

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held April 13 20 15

The regular meeting of April 13, 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, Third Ward Joe DiGenova, Fourth Ward Andrew Brush, At Large Kent Shafer, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was Second Ward Lisa Keller. The invocation was given by Mr. Jones, followed by the Pledge of Allegiance, led by the Wolf Scouts Pack 318, Den 2.

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, Chief of Police, Jackie Walker, Assistant City Manager, and Tom Homan, City Manager

**Motion to Excuse:** Mr. Jones moved to excuse Mrs. Keller from the April 13, 2015 regular meeting of Council, seconded by Mr. Brush. Motion approved by a 6-0 vote.

#### **ITEM 4: APPROVAL OF MINUTES**

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

APPROVAL of the Motion Summary for the Council Retreat meeting held March 28, 2015, as recorded and transcribed.

**Motion:** Mr. Shafer moved to approve the Motion Summary of the regular meeting of Council held March 23, 2015, as recorded and transcribed, seconded by Mr. Brush. Motion approved by a 6-0 vote.

**Motion:** Mr. Shafer moved to approve the Motion Summary of the Council Retreat held March 28, 2015, as recorded and transcribed, seconded by Vice-Mayor Hellinger. Motion approved by a 5-0-1 (Brush) vote.

#### **ITEM 5: CONSENT AGENDA**

- A. Acceptance of the Motion Summary for the Shade Tree Commission meeting held February 24, 2015.
- B. Acceptance of the Motion Summary for the Historic Preservation Commission meeting held February 25, 2015.
- C. Acceptance of the Motion Summary for the Civil Service Commission meeting held January 7, 2015.
- D. Acceptance of the Motion Summary for the Planning Commission meeting held March 4, 2015.
- E. Establish April 27, 2015 at 7:30 p.m. as the date and time for a public hearing and second reading of Ordinance No. 15-33, an ordinance revising sections of the Delaware Codified Ordinances relating to parking and traffic offenses.
- F. Resolution No. 15-16, a resolution cancelling the second regular meeting of City Council May 25, 2015, due to the Memorial Day holiday.

**Motion:** Mr. Brush moved to approve the Consent Agenda, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

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## **ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS**

David Kessler, Owner  
Sandusky Street Antiques  
30 N. Sandusky Street  
Delaware, Ohio 43015

Mr. Kessler discussed the importance of street closures during First Friday events in Downtown Delaware. Mr. Kessler discussed the need for the closure for safety, and the increase of sales that occur during the various events in Delaware.

Debbie Aburmaieleh, Owner  
Delaware Antique Mall  
136 Springer Woods Blvd.  
Delaware, Ohio 43015

Ms. Aburmaieleh expressed concern over loss of parking spaces during First Friday events in Downtown Delaware. Ms. Aburmaieleh, also voiced concern over the permit process that was requested to be signed to confirm that they were aware of the street closure.

Don Hollenback, Manager  
Delaware Antique Mall  
6761 Taggert Road  
Delaware, Ohio 43015

Mr. Hollenback voiced concern over the current direction of the First Friday events and that promotions have declined in the past couple years of the event. Mr. Hollenback voiced concern over the street parking, and that the event takes away too many parking spaces.

Josh Dalton, Owner  
Veritas and 1808 Bistro  
182 South Liberty Street  
Delaware, Ohio

Mr. Dalton voiced concern over not being made aware of the street closure for the recent First Friday event and that employees had difficulty getting to work and the loss of business due to the street closures.

Kathleen Miller, Owner  
Button Up  
415 North Sandusky Street  
Delaware Ohio

Ms. Miller stated that business owners are invited to the various promotion meetings and that if more business owners would attend there would be less confusion. Ms. Miller discussed the need to plan fun activities for the children in the community and the families. Ms. Miller discussed that street closures were initiated by the Delaware Police Department due to safety concerns. Ms. Miller informed Council that promotional meetings are held every Thursday prior to the First Friday event.

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Brian Harpster, Owner  
Barley Hopsters  
1 North Sandusky Street  
Delaware, Ohio

Mr. Harpster stated that parking closures have been discussed at Main Street Delaware meetings, and that getting the information from Main Street has been helpful. Mr. Harpster discussed the increase in sales that he experiences during First Friday events. Mr. Harpster discussed the need to increase parking signage and wayfinding.

Roger Koch  
125 North Liberty Street  
Delaware, Ohio 43015

Mr. Koch indicated that prior to Main Street Delaware, there were not concerns over finding a parking location as there was a high vacancy rate and individuals did not shop or eat in the Downtown Delaware area. Mr. Koch discussed how this current concern of parking shows the success of Main Street Delaware and the rebirth of the Downtown Delaware area.

Nicole Fowles, Acting President  
Main Street Delaware  
176 E. Williams Street  
Delaware, Ohio 43015

Ms. Fowles discussed the issues of parking and permit process, and that the process of closures and permits can be reevaluated. Ms. Fowles stated the need to increase the wayfinding to assist out of town guest to parking spaces.

Carmen Cutler  
17 North Sandusky Street  
Delaware, Ohio 43015

Ms. Cutler stated that as a resident of the Downtown Delaware area, streets should not be closed during events, but that more officers should be utilized to help protect the citizens.

Francis Jo Hamilton, Executive Director  
Main Street Delaware  
2499 River Road  
Delaware, Ohio 43015

Ms. Hamilton discussed the street closures during First Friday events and informed Council that the total hours of street closure for all First Friday events does not exceed the closure for the Arts Festival. Ms. Hamilton discussed the street closure with Chief Pijanowski over safety concerns and that many of the planned activities will require some street closure, but that Main Street could look at reducing the activities to reduce street closures.

Merrill Kaufman  
311 Westwood Avenue  
Delaware, 43015

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Mr. Kaufman discussed the concern with parking and that eighty parking spots are lost during the First Friday events.

City Council held a discussion over the concerns presented by the citizens with Ms. Francis Jo Hamilton.

Mr. Shafer stated the need to find a proper balance of street closures, and utilize the police to assist with cross walks.

Mayor Riggle felt that it was necessary for traffic flow to allow Winter Street to remain open.

Mr. Jones voiced concerns over the older children that are unattended at the event.

Ms. Hamilton indicated that there is a need to incorporate activities geared to teenagers during the First Friday event, as parents see the First Friday event as a safe and fun environment.

Mr. DiGenova indicated that the parking problem as a good problem to have and suggested the idea of using a shuttle bus or increase awareness of parking at the Justice Center or the Delaware Library.

Mr. Brush requested an update on the wayfinding status. Mr. Homan explained that the final design was being completed, and that priority will be given to parking. Mr. Homan suggested the use of electronic message boards to assist in directing traffic to parking spaces.

## **ITEM 7: COMMITTEE REPORTS**

Mr. Brush provided a summary on the results of the bond rating upgrade request. Mr. Brush informed Council that the rating will remain the same, with real estate values and average salary a factor in the decision.

Vice-Mayor Hellinger informed Council that there is an Airport Commission meeting Thursday, April 16, 2015.

## **ITEM 8: PRESENTATIONS**

- A. Huntington Bank Veterans Memorial Plaza, Chris Otten, Delaware Branch Manager and Steven Fields, Vice President and Director of Community Engagement
- B. Ironman 70.3, Steve Meckfessel, Managing Director Global Race Director World Triathlon Corp.
- C. Shade Tree Commission Update, Chairman Dave Carey and Vice-Chair Susan Wright

Mayor Riggle requested a break at 8:23 p.m. Mayor Riggle reconvened the meeting at 8:28 p.m.

**ITEM 9: ORDINANCE NO. 15-32** [Third Reading]  
AN ORDINANCE AMENDING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER.

The Clerk read the ordinance for the third time.

Mr. Shulman reviewed the up to date draft, including rate increase and vehicle allowance.

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Mr. Jones read into the record a statement provided by Mrs. Keller requesting that a vote not take place to allow for three readings on the most current up to date employment agreement. Mr. Brush discussed that all changes were minimum, and felt comfortable voting on Ordinance No. 15-32.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-32, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**ITEM 10: RESOLUTION NO. 15-17** [First Reading]  
A RESOLUTION MEMORIALIZING THE CITY'S PROPOSED INCENTIVE PACKAGE FOR INNO-PAK, LLC.

The Clerk read the ordinance for the first time.

Mr. Hughes discussed with Council the proposed changes and incentive package for Inno-Pak, LLC.

**APPLICANT:**  
Todd Sill  
1932 Pittsburgh Drive  
Delaware, Ohio 43015

Mr. Sill explained the need for expansion, with consideration of relocation of the manufacturing. Mr. Homan discussed the need for the resolution to Mr. Sill with the support of the City of Delaware.

**Motion:** Mr. Brush moved to adopt Resolution No. 15-17, seconded by Mr. Jones. Motion approved by a 6-0 vote.

**ITEM 11: RESOLUTION NO. 15-18** [First Reading]  
A RESOLUTION ADOPTING A PROCESS FOR AWARDED COMMUNITY PROMOTIONS FUND GRANTS.

The Clerk read the ordinance for the first time.

**Motion:** Mr. Brush moved to adopt Resolution No. 15-18, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**ITEM 12: ORDINANCE NO. 15-33** [First Reading]  
AN ORDINANCE REVISING SECTIONS OF THE DELAWARE CODIFIED ORDINANCES RELATING TO PARKING AND TRAFFIC OFFENSES.

The Clerk read the ordinance for the first time.

A public hearing has been set for April 27, 2015 at 7:30 p.m. (see motion below approving a new date)

**ITEM 13: ORDINANCE NO. 15-34** [First Reading]  
AN ORDINANCE APPROVING AN AMENDED PRELIMINARY DEVELOPMENT PLAN FOR LYH, LLC FOR STOCKDALE FARMS CONSISTING OF 320 SINGLE-FAMILY UNITS ON 158.2 ACRES ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) LOCATED AT THE NORTHEAST CORNER OF BRAUMILLER AND POLLOCK ROADS.

The Clerk read the ordinance for the first time.

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Mr. Efland reviewed the amended preliminary development plan, and discussed the change of the access point of entry from Polluck Road to Braumiller Road.

**APPLICANT:**

Steve Martin  
50 North Sandusky Street  
Delaware, Ohio 43015

Mr. Martin indicated that the plan is to begin development as soon as possible and reviewed the access and sewage issues that have occurred throughout the planning process.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-34, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-34, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**ITEM 14: ORDINANCE NO. 15-35**

[First Reading]

AN ORDINANCE APPROVING AN AMENDED PRELIMINARY SUBDIVISION PLAT FOR LYH, LLC FOR STOCKDALE FARMS CONSISTING OF 320 SINGLE-FAMILY UNITS ON 158.2 ACRES ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) LOCATED AT THE NORTHEAST CORNER OF BRAUMILLER AND POLLOCK ROADS.

The Clerk read the ordinance for the first time.

**APPLICANT:**

Steve Martin  
50 North Sandusky Street  
Delaware, Ohio 43015

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-35, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-35, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**ITEM 15: ORDINANCE NO. 15-36**

[First Reading]

AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR VARIOUS UTILITY FUND CAPITAL IMPROVEMENT PROJECTS, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Mr. Stanton reviewed the three improvement projects.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-36, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-36, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

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**Motion:** Mr. Brush moved to adopt Ordinance No. 15-36, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**ITEM 16: ORDINANCE NO. 15-37** [First Reading]  
AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING TO COMPLETE THE PARK LEVY IMPROVEMENTS, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-37, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-37, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-37, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**ITEM 17: ORDINANCE NO. 15-38** [First Reading]  
an ordinance supplementing the 2015 Appropriations Ordinance to provide funding for the US36/37 and Glenn Road intersection improvement project, and declaring an emergency.

The Clerk read the ordinance for the first time.

**Motion:** Mr. DiGenova moved to suspend the rules for Ordinance No. 15-38, seconded by Mr. Brush. Motion approved by a 6-0 vote.

**Motion:** Mr. DiGenova moved to enact the emergency clause for Ordinance No. 15-38, seconded by Mr. Brush. Motion approved by a 6-0 vote.

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 15-38, seconded by Mr. Brush. Motion approved by a 6-0 vote.

**ITEM 18: ORDINANCE NO. 15-39** [First Reading]  
AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDING FUNDING TO CONSTRUCT VETERANS PLAZA.

The Clerk read the ordinance for the first time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-39, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-39, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-39, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**ITEM 19: ORDINANCE NO. 15-40** [First Reading]  
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE STATE OF OHIO

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DEVELOPMENT SERVICES AGENCY FOR THE PERIOD BEGINNING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2017, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-40, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-40, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-40, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**ITEM 20: ORDINANCE NO. 15-41** [First Reading]

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PARTNERSHIP AGREEMENT BETWEEN THE CITY OF DELAWARE, OHIO AND DELAWARE COUNTY, OHIO TO PREPARE AND FILE AN APPLICATION WITH THE OHIO DEPARTMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT, FOR FEDERAL PROGRAM YEAR 2015 OHIO SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP PROGRAM, AND OHIO HOUSING TRUST FUNDS FOR THE COMMUNITY HOUSING IMPACT AND PRESERVATION PROGRAM (CHIP), AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-41, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-41, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-41, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**ITEM 21: CITY MANAGER'S REPORT**

Mr. Homan discussed the need to bring legislation before Council regarding the water line improvement at the Delaware County Fairgrounds.

Mr. Homan discussed the upcoming citizen survey and that he is ready to have Mr. Saperstein prepare the survey with the feedback that was provided.

Mr. Homan informed Council that the RFP for the chiller unit was submitted for bids. Mr. Homan also indicated that the EMS and Veterans Park projects were open for bids.

Mr. Homan informed Council that joint meeting with the County Commissioners was changed from May to June 1, 2015.

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## **ITEM 22: COUNCIL COMMENTS**

Mr. DiGenova complimented staff over the reaction and work to fix the main water line break. Mr. DiGenova informed Council that the Shade Tree Commission will be passing out saplings for the May First Friday event.

Mr. Brush informed Council that the Republic Party Annual Lincoln Day Party will occur on April 27, 2015 and voiced a concern as four council members sit on the Central Committee. Mr. Brush requested that the regular meeting time be changed. Mr. Homan recommended that the public hearing be changed to June.

**Motion:** Mr. Brush moved to reschedule the public hearing for Ordinance No. 15-37 from April 27, 2015 at 7:30 p.m. to May 11, 2015 at 7:30 p.m., seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to change the regular April 27, 2015 City Council meeting time from 7:00 p.m. to 5:00 p.m., seconded by Mr. Shafer. Motion approved by a 6-0 vote.

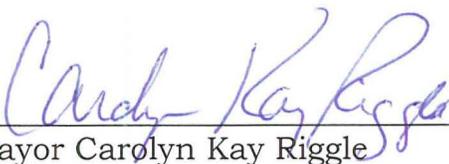
Mr. Shafer informed Council that there will be a follow up meeting with the BIA, which at this time is to be determined. Mayor Riggle informed Mr. Shafer that Mrs. Keller would like to be involved in the meeting as Chair of the Planning Commission.

Mr. Shafer also requested that he be involved in the parking discussion for the First Friday events as Chairperson of the Parking and Safety Committee.

Mayor Riggle informed Council that she will travel on an Honor Flight the weekend of April 18, 2015 with a World War II Veteran, and a Korean War Veteran.

## **ITEM 23: ADJOURNMENT**

**Motion:** Mr. Brush moved to adjourn the meeting. The meeting adjourned at 9:20 p.m.

  
\_\_\_\_\_  
Mayor Carolyn Kay Riggle

  
\_\_\_\_\_  
Elaine McCloskey, Council Clerk