

RECORD OF PROCEEDINGS

Held March 23 20 15

The regular meeting of March 23, 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 Youth Pastor, Jake King, of the Grace United Methodist Church, followed by the Pledge of Allegiance, led by the Girl Scout Brownie Troop #113.

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, Brad Stanton, Public Utilities Director, Bill Ferrigno, Public Works Director/City Engineer, Bruce Pijanowski, Police Chief, and Tom Homan, City Manager.

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held March 9, 2015, as recorded and transcribed.

Motion: Mr. Brush moved to approve the Motion Summary of the regular meeting of Council held March 9, 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 Civil Service Commission meeting held February 4, 2015.
B. Acceptance of the Motion Summary for the Board of Zoning Appeals meeting held February 11, 2015.
C. Acceptance of the Motion Summary for the Public Works/Public Utilities Committee meeting held January 6, 2015.
D. Acceptance of the Motion Summary for the Parks and Recreation Advisory Board meeting held February 17, 2015.
E. Resolution No. 15-15, a resolution authorizing the City Manager to participate in the cooperative purchase of road salt through the Ohio Department of Transportation Summer (418-16) and Winter (018-16) Salt Purchase Contracts.

A discussion was held on the cooperative purchase of road salt through the Ohio Department of Transportation. Mr. Ferrigno explained that purchase will set the price for next winter and the reimbursement of salt to Delaware County.

Motion: Mrs. Keller moved to approve the Consent Agenda, seconded by Mr. Brush. Motion approved by a 7-0 vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

ITEM 7: COMMITTEE REPORTS

Mr. Jones provided an update on the recent Parks and Recreation Advisory Board meeting and the public participation discussing the need for pickleball courts. Mr. Jones informed Council that the Parks and Recreation Advisory Board recommended staff provide a cost analysis on the addition of pickleball courts.

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Mr. Jones informed Council of the Historic Preservation Commission meeting to be held, March 25, 2015.

Mr. DiGenova informed Council that there will be a Shade Tree Commission meeting on March 24, 2015 to discuss the upcoming Arbor Day celebration and First Friday event to be held May 1, 2015.

Mr. DiGenova reviewed the Community Promotions Fund outline and requested any changes recommended by Council. A discussion was held on the criteria for defining economic impact and quality of life events. Council also recommended setting criteria to provide a diversity of program offerings in the city.

Mr. Brush informed Council that he will be traveling to New York City with Mr. Homan and Mr. Stelzer to have a meeting to discuss the potential of increasing the City of Delaware's bond rating.

Mr. Brush also informed Council that there is MORPC's Luncheon on April 1, 2015 that he will be unable to attend.

ITEM 9: CONSIDERATION of a Liquor Permit Transfer

- A. From DELSTEAK, LLC, DBA 1808 American Bistro & Patio, 29 E. Winter Street, First Floor and Basement, Delaware, OH 43015, to NOTLAD, LLC, DBA 1808 American Bistro & Patio, 29 E. Winter Street, First Floor and Basement, Delaware, OH 43015. Permit Classes: D1, D2, D3, D3A and D6

Chief Pijanowski reviewed the permit transfer and voiced no concerns.

Motion: Mr. Brush moved to approve the liquor permit classes D1, D2, D3, D3A, and D6 from DELSTEAK, LLC, DBA 1808 American Bistro & Patio, 29 E. Winter Street, First Floor and Basement, Delaware, OH 43015 to NOTLAD, LLC, DBA 1808 American Bistro & Patio, 29 E. Winter Street, First Floor and Basement, Delaware, OH 43015, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

ITEM 9: PRESENTATION

- A. ODOT US42 Access Management Study-Burton Planning Services, President/Owner Kimberly Burton, P.E.

Ms. Kimberly Burton, 252 Electric Avenue, Westerville, Ohio

Ms. Burton discussed the project background, goals, and purposes. Ms. Burton reviewed the study area and the scope of work. Mr. Homan voiced a concern that Fern Drive was not included in the study area.

ITEM 10: ORDINANCE NO. 15-25 [Public Hearing and Second 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.

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The Clerk read the ordinance for the second time.

Mr. Efland provided a presentation that included the zoning map and reviewed the comprehensive plan. Mr. Efland discussed plans and services that are expected to be provided by Turning Point.

APPLICANTS:

Mr. Michael Shade, P.O. Box 438, Delaware, Ohio, Representative of Fidelity Federal Savings

Ms. Paula Roller, P.O. Box 825 Marion, Ohio, Executive Director of Turning Point

Ms. Roller discussed the recent neighborhood meeting that was held with residents regarding the services and security measure to be provided by Turning Point.

PUBLIC PARTICIPATION:

Ms. Holly Quaine, 209 Shelbourne Forest Way, Delaware, Ohio, President of Delaware Chamber of Commerce

Ms. Quaine discussed the need for a domestic violence shelter in Delaware and the services that Turning Point can provide to the community.

Mr. Steve Hedge, 40 N. Sandusky Street, Delaware, Ohio, Executive Director of Delaware-Morrow Mental Health and Recovery Services Board

Mr. Hedge discussed the current contract that the Board has with Turning Point, and expressed the need for the services that are provided by Turning Point.

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-25, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-25, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 11: ORDINANCE NO. 15-26 [Public Hearing and Second 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 second time.

APPLICANTS:

Mr. Michael Shade, P.O. Box 438, Delaware, Ohio, Representative of Fidelity Federal Savings

Ms. Paula Roller, P.O. Box 825 Marion, Ohio, Executive Director of Turning Point

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PUBLIC PARTICIPATION:

Ms. Holly Quaine, 209 Shelbourne Forest Way, Delaware, Ohio, President of Delaware Chamber of Commerce

Mr. Steve Hedge, 40 N. Sandusky Street, Delaware, Ohio, Executive Director of Delaware-Morrow Mental Health and Recovery Services Board

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-26, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-26, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 12: ORDINANCE NO. 15-27 [Public Hearing and Second 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 second time.

APPLICANTS:

Mr. Michael Shade, P.O. Box 438, Delaware, Ohio, Representative of Fidelity Federal Savings

Ms. Paula Roller, P.O. Box 825 Marion, Ohio, Executive Director of Turning Point

PUBLIC PARTICIPATION:

Ms. Holly Quaine, 209 Shelbourne Forest Way, Delaware, Ohio, President of Delaware Chamber of Commerce

Mr. Steve Hedge, 40 N. Sandusky Street, Delaware, Ohio, Executive Director of Delaware-Morrow Mental Health and Recovery Services Board

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-27, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-27, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 13: ORDINANCE NO. 15-28 [Second 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 second time.

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Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-28, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-28, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 14: ORDINANCE NO. 15-29 [Public Hearing and Second 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 second time.

Mr. Efland provided a presentation of the building layout for the indoor self storage facility.

APPLICANT:

Mr. Mike Dickey, 38 South Franklin Street, Delaware, Ohio, Representative for WRD Real Estate

There was no public participation.

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-29, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-29, seconded by Mr. Shafer. Motion approved by a 7-0 vote.

ITEM 15: ORDINANCE NO. 15-31 [Public Hearing and Second 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 second time.

Mr. Efland provided a presentation that reviewed Phase 1 and Phase 2. Mr. Efland reviewed the final phase, Phase 3, with the proposal for 8 outside storage units.

There was no public participation. The Applicant was not present.

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 15-31, seconded by Mr. Brush. Motion approved by a 7-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 15-31, seconded by Mr. Brush. Motion approved by a 7-0 vote.

ITEM 16: ORDINANCE NO. 15-32 [Second Reading]

AN ORDINANCE AMENDING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER.

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The Clerk read the ordinance for the second time.

Mr. Shulman informed Council that the changes to Section 5 were not reflected in the draft. Mrs. Keller discussed the public should have access to the changes in the employment agreement. Mr. Shulman stated that there have been no public request for the legislation, and will update the draft.

ITEM 17: CITY MANAGER'S REPORT

Mr. Homan discussed the retreat agenda for the Council Retreat that will be held Saturday, March 28, 2015. Mr. Homan discussed Mr. Hughes efforts to study promoting entrepreneurialism in the City of Delaware. Mr. Homan requested any additional topics for discussion.

ITEM 18: COUNCIL COMMENTS

Mr. Jones discussed concern over the drainage problem on Merrick Parkway. Mr. Ferrigno informed Mr. Jones that they were looking at potential solutions.

Mr. Shafer provided an update on a recent meeting that he participated in with the BIA, and the discussion on how to improve the working relationship with the City of Delaware.

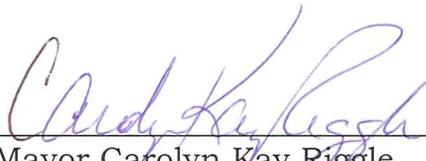
Mr. DiGenova discussed the groundbreaking ceremony to take place at Dempsey Middle School.

Mayor Riggle discussed the County Commissioners meeting to take place May 4, 2015. Mayor Riggle stated that economic development and update on the EMS discussion will be part of the agenda.

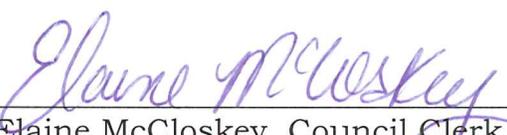
Mayor Riggle informed council that she attended a meeting at the YMCA to discuss the need for a warming shelter to assist the homeless during inclement weather. Mayor Riggle stated that a follow up meeting will take place March 31, 2015 at 2:00 p.m.

ITEM 19: ADJOURNMENT

Motion: Mr. Brush moved to adjourn the meeting. The meeting adjourned at 8:11 p.m.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk