67,000 portion is the purchase of the components and actual installation of the Wi-Fi. Mr. Keeler stated that he does not experience issues getting access to Wi-Fi, but the connection to the internet is always a problem. He asked if these improvements will fix that issue. Mr. Farrar stated that this project should help address those issues. He stated that they are prioritizing the festival operations and retail areas to ensure that transactions are completed successfully. He stated that by managing these in-house, we can control the bandwidth, allowing more accessibility for public Wi-Fi.

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Vice Mayor De Rosa asked if there will be opportunity to hold other events in this area with the addition of Wi-Fi and lighting because this area is empty except for festival time. Mr. Earman stated that staff has considered implementing pocket parks within parks to provide outdoor workspaces. He explained that those ideas had not yet progressed past the visioning stage, but that he would be happy to look at placing some benches or some type of equipment in the area.

Ms. Amorose Groomes asked if staff knew why there was such reluctance in the market to participate in this project. Mr. Earman stated that most of the reluctance had to do with the tight timeframe deadlines. He stated that this work must be completed before the Irish Festival next year.

Mayor Fox asked if these poles would help alleviate some of the power demands on the area during the festival and perhaps use less generators. Mr. Earman stated that these poles will not generate enough power to make a difference at the festival but staff has considered and discussed the need for permanent power in the area for the festival.

Vote on the Resolution: Vice Mayor De Rosa, yes; Ms. Kramb, yes; Ms. Alutto, yes; Mr. Keeler, yes; Mayor Fox, yes; Mr. Reiner, yes; Ms. Amorose Groomes, yes.

Resolution 59-22
Amending Chapter 33 (Human Resources Policies) of the Dublin Codified Ordinances

Ms. Alutto introduced the Resolution.
Ms. Miglietti stated that this resolution amends the listing of positions in the “unclassified service” and brings it in alignment with Ordinance 65-22, the non-union compensation plan amendment.

There were no public comments.

Vote on the Resolution: Mr. Reiner, yes; Ms. Amorose Groomes, yes; Ms. Alutto, yes; Ms. Kramb, yes; Mayor Fox, yes; Vice Mayor De Rosa, yes; Mr. Keeler, yes.

Resolution 60-22
Authorizing the City Manager to Enter into a Contract for Public Health and Plumbing Services with the Board of Health of the Franklin County General Health District for 2023

Ms. Alutto introduced the Resolution.
Ms. O’Callaghan stated that Franklin County Public Health serves as the public health agency for the City, including the portions of the City in Delaware and Union Counties. The Board of Franklin County Public Health approved a per capita rate of \$9.5996 for the public health services it provides to participating jurisdictions for 2023. This per capita rate reflects an increase of 3% over the 2022 per capita rate (\$9.32). Based on MORPC’s estimated population for Dublin of 49,221, the City’s costs for the 2023 contract is \$472,501.91.

There were no public comments.

Mayor Fox asked about other services offered by Franklin County that are not part of this contract. Ms. O’Callaghan stated that the services provided by Franklin County Public Health are listed in the attachment of the contract.

Vote on the Resolution: Ms. Alutto, yes; Ms. Amorose Groomes, yes; Ms. Kramb, yes; Mayor Fox, yes; Mr. Keeler, yes; Mr. Reiner, yes; Vice Mayor De Rosa, yes.

OTHER BUSINESS

- Pop-Up Dublin Update

Ms. Blake stated that on February 14, 2022, City Council approved a one-year lease for 63 S. High Street to create a beta pop-up shop concept to promote vibrancy and

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pedestrian circulation on South High Street. "Pop-Up Dublin" is a rotating retail and art experience featuring a variety of vendors and artists. On July 1, 2022, the City executed a one-year lease with the homeowner's realtor for \$3,000 per month plus utilities. Pop-Up Dublin is open every Wednesday from 4 – 8 p.m. and Saturday from 1 – 8 p.m. The initial phase of Pop-Up Dublin opened for business on July 30, 2022 and is planned to run through December 17, 2022. A local high school senior, Cecilia Martyna, designed and painted the Irish Fairy Wings to compliment the Fairy Door Trail run by Visit Dublin Ohio. Ms. Martyna painted the mural during the operating hours of Pop-Up Dublin as a live entertainment component to the pop-up shop. Visit Dublin added stickers to the Fairy Door trail maps encouraging participants to go to 63 S. High St. to get a photo with the wings. Ms. Blake shared some statistics since the Pop-Up has been open. The first six months held rotating retail and art. For the second six-month term of the lease, staff has been contacted by a clothing retailer to beta test their business at 63 S. High St. The retailer is interested in having the City assign the lease to them for the remainder of the lease term. Staff believes this is a good opportunity and is discussing this potential arrangement with the retailer and realtor.

There were no public comments.

Ms. Alutto clarified that the lease with the City ends June 2023. She stated she would be fine with assigning the lease to the interested retailer.

Ms. Kramb stated that she would also recommend assigning the lease.

Mr. Keeler agreed with Ms. Alutto and Ms. Kramb. It was a good idea to try, but it is time to move on.

Ms. Amorose Groomes asked if the retailer would be interested in taking it over earlier.

Ms. Blake stated that the property owner wanted to give the City the opportunity to comment and offer feedback. The retailer was open to assignment of the lease earlier than March, but the business probably would not open until March. Ms. Amorose Groomes stated she is supportive of assigning the lease.

Vice Mayor De Rosa thanked staff for the work that has gone into this test. She agreed that it was time to move on to something else.

Mr. Reiner stated that he too appreciated the work to try something new, but that it was time to move on.

Mayor Fox stated that this pop-up provided the opportunity to attract a new retailer. She expressed appreciation to staff for all the work and fun that they brought to the pop-up. Council consensus was to assign the lease to the new retailer.

- Training for Boards and Commissions for 2023

Mr. Rogers stated that in 2021, Council established biannual training on Ethics and Diversity, Equity and Inclusion (DEI), for its Boards and Commissions. During its September 12, 2022 meeting, Council referred the proposal to the Administrative Committee for review. The Administrative Committee made modifications to the proposed DEI training to eliminate repetitiveness and provide individuals with a more engaging option. The training curriculum recommended by the Administrative Committee includes:

- the State of Ohio Ethics training (one hour) as a requirement;
- ongoing Cyber-Security Training (1 hour) that is required of all who access City networks or devices;
- two options for DEI:
 - Option 1. "Inclusion and Belonging" A virtual live interactive training (60 minutes) delivered by Leverage HR, operated by Sapna and Bob Welsh, a Columbus-based company, or
 - Option 2. "A Seat at the Table" Three eLearning modules of the "Seat at the Table" curriculum (30 minutes total), offered through the Cornerstone platform; and
- Managing Difficult Situations (Delivered in person at a scheduled Board or Commission Meeting as a group requirement).

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Mr. Keeler moved to approve the Administrative Committee recommendations and proceed with the 2023 training curriculum for Board and Commission members. Ms. Alutto seconded.

Vote on the motion: Ms. Amorose Groomes, yes; Vice Mayor De Rosa, yes; Ms. Alutto, yes; Mayor Fox, yes; Mr. Keeler, yes; Mr. Reiner, yes; Ms. Kramb, yes.

STAFF COMMENTS

- Ms. O'Callaghan shared the following:
- Congratulations to Matt Stiffler and the Finance Team on earning the Government Finance Officers Association Triple Crown Distinction Award for Fiscal Health, Transparency and Accountability for Fiscal Year 2020. The City of Dublin is one of just 317 governments to receive this award. The Triple Crown distinction represents a significant achievement in which entities must meet the high standards of three separate award programs, each recognizing governments for producing reports that communicate their financial stories in a transparent manner. This award is a respected validation of our efforts to share information about our fiscal health on behalf of our residents and businesses.
 - The City of Dublin, along with the planning firm McBride Dale Clarion, received the Public Education and Awareness Award from the Ohio History Connection as part of their 2022 State Historic Preservation Office Awards. Dublin was recognized for updates to the Historic District Code and Historic Design Guidelines. The Public Education and Awareness Award is given for increasing interest in historic preservation.
 - This Thursday (November 17), the City and the Dublin Police Department will host a Town Hall on Cultural Awareness and Mental Health. The event will be held at the Dublin Community Recreation Center from 5:45 – 8:15 p.m. In 2021, there was a Suicide Prevention Town Hall that was very well attended. Thursday's Town Hall will be both Cultural Awareness and Mental Health, with the mental health portion including suicide prevention.
 - Pumpkin composting is back at the Service Center until December 9th. Last year, we were able to divert over 50,000 pounds of pumpkins from the landfill. Already this year, we have taken a full 20-yard roll-off, weighing over 13,000 pounds, to be composted.
 - Staff has met with representatives from Dublin Ireland's City Council and we have been told that the Friendship City Agreement will officially be approved on Monday, December 5th. Staff will prepare a Resolution to be approved the same day by our Council. Since the Lord Mayor previously travelled to Dublin, Ohio during the Irish Festival to sign the agreement, we will send a contingent to Dublin, Ireland to sign the official agreement. The date will need to be determined but it should be done no later than the first quarter of 2023. There are many ideas to work through with staff and Council members in order to cement the partnership and build long-lasting collaboration between our two cities.
 - As part of our winter readiness, we will be sending a call out to the community to become "Snow Angels." The past few years we have seen an increase in older adults experiencing hardship and unable to dig themselves out after snow events. Outreach & Engagement, when possible, matches volunteers to these seniors in need, and starting this winter, we will increase these volunteer neighbors calling them "Snow Angels." It ends up connecting neighbors for reasons other than snow removal from a driveway apron; it definitely adds to the connectedness among our community members. Watch for announcements after Thanksgiving for more information.

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Minutes of _____

Dublin City Council

Meeting _____

BARRETT BROTHERS - DAYTON, OHIO

Form 6101

Held _____

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COUNCIL REPORTS

- Committee Reports
 - Finance Committee: Ms. Alutto stated that a meeting was held on November 8. The Hotel/Motel Grant applications were reviewed. Recommendations will be coming to the next Council meeting (December 5) for Council approval.
- Liaison Reports
 - School Liaison Report: Ms. Alutto shared that she and Mayor Fox met with members of the Dublin City Schools administration and board member representatives. They discussed the problem of students vaping in the schools and have determined that additional parent education and caregiver education is needed to know what to look for.
 - Veterans Committee Report: Mr. Reiner thanked City Council for attending the Veterans Day ceremony. He also thanked Sells Middle School and the students who helped with the ceremony.
 - Washington Township: Ms. Kramb attending a Washington Township meeting last week and they provided their approval for the City to nominate them for the Best Fire Department in the state. Ms. Kramb also announced that Melanie Amato (Public Relations) will be leaving Washington Township and beginning employment with the City of Columbus.
 - Architectural Review Board: Ms. Kramb attended an agenda meeting with the ARB chair and staff.
 - MORPC: Ms. Amorose Groomes congratulated MORPC on welcoming their 80th member this last week.

COUNCIL ROUNDTABLE

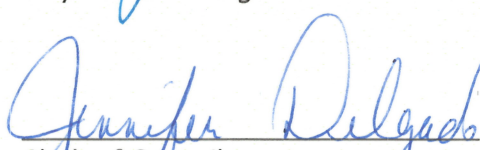
- Mr. Keeler thanked the Sells Middle School, the staff, students and everyone that made the Veterans Day ceremony so special. He also commented on some sod patching that had been put down in a median area of the I-270 overpass.
- Ms. Alutto stated that it was a wonderful Veterans Day ceremony. She wished everyone a happy Thanksgiving.
- Ms. Amorose Groomes thanked staff for the Veterans Day work and preparation.
- Vice Mayor De Rosa thanked the Finance Team for their hard work on the budgets. She expressed her gratitude for everyone and wished everyone a happy Thanksgiving.
- Mayor Fox stated that we have a great deal to be thankful for in this community. She encouraged everyone to remember the Dublin Food Pantry, Dublin Bridges and other non-profits that help the community. She wished everyone a happy Thanksgiving.

ADJOURNMENT

The meeting was adjourned at 9:45 p.m.



Mayor – Presiding Officer



Clerk of Council