

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held November 12 2018

6:30 EXECUTIVE SESSION: Mrs. Keller motioned to enter into executive session at 6:30 p.m. This motion was seconded by Mr. Rohrer and approved by a 6-0 vote. Council met in executive session pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance. Council conducted a discussion of those items with the following members present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Jim Browning, Fourth Ward Kyle Rohrer, At-Large George Hellinger, and Vice-Mayor Kent Shafer. Absent from the discussion was Mayor Carolyn Kay Riggle. Following the discussion at 6:50 p.m., it was moved by Mr. Jones that Council move into Open session, seconded by Mr. Browning and approved by a 6-0 vote.

The regular meeting of Council held November 12, 2018 was called to order at 7:00 p.m., in the City Council Chambers. The following members of Council were present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Jim Browning, Fourth Ward Kyle Rohrer, At-Large George Hellinger, and Vice-Mayor Kent Shafer who presided. Absent from the meeting was Mayor Carolyn Kay Riggle. The invocation was given by Pastor Beth Staten, Zion United Church of Christ, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Blake Jordan, Public Utilities Director, Dean Stelzer, Finance Director, Bill Ferrigno, Public Works Director/City Engineer, Dave Efland, Planning and Community Development Director, John Donahue, Fire Chief, Bruce Pijanowski, Police Chief, Jackie Walker, Assistant City Manager and Tom Homan, City Manager

Motion to Excuse: Mrs. Keller motioned to excuse Mayor Riggle, seconded by Mr. Jones. Motion approved by a 6-0 vote.

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the Regular Meeting of Council held on October 22, 2018, as recorded and transcribed.

APPROVAL of the Motion Summary of the Work Session of Council held on November 5, 2018, as recorded and transcribed.

Motion: Mr. Rohrer motioned to approve the Motion Summary of the regular meeting of Council held October 22, 2018, as recorded and transcribed, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. Browning motioned to approve the Motion Summary of the Work Session meeting of Council held November 5, 2018, as recorded and transcribed, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Planning Commission meeting held on October 17, 2018, as recorded and transcribed.
B. Acceptance of the Motion Summary of the Civil Service Commission meeting held on October 3, 2018, as recorded and

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transcribed.

- C. Acceptance of the Motion Summary of the Shade Tree Commission meeting held on August 28, 2018, as recorded and transcribed.
- D. Acceptance of the Motion Summary of the Airport Commission meeting held on July 19, 2018, as recorded and transcribed.
- E. Resolution No. 18-60, a resolution authorizing the restriction of on street parking on Catherine Street at the new entrance to the Boardman Art Park.
- F. Resolution No. 18-61, a resolution authorizing the City Manager to sign an agreement for the Conditional Deed of Gift Ceremonial Rifles.
- G. Resolution No. 18-62, a resolution authorizing the City Manager to submit a grant application to the Federal Aviation Administration and the Ohio Department of Transportation, and to enter into required agreements for the resurfacing of T-hanger pavement.
- H. Establish November 26, 2018 at 7:30 p.m. as a date and time for a public hearing and first reading for Ordinance No. 18-109, an ordinance making appropriations for the Year 2019 and declaring an emergency.
- I. Establish December 10, 2018 at 7:30 p.m. as a date and time for a public hearing and second reading for Ordinance No. 18-109, an ordinance making appropriations for the Year 2019 and declaring an emergency.

Motion: Mr. Browning motioned to approve the Consent Agenda, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

ITEM 7: PRESENTATION

- A. Proclamation for Small Business Saturday presented to Holly Quaine, President of Delaware Area Chamber of Commerce and Susie Bibler, Executive Director of Main Street Delaware

ITEM 8: COMMITTEE REPORT

ITEM 9: ORDINANCE NO. 18-89 [Fourth Reading]

AN ORDINANCE AMENDING SECTION 917.14 OF THE SANITARY SEWER REGULATIONS OF THE STREETS, UTILITIES, AND PUBLIC SERVICES CODE TO ADD A FIFTY PERCENT (50%) SURCHARGE FOR NON-CITY CUSTOMERS.

The Clerk read the ordinance for the fourth time.

Motion: Mrs. Keller motioned to adopt Ordinance No. 18-89, seconded by Mr. Browning. Motion approved by a 6-0 vote.

ITEM 10: ORDINANCE NO. 18-90 [Third Reading]

AN ORDINANCE FINDING THAT THE CREATION OF THE TERRA ALTA COMMUNITY AUTHORITY WILL BE CONDUCIVE TO THE PUBLIC HEALTH, SAFETY, CONVENIENCE AND WELFARE AND IS INTENDED TO RESULT IN THE DEVELOPMENT OF A NEW COMMUNITY; DECLARING THAT AUTHORITY TO BE ORGANIZED AND A BODY POLITIC AND CORPORATE; DEFINING THE BOUNDARY OF THAT AUTHORITY'S NEW COMMUNITY DISTRICT; PROVIDING THE METHOD OF APPOINTING MEMBERS TO THAT THE AUTHORITY'S BOARD OF

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TRUSTEES AND FIXING THE SURETY FOR THOSE TRUSTEE'S BONDS.

The Clerk read the ordinance for the third time.

PUBLIC COMMENT:

David Fisher
Kephart & Fisher
207 North 4th Street
Columbus, Ohio

Mr. Hellinger requested that before proceeding with a vote that the framework is established for private NCA's.

ITEM 11: ORDINANCE NO. 18-91 [Public Hearing and Second Reading]

AN ORDINANCE FOR SIMON KENTON COUNCIL BOY SCOUTS OF AMERICA FOR APPROVAL OF A REZONING AMENDMENT FOR CAMP LAZARUS FROM A-1 (AGRICULTURAL DISTRICT) TO A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) ENCOMPASSING APPROXIMATELY 231 ACRES AND LOCATED AT 4422 COLUMBUS PIKE.

The Clerk read the ordinance for the second time.

APPLICANT:

Michael R. Shade
P.O. Box 438
Delaware, Ohio

Jeffrey Moe
Boy Scouts of America/Simon Kenton Council, CEO
807 Kinnear Road
Columbus, Ohio

There was no public participation.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-91, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-91, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 12: ORDINANCE NO. 18-92 [Public Hearing and Second Reading]

AN ORDINANCE FOR SIMON KENTON COUNCIL BOY SCOUTS OF AMERICA FOR APPROVAL OF A CONDITIONAL USE PERMIT FOR CAMP LAZARUS TO ALLOW THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED AT 4422 COLUMBUS PIKE ON APPROXIMATELY 231 ACRES.

The Clerk read the ordinance for the second time.

APPLICANT:

Michael R. Shade
P.O. Box 438
Delaware, Ohio

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Jeffrey Moe
Boy Scouts of America/Simon Kenton Council, CEO
807 Kinnear Road
Columbus, Ohio

There was no public participation.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-92, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-92, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 13: ORDINANCE NO. 18-93 [Second Reading]
AN ORDINANCE FOR SIMON KENTON COUNCIL BOY SCOUTS OF AMERICA FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR CAMP LAZARUS ENCOMPASSING APPROXIMATELY 231 ACRES ZONED A-1 PMU AND LOCATED AT 4422 COLUMBUS PIKE.

The Clerk read the ordinance for the second time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-93, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-93, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 14: ORDINANCE NO. 18-94 [Public Hearing and Second Reading]
AN ORDINANCE APPROVING A DEVELOPMENT TEXT AMENDMENT TO ORDINANCE NO. 08-113 FOR STAVROFF LAND DEVELOPMENT FOR BELMONT PLACE (SUB-AREA A) FOR 102 SINGLE FAMILY LOTS AND 5 COMMERCIAL OUT LOTS LOCATED NORTH OF PEACHBLOW ROAD AND EAST OF GLENN PARKWAY ON APPROXIMATELY 49.6 ACRES ZONED C-3, R-6, AND A-1 PMU (COMMUNITY BUSINESS DISTRICT, MULTI-FAMILY RESIDENTIAL DISTRICT AND AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the second time.

APPLICANT:
Kevin McCauley
6689 Dublin Center Drive
Dublin Ohio

Brad Holland
EMHT
5500 New Albany Road
Columbus, Ohio

There was no public participation.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 18-94, seconded by Mr. Browning. Motion approved by a 6-0 vote.

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Motion: Mrs. Keller motioned to adopt Ordinance No. 18-94, seconded by Mr. Browning. Motion approved by a 6-0 vote.

ITEM 15: ORDINANCE NO. 18-95 [Second Reading]

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR STAVROFF LAND DEVELOPMENT FOR BELMONT PLACE (SUB-AREA A) FOR 102 SINGLE FAMILY LOTS AND 5 COMMERCIAL OUT LOTS LOCATED NORTH OF PEACHBLOW ROAD AND EAST OF GLENN PARKWAY ON APPROXIMATELY 49.6 ACRES ZONED C-3, R-6 AND A-1 PMU (COMMUNITY BUSINESS DISTRICT, MULTI-FAMILY RESIDENTIAL DISTRICT AND AGRICULTURAL DISTRICT WITH A PLANNED MIXED USED OVERLAY DISTRICT).

The Clerk read the ordinance for the second time.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 18-95, seconded by Mr. Browning. Motion approved by a 6-0 vote.

Motion: Mrs. Keller motioned to adopt Ordinance No. 18-95, seconded by Mr. Browning. Motion approved by a 6-0 vote.

ITEM 16: ORDINANCE NO. 18-96 [Second Reading]

AN ORDINANCE APPROVING A PRELIMINARY SUBDIVISION PLAT FOR STAVROFF LAND DEVELOPMENT FOR BELMONT PLACE (SUB-AREA A) FOR 102 SINGLE FAMILY LOTS AND 5 COMMERCIAL OUT LOTS LOCATED NORTH OF PEACHBLOW ROAD AND EAST OF GLENN PARKWAY ON APPROXIMATELY 49.6 ACRES ZONED C-3, R-6, AND A-1 PMU (COMMUNITY BUSINESS DISTRICT, MULTI-FAMILY RESIDENTIAL DISTRICT AND AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the second time.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 18-96, seconded by Mr. Browning. Motion approved by a 6-0 vote.

Motion: Mrs. Keller motioned to adopt Ordinance No. 18-96, seconded by Mr. Browning. Motion approved by a 6-0 vote.

ITEM 17: ORDINANCE NO. 18-97 [Second Reading]

AN ORDINANCE FOR TIM COLATRUGLIO APPROVING A FINAL DEVELOPMENT PLAN FOR RIVER STREET BUSINESS PARK ENCOMPASSING APPROXIMATELY 2.94 ACRES (13 PROPERTIES) LOCATED AT 45 RIVER STREET AND ZONED B-3 AND R-4 PMU (COMMUNITY BUSINESS DISTRICT AND MEDIUM DENSITY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the second time.

APPLICANT:

Tim Colatruglio
3630 Curve Road
Delaware, Ohio

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Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-97, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-97, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

ITEM 18: ORDINANCE NO. 18-98 [Public Hearing and Second Reading]

AN ORDINANCE FOR TIM COLATRUGLIO APPROVING AN ALLEY VACATION FOR RIVER STREET BUSINESS PARK ENCOMPASSING APPROXIMATELY 2.94 ACRES (13 PROPERTIES) LOCATED AT 45 RIVER STREET AND ZONED B-3 AND R-4 PMU (COMMUNITY BUSINESS DISTRICT AND MEDIUM DENSITY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the second time.

APPLICANT:

Tim Colatruglio
3630 Curve Road
Delaware, Ohio

There was no public participation.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-98, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-98, seconded by Mr. Hellinger. Motion approved by a 6-0 vote.

ITEM 19: ORDINANCE NO. 18-99 [Public Hearing and Second Reading]

AN ORDINANCE FOR MANOS PROPERTIES FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING THE WESLEYAN INN AT 235 WEST WILLIAM STREET ON APPROXIMATELY 0.72 ACRES ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL).

The Clerk read the ordinance for the second time.

APPLICANT:

Jim Manos
5973 Macewan Court
Dublin, Ohio

Jeffrey Brown
Smith and Hale LLC
37 West Broad Street, Suite 460
Columbus, Ohio

Mr. Brown provided to Council a copy of the appraisal for 235 West William Street.

PUBLIC PARTICIPATION:

Chip Thompson
42 Yorkshire Road
Delaware, Ohio

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Mr. Thompson provided support to the applicant and his character.

David DiStefano
261 Lea Street
Columbus, Ohio

Mr. DiStefano voiced support of the applicant and his past business experiences with him.

Roger Koch
125 North Liberty Street
Delaware, Ohio

Mr. Koch discussed the high cost to renovate the historic home for a private residence and that the proposed development will allow for the house to be preserved. He voiced his support for the project.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-99, seconded by Mr. Browning. Motion approved by a 6-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-99, seconded by Mr. Browning. Motion approved by a 6-0 vote.

ITEM 20: ORDINANCE NO. 18-100 [Second Reading]
AN ORDINANCE FOR MANOS PROPERTIES FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE WESLEYAN INN AT 235 WEST WILLIAM STREET ON APPROXIMATELY 0.72 ACRES ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL).

The Clerk read the ordinance for the second time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-100, seconded by Mr. Browning. Motion approved by a 6-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-100, seconded by Mr. Browning. Motion approved by a 6-0 vote.

ITEM 21: ORDINANCE NO. 18-102 [Second Reading]
AN ORDINANCE SUPPLEMENTING THE 2018 APPROPRIATIONS ORDINANCE TO REALLOCATE APPROPRIATIONS FROM WITHIN THE FINANCE DEPARTMENT BUDGET, AND DECLARING AND EMERGENCY.

The Clerk read the ordinance for the second time.

Motion: Mr. Hellinger motioned to suspend the rules for Ordinance No. 18-102, seconded by Mr. Browning. Motion approved by a 6-0 vote.

Motion: Mr. Hellinger motioned to enact the emergency clause for Ordinance No. 18-102, seconded by Mr. Browning. Motion approved by a 6-0 vote.

Motion: Mr. Hellinger motioned to adopt Ordinance No. 18-102, seconded by Mr. Browning. Motion approved by a 6-0 vote.

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ITEM 22: ORDINANCE NO. 18-104 [First Reading]
AN ORDINANCE SUPPLEMENTING THE 2018 APPROPRIATIONS ORDINANCE TO REALLOCATE APPROPRIATIONS FROM WITHIN THE FINANCE DEPARTMENT BUDGET, AND DECLARING AND EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-104, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. Jones motioned to enact the emergency clause for Ordinance No. 18-104, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-104, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 23: ORDINANCE NO. 18-105 [First Reading]
AN ORDINANCE APPROVING A PRELIMINARY SUBDIVISION PLAT REQUEST FOR MAKAPA LLC., FOR BELLE COMMONS FOR FOUR SINGLE FAMILY LOTS ON APPROXIMATELY 1.344 ACRES ON PROPERTY ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON THE NORTH SIDE OF BELLE AVENUE AND ON THE EAST SIDE OF LIBERTY ROAD.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 18-105 to a second reading to allow for the applicant to be present at the meeting.

ITEM 24: ORDINANCE NO. 18-106 [First Reading]
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY MAKAPA LLC., FOR BELLE COMMONS FOR FOUR SINGLE FAMILY LOTS ON APPROXIMATELY 1.344 ACRES ON PROPERTY ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON THE NORTH SIDE OF BELLE AVENUE AND ON THE EAST SIDE OF LIBERTY ROAD.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 18-105 to a second reading to allow for the applicant to be present at the meeting.

ITEM 25: ORDINANCE NO. 18-107 [First Reading]
AN ORDINANCE FOR DEL-MOR DWELLING CORPORATION FOR APPROVAL OF A FINAL DEVELOPMENT PLAN FOR AN ACTIVELY OWNED AND MANAGED 40 DWELLING UNIT LOW AND MODERATE INCOME AFFORDABLE HOUSING DEVELOPMENT AT 250 CURTIS STREET ON THE NORTH SIDE OF FIRESTONE DRIVE ON APPROXIMATELY 3.64 ACRES ON PROPERTY ZONED PO/I PMU (PLANNED OFFICE/INSTITUTIONAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

APPLICANT:
Jim Wilson
30 North Franklin Street

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Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-107, seconded by Mr. Browning. Motion approved by a 6-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-107, seconded by Mr. Browning. Motion approved by a 6-0 vote.

ITEM 26: ORDINANCE NO. 18-108 [First Reading]

AN ORDINANCE FOR REALCO ENTERPRISES LLC., APPROVING A FINAL DEVELOPMENT PLAN FOR RAISING CANE'S ENCOMPASSING APPROXIMATELY 1.485 ACRES AT 720 SUNBURY ROAD (US 36/37) ON PROPERTY ZONE B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

APPLICANT:

Drew Gatliff
1062 Rich Street
Columbus, Ohio

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-108, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-108, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 27: CITY MANAGER'S REPORT

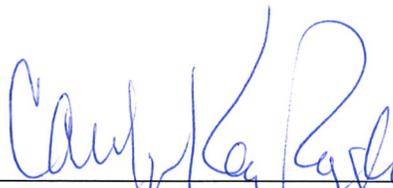
Mr. Homan informed Council that the budget for 2019 is due on Thursday, November 15, 2018.

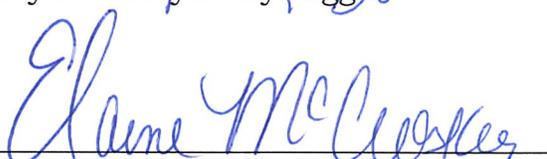
ITEM 28: COUNCIL COMMENTS

Vice-Mayor Shafer discussed the success of the recently held parade to honor Veteran's Day.

ITEM 29: ADJOURNMENT

Motion: Mr. Jones motioned to adjourn the meeting. The meeting adjourned at 8:32 p.m.



Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk