

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 9 20 15

6:30 EXECUTIVE SESSION: Mr. Brush moved to enter into Executive Session at 6:30 p.m. This motion was seconded by Mrs. Keller and approved by a 6-0 vote. Council met in executive session pursuant to Ohio Revised Code Section 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 Joe DiGenova, Fourth Ward Andrew Brush, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle. Following the discussion at 6:55 p.m., it was moved by Mr. Brush that Council move into Open session, seconded by Mr. Jones and approved by 6-0 vote.

The regular meeting of February 9, 2015 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 Joe DiGenova, Fourth Ward Andrew Brush, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was At Large Kent Shafer. The invocation was given by Lisa Ho, Associate Chaplain at Ohio Wesleyan University, followed by the Pledge of Allegiance.

Staff Present: Dave Efland, Planning and Community Development Director, Scott Stowers, IT Director, Dean Stelzer, Finance Director, Sean Hughes, Economic Development Director, Brad Stanton, Public Utilities Director, John Donahue, Fire Chief, Jackie Walker, Assistant City Manager, and Tom Homan, City Manager

Motion: Mrs. Keller moved to excuse Mr. Shafer, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held January 26, 2015, as recorded and transcribed.

Motion: Mr. Brush moved to approve the Motion Summary of the regular meeting of Council held January 26, 2015, as recorded and transcribed, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 5: CONSENT AGENDA

- A. Resolution No. 15-07, a resolution appointing members to the City of Delaware Tax Incentive Review Council, and specifying the term of the appointments.
- B. Resolution No. 15-08, a resolution appointing/reappointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointments/reappointments.
- C. Resolution No. 15-09, a resolution appointing members of the Board of Directors of the Berkshire Township Joint Economic Development District No. 1.
- D. Resolution No. 15-10, a resolution authorizing support of the proposed Delaware Place II development sponsored by MV Affordable Housing, LLC and Community Action Organization of Delaware, Madison, and Union Counties, Inc.

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- E. Acceptance of the Motion Summary of the Historic Preservation Commission for the meeting held December 17, 2014.
- F. Acceptance of the Motion Summary of the Shade Tree Commission meeting held November 25, 2014.
- G. Acceptance of the Motion Summary of the Planning Commission meeting held January 21, 2015.

Motion: Mr. Brush moved to remove Item B from the Consent Agenda. This motion was not seconded, Mr. Brush withdrew his motion.

Motion: Mrs. Keller moved to approve the Consent Agenda, seconded by Mr. DiGenova. Motion approved by a 5-1 (Brush) vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

ITEM 7: COMMITTEE REPORTS

Mrs. Keller updated Council on the progress for the design of Veteran's Park.

Mr. DiGenova provided an update on the Shade Tree Commission including the Arbor Day Celebration to be held in April, and plans for the Shade Tree Commission to provide the annual report to Council in April. Mr. DiGenova notified Council of upcoming conflict for the February 2015 Shade Tree Commission meeting. Mr. DiGenova notified Council of the Board of Zoning Appeals meeting to be held February 11, 2015.

Mr. Brush informed Council of the Finance Committee meeting to be held February 12, 2015. Mr. Brush informed Council that he will serve on a committee for MORPC.

Mayor Riggle provided information on the Community Promotional Task Force and informed Council that Mr. Jones, Mr. DiGenova, and Mayor Riggle will serve on the Task Force.

ITEM 8: ORDINANCE NO. 15-07 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A REZONING AMENDMENT FOR SHEAR STYLE BARBER SHOP FROM R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT) TO B-1 (NEIGHBORHOOD BUSINESS DISTRICT) AT 21 NEW MARKET DRIVE ON APPROXIMATELY 0.59 ACRES.

The Clerk read the ordinance for the second time.

Mr. Efland provided a presentation including the location and zoning map. Mr. Efland explained that the request for rezoning is city sponsored, and that the applicant does have future plans to sell the property.

There was no public participation.

Motion: Mrs. Keller moved to suspend the rules for Ordinance No. 15-07, seconded by Mr. Brush. Motion approved by a 6-0 vote.

Motion: Mrs. Keller moved to adopt Ordinance No. 15-07, seconded by Mr. Brush. Motion approved by a 6-0 vote.

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ITEM 9: ORDINANCE NO. 15-08 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A REZONING AMENDMENT FOR UNION ELECTRIC TO ALLOW A PMU (PLANNED MIXED USE OVERLAY DISTRICT) AT 259 VERNON AVENUE ON APPROXIMATELY 1.63 ACRES ON PROPERTY ZONED R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT).

The Clerk read the ordinance for the second time.

Mr. Efland provided a presentation including the location and zoning map, and the site plans. Mr. Hughes informed Council that Union Electric is a small family owned business.

There was no public participation.

Motion: Mrs. Keller moved to suspend the rules for Ordinance No. 15-08, seconded by Mr. Jones. Motion approved by a 6-0 vote.

Motion: Mrs. Keller moved to adopt Ordinance No. 15-08, seconded by Mr. Jones. Motion approved by a 6-0 vote.

ITEM 10: ORDINANCE NO. 15-09 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR UNION ELECTRIC TO ALLOW THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) AT 259 VERNON AVENUE ON APPROXIMATELY 1.63 ACRES ON PROPERTY ZONED R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT).

The Clerk read the ordinance for the second time.

There was no public participation.

Motion: Mrs. Keller moved to suspend the rules for Ordinance No. 15-09, seconded by Mr. Jones. Motion approved by a 6-0 vote.

Motion: Mrs. Keller moved to adopt Ordinance No. 15-09, seconded by Mr. Jones. Motion approved by a 6-0 vote.

ITEM 11: ORDINANCE NO. 15-10 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A REZONING AMENDMENT FOR MV AFFORDABLE HOUSING LLC FOR DELAWARE PLACE ZONED R-7 AND B-3 PMU (MULTI-FAMILY RESIDENTIAL AND COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AT 351 SOUTH SANDUSKY STREET ON APPROXIMATELY 7.86 ACRES BOUNDED BY SANDUSKY STREET, WEISER AVENUE, AND HENRY STREET.

The Clerk read the ordinance for the second time.

Mr. Efland provided a presentation for Delaware Place Phase 2 and 3 Development. Included in the presentation was the zoning map, aerial photographs, sub-area map, the approved preliminary plan, and

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proposed amended preliminary plan. Mr. Efland provided to Council site photos.

APPLICANT:

Ms. Denise Blake, 9349 Waterstone Blvd, Cincinnati, Ohio, Representative for Miller Valentine.

Ms. Blake informed Council of the current prequalified applicants that are on a waitlist.

There was no public participation.

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 15-10, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 15-10, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 12: ORDINANCE NO. 15-11 [Second Reading]

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR MV AFFORDABLE HOUSING LCC FOR DELAWARE PLACE PHASE 2 AND 3 ZONED R-7 AND B-3 PMU (MULTI-FAMILY RESIDENTIAL AND COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AT 351 SOUTH SANDUSKY STREET ON APPROXIMATELY 7.86 ACRES BOUNDED BY SANDUSKY STREET, WEISER AVENUE, AND HENRY STREET.

The Clerk read the ordinance for the second time.

Mr. Efland provided a presentation for Delaware Place Phase 2 and 3 Development. Included in the presentation was the zoning map, aerial photographs, sub-area map, the approved preliminary plan, and proposed amended preliminary plan. Mr. Efland provided to Council site photos.

APPLICANT:

Ms. Denise Blake, 9349 Waterstone Blvd, Cincinnati, Ohio, Representative for Miller Valentine.

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 15-11, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 15-11, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 13: ORDINANCE NO. 15-13 [First Reading]

AN ORDINANCE AUTHORIZING AND APPROVING A PRE-ANNEXATION AGREEMENT FOR 100+ ACRES KNOWN AS THE LANE ANNEXATION AND LOCATED ON THE EAST SIDE OF GLENN PARKWAY AND NORTH AND WEST OF THE EXISTING GLENROSS GOLF CLUB SUBDIVISION, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 15-13, seconded by Mr. Brush. Motion approved by a 6-0 vote.

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Motion: Mr. DiGenova moved to enact the emergency clause for Ordinance No. 15-13, seconded by Mr. Brush. Motion approved by a 6-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 15-13, seconded by Mr. Brush. Motion approved by a 6-0 vote.

ITEM 14: ORDINANCE NO. 15-14 [First Reading]
AN ORDINANCE ACCEPTING THE ANNEXATION OF 102.4 ACRES OF LAND MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS "A" AND "B" FOR THE ANNEXATION KNOWN AS THE LANE ANNEXATION BY DAVID W. FISHER, AGENT FOR THE PETITIONERS.

The Clerk read the ordinance for the first time.

ITEM 15: ORDINANCE NO. 15-15 [First Reading]
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH DELAWARE COUNTY BOARD OF COUNTY COMMISSIONERS FOR BACK-UP BUILDING OFFICIAL SERVICES AND INSPECTION SERVICES ON AN AS NEEDED BASIS.

The Clerk read the ordinance for the first time.

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-15, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-15, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 16: ORDINANCE NO. 15-16 [First Reading]
AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR DELAWARE CITY SCHOOLS FOR A BUILDING EXPANSION AND PARKING LOT CONFIGURATION FOR DELAWARE HAYES HIGH SCHOOL ON APPROXIMATELY 29.42 ACRES ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED AT 289 EUCLID AVENUE.

The Clerk read the ordinance for the first time.

Mr. Efland informed Council that Delaware City Schools requires a variance that will be requested at the Board of Zoning Appeals meeting, which will be held February 11, 2015.

ITEM 17: ORDINANCE NO. 15-17 [First Reading]
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT AT 2663 AIRPORT ROAD (PARCEL #419-220-02-003-00) FOR ENGINEERING MATERIALS SYSTEMS ON APPROXIMATELY 47.558 ACRES ZONED M-1 PMU (LIGHT MANUFACTURING WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

Mr. Efland provided a presentation that included the location map and aerial photos. Mr. Efland reviewed the final subdivision plat and plan, the proposed landscape plan, and building elevations.

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Resolution No. _____

Passed _____, 20_____

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-17, seconded by Mr. DiGenova. Motion approved by a 5-0-1 (Riggle) vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-17, seconded by Mr. DiGenova. Motion approved by a 5-0-1 (Riggle) vote.

ITEM 18: ORDINANCE NO. 15-18 [First Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR ENGINEERING MATERIALS SYSTEMS FOR A 64,000 SQUARE FOOT BUILDING WITH A POTENTIAL 40,000 SQUARE FOOT ADDITION IN PHASE 2 LOCATED ON PROPOSED INNOVATION COURT ON APPROXIMATELY 8.898 ACRES ZONED M-1 PMU (LIGHT MANUFACTURING WITH A PLANNED MIXED USE OVERLAY DISTRICT)

The Clerk read the ordinance for the first time.

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-18, seconded by Mr. DiGenova. Motion approved by a 5-0-1 (Riggle) vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-18, seconded by Mr. DiGenova. Motion approved by a 5-0-1 (Riggle) vote.

ITEM 19: ORDINANCE NO. 15-19 [First Reading]

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$12,145,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS PUBLIC INFRASTRUCTURE IMPROVEMENTS, TOGETHER WITH ALL RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

The Clerk read the ordinance for the first time.

ITEM 20: ORDINANCE NO. 15-20 [First Reading]

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$5,640,000, FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS PUBLIC INFRASTRUCTURE IMPROVEMENTS, TOGETHER WITH ALL RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

ITEM 21: ORDINANCE NO. 15-21 [First Reading]

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$800,000, FOR THE PURPOSE OF PAYING THE COSTS OF PURCHASING AND EQUIPPING THREE EMERGENCY MEDICAL SERVICE VEHICLES INCLUDING ALL NECESSARY EQUIPMENT, TOGETHER WITH ALL RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

ITEM 22: ORDINANCE NO. 15-22 [First Reading]

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION; ESTABLISHING A MUNICIPAL PUBLIC

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BEAR GRAPHICS 800-325-8094 FORM NO. 30045

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Resolution No. _____ Passed _____, 20_____

IMPROVEMENT TAX INCREMENT EQUIVALENT FUND AND PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS INTO THAT FUND; SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS DIRECTLY BENEFITING THE PARCELS; AUTHORIZING COMPENSATION PAYMENTS TO THE DELAWARE CITY SCHOOL DISTRICT, THE OLENTANGY LOCAL SCHOOL DISTRICT AND THE DELAWARE AREA CAREER CENTER; AND AUTHORIZING THE EXECUTION OF RELATED SCHOOL COMPENSATION AGREEMENTS AND TAX INCREMENT FINANCING AGREEMENTS FROM TIME TO TIME, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

ITEM 23: CITY MANAGER'S REPORT

Mr. Homan informed that the Second Ward Community Initiative will provide a presentation to Council on February 23, 2015.

Mr. Homan notified Council that the HVAC report is being finalized at this time.

ITEM 23: COUNCIL COMMENTS

Mrs. Keller requested that at the upcoming Council retreat that Council discuss citizen engagement and the use of a City of Delaware app. Mrs. Keller discussed a website called Bang the Table, and the benefits of the program in enhancing and improving citizen engagement. Mrs. Keller discussed the importance to find effective ways to reach out to the citizens.

Mr. DiGenova requested information on how to get new recycling bins, and requested that employees put them back on the curb and not in the street. Mr. Homan explained that new recycling bins are available through the Public Works Department.

Mr. DiGenova requested an update on the Branding Program. Mr. Homan stated that the business cards are being finalized, as well as the, stationary.

Mr. DiGenova reminded Council to complete their required Ethics form.

Mayor Riggle acknowledged that February is Black History Month.

ITEM 24: ADJOURNMENT

Motion: Mr. Brush moved to adjourn the meeting. The meeting adjourned at 8:08 p.m.

Mr. Brush moved to re-enter into executive session at 8:08 p.m. This motion was seconded by Mr. DiGenova and approved by a 6-0 vote. Council met in executive session pursuant to Ohio Revised Code Section 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

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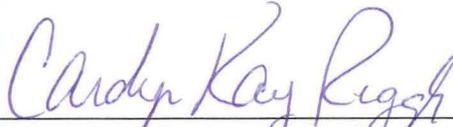
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Resolution No. _____ Passed _____, 20_____

Economic Development Assistance. Following the discussion at 9:11 p.m., it was moved by Mr. Brush that Council adjourn from executive session, seconded by Vice-Mayor Hellinger and approved by 6-0 vote.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk