

## Dublin City Council

February 8, 2021

### **CALL TO ORDER**

Mayor Amorose Groomes called the Monday, February 8, 2021 Regular Meeting of Dublin City Council to order at 6:00 p.m.

### **ROLL CALL**

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

Staff members present were Mr. McDaniel, Mr. Rogers, Ms. Readler, Ms. O'Callaghan, Chief Paez, Mr. Stiffler, Mr. Earman, Mr. Hammersmith, Ms. Gilger, Ms. Martin, Mr. Hounshell, Ms. Burness, Ms. Noble, Ms. Miglietti, Mr. Somerville, Ms. O'Malley and Mr. Dearth.

Also present were Mr. Scott Dring, Visit Dublin Ohio; Mr. Greg Dale, McBride Dale and Clarion; Kathy Bryan, Architectural Review Board; Jack Reynolds, Smith and Hale; Todd Foley, POD Design; and Courtney Mitchell, Premier Choice.

### **ADJOURN TO EXECUTIVE SESSION**

Mayor Amorose Groomes moved to adjourn to executive session to consider the purchase of property for public purposes; consider the employment of a public employee; conference with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action; and preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment

Mr. Keeler seconded the motion.

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

Mayor Amorose Groomes reconvened the meeting at 7:00 p.m. She reiterated that, due to the COVID-19 pandemic and the State's emergency declaration, the meeting is being conducted via an online platform and live-streamed at the City's website and via the City's YouTube. This is allowed as a result of the passage of Am. Sub. H.B. 197, which includes temporary changes to the Ohio Open Meetings Law. She reiterated her previous statement regarding the submission of any comments by the public prior to the meeting by e-mail to the Clerk or during the meeting via the form on the website. She emphasized that Council desires to accommodate public participation and comment to the greatest extent possible throughout this Pandemic.

### **PLEDGE OF ALLEGIANCE**

Mr. Rogers led the Pledge of Allegiance.

### **SPECIAL PRESENTATION**

- 2021 Hospitality Industry Forecast

Mr. Scott Dring, Executive Director of Visit Dublin Ohio, thanked Council for the \$300,000 grant for the Dublin Hospitality Industry Restart Plan that was received in May 2020. He stated that 100% of the grant dollars was allocated for sales and marketing. It has greatly helped weather the difficulty of the last 11 months.

Mr. Dring shared that there is a projected boom in leisure travel this summer. Positive indicators being: 91% of Americans have travel plans in 2021, and 57% are planning to visit friends, relatives for closer-to-home trips. He is working closely with Governor Dewine's office to lift the travel restrictions as soon as it is safe to do so. Visit Dublin Ohio has noticed an increase in website traffic and requests for information. It is also promising to have athletic events being scheduled for this summer.

The awareness campaign was targeted to Ohioans for when they are ready to travel. It is a sequence showing some options in Dublin and ends with the website that informs of safety protocols (Dublinsafe.com). They will be launching a regional campaign in April.

They have created a campaign for our residents to encourage support for local restaurants. He stated that if Council moves forward with the DORA it will help the industry by bringing people to Dublin to spend money.

2020 was the worst year on record for the hotel industry. The second quarter will slowly rebound, but until corporate travel starts again it will remain slow. The hotel occupancy loss in 2020 was a loss of millions. It is hopeful that the industry will regain the percentages held in 2019, but likely not until 2024. Mr. Dring provided illustrations of the importance of the corporate market in the City of Dublin. Visit Dublin is booking conferences and events. He also mentioned the three new hotels in the Dublin market. Mr. Dring stated that that our outdoor project is a difference-maker. Dublin's collaborative spirit will continue to flourish. They have reached out to several partners in the community who have been very helpful. He concluded his presentation by reiterating that safety is priority one. 49% of Americans perceive travel and leisure activities as unsafe. He stated that they have been working on budgeting and strategy for the coming year. He thanked Council for their support. Mayor Amorose Grooms thanked Mr. Dring for the updates and appreciate their hard work.

### **CITIZEN COMMENTS**

Ms. Burness read the comment received from:

Ann Fischer, 6000 Holywell Drive, wrote:

*Can we put a new bylaw amendment in place to prevent large advocacy signs from being displayed on public property near schools? At Scioto High School last week young students were exposed to graphic anti-abortion signs. The bylaw could be written to prevent anyone from displaying or carrying a sign bigger than 3.5 inches by 5 inches that publicly expresses an opinion on an issue or cause within 150 meters of a school on a school day. There could be fines imposed up to \$500. The signs were not only triggering for some young students, but as someone who has suffered through three spontaneous miscarriages it was triggering for myself personally. Thank you.*

Mayor Amorose Grooms asked if Ms. Readler could share any information regarding the City's options to address these concerns. Ms. Readler stated that there are two U.S. Supreme Court cases that would prohibit the City from taking the action that is requested by Ms. Fischer. Reed v. Town of Gilbert, which curtails limitations on signs and limitations on speech more generally, that are based on content and Snyder v. Phelps, which limits the ability to regulate, even highly offensive speech directed at sensitive audiences. The First Amendment of the Constitution provides the right of people to present even offensive messages in the public right-of-way or public viewing. The Supreme Court puts the burden on the recipient to avert the message. The City is very limited in what it can do. Ms. Readler will reach out to Ms. Fischer to explain this and answer any questions.

### **CONSENT AGENDA**

- Approval of Minutes of January 19, 2021 Regular Meeting
- Notice to Legislative Authority of a TRES Transfer of a D1 Permit from Sweet Carrot Sawmill LLC, dba Sweet Carrot, 7571 Sawmill Road, Dublin, Ohio 43017 to Tamarkin Company, dba GetGo 3401, 6725 Perimeter Loop Road, Dublin, Ohio 43017.
- Notice to Legislative Authority of a New D5A Permit to Highgate Hotels LP, dba Homewood Suites, 5300 Parkcenter Avenue, Dublin, Ohio 43017

There was no request from Council to remove an item from the Consent Agenda. The Clerk and Ms. Burness noted that no comments have been received regarding the Consent Agenda.

Mayor Amorose Grooms moved for approval of the Consent Agenda.

Mr. Keeler seconded the motion.

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

**SECOND READING/ PUBLIC HEARING - ORDINANCES**

**Ordinance 01-21**

**Accepting the Regular Annexation of 4.998 Acres, More or Less, from Jerome Township, Union County to the City of Dublin.**

(Petitioner: Peter L. Coratola, Jr., Agent: Laura Comek, Attorney)

Mr. Hammersmith shared that there is no new information regarding the Ordinance to accept the annexation.

The fee waiver request that accompanies this annexation has the following update.

The Community Development Committee met on January 20, 2021 to review the annexation fee waiver policy and make a determination as to whether or not the request from Mr. Coratola for a fee waiver was within the policy. After much discussion by the Committee, it was determined that a recommendation would be brought forward to Council that the policy be amended to state that an annexation fee waiver would be considered when:

- Public property, such as City-owned or Township-owned property, is being annexed;
- An island of property lying within a township that is surrounded by property within the Dublin corporate limits is being annexed;
- Hardship conditions; or
- The property to be annexed is part of an economic development project.

The Committee applied the criteria to the annexation fee waiver request from Mr.

Coratola and determined that the request did not meet the criteria to grant the waiver.

Therefore, the Committee's recommendation is to deny the request. Staff requested that Council vote on the annexation ordinance, then the updates to the annexation fee waiver policy and finally the fee waiver request.

The Clerk and Ms. Burness noted that no comments have been received regarding this matter.

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

Mayor Amorose Grooms moved to accept the Community Development Committee's recommendation regarding the annexation fee waiver policy criteria as being: hardship; economic development; removing "islands" of township; and incorporating public property relating to annexations.

Mr. Reiner seconded.

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

Mayor Amorose Grooms moved to accept the Community Development Committee's recommendation and deny the fee waiver request.

Mr. Keeler seconded.

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

**INTRODUCTION/FIRST READING/ PUBLIC HEARING - ORDINANCES**

**Ordinance 02-21**

Rezoning Approximately 11.37 Acres from R, Rural District to PUD, Planned Unit Development District for Development of 30 Single-family Lots with 2.62 Acres of Open Space, Located at the Southeast Corner of the Intersection of Shier Rings and Cosgray Roads under the Provisions of Zoning Code Section 153.050 (Case #20-092Z/PDP)

Ms. Alutto introduced the ordinance.

Mr. Hounshell stated that this ordinance is for the rezoning of 11.37 Acres for the Ayshire Farms development located at the Southeast corner of Shier Rings and Cosgray Roads. He shared the Future Land Use Map in the Community Plan and that this site is designated as a Mixed Residential Low Density site. This designation is intended to allow for a mix of housing options and a transition from existing single-family neighborhoods. In accordance with the Community Plan recommendation, a density of 2.63 dwellings per acre is proposed with the development. The proposed density provides a transition from Ballantrae – Subarea E (2.09 dwellings per acre) to the West Innovation District. Mr. Hounshell reviewed the Thoroughfare Plan. Adjacent

to the site, Shier Rings Road and Cosgray Road are designated as Collector Streets. Collector streets provide both access to property and traffic circulation within residential neighborhoods and commercial or industrial areas. The proposed development provides additional right-of-way to expand the width of Shier Rings Road to the north to accompany a westbound left turn lane into the site. This proposed development consists of 30 single-family lots, 3 private streets and 2.62 ± acres of open space which will be split between three reserves, referred to Reserves A-C. This application went before Planning and Zoning Commission for an informal review in September 2020. The applicant has taken staff feedback and made adjustments. Lot 18 contains a leech field that services the property above it. A temporary easement will be placed over this lot to prohibit development of the lot until the leech field is abandoned. 1.13 acres of open space was a Code requirement and the applicant has provided 2.62 acres of open space. Mr. Hounshell illustrated the proposed open space as follows:

Reserve	Description	Acres	Ownership	Maintenance
A	Intersection of Shier Rings Road and Cosgray Road may include pond, gazebo, shelter, paths, and entry feature.	1.48	City of Dublin	HOA*
B	East of the entry drive for entry feature (passive area).	0.28	City of Dublin	HOA
C	Southeast corner of development may include pond and benches (passive area).	0.86	City of Dublin	HOA*

\*Maintenance of the Stormwater Management basins in Reserves A & C will be the responsibility of the City of Dublin.

Mr. Hounshell described the property setback requirements as follows:

- Front setback – 20 Feet
- Side Yard Setback/Building Separation:
  - Lots 1-15 is a six-foot minimum setback; minimum 14-foot separation between structures.
  - Lots 16-30 is a six-foot minimum setback; minimum 16-foot separation between structures.
- Rear Yard Setbacks:
  - Lots 1-5; 45-foot setback from Cosgray Road
  - Lots 6-22; 30-foot setback
  - Lots 23-30; 20-foot setback (Patios may encroach 10 feet into rear setback).

Mr. Hounshell shared the applicant’s conceptual architectural character renderings and listed the possible materials.

Staff recommended approval to the Planning and Zoning Commission at the December 10, 2020 meeting. Planning and Zoning recommended approval with ten conditions:

- 1) That the applicant continues to coordinate with Staff and emergency services to determine acceptable street names and will need to update the plans with the approved street names prior to City Council submittal;
- 2) That the applicant continues to work with Engineering to demonstrate stormwater management compliance in accordance with Chapter 53 of the Dublin Code of Ordinances;
- 3) That the applicant continues to work with Staff to identify right-of-way needs to accommodate the Shier Rings Road widening associated with the westbound left turn lane as well as to identify the appropriate conveyance mechanism for any needed right-of-way prior to City Council submittal;
- 4) That the applicant work with Staff to correct inconsistencies in the tree survey and development plan prior to final development plan submittal;
- 5) That the applicant should continue to work with Staff to determine the appropriate number of replacement trees to be located within the landscape buffer;
- 6) The applicant should revise the development text to allow for a 45-foot rear yard setback for lots 1-5 to reflect what is shown on the development plan;
- 7) The applicant maintain lot 18 until the lot is sold for development;
- 8) That the applicant provide open space amenities in accordance to the Commission comments with the final development plan;

- 9) The text be revised to eliminate asphalt drives; and,
- 10) The applicant change the fencing height from 6 feet to 4 feet and provide a consistent fence detail with the FDP.

Since the December 10, 2020 Planning and Zoning Commission meeting, the applicant has actively worked with staff to comply with these conditions. Conditions 1, 6, 7, 9 and 10 have been completed.

Mr. Hounshell stated that the applicants were present and available for questions. Mayor Amorose Groomes confirmed with the Clerk and Ms. Burness that no comments have been received regarding this matter.

Mr. Reiner asked if there was an additional left turn lane. Mr. Hounshell stated that the TIS study shows a left turn lane.

Mr. Reiner asked if staff was aware that there has been discussion among Council members about not using retention ponds as green space. Mr. Hounshell stated he was aware and that the balance of the green space that was not ponds met the specification and intent of the zoning code.

Mr. Todd Foley, POD Design, stated that they have taken two different approaches with the retention basins. First with the northern corner area, he explained that with the extension of the bike path through the development and a long term gathering space along the path connection at the corner, they envision this interaction space as meeting the targeted demographic needs. The southern pond and green space is more of a passive approach, there will be benches to use as a passive space to enjoy the pond. He noted that both ponds will have fountains and landscaping. The target demographic is more of a mature buyer with teenage children who are ready to "smart-size" versus downsize.

Mr. Reiner asked if all the lots were anticipating a three-car garage design. Mr. Foley stated that there are several floorplans and building types programmed for the lots and all of them have three-car garages.

In response to Mr. Reiner's question regarding an established HOA, Mr. Foley stated that they will have an HOA. Mr. Reiner asked if the analysis that they have done for the HOA has concluded that there will be sufficient funding to maintain the landscaping and ponds. Mr. Foley stated that they realize the developer will have some responsibility in making sure the HOA is established appropriately and added that his understanding is that the pond itself will be maintained by the City of Dublin, but everything else would be HOA maintained.

Mr. Reiner stated that Council would want to be ensured that the HOA is appropriately funded to manage the expense.

Mr. Reiner asked if there was any consideration to conservation design as this project was being developed. Mr. Foley stated that there was not specific discussion surrounding conservation design. It is a unique parcel, so the design meets the housing intent that the developer is bringing to market.

In response to Mr. Reiner's question regarding screening, Mr. Foley stated that there is an existing condition with the bike path along Cosgray Road, but it is their intent and commitment to extend the Ballantrae buffer treatment in terms of materials and density, all the way up Cosgray to the roundabout. He added that along Shier Rings, they will plant evergreens, shade trees etc., and they have made the additional commitment that any structures that can be seen from Shier Rings will have architectural elements that are aesthetically pleasing as you pass by. Perimeter buffers will also be provided using the existing trees.

Mr. Reiner stated that outdoor hard surfaces for the residents of these units is another concern about adequate space. Patio space has been a problem with some of these projects. Mr. Foley stated that there is a variety of building designs and lot sizes, so lots 1-22, will be able to accommodate an appropriate outdoor activity space, lots 23-30 will have a different approach. They do not have significant rear yards, but can have a slight encroachment to the rear setbacks to accommodate an outdoor activity space.

In response to Mr. Reiner's question regarding if the patio space is access from the back of the units, Mr. Foley stated that it is access from the rear of the unit. Mr. Reiner stated that another concern is the slider doors that are 2-3 feet off the ground is a set of temporary wooden stairs. Is there any commitment to have a more of a fixed access from the back of the structure? He would also like to see what kind of patio spaces they envision behind these units. He also wanted them to consider the buffer between the patio spaces for privacy of the residents.

Ms. Fox reiterated the need to inform those who buy the lots of how much patio space they can have. She would like to see some type of designation of what type and size of patio that they can have. She stated that this is a topic that comes before the Board of Zoning Appeals is wanting a bigger patio than allowed.

Vice Mayor De Rosa sought clarification regarding whether or not lots 23-30 would be able to have a patio. Mr. Foley stated that they have provided a few conceptual views of those lots, as seen in exhibit L2.00 of their packet materials, which show what space could be potentially available for outdoor patio space. The applicant will not be programming houses on lots that will not accommodate the depth. They will be planning appropriately the kind of buildings that could have a patio space in those specific lots.

Vice Mayor De Rosa stated that the layout of the homes will allow each homeowner to have a patio of some size. She asked about the fence that is noted in the proposal. Mr. Jack Reynolds, Smith and Hale, stated that they are providing for allowing fencing around the patio themselves for privacy. There will be no perimeter fencing around the lots themselves. The Planning Commission asked that the applicant reduce the height of the fence and limit how far from the patio it could be, which they have done.

Vice Mayor De Rosa asked staff if fencing around patios is a concept that we have seen before in any other developments in Dublin. Mr. Hounshell stated he believed the Hamlet development allowed fencing around patios. Ms. Noble stated that it has been done on smaller lots to provide privacy for the homeowners.

Mr. Reiner stated that plantings can be worked in along the fence as well.

Mayor Amorose Groomes asked what about the approved material for the fencing. Mr. Hounshell stated that the requirements would defer to the zoning code.

In response to Mayor Amorose Groomes' question about any materials being used for fencing, Mr. Foley stated that it does not have to be one style or type.

Mr. Reiner stated that it looks like a common architecture in this development. He recommended having a uniform fencing that matches and not leave it open ended.

Ms. Courtney Mitchell, Premier Choice (applicant), stated that they are happy to put a uniform fencing requirement in the deed restrictions.

Mayor Amorose Groomes stated that some lots are 64 feet wide, she questioned how, mathematically, they could accommodate a three-car garage and still stay within the requirement of no more than 50% of the front elevation being taken up by garage.

Mr. Reynolds stated that they have in the text that the garage doors may take up 50% of the linear front elevation. Mayor Amorose Groomes stated that it is the garage bank not just the opening that makes up the 50%. Mr. Reynolds stated that they want to provide the opportunity to have a three-car garage, so they will look at the measurements on the lots again.

Mayor Amorose Groomes clarified the following points;

- the placement of HVAC units. She stated she does not feel it appropriate to place HVAC units between the units of lots 23-30.
- outdoor spaces should be laid out when this plan goes before the Planning and Zoning Commission. She expressed concern about allowing enough space in lots 23-26 for plantings.
- the building materials that lists brick is full-depth brick and not thin brick.
- Verified that the exterior siding will come down to grade to hide the foundation. She does not want to see exposed basements.

Finally, she wanted to discuss pond maintenance further.

Mr. Hammersmith stated that the two wet basins will be maintained by the City of Dublin.

Vice Mayor De Rosa stated that Council has had many discussion on this. These can be quite costly to maintain. When a small subdivision has two ponds benefitting only those homes, from a large taxpayer basis, the question becomes who should be responsible for the cost. She stated that asking the taxpayers to pay for this is a challenge. She would rather consider seeking a contribution from the HOA, even partially, to contribute to the City's costs maintaining the ponds.

Mayor Amorose Groomes stated that this project has indicated two fountains and fountains are very expensive to maintain.

Mr. Reiner stated that the power source is another consideration for the cost to maintain fountains. He agreed with Vice Mayor De Rosa that the HOA needs to contribute something toward the cost of maintaining the ponds.

Ms. Alutto stated that the timing in creating a proforma for the HOA is often too late and needs to be done sooner. She agrees that asking the taxpayers to pay to maintain ponds that benefit 30 homes is a challenge. She expressed concern over the pattern of HOAs that have not thought through their proforma and cannot afford the maintenance of their subdivision amenities.

Mr. Peterson stated that he would like to see numbers of what the costs would be to the City.

Ms. Fox stated that it was her understanding that the City did not want to leave the maintenance of these water basins to an HOA because the quality is so important and needs to be monitored. She agrees the HOA should contribute to the maintenance, but she likes the idea that the City is responsible for the stormwater quality.

Mr. Reiner stated that it is important to make sure that the water level is always correct and continuous.

Mayor Amorose Groomes noted that the expectation is different for an HOA maintained pond and a City maintained pond. The primary function is aesthetic and the secondary is stormwater. She suggested the City managing the sediment of the pond to control quality and the HOA manages the landscaping.

Mr. Keeler stated that this conversation is much bigger than this case. He agreed that there is a big difference between the aesthetic use of a pond and the utilitarian use of the pond.

Mayor Amorose Groomes stated that this issue was referred to CSAC and it was recommended that the City fund the maintenance. She clarified that Council accepted the report that CSAC provided but not necessarily the recommendation.

Vice Mayor De Rosa stated that there is a precedent that the HOA maintains the ponds. Mr. Hammersmith clarified that the study by CSAC was of the 46 basins that were in City-owned reserves that are maintained by the HOAs. The question CSAC was answering was, 'should the City take over the maintenance of those basins.' There are almost 200 basins city-wide.

Mayor Amorose Groomes clarified that the two ponds in this proposed subdivision would fall into the same category of the 46 that CSAC studied. Mr. Hammersmith clarified that the City maintains the basin from the water edge in and the HOA maintains from the water edge out.

Mr. Reiner asked if Engineering looks at all ponds that are proposed in a development to make sure that the water elevation will be maintained for the life of the pond. Mr. Hammersmith stated that they do an overview of the stormwater component design, but as for maintaining water elevation is sometimes difficult because some developers use the water for irrigation, some have the basin well-fed to keep them full, and evaporation does occur.

Mr. McDaniel stated that stormwater regulations and design are closely followed. Mr. Hammersmith stated that Dublin was among the first communities to incorporate quality requirements before it was required. The pond maintenance and health is a critical component of the system. The City's primary purpose is the quality component and to control the release rate of the stormwater.

Mayor Amorose Groomes sought clarification that moving on with this ordinance does not set these decisions in stone, it is strictly for the rezoning portion. Ms. Readler stated that if Council would like to require a shared responsibility for maintenance, then that would have to be in the development text.

Mayor Amorose Groomes stated that a cost analysis would be helpful.

Mr. Reynolds stated that they will look at the issues that were raised by Council. Second reading/public hearing will be held at the February 22, Council meeting.

### **Ordinance 03-21**

Amending Zoning Code Sections 153.002, 153.158-153.160, 153.162-153.163, 153.165-153.166, 153.170-153.178, and Appendices F and G to Address the Architectural Review Board Development Requirements and Procedures and Historic Dublin Boundary. (Case #19-007ADMC)

Ms. Alutto introduced the Ordinance.

Ms. Martin introduced Mr. Greg Dale, McBride Dale and Clarion, and Ms. Bryan, Architectural Review Board, who were present. Ms. Martin provided background of Council's direction to Planning Department to remove the Historic District from the Bridge Street District, make modifications to the existing zoning districts and the Historic Dublin boundary, and ensure this work coincides with the update to the

Historic Dublin Guidelines. The draft Code, Rezoning, and Guideline documents are the result of a multi-year stakeholder committee, public engagement, and Board and Commission review process. Ms. Martin noted that this ordinance includes City-owned outlying historic properties being added to Appendix G. The Historic Dublin Design Guidelines is a companion document and will be before Council in the near future. Ms. Martin stated that this ordinance:

- Modifies eastern boundary;
- Retains Scioto River bridge;
- Removes Z1, Z2 and Dublin CML, Dublin Parking Garage and West Plaza;
- Adds the Dublin Schools property and Indian Run; and
- Appendix G adds outlying City-owned historic properties.

Mr. Dale provided an overview using five categories, which are:

- Purpose/Applicability
- Uses and Use Specific Standards
- Development Standards
- Process, and
- Definitions

Mr. Dale stated that this was an extensive process with multiple meetings and a great deal of research.

Purpose/Applicability: The purpose was to have a set of regulations that both protect the historic character and the historic resources of the district, while allowing for compatible and sensitive development and infill opportunities.

Use and Use Specific Standards: Use regulations is fairly traditional zoning language in terms of permitted uses and conditional uses. Use Specific Standards refers to standards that are unique to certain type of uses such as a bed and breakfast.

Development Standards: There are a couple of categories within this section, the first is dimensional standards. The second section was carried forward from the Bridge Street District. There are also design standards included in this section.

Process: The ARB duties and procedures. Mr. Dale stated a good amount of work was done regarding strengthening the demolition standards.

Definitions: There were a series of changes to definitions to try to clarify some wording.

The Clerk and Ms. Burness noted that no comments have been received regarding this matter.

Ms. Fox asked about the definition of entertainment with respect to the use category of Indoor Recreation and Entertainment. Ms. Martin explained that the general intent was to provide opportunities for indoor gyms and swimming for example. Given the intimate nature of the Historic District, it didn't seem feasible that there would be a structure large enough to accommodate this type of recreation.

Ms. Fox stated that she wanted to be sure that it was understood that there can be entertainment in the Historic District. She asked if it could be defined a little clearer.

Mayor Amorose Groomes stated that she would be in favor of a conditional use.

Vice Mayor De Rosa expressed her appreciation for all the work that went into this amendment.

Second reading/public hearing will be held at the February 22, Council meeting.

#### **Ordinance 04-21**

Rezoning of 16 Parcels from Bridge Street District – Public (BSD-P) to Historic Public (HP), 5 Parcels from Bridge Street District – Historic Transition Neighborhood (BSD-HTN) to Historic Public (HP), 51 Parcels from Bridge Street District – Historic Core (BSD-HC) to Historic Core (HC), 24 Parcels from Bridge Street District – Historic South (BSD-HS) to Historic South (HS), 57 Parcels from Bridge Street District – Historic Residential (BSD-HR) to Historic Residential (HR), and 6 Parcels from Bridge Street District – Historic Core (BSD-HC) to Historic Residential (HR). (Case #20-1888Z)

Ms. Alutto introduced the Ordinance.

Mr. McDaniel stated that he and his wife own a home at 73 S. Riverview Street, this property is one being considered for this rezoning. He wanted to state that he and his wife have not participated in this process and he has recused himself from involvement with this process.

Ms. Martin stated that this is a rezoning in name only. The parcels that contain the development of Bridge Park West Buildings Z1 and Z2, West Plaza, CML Dublin Branch and Downtown Dublin Parking were recommended by ARB to retain the Historic Transition Neighborhood District zoning classification, but any future modifications be under the purview of the Planning and Zoning Commission (PZC). The Clerk and Ms. Burness noted that no comments have been received regarding this matter.

In response to Mr. Keeler's question regarding the difference between Historic Core and Historic Residential, Ms. Martin stated that the primary difference is these parcels will go from commercial zoning designations to historic residential designations which significantly limits the type and intensity of development.

Vice Mayor De Rosa stated that this does not create any non-conformity issues for property owners.

Ms. Fox stated it is notable that we have come to a place of comfort after so much study and input. She thanked everyone for the effort.

Second reading/public hearing will be held at the February 22, Council meeting.

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

#### **Resolution 03-21**

Authorizing the City Manager to Execute an Intergovernmental Agreement with the Franklin County Commissioners for the Administration of Wireless 9-1-1 Government Assistance Funds.

Ms. Alutto introduced the Resolution.

Mr. Somerville stated that this has become a yearly intergovernmental agreement for the purpose of receiving funds disbursed from the Wireless 9-1-1 Governmental Assistance Fund for the answering of 9-1-1 calls from wireless telephones. Ohio Revised Code §128 establishes a \$.25 per month user fee on every wireless phone bill to reimburse local public safety answering points for costs associated with receiving 9-1-1 calls placed from wireless telephones. As directed by law, the Wireless 9-1-1 Governmental Assistance Fund is administered by the county commissioners, with funds being disbursed in accordance with the formula set by the local 9-1-1 Planning Committee. Dublin is one of the four funded answering points.

The Clerk and Ms. Burness noted that no comments have been received regarding this matter.

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

#### **Resolution 04-21**

Authorizing the City Manager to Enter into a Collective Bargaining Agreement with the Fraternal Order of Police – Ohio Labor Council regarding Wages, Hours, and Terms and Conditions of Employment for Employees within the Communication Technician Bargaining Unit.

Ms. Alutto introduced the Resolution.

Ms. Miglietti stated that the terms of this agreement is for three years with the exception of two articles regarding wages and insurance which will expire at the end of this year. Negotiations on these two articles will begin this Fall.

The Clerk and Ms. Burness noted that no comments have been received regarding this matter.

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

#### **Resolution 05-21**

Authorizing the City Manager to Enter into a Collective Bargaining Agreement with United Steelworkers of America regarding Wages, Hours, and Terms and Conditions of Employment for Employees within the Maintenance Worker, Fleet Technician I, Electrical Worker, and Custodial Worker Bargaining Unit.

Ms. Alutto introduced the Resolution.

Ms. Miglietti stated that the term of this agreement continues to be three years from September 1, 2019 to August 31 2022, with the exception of two articles regarding wages and insurance. The terms of these two articles will expire at the end of December of this year. Bargaining for these articles will begin in July 2021.

The Clerk and Ms. Burness noted that no comments have been received regarding this matter.

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

**Resolution 06-21**

Authorizing the City Manager to Sign and Submit an Application and Execute Agreements Associated with the Application Process to Seek Funding for Parkland Acquisition from the Ohio Public Works Commission's Clean Ohio Fund Green Space Conservation Program.

Ms. Alutto introduced the Resolution.

Mr. Earman stated this authorizes staff to apply for funding through the Clean Ohio Fund and authorizes the City Manager to execute any related agreements. If awarded, this grant would reimburse a portion of the City's costs for real estate purchases related to the recent passage of Ordinance 54-20 (two parcels north of Riverview Street). This land purchase will expand Riverside Crossing Park. The Parks Master Plan dictates that this area will be a naturalized area with passive recreation opportunities. These passive management practices and public accessibility enable the purchase costs of the property to be eligible for grant funding as part of the Clean Ohio Green Space Conservation Program. As such, these plans will be included in the Deed Restrictions for the property in order to meet the State's qualifying grant criteria. Assuming the project is approved, the maximum amount of funding the City may be awarded is \$93,887.00. Staff has successfully completed and presented the Preliminary Screener Application to MORPC's Natural Resources Assistance Council for this funding request. Passage of this resolution will allow staff to complete the application process.

The Clerk and Ms. Burness noted that no comments have been received regarding this matter.

Mayor Amorose Groomes stated that MORPC has begun discussion regarding these grants as they will be the distributor of these funds.

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

**OTHER**

- Request to Remove Ordinances 48-20, 49-20 and 50-20 from the Table and Schedule for Public Hearing on February 22, 2021. (PACE project at 600 Metro Place North, Dublin, Ohio)

Ms. O'Malley stated that the building ownership for 600 Metro Place North requested the use of PACE financing assessments totaling \$8,732,416.80 for the retrofit and conversion of a former Crowne Plaza hotel into a DoubleTree hotel by Hilton. As part of this process, the two resolutions were approved at the City Council meeting on Nov. 16, 2020. The three ordinances were tabled, at the request of the applicant, at the second reading/public hearing on Dec. 7, 2020. Building ownership is now requesting to remove from the table Ordinances 48-20, 49-20, and 50-20 and schedule them for second reading/public hearing on February 22, 2021 in order to move forward with the PACE project.

The Clerk and Ms. Burness noted that no comments have been received regarding this matter.

Mayor Amorose Groomes moved to remove Ordinances 48-20, 49-20 and 50-20 from the table and schedule them for second reading/public hearing on February 22, 2021. Mr. Keeler seconded the motion.

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

**STAFF COMMENTS**

Mr. McDaniel expressed condolences to Pat Monahan's family. Mr. Monahan was the former Mayor of Shawnee Hills. He was a great person to work with, and a great person to be around. Mayor Amorose Groomes stated that he will be missed by his community and ours as well.

## **COUNCIL COMMITTEE REPORTS**

### Ms. Alutto:

Finance Committee: a meeting will be held on February 17.

### Vice Mayor De Rosa:

US 33 Corridor: A meeting will be held on Friday, February 12.

#### Administrative Committee:

- The next worksession on Dublin 2035 will be held on February 18. Staff has asked that Council Members complete a brief survey to aid in the activities for that work session.
- She and the Mayor held one-on-one meetings with individual board and commission members. She appreciated the time and stated that it provided an opportunity to exchange ideas about how things are going and how they can be improved.
- The next Admin Committee meeting is February 9. Boards and commissions will be a topic of discussion as we are in the middle of a recruitment period for appointments to be made in March.

### Mr. Reiner:

Dublin Arts Council: Tomorrow (February 9) is the last opportunity to submit artwork for the Artifacts Created at Home show. The Student Art Program will run until February 28.

Veterans Committee: Work continues on the Purple Heart Community. He thanked everyone who is working on this.

### Mr. Peterson:

Dublin Board of Education: Mr. Peterson had the following update from Dr. Hoadley:

- continuing hybrid learning, COVID numbers continue to improve and show little spread in the schools, and teachers and students have been committed to mask wearing and other safety protocols;
- Board of Education is discussing the return to full-time in-person learning. March 15 is the date that they anticipate they will be back to full-time in-person learning at all grade levels, They will be working and preparing the buildings for this return; and
- last week all the educators were provided the opportunity to be vaccinated and they will receive their second dose of vaccine between February 23-27. During the period of the second vaccine, there will be only virtual learning to make sure everyone is feeling okay after the second dose.

Mr. Peterson commended Dr. Hoadley on the hard work through this process and stated that the communication efforts from the schools has been outstanding. He stated that Dublin Schools has handled this pandemic situation as well as any school system possibly could. Mayor Amorose Groomes agreed that the communication efforts have been consistent and thorough.

### Ms. Fox:

Planning & Zoning Commission: Ms. Fox reported on recent PZC cases:

- Heartland Bank was given the opportunity to bring more information back to PZC regarding their remodel;
- Turkey Hill on the corner of Shier Rings and Avery Road came before PZC for a conditional use which was approved. The architecture of that service station that will include an indoor dining restaurant, a drive-thru, a car wash as well as a ten-bank gas station was very high quality. They asked for additional connectivity for walking and biking; and
- Tuller Townhomes came to PZC for an informal review and they were given many recommendations.

Ms. Fox stated that the Commission also discussed the temporary sign code which will be coming before Council.

Dublin Bridges: Ms. Fox reported that the CARES funding that the City provided to Dublin Bridges, Welcome Warehouse and the Food Pantry is already being used for rent, mortgage payments, medical bills, etc.

Mayor Amorose Groomes:

MORPC: They are starting to receive data for the grant funding of greenways and waterways and looking extensively at what the greenway/waterway connections will be and the quality of them throughout the region.

### **COUNCIL ROUNDTABLE**

- Ms. Alutto shared a reminder to everyone to support local restaurants through carryout if not comfortable dining in. She also stated that for those interested in volunteering for assisting with vaccinations can go to the City's website and search "COVID volunteer" and it will take you to the correct location to volunteer. They are still in need of volunteers. She shared she was able to get the vaccine and stated that her only side effect was a sore arm.
- Mr. Reiner expressed condolences to Mr. Monahan's family. He will be missed.
- Ms. Fox reiterated that even non-medical volunteers are needed through the Franklin County Medical Reserve Corp as a non-medical person to help with registration etc. She stated that the City does have a vaccine program that is ready when vaccine becomes available.
- Mr. Peterson expressed condolences to Mr. Monahan's family. He was a great Mayor and really represented his community well. He will be sorely missed.
- Vice Mayor De Rosa expressed thanks to staff for the great snow removal.
- Mayor Amorose Groomes agreed that the snow removal is difficult work and offered thanks. She wished everyone a Happy Valentine's Day and Happy President's Day.

### **ADJOURNMENT**

The meeting was adjourned at 9:21p.m.

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Mayor – Presiding Officer

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Acting Clerk of Council