

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held March 9 20 15

6:30 EXECUTIVE SESSION: Mrs. Keller moved to enter into Executive Session at 6:30 p.m. This motion was seconded by Mr. Brush and approved by a 7-0 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, At Large Kent Shafer, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle. Following the discussion at 6:59 p.m., it was moved by Mr. Shafer that Council move into Open session, seconded by Mr. Brush and approved by 7-0 vote.

The regular meeting of March 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, At Large Kent Shafer, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle who presided. The invocation was given by Rev. Michael Curtis, followed by the Pledge of Allegiance.

Staff Present: Dave Efland, Planning and Community Development Director, Scott Stowers, IT Director, Dean Stelzer, Finance Director, Dan Whited, Public Service Group Director, Darren Shulman, City Attorney, Sean Hughes, Economic Development Director, Brad Stanton, Public Utilities Director, Bruce Pijanowski, Chief of Police, Jackie Walker, Assistant City Manager, and Tom Homan, City Manager

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held February 23, 2015, as recorded and transcribed.

Motion: Mr. Brush moved to approve the Motion Summary of the regular meeting of Council held February 23, 2015, as recorded and transcribed, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary for the Historic Preservation Commission meeting held January 28, 2015.
- B. Acceptance of the Motion Summary for the Shade Tree Commission meeting held January 27, 2015.
- C. Acceptance of the Motion Summary for the Parks and Recreation Advisory Board meeting held November 18, 2014.
- D. Acceptance of the Motion Summary for the Planning Commission meeting held February 4, 2015.
- E. Resolution No. 15-14, a resolution accepting the recommendations of the Delaware City Tax Incentive Review Council (TIRC) on the status of the 2014 Community Reinvestment Area (CRA), Enterprise Zone (EZ), and Tax Increment Financing (TIF) programs.
- F. Establish March 23, 2015 at 7:30 p.m. as the date and time for a public hearing and second reading of Ordinance No. 15-25, an ordinance approving a Rezoning Amendment for Fidelity Federal Savings and Loan and Turning Point from R-4 (Medium Density

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Residential District) to R-4 PMU (Medium Density Residential District with a Planned Mixed Use Overlay District) at 500 North Liberty Road (Parcels 519-423-01-045-000, 519-423-01-046-001, and 519-423-01-047-001) on approximately 14.9 acres, Ordinance No. 15-26, an ordinance approving a Conditional Use Permit for Fidelity Federal Savings and Loan and Turning Point to allow the placement of a PMU (Planned Mixed Use Overlay District) to be established at 500 North Liberty Road (Parcels 519-423-01-045-000, 519-423-01-046-001, and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 (Medium Density Residential), and Ordinance No. 15-27, an ordinance approving an Amendment to the Comprehensive Plan for Fidelity Federal Savings and Loan and Turning Point on property designated as Institutional and High Density Single Family on the Future Land Use Map to Mixed Use at 500 North Liberty Road (Parcels 519-423-01-045-000, 519-423-01-046-001, and 519-423-01-047-001) on approximately 14.9 acres zoned R-4 PMU (Medium Density Residential with a Planned Mixed Use Overlay District).

- G. Establish March 23, 2015 at 7:45 p.m. as the date and time for a public hearing and second reading of Ordinance No. 15-29, an ordinance approving a Conditional Use Permit for WRD Real Estate LLC to allow an indoor self-storage facility at 35 South Franklin Street on approximately 0.50 acres zoned B-3 (Community Business District).
- H. Establish March 23, 2015 at 8:00 p.m. as the date and time for a public hearing and second reading of Ordinance No. 15-31, an ordinance approving an Amended Conditional Use Permit for Brown Jug Storage to allow a storage building expansion (Phase 3) on approximately 1.48 acres on property zoned B-3 (Community Business District) located at 224 East William Street.

Mr. Brush requested that the consent agenda reflect the change in item F, from Liberty Road to Liberty Street.

Motion: Mr. Brush motioned to approve the Consent Agenda, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

Ms. Sheila Fox, 1401 Curve Road, Delaware, Ohio

Ms. Barbara Tulle, 199 Willow brook Way, Delaware, Ohio

Ms. Fox and Ms. Tulle discussed the mission of Sustainable Delaware Ohio, and the request for the City of Delaware to consider establishing a Delaware Green Plan to identify future goals and develop plans to achieve and maintain a healthy environment for the City of Delaware. Ms. Fox acknowledged the efforts of Bill Ferrigno, Director of Public Works for the installation of bike racks in various downtown locations.

ITEM 7: COMMITTEE REPORTS

Mr. Jones informed Council that the Parks and Recreation Advisory Board will meet on March 17, 2015. Mr. Jones provided a summary of the discussion at the March 3, 2015 Public Works meeting regarding an early detection system.

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Mr. DiGenova provided information on the subcommittee for the Committee Promotions Fund. Mr. DiGenova informed Council of the Board of Zoning Appeals meeting to be held March 11, 2015.

Mr. Brush informed Council that he will be attending a meeting along with the Finance Director and the City Manger in the City of New York to discuss the upgrading of the City of Delaware's current bond rating.

Mayor Riggle informed Council of the upcoming annual Health District meeting.

ITEM 8: PRESENTATIONS

- A. March for Meals proclamation – Toni Dodge, Council for Older Adults Meals on Wheels Coordinator
- B. ODOT US42 Access Management Study – Burton Planning Services, Nicole Clune, P.E., Transportation Planning Director

The ODOT US42 Access Management Study presentation to be rescheduled for a later date.

ITEM 9: ORDINANCE NO. 15-23 [First Reading]

AN ORDINANCE PERMITTING THE SALE AND CONSUMPTION OF ALCOHOL FOR THE DELAWARE YMCA C/O NEW MOON HALF & QUARTER MARATHON EVEN TO BE HELD ON MAY 30, 2015, COURSE MAP ATTACHED HERETO IN THE CITY OF DELAWARE.

The Clerk read the ordinance for the first time.

APPLICANT:

Mr. Craig Thompson, 8917 South Old State Road, Lewis Center, Ohio, Event Coordinator for the New Moon Half & Quarter Marathon.

Mr. Thompson provided information on the plans for a post marathon celebration to help engage the community and the local businesses. Mr. Thompson provided information on the location for the event.

Motion: Mr. Jones moved to suspend the rules for Ordinance No. 15-23, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Jones moved to adopt Ordinance No. 15-23, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

ITEM 10: ORDINANCE NO. 15-24 [First Reading]

AN ORDINANCE PERMITTING THE SALE AND CONSUMPTION OF ALCOHOL FOR THE WOMEN'S CITY CLUB ART FOR YOUR EARS EVENT TO BE HELD ON MAY 16, 2015 ON SOUTH SANDUSKY STREET, FROM WILLIAM STREET TO SPRING STREET IN THE CITY OF DELAWARE.

The Clerk read the ordinance for the first time.

APPLICANT:

Ms. Mary Ann Davis, 138 W. Central Avenue, Delaware Ohio, President of Women's City Club

Ms. Jeri Jenkins, 5141 Byers Road, Ostrander, Ohio, Representative of Delmar Distributing

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Ms. Joanne Meyer, 170 Wagner Way, Delaware, Ohio, Owner of Backstretch Bar

Ms. Davis provided an update on the Art for Your Ears Event that will take place at the end of the Art Festival.

Motion: Mr. Jones moved to suspend the rules for Ordinance No. 15-24, seconded by Mr. Shafer. Motion approved by a 6-0-1(Riggle) vote.

Motion: Mr. Jones moved to adopt Ordinance No. 15-24, seconded by Mr. Shafer. Motion approved by a 6-0-1 (Riggle) vote.

ITEM 11: ORDINANCE NO. 15-25 [First Reading]

AN ORDINANCE APPROVING A REZONING AMENDMENT FOR FIDELITY FEDERAL SAVINGS AND LOAN AND TURNING POINT FROM R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT) TO R-4 PMU (MEDIUM DENSITY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AT 500 NORTH LIBERTY ROAD (PARCELS 519-423-01-045-000, 519-423-01-046-001, AND 519-423-01-047-001) ON APPROXIMATELY 14.9 ACRES.

The Clerk read the ordinance for the first time.

ITEM 12: ORDINANCE NO. 15-26 [First Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR FIDELITY FEDERAL SAVINGS AND LOAN AND TURNING POINT TO ALLOW THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED AT 500 NORTH LIBERTY ROAD (PARCELS 519-423-01-045-000, 519-423-01-046-001, AND 519-423-01-047-001) ON APPROXIMATELY 14.9 ACRES ZONED R-4 (MEDIUM DENSITY RESIDENTIAL).

The Clerk read the ordinance for the first time.

ITEM 13: ORDINANCE NO. 15-27 [First Reading]

AN ORDINANCE APPROVING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR FIDELITY FEDERAL SAVINGS AND LOAN AND TURNING POINT ON PROPERTY DESIGNATED AS INSTITUTIONAL AND HIGH DENSITY SINGLE FAMILY ON THE FUTURE LAND USE MAP TO MIXED USE AT 500 NORTH LIBERTY ROAD (PARCELS 519-423-01-045-000, 519-423-01-046-001, AND 519-423-01-047-001) ON APPROXIMATELY 14.9 ACRES ZONED R-4 PMU (MEDIUM DENSITY RESIDENTIAL WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

ITEM 14: ORDINANCE NO. 15-28 [First Reading]

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR TURNING POINT IN SUB-AREA A AT 500 LIBERTY ROAD (PARCEL 519-423-01-045-000) ON APPROXIMATELY 7.73 ACRES ZONED R-4 PMU (MEDIUM DENSITY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

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ITEM 15: ORDINANCE NO. 15-29 [First Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR WRD REAL ESTATE LLC TO ALLOW AN INDOOR SELF- STORAGE FACILITY AT 35 SOUTH FRANKLIN STREET ON APPROXIMATELY 0.50 ACRES ZONED B-3 (COMMUNITY BUSINESS DISTRICT).

The Clerk read the ordinance for the first time.

ITEM 16: ORDINANCE NO. 15-30 [First Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR BUEHLER'S FOOD MARKET, INC. AT 800 CENTRAL AVENUE ON APPROXIMATELY 16.59 ACRES ZONED B-3 PUD (COMMUNITY BUSINESS DISTRICT) WITH A PLANNED UNIT DEVELOPMENT DISTRICT).

The Clerk read the ordinance for the first time.

Mr. Efland provided a presentation on the Final Subdivision Plat for Buehler's Food Market, Inc. Mr. Efland informed Council that the Planning Commission recommended approval.

APPLICANT:

Mr. George Wisener, 800 W. Central Avenue, Delaware, Ohio

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-30, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-30, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

ITEM 17: ORDINANCE NO. 15-31 [First Reading]

AN ORDINANCE APPROVING AN AMENDED CONDITIONAL USE PERMIT FOR BROWN JUG STORAGE TO ALLOW A STORAGE BUILDING EXPANSION (PHASE 3) ON APPROXIMATELY 1.48 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) LOCATED AT 224 EAST WILLIAM STREET.

The Clerk read the ordinance for the first time.

ITEM 18: ORDINANCE NO. 15-31 [First Reading]

AN ORDINANCE AMENDING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER.

The Clerk read the ordinance for the first time.

Mr. Shulman reviewed the changes to the employment agreement.

ITEM 19: CITY MANAGER'S REPORT

Mr. Homan provided information on the organizational meeting for the JEDD Board of Directors to take place.

Mr. Homan informed Council that there will be a meeting on March 18, 2015 in the Community Room at the YMCA regarding the homeless situation and the role that the YMCA has taken to assist residents.

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Mr. Homan notified Council that the Council Retreat will take place at a meeting room in Columbus State Community College.

ITEM 20: COUNCIL COMMENTS

Mr. Jones requested information vacancies on the various committees, boards, and/or commissions. Mr. Homan to have a final list of appointed board and commission members distributed to Council.

Mr. Jones voiced a concern that he received from constituents regarding Merrick Parkway, west of Houk Road, and the drainage and flooding issues.

Mr. Shafer informed Council that he will be meeting with Chief Pijanowski and Mr. Shulman to discuss the changes in the parking ordinances.

Mr. Shafer informed Council that he will be meeting with the BIA

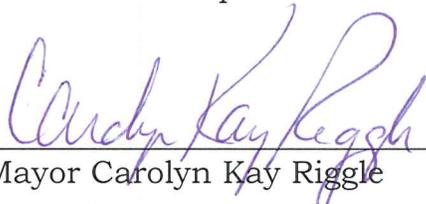
Vice-Mayor Hellinger recommended that staff look at unused spaces that are not designated for parking spots as potential parking spaces to be utilized by motorcycles.

Mayor Riggle provided an update on the Central Ohio Symphony concert that she attended.

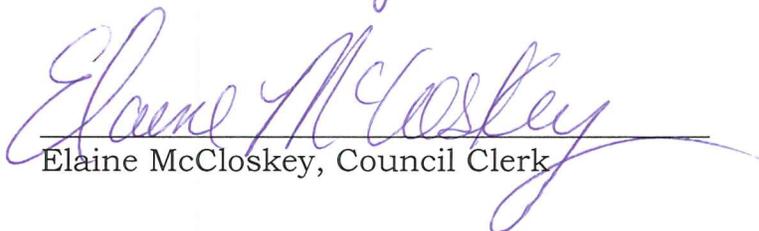
Mayor Riggle also provided information on the Lion's Club Fundraiser.

ITEM 21: ADJOURNMENT

Motion: Mr. Shafer moved to adjourn the meeting, seconded by Mr. Brush. The meeting adjourned at 7:56 p.m.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk