

RECORD OF PROCEEDINGS
Dublin City Council

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

Held
September 11, 2023
20

CALL TO ORDER

Mayor Fox called the Monday, September 11, 2023 Regular Meeting of Dublin City Council to order at 7:00 p.m.

ROLL CALL

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

Staff members present were Chief Paez, Ms. Babbitt, Mr. Gable, Mr. Stiffler, Mr. Earman, Mr. Smith, Ms. Goehring, Ms. Willis, Ms. Wawszkiewicz, Mr. Rayburn, Ms. Rauch, Mr. Althouse, Mr. Gable and Deputy Chief Tabernik.

Others present: Scott Dring, Gerrilyn Rozich, Sharon Magee, Visit Dublin Ohio; Chris Franzmann, Squire, Patton, Boggs.

SEPTEMBER 11 REMEMBRANCE

Mayor Fox stated that, in remembrance of the terrorist attacks on the World Trade Center, the Pentagon and Flight 93, September 11 is a day that we recognize as Patriot Day and our National Day of Remembrance. On behalf of Council, she honored and commemorated the sacrifices made that day by remembering the heroes and the selfless courage of all the first responders, Firefighters, Police, rescue workers and everyone that gave their lives in countless acts of service on that day and the days that followed. She stated that, today (September 11), we remember the lives lost and we give thanks for those who courageously served and saved others. May we come together to remember all the families that lost their loved ones. On this Patriots Day, we also honor the proclamation that it is a National Day of Service and Remembrance in honor of those we lost.

PLEDGE OF ALLEGIANCE

Mayor Fox led the Pledge of Allegiance.

SPECIAL PRESENTATION

- Visit Dublin Ohio Update

Mr. Dring came forward to provide an update on the hospitality industry as well as Visit Dublin Ohio programming. He introduced Gerrilyn Rozich, Board President and Board Member Sharon Baker Magee who were present. He shared occupancy rate statistics. He stated that room rates continue to be at an all-time high. Bed tax is about 15% above where it was at this time last year. Next week is the first Visit Dublin Ohio Week. Several events are planned at their location and they will be incorporating a Dublin Voter's Choice Awards with 16 different categories (Best Public Art, Best Dessert, etc.) for local amenities.

He is currently working with the Dublin Schools and the City to create a Dublin Travel and Tourism Academy. It will be one of the first in the country. He also shared information regarding the new Park Pass that offers an opportunity to promote the City's 64 plus parks. It is a unique pass that allows the user to filter through the app on the phone and get all the amenities that are offered at the different parks. About 1,000 people have downloaded the app and they have been able to document over 5,000 visits to the parks just through the app. Anyone who visited 15 or more parks this summer was able to go to the Visit Dublin Ohio location for a free water bottle.

They continue to promote the arts in the community by inviting bloggers to come into town and write about the art in Dublin. He provided an overview of some of the marketing programming created through Visit Dublin Ohio partnering with Tourism Ohio. Mr. Dring played the new promotional videos that have been created. He also shared a marketing campaign on an international level by showing a Visit Dublin Ohio billboard that will be placed in Dublin, Ireland.

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Mr. Dring stated that they are planning to use the total lunar eclipse that will happen April 8, 2024 as an opportunity for an event to bring visitors to the City, as Dublin is one of the cities that is in the path of totality. Finally, Mr. Dring summarized some of the events that were in our region. He mentioned that the City of Hilliard is adding 20 grass fields and two artificial fields and Delaware County is breaking ground soon on a similar sports facility. He shared another campaign video for the "You're in Luck" campaign. Council thanked Mr. Dring for the update.

CITIZEN COMMENTS

There were no public comments.

CONSENT AGENDA

- Minutes of the August 21, 2023 Work Session
- Minutes of the August 28, 2023 Regular Council meeting
- Notice to Legislative Authority of a Transfer of Ownership of a D1 and D2 Liquor Permit from MK Asian Group LLC, dba Sesame Sea Asian Bistro, 7106 Muirfield Drive, Dublin, Ohio 43017 to Ly Sesame EA IN, 7106 Muirfield Drive, Dublin, Ohio 43017.

There was no request to remove an item from the consent agenda.

Ms. Alutto moved to approve the consent agenda.
Mr. Keeler seconded.

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

SECOND READING/PUBLIC HEARING - ORDINANCES

Ordinance 31-23

Appropriate a 0.070 -Acre Fee Simple Warranty Deed for Right-of-Way, Without Limitation to Existing Access Rights, and a 0.225 Acre Fee Simple Warranty Deed for Right-of- Way, Without Limitation to Existing Access Rights, from Arthur G. Wesner and Elizabeth L. Wesner, For Their Joint Lives, Remainder to the Survivor of Them, From the Property Located at 7455 Hyland-Croy Road and 7485 Hyland-Croy Road, for the Public Purpose of Constructing Roadway Improvements, Which Will be Open to the Public Without Charge

Mr. Gable stated that there have been no changes to this Ordinance from the first reading. Staff recommended approval.

There were no public comments.

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

Ordinance 32-23 (Amended)

Amendments to Zoning Code Sections 153.002, 153.071, and 153.074 to address open and uncovered structures (22-178ADMC)

Ms. Rauch stated that at the first reading of this Ordinance, minor changes were requested to clarify information regarding encroachments related to porches. Staff has modified the requirements and added a definition for stoop to clarify that it is an uncovered area that provides access to the structure and is intended to be different from a porch. The porch definition was modified to state that it can be covered, but is not permitted to encroach into the setbacks and visual obstructions are to be limited.

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She also noted that “at grade” was added to the patio definition. Staff recommended approval.

There were no public comments.

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

Ordinance 33-23
Authorizing the City Manager to Enter into a Real Estate Transfer and Development Agreement for the Development of Riverview Village with CSD Dublin LLC (Community Space Development LLC dba COhatch)

Mr. Stiffler stated that there are no changes to this Ordinance from the first reading. There were a few questions at the first hearing that have been addressed in the updated memo that was provided to Council.

There were no public comments.

Mayor Fox asked about the east parcel lot split. Mr. Stiffler stated that the final development plan would begin with a Concept Plan that is approved by the Architectural Review Board (ARB). The Concept Plan will then come forward to City Council for approval. At that time, City Council can approve or disapprove of the Concept Plan or add conditions clarifying intentions toward these east properties. The Final Development Plan will ultimately be approved by the ARB, but they will see Council’s comments regarding the concept plan.

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.

Ordinance 34-23
Establishing the Bridge Street/Riverside Drive Business District for the Purposes of Creating Safer and More Comfortable Streets

Ms. Willis stated that there are no changes to this Ordinance from the first reading. Staff recommended approval.

There were no public comments.

Ms. Amorose Groomes asked about the north end of the Business District. She asked about the rationale of the boundary of the district ending at I-270 versus Emerald Parkway. She was concerned that the reduced speed will come upon the motorist abruptly with little distance or warning. Ms. Willis stated that the boundaries of the business district match the Bridge Street District zoning boundary. Ms. Amorose Groomes reiterated her concern for the transitional space between 40 mph and 25 mph. She suggested some consideration be given to the signage in that area specifically. Ms. Willis agreed and stated that staff will look at the signing pattern to make sure it is clear to drivers.

Vice Mayor De Rosa stated that in the Capital Improvements Program (CIP), there is funding for driver feedback signs. She stated that this intersection is going to consume some of the signage. She asked that staff add additional signs into the CIP to make sure there are enough to appropriately sign the new business district as well as the other areas in the City identified by the Speed Management Program. Ms. Willis stated that as part of the action plan for educating the public for a reduced speed limit, the police speed trailers will be used for Riverside Drive because they are larger and more appropriate in scale to a larger road. The speed trailers will be used on Riverside Drive and therefore free up the new driver feedback signs to be used in the neighborhoods.

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Vice Mayor De Rosa reiterated that we have the budget to purchase more driver feedback signs. She will continue to advocate for that.

Ms. Kramb asked about whether staff received permission from ODOT to put new speed limit signs on Riverside Drive northbound just south of Martin Road. Ms. Willis stated that staff will put the advance speed limit warning sign just to the north side of Martin Road. It will be within the City of Dublin limits so no special permissions are needed.

Mayor Fox agreed with Ms. Amorose Groomes' comments and added that a reduced speed ahead sign would be helpful. Ms. Willis stated that staff will make sure there is ample signage warning drivers of the speed limit change.

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

INTRODUCTION/FIRST READING – ORDINANCES

Ordinance 36-23

Amending the Annual Appropriations for Fiscal Year Ending December 31, 2023.

Ms. Alutto introduced the Ordinance.

Mr. Stiffler stated that this Ordinance contains information related to each request for a supplemental appropriation. If any new items or amendments are needed prior to the second reading, this Ordinance will be amended and the memo will be updated to reflect those changes. He stated that he and the respective directors are available to provide any additional information needed.

There were no public comments.

Ms. Kramb asked about the South High Burial project and whether that included only the utilities portion. Mr. Stiffler responded affirmatively.

Vice Mayor De Rosa stated that Section 2 regarding the Hyland-Croy projects, references a \$2 million request, but the last sentence says that the City of Dublin's contribution is \$1.1 million. Mr. Stiffler stated that he thought Union County was going to be the contracting agent and Dublin would provide our contribution to them, but actually, the City of Dublin is the contracting agent and Union County will be providing their contribution to Dublin for the project. He added that the project also came in slightly over the engineer's estimate.

Vice Mayor De Rosa stated that Section 4 references Ordinance 01-23, but it does not say what specifically Ordinance 01-23 is. She suggested adding language that describes Ordinance 01-23. Mr. Stiffler stated that the description is earlier in the Ordinance because it spans several sections. Vice Mayor De Rosa stated that whatever clarity can be provided would be appreciated.

Ms. Amorose Groomes asked about the Hyland-Croy projects and the additional amount over what she understood to be the City of Dublin's maximum contribution. Mr. Stiffler stated that the City of Dublin is responsible for any additional improvements in the project that are not strictly required; for example, the timber with the steel reinforcement guardrail is beyond what would have been provided in the project, so Dublin has to pay the difference. The City is also responsible for 100% of the shared-use path, which is a separate project, but it was bid together with the other Hyland-Croy improvements.

Second Reading/Public hearing is scheduled for September 25, 2023.

INTRODUCTION/PUBLIC HEARING/VOTE – RESOLUTIONS

Resolution 61-23

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Accepting the Lowest and Best Bid for the Kiwanis Riverway Park Boardwalk Improvements and Authorizing the City Manager to Enter into Contract for the Project

Ms. Alutto introduced the Resolution.
Mr. Earman stated that on July 27, 2023, two bids were opened for the Kiwanis Riverway Park Boardwalk Improvements project. This project includes replacement of some existing boardwalk decking and some of the structures, installation of new sections of Boardwalk to bridge areas overcome by groundwater and other debris. It also includes handrails and guardrails to be added to ensure that it meets code. This park is actually owned by the City of Columbus and maintained by the City of Dublin per the lease agreement that was executed in 1990. Staff worked closely with Columbus staff to seek the appropriate review and approval per the agreement. The engineer’s estimate was \$400,000. The lowest bid was received from Smoot Construction Company in the amount of \$384,450 which is 3.8% below the engineer’s estimate. Staff recommended approval.

There were no public comments.

Mayor Fox asked how this park is marketed and whether it is included in the 64 parks in the City of Dublin. Mr. Earman responded affirmatively. Mayor Fox encouraged visits to the park as it has a beautiful boardwalk along the wetlands and is a great birding opportunity.

Ms. Amorose Groomes asked if the Kiwanis was engaged at all for this project. Mr. Earman stated that this project is more about safety repairs and renovations to the existing path, but staff would certainly reach out to the Kiwanis for any future renovations that may include improvements.

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

Resolution 62-23

Accepting the Lowest and Best Bid for the Brown-Harris Cemetery Project and Authorizing the City Manager to Enter into Contract for the Project

Ms. Alutto introduced the Resolution.
Mr. Earman stated that on August 17, 2023, two bids were opened for the Brown-Harris Cemetery Project. This project phase will include the grading, fencing, concrete and mason rework along with landscaping and site restoration of the cemetery. Mr. Earman stated that other improvements will be produced under different contracts but will work together simultaneously. This cemetery was lost sometime in the early 1900’s and was rediscovered during an archeological survey for the surrounding University Boulevard Phase 2 project. It was named for early African American settlers who owned the land. Archeological excavations resulted in the identification of 22 grave shafts. The remains and burials were left in place. Through extensive research, relatives have been identified and have been consulted as part of the design for the cemetery. Details of the cemetery include a path coming from the west, a black aluminum fence, stone pillars at the corner entry, a stone obelisk in the center surrounded by native plantings, benches, interpretive signage and three oak trees. The engineer’s estimate for this project is \$251,976 and the total budget for the project is \$400,000. The lowest bid was received from Brent Construction Inc., in the amount of \$247,630.19, which is 1.72% below the engineer’s estimate. This project satisfies conditions set forth as associated with the University Boulevard Phase 2 project and was reviewed and approved by ARB in April of this year.

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The project received a \$450,000 grant as part of the 2021-2022 Ohio Capital Budget. The grant is administered by the Ohio Facilities Construction Commission and staff has worked with the Commission to make sure that the design process met the grant conditions. Staff recommended approval.

There were no public comments.

Mr. Keeler asked if this pathway would be connected to our shared-use path system. Mr. Earman responded affirmatively.

Mayor Fox asked about the engraving on the pillars. Mr. Earman stated that the engraving will be the family members' names that have been identified. There is also the possibility of adding to it as we learn more about the family.

Ms. Amorose Groomes stated that she appreciated the boulders being boundary markers, but to be historically accurate, the trees would be witness trees that were planted at the edges of the cemetery. She asked if some modifications to the plan could be made to do witness trees, so it would be historically representative of the time in which it was dedicated. Mr. Earman stated that staff would explore that and see what can be adjusted.

Ms. Kramb stated that she is the Dublin Historical Society representative on this project as a stakeholder and asked Mr. Smith if she should recuse herself from the vote. Mr. Smith indicated that there is no conflict of interest and she should not recuse herself. Ms. Kramb also stated that the boulders are sitting atop a Columbia Gas line that is buried along the northern edge of the cemetery. The boulders are marking the actual edge of the cemetery, but nothing else could be planted there due to the Columbia Gas line. Ms. Kramb added that, on behalf of the Historical Society, they are happy with this project because the design decisions were made by the descendants of the people buried there.

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

Resolution 63-23
Accepting the Lowest and Best Bid for the Riverside Crossing Park East River Access Trail Project and Authorizing the City Manager to Enter into Contract for the Project

Ms. Alutto introduced the Resolution. Mr. Earman stated that on August 17, 2023, two bids were opened for the Riverside Crossing Park East River Access Trail project. The general location of this is adjacent to the overlook along the shared-use path in the park. The engineer's estimate and budget for this project are \$250,000. The lowest bid received was from Five Season Landscaping Management in the amount of \$207,791, which is 16.8% below the engineer's estimate. This project was included in the original Master Plan for the Park and was initially funded in 2021 in the CIP. Several complexities to integrate the design into the riverbank with the existing conditions and to ensure that the project did not exceed allowable river flow impacts were reviewed with the bids. Staff recommended approval.

There were no public comments.

Vice Mayor De Rosa asked if the stairs are ADA compliant and if kayak launching there is allowed. Mr. Earman stated that anyone can access the river with a kayak anywhere on City property along the river. There is not a dedicated launching space, but it is allowed. He added that the slope of this area is just not amenable to be able

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to put in ADA accessibility at this location. He stated that staff does try to put ADA compliant accessibility in every project, but this area limits our ability to do that.

Ms. Amorose Groomes asked how close the limestone on the lower plaza of the stairs gets to the river. Mr. Earman stated he does not believe it goes all the way to the river. The area where this staircase is going in is probably between 25-30 feet from the river’s edge. In response to Ms. Amorose Groomes’ question regarding whether the staircase is in the floodplain, Mr. Earman responded affirmatively. He added that the materials that are being used do not exceed the requirements for additional permits and staff has been working closely to make sure that the design is aligned with all the river flow impact studies. Ms. Amorose Groomes stated that to have this material be dry-laid is probably not going to be sustainable. She expressed her concern that dry-laid limestone will not hold up to the water flow that comes down the river. She asked, if this was what was recommended, if we could get a guarantee or warranty. Mr. Earman stated that this issue was raised during design and he will go back and revisit those conversations.

Ms. Kramb asked if the contractor visited the site. Mr. Earman responded affirmatively.

Mr. Keeler shared his personal experience with one of his parcels in a floodplain. The water crests over the banks of the creek with force. The water in the river is moving at excessive speed and there is debris in it. He suggested staff look carefully at that area and reinforce it in some way.

In response to Mayor Fox’s question regarding a handrail, Mr. Earman stated that Building Standards staff reviewed the plans to make sure that it was meeting the Code and the rugged nature of this is why it does not require a handrail. It is more of a naturalized area that enhanced.

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

OTHER BUSINESS

- Beautify Your Neighborhood Grant

Ms. Rauch stated that one application was reviewed for the fall round of Beautify Your Neighborhood grants from the Village at Corbins Mill. The total budget for these grants is \$32,000. In the spring round, \$10,000 worth of grants was awarded. The request for the fall round is for \$5,000, which is the maximum that can be awarded. The Community Development Committee is recommending approval of this application with three conditions:

 - The applicant remove and replace the dying Norway Maple with a different species, to be reviewed and approved by staff after City Council approval;
 - The applicant adjust the rock garden bed lines to avoid acute angles in the grass, subject to staff review and approval after City Council approval; and
 - The applicant work with staff to replace the Birds Nest Spruce with a suitable plant species.

There were no public comments.

Mayor Fox moved to approve the Beautify Your Neighborhood Grant as recommended by the Community Development Committee.
Ms. Alutto seconded.

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

COUNCIL REPORTS

- Community Development Committee (CDC): Ms. Amorose Groomes stated that the CDC had a meeting on August 29 regarding the US 33-I 270 Cloverleaf interior portion where the 90-degree angle concrete grid network is integrated into the soil. Staff brought back revised drawings for the Committee’s consideration and feedback. The outcome of the meeting was changing some of the plant material for some color, texture and hardness. The cost difference was about \$900,000 versus closer to \$250,000. The Committee felt (2-1) that this was not a prudent expenditure of nearly \$750,000. Mr. Keeler agreed it was a beautiful design, but as he is driving down the highway, the portion that would be seen on this exit ramp is not worth \$750,000. Ms. Amorose Groomes stated that this will be coming forward to Council for consideration at the next Council meeting on September 25.
- Administrative Committee: Vice Mayor De Rosa stated that the Administrative Committee met on September 5. They received updates regarding Board and Commission member training and attendance. In 2021, Council initiated a program that requires training for Board, Commission and Council members related to cybersecurity and diversity, equity and inclusion. The Committee spent some time looking at ways to simplify the process and assist people getting these trainings completed on time. Attendance was also discussed. There are projects underway including the creation of rules of order for newer boards and committees that were created to add additional clarity as to attendance. It was a good opportunity to look at some things that we have accomplished and make some potential changes. Heading into the 2024 Operating Budget, the Committee also talked about Council travel and travel budgets. In light of Council’s desire to travel more, the Committee recommended to increase the amount of travel budget that will come forward in the operating budget for Council’s consideration. Additionally, the Committee discussed practices and preferences about travel and asked staff to draft some of those practices for the Committee’s consideration. It would then come to Council for discussion as a group.

COUNCIL ROUNDTABLE

Mr. Keeler shared a story of extraordinary acts of kindness that a guest of the AM Rotary shared. The guest, Shirley Brooks Jones told of her experience traveling on September 11, 2001, not being aware of what was happening. The plane she was on had to land in Lewisport, Newfoundland. She stated that the town took all of these travelers in to make them comfortable and as they were driving through the town of Lewisport, there were American Flags everywhere in a showing of support. Mr. Keeler stated that it was reminder that there are good people out there doing the right things.

Ms. Alutto stated that her grandmother was on an airplane to New York that morning, so it was a very hard morning for many people. Her grandmother was okay that morning, but it was a hard day. She thanked the Rotary for the wonderful car show that was held.

Ms. Amorose Groomes stated that the Executive Committee of MORPC was hosted in the City of Dublin last week. It was a great opportunity to walk the Committee through Historic Dublin and across the Dublin Link Bridge. She thanked Mr. Hammersmith for his insight on the construction of the bridge. She shared that MORPC was awarded an Economic Development Advancement Zone through the Economic Development Agency of the Federal Government. She congratulated them on getting this accomplished because it is a significant milestone

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for many of the applications for federal dollars to be matched. They are now far more likely to receive a grant that they are an Economic Development Advancement Zone. Particularly with the LinkUs and the passenger rail, that will be very important to garner more federal dollars.

Vice Mayor De Rosa shared her congratulations with Jay Somerville and his family and stated that his retirement celebration was standing room only. It was a wonderful celebration of his acts of kindness and service. She shared that she has visited the Dublin Community Recreation Center since it has reopened. She thanked the team and congratulated them. It has great new equipment, new signage and feels fresh.

Mayor Fox stated that she had a fun evening at the Dublin Citizen Police Academy Alumni Association Bingo Bash. It was a lot of fun and well attended.

The Ohio Mayor's Alliance (OMA) has a strong focus on defending Home Rule. She recommended reading the op-ed that is included in the links on their latest update by Steven Steinglass about the legislature's attempts at preemption of the Home Rule on municipalities. The OMA also established a State and Local Government Commission to be more collaborative proactive in meeting with legislators to discuss some of these things.


September 13, she will be attending the Education Advocacy Leadership Committee meeting and will update Council on any outcomes.

ADJOURNMENT

The meeting was adjourned at 8:11 p.m.



Mayor - Presiding Officer



Clerk of Council