

**AMENDED
CITY OF DELAWARE
CITY COUNCIL
AGENDA
CITY COUNCIL CHAMBERS
1 SOUTH SANDUSKY STREET
7:00 P.M.**

6:30-7:00 CITIZENS ACADEMY GRADUATION

REGULAR MEETING

JUNE 8, 2015

1. ROLL CALL
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. APPROVAL of the Motion Summary of the regular meeting of Council held May 11, 2015, as recorded and transcribed.
5. CONSENT AGENDA
 - A. Resolution No. 15-25, a resolution authorizing the installation of a No Parking Anytime Zone on the inside perimeter of the curve located at 138 Niatross Place.
 - B. Resolution No. 15-26, a resolution authorizing the modification of the No Parking Anytime Zone on Coaltrain Court to begin 40 feet east of the bike path on the north side and 45 feet east of the bike path on the south side.
 - C. Resolution No. 15-27, a resolution authorizing the City Manager to file an application with the Ohio Development Services Agency, Office of Community Development, for Program Year 2015 Ohio Small Cities CDBG Community Development Allocation Program Funds and supplemented by Local CDBG ED RLF Program Income.
 - D. Resolution No. 15-28, a resolution appointing/reappointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointments/reappointments.
 - E. Resolution No. 15-29, a resolution authorizing the City Manager to submit a grant request to the Federal Aviation Administration and enter into required agreements for funding the construction of the proposed 800 LF runway extension at Delaware's Municipal Airport.
 - F. Acceptance of the Motion Summary for the Parking and Safety Committee meeting held February 16, 2015.
 - G. Acceptance of the Motion Summary for the Shade Tree

Commission meeting held April 28, 2015.

- H. Acceptance of the Motion Summary for the Planning Commission meeting held May 6, 2015.

- 6. INTRODUCTIONS – NEW HIRE
 - 1. Kevin Wynn, Public Works Refuse/Recycling Tech II
 - 2. Robby Forest, Public Works Refuse/Recycling Tech II

- 7. LETTERS, PETITIONS, AND PUBLIC COMMENTS

- 8. COMMITTEE REPORTS

- 9. PRESENTATIONS
 - A. Relay for Life proclamation presentation, Erinn Nicley, Public Relations Spokesperson, American Cancer Society Relay for Life of Delaware
 - B. Sustaining Scioto Project, Amelia Costanzo, MORPC Principal Planner

- 10. CONSIDERATION of a Liquor Permit Transfers
 - A. From Hamburger Inn Diner, LLC, DBA Hamburger Inn, 16 N. Sandusky St., 1st Flr & Patio Only, Delaware, OH 43015 to CPVR Burger Inn, LLC, 16 N. Sandusky St., 1st Flr & Patio Only, Delaware, OH 43015. Permit Class: D5
 - B. From Tanglewood Food & Beverage Service, LLC, Patios & Golf Course, 231 Clubhouse Dr., Delaware, OH 43015 to Ganzfair Investment, Inc., DBA Shamrock Golf Club, Patios & Golf Course, 231 Clubhouse Dr., Delaware, OH 43015. Permit Classes: D1, D2, D3, and D6.

- 11. THIRD READING of Ordinance No. 15-33, an ordinance revising sections of the Delaware Codified Ordinances relating to parking and traffic offenses.

- 12. CONSIDERATION of Ordinance No. 15-51, an ordinance authorizing the City Manager to enter in to an Intergovernmental Cultural Project Cooperative Use Cooperation Agreement and Non-Disturbance and Estoppel Agreement with the State of Ohio for the Delaware Veterans Memorial Plaza Project, and declaring an emergency.

- 13. CONSIDERATION of Ordinance No. 15-52, an ordinance authorizing the City Manager to renew the Intergovernmental Agreement with the Delaware County Commissioners for Indigent Defense Services for municipal code violations for a period of one year.

14. CONSIDERATION of Ordinance No. 15-53, an ordinance approving the sale of excess equipment at the Water Treatment Plant.
15. CONSIDERATION of Ordinance No. 15-54, an ordinance placing an amendment to Section 191.14 of the Codified Ordinances of the City of Delaware to decrease the existing Delaware City Municipal Income Tax rate by fifteen one-hundredths of one percent (0.15%) effective on December 31 in the calendar year in which all securities issued for the purposes provided in 191.14(B) are retired on the November ballot.
16. CONSIDERATION of Ordinance No. 15-55, an ordinance supplementing the 2015 Appropriations Ordinance to provide funding to hire a permanent part-time position in the Finance Department, and declaring an emergency.
17. DISCUSSION: Consideration Parking and Safety Committee's recommendation regarding Cobblestone Drive that the 75 percent rule for unwarranted stop signs be waived.
18. CITY MANAGER'S REPORT
19. COUNCIL COMMENTS
20. **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. (if necessary)
21. ADJOURNMENT

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held May 11 20 15

The regular meeting of May 11, 2015 was called to order at 7:00 p.m., in the Moses Byxbe Room at 500 East Lincoln Avenue, Delaware Ohio. 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 Mr. DiGenova, followed by the Pledge of Allegiance.

Staff Present: Dave Efland, Planning and Community Development Director, Dean Stelzer, Finance Director, Darren Shulman, City Attorney, Brad Stanton, Public Utilities Director, Kristin Piper, Watershed Coordinator, Lindsey Kerr, Economic Development Specialist, and Jackie Walker, Assistant City Manager

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held April 27, 2015, as recorded and transcribed.

Motion: Mrs. Keller moved to approve the Motion Summary of the regular meeting of Council held April 27, 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 Shade Tree Commission meeting held March 24, 2015.
- B. Acceptance of the Motion Summary for the Planning Commission meeting held April 1, 2015.
- C. Acceptance of the Motion Summary for the Public Works/Public Utilities Committee meeting held March 3, 2015.
- D. Acceptance of the Motion Summary for the Sister City Advisory Board meeting held January 13, 2015.

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

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

Cameron Hackett
175 Village Gate Blvd.
Delaware, Ohio

Mr. Hackett voiced his support for the City of Delaware to host the Ironman competition and his desire to represent the city in the competition.

ITEM 7: COMMITTEE REPORTS

Mrs. Keller informed Council that the Civil Service Commission will hold a special meeting on June 15, 2015 to continue discussions on the fire departments process for hiring new staff.

Mr. DiGenova informed Council that the Shade Tree Commission passed out over 300 tree saplings at the First Friday event May 1, 2015.

~~Mr. DiGenova requested that a meeting be arranged with the Assistant City Manager to discuss the revolving loan fund.~~

ITEM 8: PRESENTATIONS

- A. Recognition of National Police Week

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-6094 FORM NO. 10148

Held May 11 20 15

B. Presentation of the Storm Water Pollution Prevention Award to Ohio Wesleyan University

Mr. Stanton and Ms. Piper presented the Storm Water Pollution Prevention Award to Ohio Wesleyan University Director of Environmental Studies, John Krygier.

ITEM 9: ORDINANCE NO. 15-42 [Second Reading]

AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH PRECISION TOWER PRODUCTS, LLC, DELAWARE CITY SCHOOLS, AND DELAWARE AREA CAREER CENTER FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON A PARCEL ON PITTSBURGH DRIVE, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

Ms. Kerr reviewed the Community Reinvestment Area Agreement and informed council that the schools waived the 45 day notice requirement.

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-42, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to enact the emergency clause for Ordinance No. 15-42, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-42, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

ITEM 10: ORDINANCE NO. 15-33 [Public Hearing and Second Reading]

AN ORDINANCE REVISING SECTIONS OF THE DELAWARE CODIFIED ORDINANCES RELATING TO PARKING AND TRAFFIC OFFENSES.

The Clerk read the ordinance for the second time.

Mr. Shulman reviewed the changes to the Delaware Codified Ordinances, related to parking and traffic offenses, which included, parking permits, parking ticket penalties, and the addition of a booting tool.

Mr. Brush asked what the reason is for the difference in parking permit prices at the parking lots. Mr. Shulman discussed that the further lot had a lower price to encourage workers to utilize. Mr. Shafer clarified that permit parking only applies to the ten hour meter spaces and not the two hour meter spaces and that the ten hour meters are painted blue and have a tag to identify.

A discussion was held on the proposed use of the boot. Mr. Brush requested data on approximately how many residents are not paying their tickets and are at risk. Mr. Shafer explained that the boot would be used as a last resort for those that are repeat offenders.

Mr. Jones requested information on how many boots would be purchased, and if there should be an additional fee to individuals that attempt to remove the boot unlawfully. Mr. Jones also requested information on public notification to residents on the changes. Mr.

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Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10146

Held May 11 20 15

Shulman stated that the City would notify residents through media, websites, and social media.

Mrs. Keller voiced her concern over the wording in 197.02, Section 353.09 and requested that the wording be changed from "fee may be doubled" to "fee will be doubled". Mrs. Keller also voiced a concern that the penalty fees were low.

PUBLIC COMMENT:

Patrick Bailey, Owner
Endangered Species
11 W. Winter Street
Delaware, Ohio

Mr. Bailey voiced his concern that the ordinance does not address those individuals that roll their car to remain in a two hour parking spot. Mr. Bailey discussed the benefit of installing parking meters throughout the downtown area, as they would help define the law. Mr. Bailey also requested that the city implement an education program on the ten hour parking permits to the business owners and their employees.

Ed Paxton, Owner
Woodland Cigar Company
153 Glengary Drive
Delaware, Ohio

Mr. Shafer read into the record a letter from Mr. Paxton, who was unable to attend the meeting. Mr. Paxton discussed his concern over the loss of business that he has seen due to customers unable to find a parking space, and that he is aware of repeat violators of the two hour parking spaces in the downtown area.

Mr. Brush stated that in other cities the signage states that cars can only remain in a designated spot for two hours a day. Mr. Brush indicated the need to review parking updates and procedures on an annual basis and requested an estimate on how much it would cost to install meter readers. Mr. DiGenova stated that the meters were originally removed due to the cost of maintenance and repair.

Mrs. Keller asked if there was a need for more enforcers. Mrs. Walker explained that there were currently two part-time employees on staff. Mrs. Keller suggested the need for the parking control officers to meet with business owners to be notified of repeat offenders.

ITEM 11: ORDINANCE NO. 15-45 [First Reading]
AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR THE REMOVAL OF TWO LOW HEAD DAMS IN THE OLENTANGY RIVER AT STRATFORD ROAD AND ROUTE 23, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

~~Mr. Stanton stated that the city was working with the Delaware County Fair Board on the project and recently bid out the project. Mr. Stanton explained that due to permit process that project cannot be started until after June 30, 2015.~~

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BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held May 11 20 15

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 15-45, seconded by Mr. Brush. Motion approved with a 6-0-1 (Riggle) vote.

Motion: Mr. DiGenova moved to enact the emergency clause for Ordinance No. 15-45, seconded by Mr. Brush. Motion approved with a 6-0-1 (Riggle) vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 15-45, seconded by Mr. Brush. Motion approved with a 6-0-1 (Riggle) vote.

Mayor Riggle explained that she will be abstaining from the vote due to being a Board member for the Delaware County Fair.

ITEM 12: ORDINANCE NO. 15-46 [First Reading] AN ORDINANCE APPROVING AN AMENDED FINAL DEVELOPMENT PLAN FOR LYH, LCC FOR STOCKDALE FARMS PHASE 1 CONSISTING OF 60 SINGLE-FAMILY LOTS ON 44.74 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.

Mr. Efland provided a presentation that included the aerial photographs outlining Stockdale Farms. Mr. Efland reviewed the final development plan and plat for phase 1.

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-46, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-46, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 13: ORDINANCE NO. 15-47 [First Reading] AN ORDINANCE APPROVING AN AMENDED FINAL SUBDIVISION PLAT FOR LYH, LLC FOR STOCKDALE FARMS PHASE 1 CONSISTING OF 60 SINGLE-FAMILY LOTS ON 44.74 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.

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-47, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-47, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 14: ORDINANCE NO. 15-48 [First Reading] AN ORDINANCE APPROVING AN AMENDED FINAL DEVELOPMENT PLAN FOR PULTE HOMES OF OHIO, LLC FOR THE COMMUNITIES AT GLENROSS SECTION 5 CONSISTING OF 39 SINGLE-FAMILY LOTS ON 28.117 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) LOCATED ON

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held May 11 20 15

BALMORAL DRIVE, WHITE FAWN RUN, NIGHT BIRD LANE, AND CRICK STONE DRIVE.

The Clerk read the ordinance for the first time.

Mr. Efland reviewed the approved preliminary development plan and plat and the final development plan and final subdivision plat. Mr. Efland discussed the changes to the storm water retention pond.

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-48, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-48, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

ITEM 15: ORDINANCE NO. 15-49 [First Reading]

AN ORDINANCE APPROVING AN AMENDED FINAL SUBDIVISION PLAT FOR PULTE HOMES OF OHIO, LLC FOR THE COMMUNITIES AT GLENROSS SECTION 5 CONSISTING OF 39 SINGLE-FAMILY LOTS ON 28.117 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) LOCATED ON BALMORAL DRIVE, WHITE FAWN RUN, NIGHT BIRD LANE, AND CRICK STONE DRIVE.

The Clerk read the ordinance for the first time.

Motion: Mr. Brush moved to suspend the rules for Ordinance No. 15-49, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

Motion: Mr. Brush moved to adopt Ordinance No. 15-49, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

ITEM 16: ORDINANCE NO. 15-50 [First Reading]

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR STOP-N-GO STORAGE FOR A SELF-STORAGE FACILITY ON APPROXIMATELY 8.1 ACRES ZONED M-2 (GENERAL MANUFACTURING DISTRICT) LOCATED SOUTH OF EAST WILLIAM STREET, EAST OF EAST POINT CROSSING AND NORTH OF THE CITY PUBLIC WORKS FACILITY.

The Clerk read the ordinance for the first time.

Mr. Efland provided a presentation that included the location map, zoning map, and entrance access points for the public and emergency personnel. Mr. Efland reviewed the proposed site plan and the two phases of construction. Mr. Efland reviewed the revised elevations, and explained to council that the doors will be a tan color, except for the climate control doors which only come in white. Mr. Efland reviewed the landscaping plan.

APPLICANT:

Alexis Zeune
3121 Summer Trail
Galena, Ohio

Steven Martin, Attorney
Manos, Martin & Pergam Co., LPA

RECORD OF PROCEEDINGS

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Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held May 11 20 15

50 North Sandusky St.
Delaware, Ohio

Motion: Mrs. Keller moved to suspend the rules for Ordinance No. 15-50, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Mrs. Keller moved to adopt Ordinance No. 15-50, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 17: CITY MANAGER'S REPORT

Mrs. Walker stated that she will be meeting with a company that provides mobile air conditioning units to receive a quote to assist with temporary relief while the air conditioner system is replaced.

Mrs. Walker stated that the Parking and Safety meeting for May 18, 2015 will take place in the Moses Byxbe Room at Mingo Park.

ITEM 18: COUNCIL COMMENTS

Mr. Jones informed Council that there will be a public hearing May 12, 2015 in Council Chambers with the Parks and Recreation Advisory Board to review the master bike plan.

Mrs. Keller voiced her concern over the high temperatures in City Hall and felt that it is not good working conditions for the staff.

Mrs. Keller stated that during Planning Commission a question was asked as to why only a small percentage of communities are participating in the Community Authority for Glenn Road Parkway, when there are larger communities that will be utilizing the area that are not part of this. Mrs. Keller stated that there was also question asked at the Planning Commission meeting in regards to the fire station not being built in this area. Mr. DiGenova informed Mrs. Keller that the fire station is to begin construction in 2016.

Mr. DiGenova informed Council that he will be out of town next week.

ITEM 19: ADJOURNMENT

Motion: Mr. Shafer moved to adjourn the meeting. The meeting adjourned at 8:25 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk

DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: CONSENT ITEM A

DATE: 6/8/15

PUBLIC HEARING: NO

READING: FIRST

ORDINANCE NO.:

RESOLUTION NO.: 15-25

DESCRIPTION: A RESOLUTION AUTHORIZING THE INSTALLATION OF A NO PARKING ANYTIME ZONE ON THE INSIDE PERIMETER OF THE CURVE LOCATED AT 138 NIATROSS PLACE.

DEPARTMENT AFFECTED:
Public Works Department

GROUP AFFECTED:
Traffic

FINANCIAL INFORMATION

COST:
\$50.00

FUND SOURCES:
200.2030.5330

BUDGETED:
YES

RECOMMENDATIONS

COMMITTEE:
Parking Safety Committee

RECOMMENDATION:
Approval

VOTE:
3-0
MEETING DATE: 5/18/15

STAFF RECOMMENDATION:
Approval

PRESENTER: Bruce Pijanowski, Police Chief

SUMMARY OF ITEM:

This resolution would authorize the installation of a No Parking Anytime Zone on the inside perimeter of the curve located at 138 Niatross Place.

ATTACHMENTS:
Exhibit

COUNCIL NOTES:



 EXISTING "NO PARKING" SIGNAGE
 PROPOSED "NO PARKING" SIGNAGE


NORTH

 SCALE 1" = 30'

REVISIONS	DESCRIPTION	DATE	APPROVED

NIATROSS PLACE

NO PARKING SIGNAGE PLAN



DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: CONSENT ITEM B

DATE: 6/8/15

PUBLIC HEARING: NO

READING: FIRST

ORDINANCE NO.:

RESOLUTION NO.: 15-26

DESCRIPTION: A RESOLUTION AUTHORIZING THE MODIFICATION OF THE NO PARKING ANYTIME ZONE ON COALTRAIN COURT TO BEGIN 40 FEET EAST OF THE BIKE PATH ON THE NORTH SIDE AND 45 FEET EAST OF THE BIKE PATH ON THE SOUTH SIDE.

DEPARTMENT AFFECTED:
Public Works Department

GROUP AFFECTED:
Traffic

FINANCIAL INFORMATION

COST:
\$50.00

FUND SOURCES:
200.2030.5330

BUDGETED:
YES

RECOMMENDATIONS

COMMITTEE:
Parking Safety Committee

RECOMMENDATION:
Approval

VOTE:
3-0
MEETING DATE: 5/18/15

STAFF RECOMMENDATION:
Approval

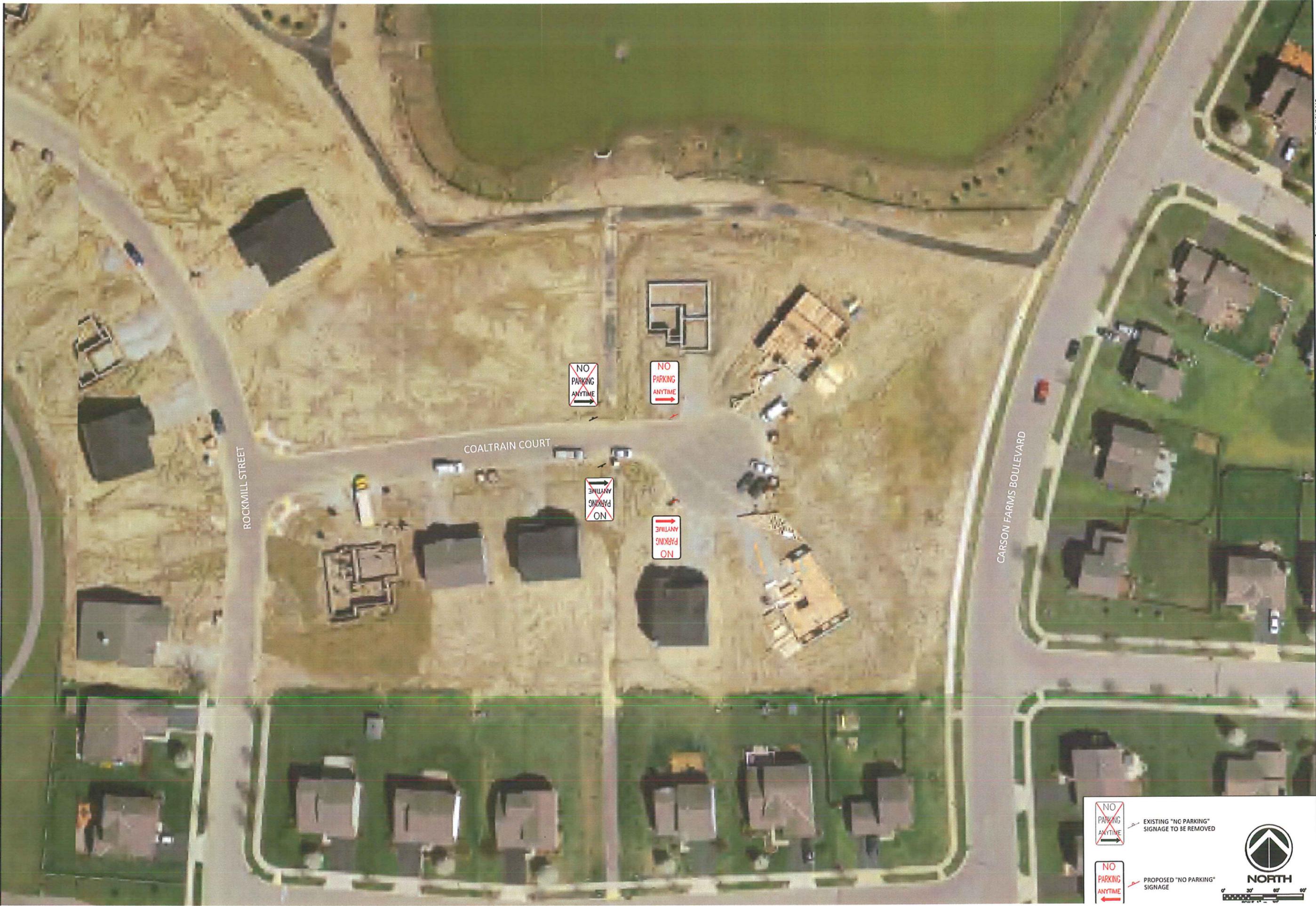
PRESENTER: Bruce Pijanowski, Police Chief

SUMMARY OF ITEM:

This resolution would authorize the modification of the No Parking Anytime Zone on Coaltrain Court to begin 40 feet east of the bike path on the north side and 45 feet east of the bike path on the south side.

ATTACHMENTS:
Exhibit

COUNCIL NOTES:



REVISIONS	
NO.	DATE

COALTRAIN COURT

NO PARKING SIGNAGE PLAN

DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: CONSENT ITEM C

DATE: 06/08/15

PUBLIC HEARING: NO

READING: FIRST

ORDINANCE NO.:

RESOLUTION NO.: 15-27

DESCRIPTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT, FOR PROGRAM YEAR 2015 OHIO SMALL CITIES CDBG COMMUNITY DEVELOPMENT ALLOCATION PROGRAM FUNDS AND SUPPLEMENTED BY LOCAL CDBG ED-RLF PROGRAM INCOME.

DEPARTMENT AFFECTED:
Planning Department

GROUP AFFECTED:

FINANCIAL INFORMATION

COST:

FUND SOURCES:

BUDGETED:

RECOMMENDATIONS

COMMITTEE:

RECOMMENDATION:

VOTE:

MEETING DATE:

STAFF RECOMMENDATION:

Approval. The Grant Application timetable necessitates passage on first reading to accommodate the State's CDBG grant application timeline (due June 26, 2015) and procedures.

PRESENTER: Dave Efland, Planning Director

SUMMARY OF ITEM:

The City of Delaware is eligible to file an application with the Ohio Development Services Agency (ODSA) for funding under the Allocation Program. ODSA allocated \$80,000 to the City of Delaware for the PY2015 Ohio Small Cities Community Development Block Grant (CDBG) Allocation Program. This is a \$5,000 increase over recent years and as based on new 2010 Census information.

The City is required to hold two public meetings on this application. The first meeting was held on March 31, 2015 and the second meeting was held on June 1, 2015. This resolution allows the City Manager to file an application for the PY15 CDBG Allocation Program as follows, with the City of Delaware considering funding all or part of each activity with an allocation of ED-RLF funds as required by the State of Ohio, but in no case exceeding grant funding available for each:

Activity 1: Street Improvements in LMI Areas	\$65,000
Activity 2: Fair Housing and Administration	\$15,000
TOTAL	\$80,000

Applications are due to the State of Ohio by end of day on June 26, 2015. Engineering and Public Works have identified and prioritized eligible street improvements within qualifying areas. Eligible communities for the CDBG Community Development funds are now required by the State to use new 2010 Census poverty levels. The potential areas have changed slightly since the 2000 Census poverty levels were determined and used for project area eligibility for past CDBG grant applications. Despite boundary changes made by the US Census Bureau, the City's new 2010 Census qualifying areas remain relatively intact and generally similar to the 2000 Census areas. The final amount of streets identified should exceed slightly the estimated amount of funding to be able to ensure that once bidding is conducted, there are a sufficient number of streets to fully utilize grant dollars available. Street locations may be modified even after application to the State should other priorities be identified after the initial filing of the required application. Staff from multiple departments worked together to develop and update a 5 year capital improvement list of streets that would qualify to facilitate longer range capital improvement programming. The streets selected for improvement using the PY15 CDBG funds are Ann Street and Kurrley Street with its extension of Elm/Wade/Bank Streets Avenue as the Primary Project and Park Avenue as an Alternate/Supplemental Project. This project continues street repaving efforts concentrated in and positively impacting this neighborhood over the last several years.

Staff recommends approval of the resolution. The Grant Application timetable necessitates passage on first reading to accommodate the State's CDBG grant application timeline and procedures.

ATTACHMENTS:

Proposed Street Improvement Map: Ann Street and Kurrley Street with its extension of Elm/Wade/Bank Streets

COUNCIL NOTES:

RESOLUTION NO. 15-27

A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT, FOR PROGRAM YEAR 2015 OHIO SMALL CITIES CDBG COMMUNITY DEVELOPMENT ALLOCATION PROGRAM FUNDS AND SUPPLEMENTED BY LOCAL CDBG ED-RLF PROGRAM INCOME.

WHEREAS, the Ohio Development Services Agency (ODSA) allocated \$80,000 to the City of Delaware for the Program Year (PY) 2015 Ohio Small Cities Community Development Block Grant (CDBG) Community Development Allocation Program, and

WHEREAS, the CDBG Community Development Allocation Program provides communities with a flexible housing and community development resource that can be used to address locally identified needs that are eligible CDBG activities and qualify under the national objective of low-and-moderate income benefit or the elimination of slum and blight conditions, and

WHEREAS, the City of Delaware held the required public meeting for general CDBG Program funding on March 31, 2015, and held the required program specific public meeting for CDBG Community Development Allocation Program funding on June 1, 2015. The meetings indicated a significant need and interest in utilizing CDBG funds, supplemented by local CDBG ED-RLF program income as required by ODSA, to assist the community with necessary and useful activities which are responsive to the State and national program objectives and qualification criteria.

NOW, THEREFORE, BE IT RESOLVED: by the Council of the City of Delaware, Delaware County, State of Ohio as follows:

SECTION 1. That the City Manager is hereby authorized to file an application for the PY2015 Ohio Small Cities Community Development Block Grant (CDBG) Community Development Allocation Program, supplemented by local CDBG ED-RLF program income as required by ODSA as needed, and as follows:

Activity 1: Street Improvements in LMI Areas	\$65,000
Activity 2: Fair Housing and Administration	<u>\$15,000</u>
TOTAL:	\$80,000

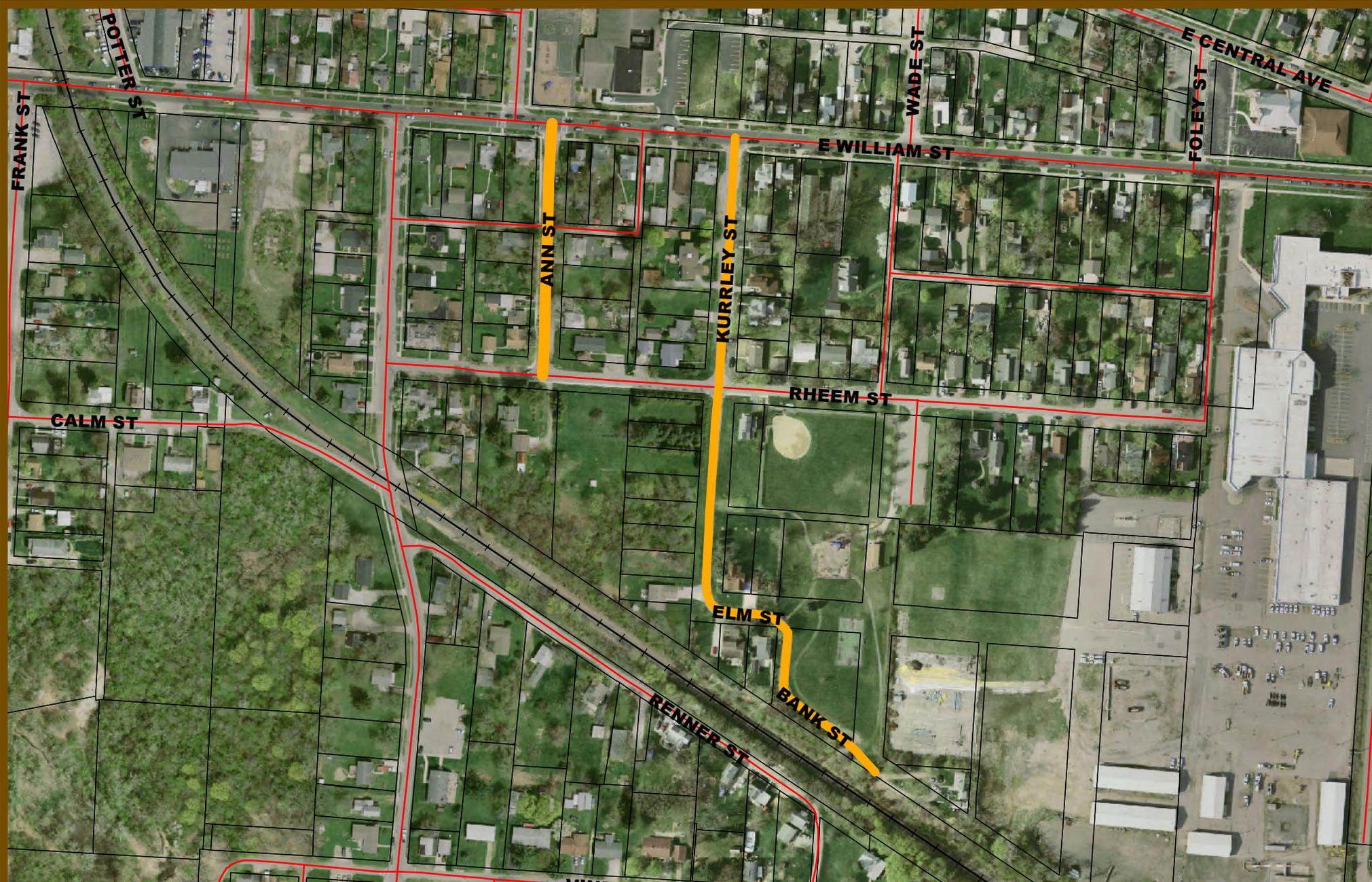
SECTION 2. That this resolution shall take effect and be in force immediately after passage.

PASSED: _____, 2015

YEAS ____ NAYS ____
ABSTAIN ____

ATTEST: _____
CITY CLERK

MAYOR



DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: CONSENT ITEM D

DATE: 6/8/15

PUBLIC HEARING: NO

READING: FIRST

ORDINANCE NO.:

RESOLUTION NO.: 15-28

DESCRIPTION: A RESOLUTION APPOINTING/REAPPOINTING MEMBERS TO VARIOUS BOARDS, COMMISSIONS, AND/OR COMMITTEES, AND SPECIFYING THE TERM OF THE APPOINTMENTS/REAPPOINTMENTS.

DEPARTMENT AFFECTED:

GROUP AFFECTED:

FINANCIAL INFORMATION

COST:

FUND SOURCES:

BUDGETED:

RECOMMENDATIONS

COMMITTEE:

RECOMMENDATION:

VOTE:

MEETING DATE:

STAFF RECOMMENDATION:

PRESENTER: Carolyn Kay Riggle, Mayor

SUMMARY OF ITEM:

ATTACHMENTS:

COUNCIL NOTES:

COMMITTEE RECOMMENDATION:

Airport Commission is aware of the project through updates provided during commission meetings and continues to be supportive of its advancement.

FISCAL IMPACT(S):

The project costs eligible for grant funding total \$4,723,276.56. The Grant application will request \$4,250,948.90 in FAA funding. The local match to the grant would be \$472,327.66. Additional project costs totaling \$62,764 that may not be covered by the grant would increase the total local contribution to \$535,091.66. Final eligibility of these items is still pending FAA review. The project was originally scheduled to occur over a three-year period commencing in 2015, as currently shown in the CIP. However, the FAA indicated in late 2014 that the project should be completed in a single phase through a single grant application in 2015. If funded, a supplemental appropriation for the full project cost including grant revenue and local match will be required in advance of grant agreement approvals.

POLICY CHANGES:

None anticipated

PRESENTER(S):

William L. Ferrigno, P.E., Director of Public Works/City Engineer

RECOMMENDATION:

Approval upon first reading.

ATTACHMENT(S)

None

PARKING AND SAFETY COMMITTEE
February 16, 2015
MOTION SUMMARY

ITEM 1. ROLL CALL

Chairman Shafer called the meeting to start at 7:00 p.m.

Members Present: Councilman Chris Jones, and Chairman Kent Shafer

Members Absent: Vice-Chairwoman Keller

Staff Present: Bruce Pijanowski, Police Chief

Motion: Mr. Jones moved to excuse Vice-Chairwoman Keller, seconded by Chairman Shafer. Motion approved by a 2-0 vote.

ITEM 2. APPROVAL of the Motion Summary of the Parking and Safety Committee meeting held November 17, 2014, as recorded and transcribed.

Motion: Mr. Jones moved to approve the Motion Summary of the Parking and Safety Committee meeting held November 17, 2014, seconded by Chairman Shafer. Motion approved by a 2-0 vote.

ITEM 3. DISCUSSION

A. The discussion of the installation of “No Parking from Here to Corner” signage on Cottswold Dr.; from the first driveway west of Winston Rd. on Cottswold Dr.

Chief Pijanowski discussed the concerns received regarding vehicles parking in this designated area. Chief Pijanowski discussed the location that would be impacted by the signage and that affected homeowners were notified, as well as the Homeowners Association.

Motion: Mr. Jones moved to recommend the installation of “No Parking from Here to Corner” signage on Cottswold Dr.; from the first driveway west of Winston Rd. on Cottswold Dr., seconded by Chairman Shafer. Motion approved by a 2-0 vote.

ITEM 4. NEW BUSINESS

A. Downtown Parking Work Group Update

Chairman Shafer presented the results and findings from the Delaware Downtown Parking Workgroup survey. Included in the presentation were the goals for the survey, demographics, and a summary of the results. Discussion held on the recommendations from the survey, which included the Way finding

and Enforcement.

Motion: Mr. Jones moved that the Park and Safety Committee forward recommendations to City Council of the recommendations of the Parking Working Group as submitted in the document Delaware Downtown Parking Workgroup on February 16, 2015, seconded by Chairman Shafer. Motion approved 2-0 vote.

ITEM 5. ADJOURNMENT

Motion: Mr. Jones moved to adjourn the meeting, seconded by Mr. Shafer. The Parking and Safety Committee meeting adjourned at 7:22 p.m.



Kent Shafer, Chairman



Elaine McCloskey, Clerk

SHADE TREE COMMISSION
April 28, 2015
MOTION SUMMARY

ITEM 1. Roll Call

Chairman Carey called the meeting to order at 7:00 p.m.

Members Present: Jim Buck, Michaela Dean, Brenda Hendricks, Tom Glissman (arrived at 7:04 p.m.), Amanda Mowry, Paul Olen, Tom Wolber, Councilmember Joe DiGenova, Vice-Chairwoman Susan Wright, and Chairman Dave Carey

Staff Present: Doug Richmond, City Arborist, Linda Mathews, Customer Service Liaison, and Dave Efland, Planning and Community Development Director

Motion to Excuse: Councilmember DiGenova moved to excuse Mr. Glissman, seconded by Mr. Olen. Motion approved by an 8-0-1 (Wolber) vote.

ITEM 2. APPROVAL OF MOTION SUMMARY of Shade Tree Commission meeting of March 24, 2015 as recorded and transcribed.

Motion: Vice-Chairwoman Wright moved to approve the Motion Summary for the March 24, 2015 meeting, seconded by Ms. Dean. Motion passed by a 9-0 vote.

Mr. Glissman arrived at the Shade Tree meeting at 7:04 p.m.

ITEM 3. PUBLIC COMMENTS

Jeff Rike
120 Diverston Way
Delaware, Ohio 43015

Mr. Rike voiced concerns regarding the previous removal of the ash trees on his property by the City of Delaware. Mr. Rike stated that he was not notified of the date of the removal and had requested to be notified prior to the removal due to his underground sprinkler system. Mr. Rike stated that after the removal his sprinkler system was damaged from a blown line. Mr. Rike requested that he be notified for the planting of the replacement trees to avoid further damage. Mr. Richmond informed Mr. Rike that he will review the records and review his findings with Mr. Rike.

ITEM 4. DISCUSSION of Delaware City Schools Improvements-Dave Efland

Mr. Efland discussed with the Shade Tree Commission any concerns or questions regarding the Delaware City Schools Improvements.

Mr. Olen voiced concern that a precedent was set to not replace trees that will be cut down. Mr. Efland reviewed the tree plan for the schools and the placement of a permanent conservation area and informed the Commission that there was no prior protection before the approved project. Mr. Efland recommended that the Commission go before the school board to request a conservation easement on school properties and encourage the school district to be a good steward of the environment.

Ms. Hendricks discussed the need to have a written agreement to protect both current and future parties involved. Ms. Hendricks also discussed the idea to use students to plant trees and take care of them on designated school grounds as an education program and as a cost saving method.

Vice-Chairman Wright recommended that discussion of conservation with the school district be a future agenda item.

ITEM 5. DISCUSSION of First Friday and Watershed Festival Activities

A discussion was held on the details of the First Friday event. Vice-Chairman Wright plans to email the volunteer schedule out for the event. Ms. Mathews requested information on the table location but did not hear back from Main Street Delaware. Ms. Mathews plans to email this information when available.

Mr. Wolber provided the Commission with a copy of his pamphlet for feedback. Ms. Mathews explained to the Commission that the City Manager will need to provide approval prior to the distribution of the pamphlets. Chairman Carey recommended that the direct website be listed on the pamphlet and Councilman DiGenova recommended that the pamphlet be condensed and revised for the upcoming Watershed Festival. Ms. Mathews recommended that a digital copy be sent to Lee Yoakum to allow for revisions and modifications as needed.

Mr. Olen discussed the activities for kids during the Watershed Festival. Mr. Olen recommended a coloring table, a tree identification activity, and a scavenger hunt. Mr. Olen requested help from the Commission on finding appropriate coloring pages and how to set up the scavenger hunt. Ms. Dean recommended that the hunt be done with photo identification on smart phones and cameras to prevent damage to trees.

ITEM 6. DISCUSSION of Tree Stewardship Tree Program

Mr. Richmond presented the Commission with a copy of the volunteer agreement forms. Vice-Chairman Wright stated that she needed to follow-up with the Master Gardeners. Ms. Dean will email the revised list of responsibilities to the Commission and Vice-Chairwoman Wright to review the responsibilities with the Master Gardeners. Vice-Chairwoman Wright will invite a representative of the Master Gardeners to the Shade Tree Commission meeting in May to set up a working training session.

ITEM 7. ARBORIST REPORT.

Mr. Richmond provided the Arborist report for April 2015. Mr. Richmond informed the Commission that eight trees were removed due to mortality issues and one additional maple tree was removed by AEP. Mr. Richmond reviewed the tree maintenance for April and issues and concerns.

Mr. Richmond discussed his recent experience when attending the Tree City USA awards event on April 16th in Bellefontaine. Mr. Richmond stated that he spoke with other community shade tree members to discuss their involvement and found that many other shade tree community members complete their own pruning.

ITEM 8. STAFF COMMENTS

ITEM 9. MEMBER COMMENTS

Mr. Glissman asked if the city could have damaged a sprinkler system during the tree removal process. Mr. Richmond explained that the sprinkler would have to had been placed in the right-of-way and that if the city needed to dig they would contact O.U.P.S. prior to digging to locate underground utilities.

Ms. Hendricks asked on plans to preserve tree to keep dirt and trucks out. Chairman Carey stated that there was no formal definition of protection and feels that if they want to save a tree on an improvement site then the commission needs to recommend to council procedures to help protect the tree.

Ms. Dean stated that May will be her last meeting as a member of the Shade Tree Commission.

Chairman Carey discussed the opportunity to have a guest speaker if the City of Delaware is willing to host a Tree City USA event. Ms. Mathews explained that money to cover the cost of the event would need to be asked for during the budget process and would need firm ideas and location to know what the needs are.

Mr. Wolber provided a copy of an article from the Delaware Gazette on Delaware being awarded its 34th consecutive year of being a Tree City USA. Mr. Wolber also provided an article on the emerald ash borer.

ITEM 10. PLAN REVIEWS

- A. Curtis Farms-Phases 3 and 4- plan approved as modified by the city arborist.
- B. Stockdale Farms Tree Survey

ITEM 11. ADJOURNMENT

Motion: Ms. Dean moved to adjourn the meeting, seconded by Mr. Wolber. The Shade Tree Commission meeting adjourned at 8:55 p.m.



Chairman Carey



Elaine McCloskey, Clerk

**PLANNING COMMISSION
MOTION SUMMARY
May 6, 2015**

ITEM 1. Roll Call

Chairwoman Lisa Keller called the meeting to order at 7:00 p.m.

Members Present: George Mantzoros, Dean Prall, Jim Halter, Colleen Tucker-Buck, Adam Lemke, Vice-Chairman Stacy Simpson and Chairwoman Lisa Keller

Staff Present: Joe Rose, Intern, Jennifer Stachler, Assistant City Engineer, Dave Efland, Planning and Community Development Director and Lance Schultz, Zoning Administrator

ITEM 2. Approval of the Motion Summary of the Planning Commission meeting held on April 1, 2015, as recorded and transcribed.

Motion: Mr. Halter moved to approve the Motion Summary for the April 1, 2015 meeting, seconded by Mr. Mantzoros. Motion passed by a 6-0-1 (Lemke) vote.

ITEM 3. REGULAR BUSINESS

A. 2015-0348: A request by Stop-N-Go Storage for approval of a Combined Preliminary and Final Development Plan for a Self-Storage Facility on approximate 8.1 acres zoned M-2 (General Manufacturing District) located south of East William Street, east of East Point Crossing and north of the City Public Works Facility.

Anticipated Process

a. Make and pass a motion to '*renew case 2015-0348*' by majority vote. One of those voting in descent at last month's meeting should make the initial motion (Halter, Keller, or Simpson)

Motion: Vice-Chairman Simpson moved to renew case 2015-034, seconded by Mr. Prall. Motion approved by a 7-0 vote.

b. Staff presentation of plan modifications

Mr. Efland reviewed the location map, zoning map, and provided an aerial photograph of the property location. Mr. Efland reviewed the proposed site plan, building setback, the revised elevations and additional landscaping. Mr. Efland informed staff that the garage doors were changed to a tan color. Mr. Efland reviewed for staff the entrance and exit access points.

c. Applicant presentation of plan modifications

APPLICANT:

Alexis Zeune
3121 Summertrail Dr.
Galena, Ohio

Steve Martin Manos, Martin & Pergram Co., LPA
50 N. Sandusky St.
Delaware, Ohio

Mr. Martin requested the consideration of silver galvanized steel roof to decrease cost and maintenance. Mr. Martin stated that the applicant is agreeable to all staff conditions and recommendations.

PUBLIC PARTICIPATION:

Kim Zeune
7726 Watkins
Pataskala, Ohio

Mr. Zeune discussed the benefits to the environment, reduction in cost, and reduction in maintenance that the galvanized roof has compared to a painted roof.

Vice-Chairman Simpson and Mr. Lemke expressed no concerns with changes to the roof.

d. Motion to approve the case as revised and vote (4 affirmative votes are required for passage)

Motion: Vice-Chairman Simpson moved to approve 2015-0348, along with all staff recommendations and conditions, seconded by Mr. Lemke. Motion approved by a 7-0 vote.

B. Stockdale Farms

(1) 2015-0521: A request by LYH, LLC for approval of a Final Development Plan for Stockdale Farms Phase 1 consisting of 60 single family lots on approximately 44.74 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.

(2) 2015-0522: A request by LYH, LLC for approval of a Final Subdivision Plat for Stockdale Farms Phase 1 consisting of 60 single family lots on approximately 44.74 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.

Anticipated Process

a. Staff Presentation

Mr. Schultz provided a presentation that included the zoning map and aerial photographs of the development site. Mr. Schultz reviewed the preliminary development plan, the proposed final development plan and plat for Phase 1. Mr. Schultz included in the presentation the lot size, house design, and the designated park land and open space. Mr. Schultz reviewed the Braumiller entrance plan site.

Mr. Efland stated that staff has been in contact with a neighbor whose driveway lines up with the main access drive of Braumiller in Phase 2. Mr. Efland discussed with the commission the need to work with the neighbor and the developer to relocate the entrance in Phase 2.

Chairwoman Keller voiced her concern over the connection of subdivisions and the need to prevent the connection road from being a speed zone. Mr. Efland discussed the various access points in the subdivisions to assist in preventing a speed zone.

Mr. Halter voiced his concern over the increase use of traffic that will be accessing U.S. 23 from Pollock Road and the danger and difficulty to proceed south on U.S. 23 from Pollock Road. Ms. Stachler indicated that O.D.O.T is working with the City on an access plan.

Mr. Prall voiced his concern on how the new subdivision will not be part of the Community Authority for Glenn Road Parkway. Mr. Efland explained that the subdivision will not have direct access to Glenn Road Parkway.

b. Applicant Presentation

APPLICANT:

Mark Inks, LYH, LLC
5695 Avery Road
Dublin, Ohio

David Denniston
Advanced Civil Design
422 Beecher St.
Gahanna, Ohio

c. Public comment (no public hearing)

There was no public comment.

d. Commission Action

Motion: Vice-Chairman Simpson moved to approve 2015-0521, along with all staff recommendations and conditions, seconded by Mrs. Tucker-Buck. Motion approved by a 7-0 vote.

Motion: Vice-Chairman Simpson moved to approve 2015-0522, along with all staff recommendations and conditions, seconded by Mrs. Tucker-Buck. Motion approved by a 7-0 vote.

C. The Communities at Glenross

(1) 2015-0518: A request by Pulte Homes of Ohio LLC., for approval of an Amended Final Development Plan for the Communities at Glenross Section 5 consisting of 39 single-family lots on 28.117 acres zoned R-2 PMU (One Family Residential District with a Planned Mixed Use Overlay) located on Balmoral Drive, White Fawn Run, Night Bird Lane and Crick Stone Drive.

(2) 2015-0519: A request by Pulte Homes of Ohio LLC., for approval of an Amended Final Subdivision Plat for the Communities at Glenross Section 5 consisting of 39 single-family lots on 28.117 acres zoned R-2 PMU (One Family Residential District with a Planned Mixed Use Overlay) located on Balmoral Drive, White Fawn Run, Night Bird Lane and Crick Stone Drive.

Anticipated Process

a. Staff Presentation

Mr. Schultz provided a presentation that included the location map and zoning map. Mr. Schultz reviewed the approved preliminary development plan and subdivision plat, and reviewed the changes to the storm water retention pond. Mr. Schultz stated that the subdivision is located in the Delaware South Community Authority.

Ms. Stachler stated that surrounding residents were made aware of the enlargement of the retention pond.

b. Applicant Presentation

APPLICANT:

Steve Peck, for Pulte Homes
4900 Tuttle Crossing Blvd
Columbus, Ohio

Mr. Peck stated that the pond will be a standard depth and will not be used for recreational purposes.

c. Public comment (no public hearing)

There was no public comment.

d. Commission Action

Motion: Mr. Halter moved to approve 2015-0518, along with all staff recommendations and conditions, seconded by Mr. Mantzoros. Motion approved by a 7-0 vote.

Motion: Mr. Halter moved to approve 2015-0519, along with all staff recommendations and conditions, seconded by Mr. Mantzoros. Motion approved by a 7-0 vote.

D. 2015-0534: A request by 84 Lumber Company for approval of a Development Plan Exemption to allow the construction of a 6,000 square foot storage shed on 8.15 acres zoned B-4 (General Business District) located at 2045 US 23 North.

Anticipated Process

a. Staff Presentation

Mr. Rose provided a presentation that included the location map and the zoning map. Mr. Rose provided a history of the property and informed the Commission that in 1999 84 Lumber was approved to build a third storage shed on the property. Mr. Rose reviewed the proposed development plan to construct a fourth storage shed. Mr. Rose reviewed the proposed plan and the tree replacement plan.

b. Applicant Presentation

Jim Zaunik, Professional Engineer for 84 Lumber Company
1019 Rte. 519
Eighty Four, PA

Mr. Zaunik had no concerns on the tree replacement plan.

c. Public comment (no public hearing)

There was no public comment.

d. Commission Action

Motion: Mr. Lemke moved to approve 2015-0534, along with all staff conditions and recommendations, seconded by Mr. Halter. Motion approved by a 7-0 vote.

ITEM 4. PLANNING DIRECTOR'S REPORT

Mr. Efland stated that he plans to have the 2015 MORPC presentation in June or July.

Mr. Schultz provided an update on upcoming cases including Village Gate Apartments and an informal review of a concept plan for Ohio Wesleyan University for student housing on the north side of Rowland Avenue.

ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

Mrs. Tucker-Buck had a concern regarding the supply of housing may exceed the demand within the City of Delaware. Mr. Efland addressed this concern and explained that currently the demand does not meet the current supply.

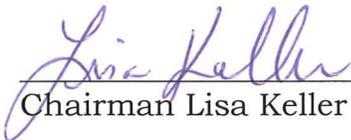
Mr. Prall stated that he will be absent for the June 3, 2015 meeting.

Vice-Chairman Simpson stated that the Tire Discounters open sign has been flashing in the window. Mr. Efland plans to address this concern with the owners.

ITEM 6. NEXT REGULAR MEETING: June 3, 2015

ITEM 7. ADJOURNMENT:

Motion: Chairman Keller moved for the May 6, 2015 Planning Commission meeting to adjourn. The meeting adjourned at 8:27 p.m.



Chairman Lisa Keller



Elaine McCloskey, Clerk

Office of the Mayor

Proclamation

Whereas:

the City of Delaware has the responsibility to recognize occasions of outstanding significance; and

WHEREAS, the City of Delaware stresses the urgency to support the fight against cancer as a grave public health risk that threatens to produce 1.7 million new cancer cases nationwide and 67,000 new cancer cases in the State of Ohio in 2015; and

WHEREAS, the American Cancer Society for 102 years has been a leading organization in the nationwide program that has helped cancer death rates drop 22% since the early 1990s and the 5-year survival rate increase from 49% to 68% since the late 1970s; and

WHEREAS, the annual American Cancer Society Relay for Life of Delaware will be held on Saturday, June 13, 2015 at Ohio Wesleyan University through the sustained participation of over 500 citizen volunteers of the City of Delaware and Delaware County who collectively have raised nearly \$1 million since 1997;

NOW THEREFORE, I, Carolyn Kay Riggle, Mayor of the City of Delaware, Ohio, do hereby proclaim the month of June 2015 as:

AMERICAN CANCER SOCIETY RELAY FOR LIFE MONTH

in the City of Delaware, Ohio, and I join with my fellow citizens in recognizing this need to celebrate, remember and finish the fight.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the seal of the City of Delaware.

Carolyn Kay Riggle, Mayor





**Delaware Police Department
Liquor Permit Report**

DPD Report Number L-15-3		Investigating Officer Sergeant Radabaugh	
Applicant (Primary Shareholder) Charles W. Chatham		Company Name (LLC) CPVR Burger Inn, LLC	
Common Name Hamburger Inn		Address 16 N. Sandusky Street Delaware, Ohio 43015	
<input checked="" type="checkbox"/> Existing Business <input type="checkbox"/> New Business (Supplement Attached)	Type of Business Restaurant	Notification Type Transfer	Date of Report May 6, 2015
Permit Type <input type="checkbox"/> C1/C2X Beer only in original sealed container for carry out only. <input type="checkbox"/> C2 Wine and mixed beverages in sealed containers for carry out. <input type="checkbox"/> D1/D2X Beer only for on premises consumption or in sealed containers for carry out. <input type="checkbox"/> D2 Wine and mixed beverages for on premises consumption or in sealed containers for carryout. <input type="checkbox"/> D4 Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am. <input checked="" type="checkbox"/> D5 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am. Other			

Location Information

Churches, Libraries and or schools within 500 feet X Yes <input type="checkbox"/> No	School, Church, or Library Objection Yes (Supplement Attached) X No Note: Objections are only permitted for <i>new permits</i> .
Police Calls for Service in past 12 months: 10	Number of Police Reports in past 12 months: 10
Calls for Service <i>excluding calls not related to the business</i> in past 12 months: 10	Location is excessive drain on Police Resources: <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No
Nuisance Abatement Pending <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Accessible by Law Enforcement <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Site compliance checked by Dept of Commerce <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Private Club (Restricted Access Door) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Applicant Information

Records Checked <input checked="" type="checkbox"/> Ohio Law Enforcement Gateway <input checked="" type="checkbox"/> Delaware Police Department Database	
Applicant has an active warrant <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Record located for Liquor Law Violation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Local Record on file Yes <input checked="" type="checkbox"/> No	Criminal History Checked by Dept. of Commerce <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Problem History with DPD <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No	Contact made with Applicant X Yes <input type="checkbox"/> No

Determination on Objection

The Delaware Police Department does not find a legislative basis for requesting a hearing to object to the issuance of a liquor permit for this business.

The Delaware Police Department recommends requesting a hearing into the issuance of a liquor permit for this business, due to one or more of the following criteria for objection as set forth by the Ohio Revised Code.

- Site does not conform to local building, safety and health codes (excluding zoning).
- Law enforcement or state agents do not have ready access to the premises where alcoholic beverages are being served.
- Physical location causes a public nuisance.
- Site has been officially classified as a nuisance according to State Law.
- Conviction of a crime by the applicant that relates to operating a liquor establishment.
- Past improper operation of a location with a liquor permit.
- Misrepresentation of material fact on the application.
- Addiction of the applicant to alcohol or narcotics.
- Formal objection by specific types of other locations to which the site is in certain proximity.
- Conviction of the applicant of food stamp or WIC fraud.

(Supplement Attached)

SG JMR 5-6-15
Investigating Officer Signature Date

Supervisor Signature Date



Delaware Police Department
Liquor Permit Report
Supplement

Supplement Type

- New Business Description
- Police Department Objection
- Community Objection
- Other Transfer

This is a transfer of the liquor license at the Hamburger Inn from Hamburger Inn Diner LLC to CPVR Burger Inn LLC. As a transfer, no objections are permissible by the churches and library within the 500 foot buffer zone. While there have been multiple calls for service to this location, many are minor in nature with nothing to indicate a problem originating from the liquor license. The current owner, Bill Michailidis will remain a partner in the business. Charles Chatham will become the managing member of the LLC. He stated that there are no plans to change the operation of the Hamburger Inn, and he is aware of its status as a Delaware landmark.

Detective Sgt. J. M. [Signature] 5.6.15
Investigating Officer Signature Date

[Signature] 5/17/15
Supervisor Signature Date

POLICE NOTIFICATION

OHIO DIVISION OF LIQUOR CONTROL
 6606 TUSSING ROAD
 P.O. BOX 4005
 REYNOLDSBURG, OHIO 43068-9005

TO

1792120		TRFO	CPVR BURGER INN LLC	
PERMIT NUMBER		TYPE	16 N SANDUSKY ST 1ST FLR & PATIO ONLY	
02	01	2015		
ISSUE DATE		DELAWARE OH 43015		
04	29	2015		
FILING DATE				
D5				
PERMIT CLASSES				
21	022	B	F14052	
TAX DISTRICT			RECEIPT NO.	

FROM 05/01/2015

3541665			HAMBURGER INN DINER LLC	
PERMIT NUMBER		TYPE	DBA HAMBURGER INN	
02	01	2015		
ISSUE DATE		DELAWARE OH 43015		
04	29	2015		
FILING DATE				
D5				
PERMIT CLASSES				
21	022			
TAX DISTRICT			RECEIPT NO.	



This notice is sent to you in compliance with Section 4303.26 of the Ohio Revised Code and will serve as official notification of the filing of a permit application.

Depending on the applicant's business entity, enclosed please find a copy of the pending applicant's ownership disclosure form 4029 (Non Profit Entity Disclosure), Form 4030 (Stockholder Disclosure), Form 4031 (Partnership Disclosure), or Form 4032 (Limited Liability Company Disclosure) which lists those individuals who will have an interest in the above captioned permit.

In some instances, the Division will require a background check to be completed by your agency. If enclosed, please complete the Personal History Police Check(s), and return it/them in the enclosed postage paid envelope. If needed, we will submit the forms once received from the applicant at a later date for completion.

The chief police officer of each political subdivision may appear and testify in person or through a representative at any hearing held on the advisability of the issuance or transfer of a permit. However, Section 4303.26 O.R.C. DOES NOT give the police officer the right to request a hearing. If a hearing is desired, the chief police officer should contact the legislative authority (City or Village Council, or Board of County Commissioners, or Board of Township Trustees) and have that entity request a hearing.

The police department may submit any information to the Division relevant to the issuance or transfer of the permit, even if a formal hearing is not requested and conducted. This should be done by a separate letter with supporting documentation. The Division appreciates your statements and concerns regarding the pending application.

Licensing Section

CERTIFIED MAIL
 RETURN RECEIPT REQUESTED

DELAWARE POLICE DEPT
 70 N UNION ST
 DELAWARE OHIO 43015

OHIO DIV. LIQUOR CONTROL
FRONT DESK-1

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, REYNOLDSBURG, OHIO 43068-9005
PERSONAL HISTORY BACKGROUND FORM
http://www.com.ohio.gov/liqr



FOR OFFICE USE ONLY		
<input type="checkbox"/> NEW	<input checked="" type="checkbox"/> TRANSFER	<input type="checkbox"/> REN
PERMIT # 1792120		

Please be advised that any social security numbers provided to the Division of Liquor Control on this form may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

The applicant is required to fill out Section A only.
The Division of Liquor Control will conduct a background check with the local authorities, who will complete Section B.
THE APPLICANT IS NOT TO PERFORM THIS CHECK, THEREFORE, DO NOT TAKE THIS FORM TO YOUR LOCAL POLICE AUTHORITY.

SECTION A (PLEASE PRINT)

Name (Last) Chatham	(First) Charles	(Middle) Wood	Height 6 ft. 1 in.	Weight 200
Alias used or Maiden Name	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Phone # 646-526-5802	Social Security #	
Residence Address 409 Three Lakes Road	City Barrington	State IL	Zip Code 60010	
Date of Birth 11/10/76	Are you a US Citizen? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Place of Birth North Carolina		
Marital Status: Married	Spouse's Name (Last) Baxter	(First) Brooke	(Middle) Donohue	
Permit Address: 16 N. Sandusky Street, Delaware, Ohio				

YOUR SIGNATURE BELOW, GIVING AUTHORIZATION FOR RECORD CHECK

x *Charles Wood Chatham*

PLEASE READ: The Division of Liquor Control will submit this form to the local authorities to conduct a background check and at that time Section B. will be completed. THE APPLICANT IS NOT TO PERFORM THIS CHECK, THEREFORE, DO NOT TAKE THIS FORM TO YOUR LOCAL POLICE AUTHORITY.

SECTION (B) THIS SPACE FOR LAW ENFORCEMENT AGENCY USE

Please complete the information below and either fax to (614) 644-3166, OR mail to Division of Liquor Control, 6606 Tussing Rd., Reynoldsburg, OH 43068-9005

1) Does applicant have a police record? YES NO

If Yes, Give Details **NO RECORD FOUND**

2) Does local police department know of any reason why permit should NOT be issued? YES NO
(If YES, Please Attach Supporting Evidence)

3) Please complete the information below:
Delaware Police Dept
Police Department Name
[Signature]
Signature of Authorized Official
(We cannot accept a stamped signature)

5/18/15
Date Of Signature

FOR OFFICE USE ONLY		
<input type="checkbox"/> NEW	<input checked="" type="checkbox"/> TRANSFER	<input type="checkbox"/> REN
PERMIT # <u>1792120</u>		

OHIO DEPARTMENT OF COMMERCE, DIVISION OF LIQUOR CONTROL
 6606 TUSSING ROAD, REYNOLDSBURG, OHIO 43068-9005



PERSONAL HISTORY BACKGROUND FORM

http://www.ohio.gov/liquor

15 APR 27 AM 8:45

Please be advised that any social security numbers provided to the Division of Liquor Control on this form may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

The applicant is required to fill out Section A only.
 The Division of Liquor Control will conduct a background check with the local authorities, who will complete Section B.
THE APPLICANT IS NOT TO PERFORM THIS CHECK, THEREFORE, DO NOT TAKE THIS FORM TO YOUR LOCAL POLICE AUTHORITY.

SECTION A (PLEASE PRINT)

Name (Last) Mathers	(First) William	(Middle) Chris	Height 6 ft. 1 in.	Weight 210
Alias used or Maiden Name	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Phone # 409-974-4642	Social Security #	
Residence Address 1715 Church Street	City Galveston	State TX	Zip Code 77550	
Date of Birth 6/21/59	Are you a US Citizen? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Place of Birth Houston		
Marital Status: Married	Spouse's Name (Last) Mathers	(First) Tina	(Middle)	
Permit Address: 16 N. Sandusky Street, Delaware, Ohio				

YOUR SIGNATURE BELOW, GIVING AUTHORIZATION FOR RECORD CHECK
 x *Wm Chris Mathers*

PLEASE READ: The Division of Liquor Control will submit this form to the local authorities to conduct a background check and at that time Section B. will be completed. **THE APPLICANT IS NOT TO PERFORM THIS CHECK, THEREFORE, DO NOT TAKE THIS FORM TO YOUR LOCAL POLICE AUTHORITY.**

SECTION (B)

THIS SPACE FOR LAW ENFORCEMENT AGENCY USE

Please complete the information below and either fax to (614) 644-3166, OR mail to
 Division of Liquor Control, 6606 Tussing Rd., Reynoldsburg, OH 43068-9005

1) Does applicant have a police record? YES NO

If Yes, Give Details **NO RECORD FOUND**

2) Does local police department know of any reason why permit should NOT be issued? YES NO
 (If YES, Please Attach Supporting Evidence)

3) Please complete the information below:

Delaware Police Dept
 Police Department Name

[Signature]
 Signature of Authorized Official
 (We cannot accept a stamped signature)

5/18/15
 Date Of Signature

OHIO DIV. LIQUOR CONTROL
FRONT DESK-1

FOR OFFICE USE ONLY
 NEW TRANSFER REN
 PERMIT# 1792120

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
 Telephone: (614) 644-2431 - http://www.com.ohio.gov/liqr



LIMITED LIABILITY COMPANY DISCLOSURE FORM
 (This form must accompany all applications of an LLC business entity)

SECTION A.

Name of Limited Liability Company CPVR Burger Inn, LLC	DBA Name	
Permit Premises Address 16 N. Sandusky Street, 1st Fl & Patio Only	City, State Delaware OH	Zip Code 43013
Township, if in Unincorporated Area	Tax Identification No. (TIN)	
Email Address:		

Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.
 EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DL.C4191.

NAME OF OFFICER	SOCIAL SECURITY NUMBER	BIRTHDATE
1) CEO None		
2) President None		
3) Vice-President None		
4) Secretary None		
5) Treasurer None		

SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DL.C4191.

			INTEREST
1) Name	Charles Wood Chatham	Social Security No. (if individual)	Check All That Apply
Residence Address	409 Three Lakes Road	Tax Identification No. (if applicable)	<input checked="" type="checkbox"/> Managing Member
City and State	Barrington IL	Telephone No. 646-526-5802	<input type="checkbox"/> Voting interest _____ %
Zip Code	60010	Birthdate 11/10/76	<input type="checkbox"/> Membership interest _____ %
2) Name	Bill Michailidis	Social Security No. (if individual)	Check All That Apply
Residence Address	1520 McCoy Road	Tax Identification No. (if applicable)	<input type="checkbox"/> Managing Member
City and State	Columbus OH	Telephone No. 614-332-8762	<input checked="" type="checkbox"/> Voting interest _____ %
Zip Code	43220	Birthdate 4/30/55	<input type="checkbox"/> Membership interest _____ %

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, _____ COUNTY ss,

I, Charles Wood Chatham being first duly sworn, according to law, deposes and says that he/she is (Title) Managing Mbr.

of the CPVR Burger Inn, LLC, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) Charles Wood Chatham (Print Name and Title) Charles Wood Chatham, Managing Mbr.

Sworn to and subscribed in my presence this 29 day of April, 2015

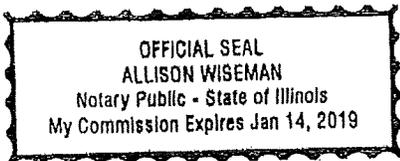
Allison Wiseman Jan 14 2019
 (Notary Public) (Notary Expiration)

DLC 4032

EOBADA SERVICE PROVIDER

FOR TTY USERS DIAL 1-800-750-0750

REV. 7/2013



OHIO DIV. LIQUOR CONTROL
FRONT DESK-1

15 APR 27 AM 8:45

Page 2

DLC4032 (LIMITED LIABILITY COMPANY DISCLOSURE FORM)

SECTION C.
(CONTINUED)

➔ List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.
THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

3) Name	Clean Plate Southeast, LLC	Social Security No. (if individual)		Check All That Apply	
Residence Address	1715 Church Street	Tax Identification No. (if applicable)	46-3573991	<input type="checkbox"/> Managing Member	
City and State	Galveston TX	Telephone No.		<input checked="" type="checkbox"/> Voting interest	46 %
Zip Code	77550	Birthdate		<input checked="" type="checkbox"/> Membership interest	46 %
4) Name	Clean Plate Affiliate, LLC	Social Security No. (if individual)		Check All That Apply	
Residence Address	1715 Church Street	Tax Identification No. (if applicable)	46-3073134	<input type="checkbox"/> Managing Member	
City and State	Galveston TX	Telephone No.		<input checked="" type="checkbox"/> Voting interest	44 %
Zip Code	77550	Birthdate		<input checked="" type="checkbox"/> Membership interest	44 %
5) Name		Social Security No. (if individual)		Check All That Apply	
Residence Address		Tax Identification No. (if applicable)		<input type="checkbox"/> Managing Member	
City and State		Telephone No.		<input type="checkbox"/> Voting interest	_____ %
Zip Code		Birthdate		<input type="checkbox"/> Membership interest	_____ %
6) Name		Social Security No. (if individual)		Check All That Apply	
Residence Address		Tax Identification No. (if applicable)		<input type="checkbox"/> Managing Member	
City and State		Telephone No.		<input type="checkbox"/> Voting interest	_____ %
Zip Code		Birthdate		<input type="checkbox"/> Membership interest	_____ %
7) Name		Social Security No. (if individual)		Check All That Apply	
Residence Address		Tax Identification No. (if applicable)		<input type="checkbox"/> Managing Member	
City and State		Telephone No.		<input type="checkbox"/> Voting interest	_____ %
Zip Code		Birthdate		<input type="checkbox"/> Membership interest	_____ %
8) Name		Social Security No. (if individual)		Check All That Apply	
Residence Address		Tax Identification No. (if applicable)		<input type="checkbox"/> Managing Member	
City and State		Telephone No.		<input type="checkbox"/> Voting interest	_____ %
Zip Code		Birthdate		<input type="checkbox"/> Membership interest	_____ %
9) Name		Social Security No. (if individual)		Check All That Apply	
Residence Address		Tax Identification No. (if applicable)		<input type="checkbox"/> Managing Member	
City and State		Telephone No.		<input type="checkbox"/> Voting interest	_____ %
Zip Code		Birthdate		<input type="checkbox"/> Membership interest	_____ %



Delaware Police Department Liquor Permit Report

DPD Report Number L-15-4		Investigating Officer Sergeant Radabaugh	
Applicant (Primary Shareholder) William C. Bonds		Company Name (LLC) Ganzfair Investment Inc	
Common Name Shamrock Golf Club		Address 231 Clubhouse Drive Delaware, Ohio 43015	
<input checked="" type="checkbox"/> Existing Business <input type="checkbox"/> New Business (Supplement Attached)	Type of Business Bar	Notification Type Transfer	Date of Report May 14, 2015
Permit Type <input type="checkbox"/> C1/C2X Beer only in original sealed container for carry out only. <input type="checkbox"/> C2 Wine and mixed beverages in sealed containers for carry out. <input checked="" type="checkbox"/> XD1/D2X Beer only for on premises consumption or in sealed containers for carry out. <input checked="" type="checkbox"/> D2 Wine and mixed beverages for on premises consumption or in sealed containers for carryout. <input checked="" type="checkbox"/> D4 Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am. <input type="checkbox"/> D5 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am. Other D3, D6			

Location Information

Churches, Libraries and or schools within 500 feet Yes <input checked="" type="checkbox"/> No	School, Church, or Library Objection Yes (Supplement Attached) <input checked="" type="checkbox"/> NO Note: Objections are only permitted for <i>new permits</i> .
Police Calls for Service in past 12 months: 0	Number of Police Reports in past 12 months: 0
Calls for Service <i>excluding calls not related to the business</i> in past 12 months: 0	Location is excessive drain on Police Resources: <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No
Nuisance Abatement Pending <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Accessible by Law Enforcement <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Site compliance checked by Dept of Commerce <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Private Club (Restricted Access Door) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Applicant Information

Records Checked <input checked="" type="checkbox"/> Ohio Law Enforcement Gateway <input checked="" type="checkbox"/> Delaware Police Department Database	
Applicant has an active warrant <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Record located for Liquor Law Violation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Local Record on file Yes <input checked="" type="checkbox"/> No	Criminal History Checked by Dept. of Commerce <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Problem History with DPD <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No	Contact made with Applicant <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Determination on Objection

<input checked="" type="checkbox"/> The Delaware Police Department does not find a legislative basis for requesting a hearing to object to the issuance of a liquor permit for this business.
<input type="checkbox"/> The Delaware Police Department recommends requesting a hearing into the issuance of a liquor permit for this business, due to one or more of the following criteria for objection as set forth by the Ohio Revised Code.
<input type="checkbox"/> Site does not conform to local building, safety and health codes (excluding zoning). <input type="checkbox"/> Law enforcement or state agents do not have ready access to the premises where alcoholic beverages are being served. <input type="checkbox"/> Physical location causes a public nuisance. <input type="checkbox"/> Site has been officially classified as a nuisance according to State Law. <input type="checkbox"/> Conviction of a crime by the applicant that relates to operating a liquor establishment. <input type="checkbox"/> Past improper operation of a location with a liquor permit. <input type="checkbox"/> Misrepresentation of material fact on the application. <input type="checkbox"/> Addiction of the applicant to alcohol or narcotics. <input type="checkbox"/> Formal objection by specific types of other locations to which the site is in certain proximity. <input type="checkbox"/> Conviction of the applicant of food stamp or WIC fraud.
(Supplement Attached)

5-14-15
 Investigating Officer Signature _____ Date

Supervisor Signature _____ Date



Delaware Police Department
Liquor Permit Report
Supplement

Supplement Type

- New Business Description
- Police Department Objection
- Community Objection

Other Transfer

This is a transfer of the liquor license at the Shamrock Golf Club on Clubhouse Drive. The new owners are the management company that has been responsible for the day to day operations of the club for the last five years. There are no plans to change the operation of the clubhouse.

[Handwritten Signature] 8-19-15
Investigating Officer Signature Date

[Handwritten Signature] 5/14/15
Supervisor Signature Date

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD
P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005

TO

8793187		TRFO		TANGLEWOOD FOOD & BEVERAGE SERVICE LLC DR RANGE BLDG & PATIO & SHELTER HOUSE 1086 CHESHIRE RD CLUBHOUSE & PATIO DELAWARE OHIO 43015
PERMANENT NUMBER		TYPE		
02	01	2005		
ISSUE DATE				
07	26	2005		
FILING DATE				
D1		D2		
PERMIT CLASSES				
21	022	B	F91386	
TAX DISTRICT		RECEIPT NO.		

FROM 07/28/2005

7923972				SCOTT ENTERPRISES INC DBA TANGLEWOOD GOLF CLUB HOUSE DR RANGE BLDG & PATIO & SHELTER HOUSE 1086 CHESHIRE RD CLUBHOUSE & PATIO DELAWARE OHIO 43015
PERMANENT NUMBER		TYPE		
02	01	2005		
ISSUE DATE				
07	26	2005		
FILING DATE				
D1		D2		
PERMIT CLASSES				
21	022			
TAX DISTRICT		RECEIPT NO.		



MAILED 07/28/2005

RESPONSES MUST BE POSTMARKED NO LATER THAN, 08/29/2005

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES B TRFO 8793187

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Clerk of Township Trustees

CLERK OF DELAWARE MUNICIPAL COUNCIL
1 SOUTH SANDUSKY ST
DELAWARE OHIO 43015

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT #	8793187

LIMITED LIABILITY COMPANY DISCLOSURE FORM

Section A (This form must accompany all applications of an LLC business entity)

Name of Limited Liability Company Tanglewood Food and Beverage Service LLC	DBA Name	
Permit Premises Address 1086 Cheshire Road	City, State Delaware, Ohio	Zip Code 43015
Township, if in Unincorporated Area	Tax Identification No. (TIN) 20-1001091	

Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.

EACH OFFICER LISTED BELOW MUST SUBMIT A CIVILIAN IDENTIFICATION CARD & PERSONAL HISTORY BACKGROUND FORM

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO None		
2) President Vincent Romanelli	[REDACTED]	08/28/45
3) Vice-President None		
4) Secretary None		
5) Treasurer None		

SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

ALL INDIVIDUALS LISTED BELOW MUST SUBMIT A CIVILIAN IDENTIFICATION CARD & PERSONAL HISTORY BACKGROUND FORM

1) Name Tanglewood Venture LLC	Social Security No. (if individual)	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> 5% or greater voting interest <input checked="" type="checkbox"/> 5% or greater membership interest
Residence Address 207 N. Fourth Street	Tax Identification No. (if applicable) 86-1059106	
City and State Columbus, Ohio	Zip Code 43215	
Telephone No. 614-469-1882	Date of Birth	
2) Name	Social Security No. (if individual)	<input type="checkbox"/> Managing Member <input type="checkbox"/> 5% or greater voting interest <input type="checkbox"/> 5% or greater membership interest
Residence Address	Tax Identification No. (if applicable)	
City and State	Zip Code	
Telephone No.	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, Franklin COUNTYss,

I, Vincent Romanelli being first duly sworn, according to law, deposes and says that he/she is (Title) President

of the Tanglewood Food and Beverage Service LLC, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) *Vincent Romanelli* (Print Name and Title) Vincent Romanelli, President

Sworn to and subscribed in my presence this 9th day of June 2005



LINDSAY A. HELMAN
 ATTORNEY AT LAW
 Notary Public, State of Ohio
 My Commission Has No Expiration
 Section 147.03 R.C.

Lindsay A. Helman NO EXPIRATION
 (Notary Public) (Notary Expiration)

OHIO DIVISION OF LICENSING SCAR KM.L.U

2005 JUL 25 AM 11:39

POLICE NOTIFICATION

OHIO DIVISION OF LIQUOR CONTROL
 6606 TUSSING ROAD
 P.O. BOX 4005
 REYNOLDSBURG, OHIO 43068-9005

TO

8793187		TRFO	TANGLEWOOD FOOD & BEVERAGE
PERMANENT NUMBER		TYPE	SERVICE LLC
02	01	2005	DR RANGE BLDG & PATIO & SHELTER HOUSE
ISSUE DATE			1086 CHESHIRE RD CLUBHOUSE & PATIO
07	26	2005	DELAWARE OHIO 43015
FILING DATE			
D1	D2		
PERMIT CLASSES			
21	022	B	F91386
TAX DISTRICT			RECEIPT NO.

FROM 07/28/2005

7923972			SCOTT ENTERPRISES INC
PERMANENT NUMBER		TYPE	DBA TANGLEWOOD GOLF CLUB HOUSE
02	01	2005	DR RANGE BLDG & PATIO & SHELTER HOUSE
ISSUE DATE			1086 CHESHIRE RD CLUBHOUSE & PATIO
07	26	2005	DELAWARE OHIO 43015
FILING DATE			
D1	D2		
PERMIT CLASSES			
21	022		
TAX DISTRICT			RECEIPT NO.



This notice is sent to you in compliance with Section 4303.26 of the Ohio Revised Code and will serve as official notification of the filing of a permit application.
 If applicant is a corporation or partnership, Form 40/30 (Stockholder's affidavit) or Form 40-31 (Partnership affidavit) is enclosed, listing those individuals who will have an interest in the above captioned permit.

If enclosed, please complete the Personal History Police Check(s), and return it/them in the enclosed postage paid envelope. Otherwise, the Personal History Check(s) will be submitted for your completion once received from the applicant.

The chief police officer of each political subdivision may appear and testify in person or through a representative at any hearing held on the advisability of the issuance or transfer of a permit. However, Section 4303.26 O.R.C. DOES NOT give the police officer the right to request a hearing. If a hearing is desired, the chief police officer should contact the legislative authority (City or Village Council, or Board of County Commissioners, or Board of Township Trustees) and have that entity request a hearing.

The police department may submit any information to the Division relevant to the issuance or transfer of the permit, even if a formal hearing is not requested and conducted. This should be done by a separate letter with supporting documentation. The Division appreciates your statements and concerns regarding the pending application.

Eileen Board
 Licensing Section

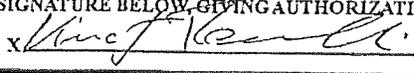
DELAWARE POLICE DEPT
 70 N UNION ST
 DELAWARE OHIO 43015

CERTIFIED MAIL
 RETURN RECEIPT REQUESTED

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL
 6606 TUSSING ROAD, P.O. BOX 4005
 REYNOLDSBURG, OHIO 43068-9005
PERSONAL HISTORY BACKGROUND FORM
 http://www.com.state.oh.us

The applicant is required to fill out Section A only. The Division of Liquor Control will conduct a background check with the local authorities whom will complete Section B - THE APPLICANT IS NOT TO PERFORM THIS CHECK, THEREFORE, DO NOT TAKE THIS FORM TO YOUR LOCAL POLICE AUTHORITY.
SECTION A (PLEASE PRINT)

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT #	
8793187	

Name (Last) Romanelli	(First) Vincent	(Middle) N/A	Height 5'3"	Weight 210 lbs
Alias used or Maiden Name		Phone # (614) 882-4811	Social Security #	
Residence Address 6745 Temperance Point			Place of Birth Alviro, Italy	
City (if outside city or village limits, list township) Westerville - Genoa Twp.		State Ohio	Zip Code 43082	Date of Birth 08/28/45
Marital Status: Married	Spouse's Name (Last) Romanelli	(First) Gina	(Middle)	
Are you a US Citizen? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Resident of Ohio 1 Year? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		
If you are not currently a resident of Ohio, have you ever lived in Ohio? <input type="checkbox"/> YES <input type="checkbox"/> NO				
IF YES, indicate where (city in Ohio) _____				
Permit Address:				
YOUR SIGNATURE BELOW, GIVING AUTHORIZATION FOR RECORD CHECKS 				

SECTION (B)

THIS SPACE FOR LAW ENFORCEMENT AGENCY USE

1) Does Applicant Have A Police Record? YES <input type="checkbox"/> NO <input type="checkbox"/>	
If Yes, Give Details _____	
2) Does Local Police Department Know Of Any Reason Why Permit Should Not Be Issued? YES <input type="checkbox"/> NO <input type="checkbox"/> (If YES, Please Attach Supporting Evidence)	
3) Please complete the information below:	
<u>DELAWARE POLICE DEPT.</u>	
Police Department Name	
Signature of Authorized Official (We cannot accept a stamped signature)	Date Of Signature

2005 JUL 25 AM 11:39
 OHIO DIV. LIQUOR CONTROL
 LICENSING SCAN 89.1-B

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT # 8793187	

LIMITED LIABILITY COMPANY DISCLOSURE FORM
 (This form must accompany all applications of an LLC business entity)

Section A

Name of Limited Liability Company Tanglewood Food and Beverage Service LLC	DBA Name	
Permit Premises Address 1086 Cheshire Road	City, State Delaware, Ohio	Zip Code 43015
Township, if in Unincorporated Area	Tax Identification No. (TIN) 20-1001091	

Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.

EACH OFFICER LISTED BELOW MUST SUBMIT A CIVILIAN IDENTIFICATION CARD & PERSONAL HISTORY BACKGROUND FORM

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO None		
2) President Vincent Romanelli		08/28/45
3) Vice-President None		
4) Secretary None		
5) Treasurer None		

SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

ALL INDIVIDUALS LISTED BELOW MUST SUBMIT A CIVILIAN IDENTIFICATION CARD & PERSONAL HISTORY BACKGROUND FORM

1) Name Tanglewood Venture LLC	Social Security No. (if individual)	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> 5% or greater voting interest <input checked="" type="checkbox"/> 5% or greater membership interest
Residence Address 207 N. Fourth Street	Tax Identification No. (if applicable) 86-1059106	
City and State Columbus, Ohio	Zip Code 43215	
Telephone No. 614-469-1882	Date of Birth	
2) Name	Social Security No. (if individual)	<input type="checkbox"/> Managing Member <input type="checkbox"/> 5% or greater voting interest <input type="checkbox"/> 5% or greater membership interest
Residence Address	Tax Identification No. (if applicable)	
City and State	Zip Code	
Telephone No.	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, Franklin COUNTYss,

I, Vincent Romanelli being first duly sworn, according to law, deposes and says that he/she is (Title) President of the Tanglewood Food and Beverage Service LLC, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) Vincent Romanelli (Print Name and Title) Vincent Romanelli, President
 Sworn to and subscribed in my presence this 9th day of June 2005



LINDSAY A. HELMAN
 ATTORNEY AT LAW
 Notary Public, State of Ohio
 My Commission Has No Expiration
 Section 147.03 R.C.

Lindsay A. Helman NO EXPIRATION
 (Notary Public) (Notary Expiration)

OHIO DIV. OF LIQUOR CONTROL
 LICENSING SCAM RM.1-B
 2005 JUL 25 AM 11:39

Todd A. Hanks, Delaware County Auditor

SUBDIVISIONS
 ROADS
 ROW
 PARCELS
 AERIAL PHOTOS

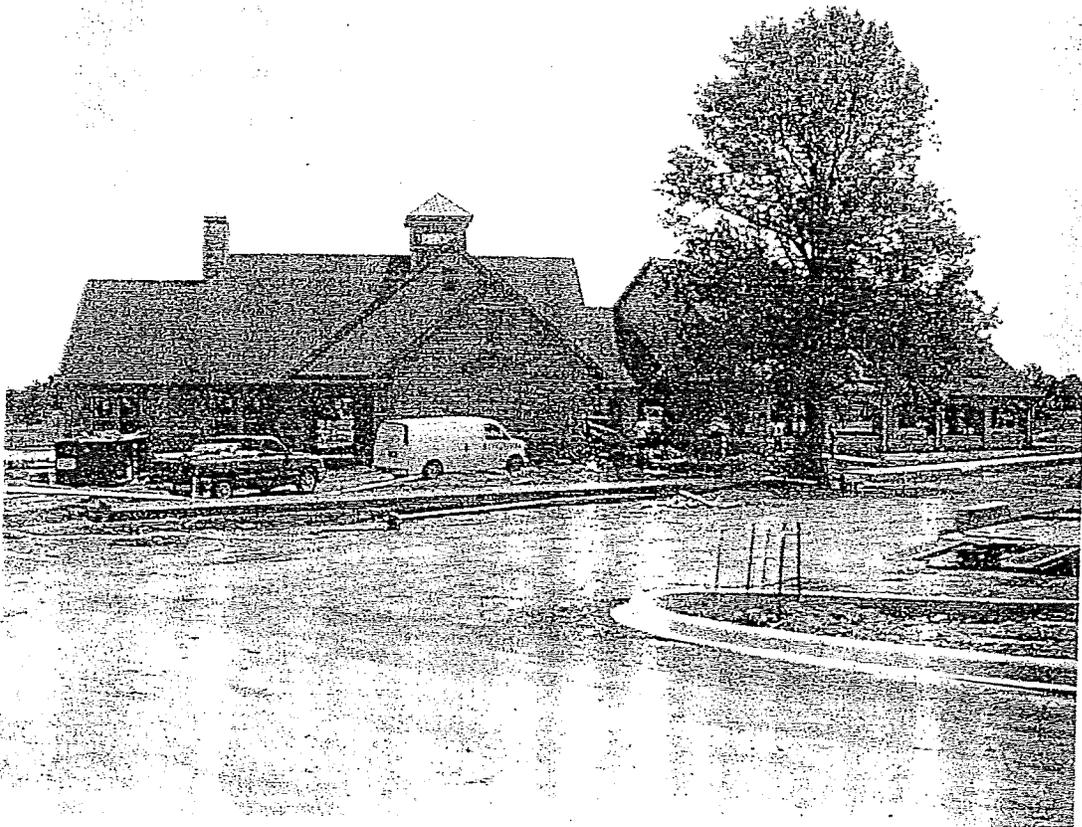
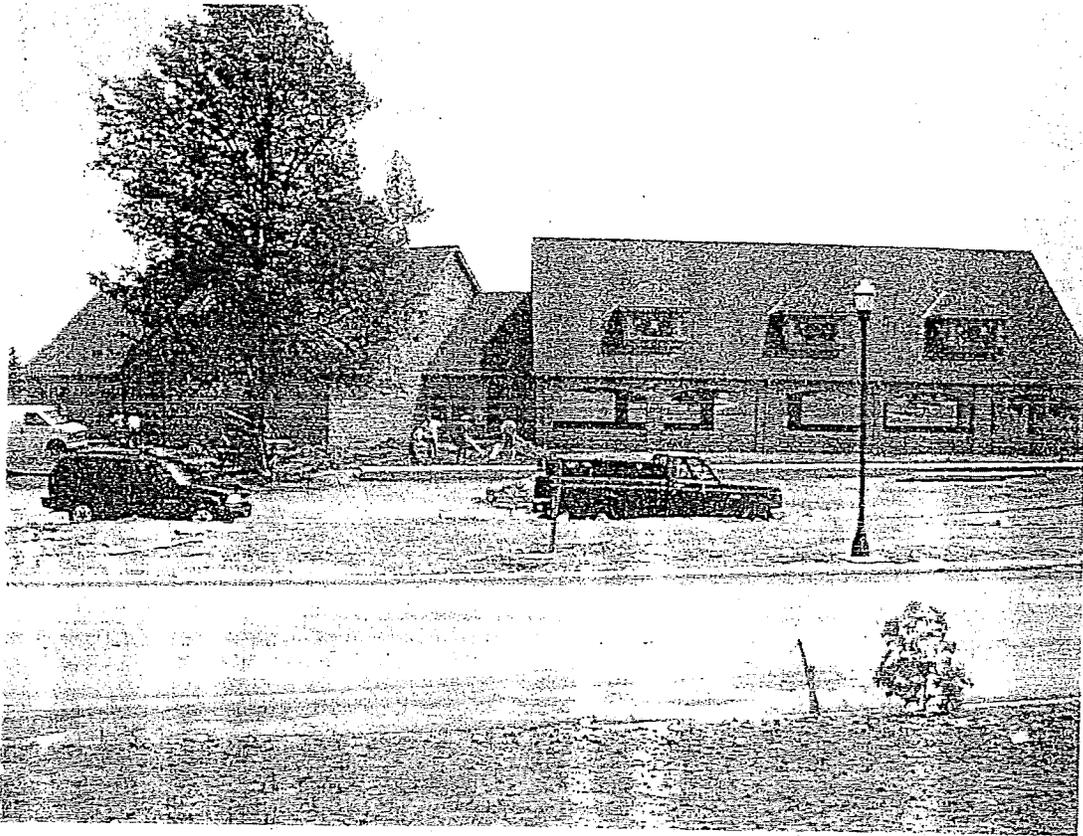
Thematic Layers
None

SCALE 1:3,422

Click map to: **HELP!** APPRAISAL INFO

Owner Name	Address	Parcel ID
TANGLEWOOD GOLF COURSE	1086 CHESHIRE RD, DELAWARE OH 43015	<u>41832001030001</u>
TANGLEWOOD INVESTMENT	1159 CHESHIRE RD, DELAWARE OH 43015	<u>41832001030000</u>

LI-05-07



DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: 11

DATE: 6/8/15

PUBLIC HEARING: YES
May 11, 2015 at 7:30 p.m.

READING: THIRD

ORDINANCE NO.: 15-33

RESOLUTION NO.:

DESCRIPTION: AN ORDINANCE REVISING SECTIONS OF THE DELAWARE CODIFIED ORDINANCES RELATING TO PARKING AND TRAFFIC OFFENSES.

DEPARTMENT AFFECTED:

GROUP AFFECTED:

FINANCIAL INFORMATION

COST:

FUND SOURCES:

BUDGETED:

RECOMMENDATIONS

COMMITTEE:

RECOMMENDATION:

VOTE:

MEETING DATE:

STAFF RECOMMENDATION:
Approval

PRESENTER: Bruce Pijanowski, Police Chief
Darren Shulman, City Attorney

SUMMARY OF ITEM:

This ordinance represents the first time the parking enforcement ordinance is being updated since 1991. The legislation reflects recommendations from a downtown parking committee convened by Councilman Shafer. Essentially, it reduces the cost of some parking permits and increases the penalties for violating the ordinance. As an additional enforcement measure, this ordinance also adds the ability to apply a boot to vehicles in certain circumstances. In addition, this ordinance cleans up the code pertaining to stop signs by mirroring a change previously made to the code involving red lights.

Update: Pursuant to direction from our last City Council meeting, staff has changed “may” to will in the fee ordinance. Staff estimates that 29 vehicles could have been booted in the past 12 months. Staff believes that the purchase of 1 or 2 boots will be sufficient. It is hoped that the value of the boot is in deterrence, and not the actual application. If a person tampers with or steals a boot, staff believes the existing criminal charges (criminal damaging, theft) would provide an adequate remedy. If a person whose car is booted does not pay the fee to remove the boot, the next step would be to tow the car under the current impounding ordinance which allows towing after two hours. As for number of non-payments within a 30 day period, it is noted that the Police Department sent out 178 notices in May 2015 alone. This includes 30, 60 and 90 day notices but provides a reference. In 2014, 365 parking tickets were paid in court which occurs when there is no response to three months of notices.

Reinstalling meters in the downtown area (Sandusky St., from Central Ave. to Spring St., and William St. and Winter St. from Union St. to Franklin Ave.) would equate to the addition of approximately 144 meters. It is estimated that it would cost \$87,000 to reinstall meters in all of these spaces. This amount includes the meter, the vault, the post and install costs.

All enforcement duties will be conducted by the Police Department’s two part time parking control officers who are normally on duty from 9:00 AM to 5:00 PM. Additional assistance is available from the full time Community Service Officer.

Staff could look at increasing the parking meter rates, but while this would increase revenue, staff does not believe this would address problem with turnover at spots. At this time, staff believes increasing penalties and moving users to lots would have the most impact. As there is no emergency clause attached to this legislation, staff would use the 30 day time period to publicize the parking changes. Additionally, these fee changes will now become part of the annual fee ordinance review.

ATTACHMENTS:

- Parking Survey Memo**
- Parking Survey**

COUNCIL NOTES:

ORDINANCE NO. 15-33

AN ORDINANCE REVISING SECTIONS OF THE DELAWARE CODIFIED ORDINANCES RELATING TO PARKING AND TRAFFIC OFFENSES.

WHEREAS, the parking enforcement ordinance has not been revised since 1991, and

WHEREAS, a downtown parking committee has met and provided recommendations to improve access and turnover to parking for people visiting the downtown, and

WHEREAS, Council wishes to make a change to the red light ordinance similar to a clarification previously passed clarifying the stop sign ordinance, and

NOW THEREFORE, Be It Ordained by the Council of the City of Delaware, State of Ohio:

SECTION 1. The Fee Schedule contained in TITLE ELEVEN, Part One – Administrative Code is amended as follows:

197.02 FEE SCHEDULE

353.06	Parking Permits	Cost of meter for 8 hours per billable day. \$25 a month except for the East William Street Metered Lot (Lot #4), which is \$20 a month.
353.09 351.99	Parking Tickets	\$3.00 \$7.00 over time if paid by midnight (meter) \$10 \$5 over time if not paid by midnight \$40 \$10 over limit (2 hour parking) \$2 \$15 parking in prohibited spot <u>If the vehicle has accumulated three tickets (over time, over limit, prohibited spot) in 30 days or five or more tickets in 60 days, the ticket fee will be doubled.</u> \$20 \$10 late fee for tickets over 30 days old. \$5 billing fee
	<u>Boot Removal</u>	<u>Payment of all unpaid tickets plus \$100 fee.</u>

SECTION 2. Section 353.09 is hereby amended as follows:

353.09. - Enforcement; violation notice; **PARKING FEES**, waiver.

(a) It shall be the duty of a police officer, ~~or a~~ Parking Control Officer, **SUPPORT SERVICES AID, OR COMMUNITY SERVICES OFFICER** to report:

- (1) The number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been in violation of any of the provisions of this chapter;
- (2) The state license number of such vehicle;
- (3) The time during which such vehicle is parked in violation of any of the provisions of this chapter; and
- (4) Any other facts ~~a knowledge of which is~~ necessary to **DESCRIBE THE CIRCUMSTANCES OF THE VIOLATION** ~~a thorough understanding of the circumstances attending such violation.~~

(b) Each of such officers shall affix to such vehicle a notice to the owner or operator thereof that the vehicle has been parked in an illegal manner and in violation of the provisions of this chapter, and instructing such owner or operator in regard to the penalties and methods of satisfying them.

(c) **PARKING TICKETS SHALL BE ASSESSED ACCORDING TO THE FEE SCHEDULE CONTAINED IN 197.02 OF THE CODIFIED ORDINANCES. IF THE VEHICLE HAS ACCUMULATED THREE OR MORE TICKETS (OVER TIME, OVER LIMIT, PROHIBITED SPOT) IN THIRTY DAYS OR FIVE OR MORE TICKETS IN 60 DAYS, THE TICKET FEE MAY BE DOUBLED.**

~~Effective on or before October 1, 1987, Each such owner or operator referred to above may plead guilty and, as a penalty for and in full satisfaction of such violation, shall pay to the Police Department, as follows:~~

- ~~(1) For the first notice for a violation of Section 353.08(a)(3) or (4), if paid by midnight on the date the notice was attached to such vehicle, three dollars (\$3.00); or if paid after midnight on the date the notice was attached to such vehicle, five dollars (\$5.00);~~
- ~~(2) For the second and each subsequent violation notice for a violation of Section 353.08(a)(3) or (4), issued at least one hour following the previous notice, ten dollars (\$10.00);~~
- ~~(3) For a violation of Section 353.08(a)(1) and (2), ten dollars (\$10.00); and~~
- ~~(4) If a parking meter violation ticket is not paid in full within thirty days of issuance, such fine shall be increased by an additional ten dollars (\$10.00) per violation.~~

(d) The penalty shall be paid in one of the following ways:

- (1) In person at the Police Department in the **JUSTICE CENTER** ~~City Hall~~;
 - (2) By depositing the fine in the envelope provided and dropping the envelope in the fine boxes provided;
 - (3) By depositing the fine in the envelope provided, placing a stamp thereon and mailing the same.
- (e) **A VEHICLE MAY BE IMMOBILIZED BY LOCKING A DEVICE (BOOT) TO AT LEAST ONE WHEEL TO PREVENT THE TURNING OF THE WHEEL IN THE FOLLOWING CIRCUMSTANCES. THE FEE ESTABLISHED IN THE FEE SCHEDULE AND ANY UNPAID PARKING TICKETS MUST BE PAID PRIOR TO REMOVAL OF THE BOOT:**
- (1) THE VEHICLE HAS THREE OR MORE UNPAID PARKING TICKETS THAT ARE OVER 30 DAYS OLD.**
 - (2) THE VEHICLE OR THE VEHICLE'S REGISTERED OWNER HAS ACCUMULATED FIVE OR MORE PARKING TICKETS IN A 30 DAY PERIOD.**
 - (3) THE VEHICLE OR THE VEHICLE'S REGISTERED OWNER HAS ACCUMULATED 15 OR MORE PARKING TICKETS IN ANY CALENDAR YEAR.**
- (f) If the owner or operator does not wish to plead guilty, such owner or operator may appear in the Municipal Court. The failure of such owner or operator to pay such fine in one of the prescribed ways or to appear in the Municipal Court, within the periods of time specified herein, shall render such owner or operator subject to the penalties provided for a violation of any of the provisions of this chapter.

SECTION 3: Delaware Codified Ordinance Section 313.03 is amended as follows:

(c)(1)

A.) Vehicular traffic facing a steady circular red signal indication, unless entering the intersection to make another movement permitted by another signal indication, shall stop at **BEFORE** a clearly marked stop line; but if there is no stop line, traffic shall stop before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, before then before entering the intersection; and shall remain stopped until a signal indication to proceed is displayed except as provided in subsections (c)(1), (2) and (3) of this section.

B.) Except when a traffic control device is in place prohibiting a turn on red or a steady red arrow signal indication is

displayed, vehicular traffic facing a steady circular red signal indication is permitted to enter the intersection to turn right, or to turn left from a one-way street, after stopping. The right to proceed with the turn shall be subject to the provisions that are applicable after making a stop at **BEFORE** a stop sign.

(c)(2)

A.) Vehicular traffic facing a steady red arrow signal indication shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make another movement permitted by another signal indication, shall stop at **BEFORE** a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, then before entering the intersection; and shall remain stopped until a signal indication or other traffic control device permitting the movement indicated by such red arrow is displayed.

B.)

When a traffic control device is in place permitting a turn on a steady red arrow signal indication, vehicular traffic facing a steady red arrow indication is permitted to enter the intersection to make the movement indicated by the arrow signal indication, after stopping. The right to proceed with the turn shall be limited to the direction indicated by the arrow, and shall be subject to the provisions that are applicable after making a stop at **BEFORE** a stop sign.

(f) Flashing Red Signal Indication:

(1) Vehicular traffic, on an approach to an intersection, facing a flashing circular red signal indication, shall stop at **BEFORE** a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. The right to proceed shall be subject to the provisions that are applicable after making a stop at **BEFORE** a stop sign.

(g)

General Application: In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those

Parking Survey 2015

In 2014 and into 2015, Councilmen Kent Shafer established a working group to look at the current downtown parking environment and to identify potential remedies to reported abuses. The group ultimately concluded that current fees and fines were insufficient to adequately change parking behaviors. The recommendations that were made by the group included increasing fees, adding enhancements for repeat offenders and making monthly parking passes more economically viable for downtown employees. Long term parking enhancements included the potential of adding a parking structure in the downtown.

In order to get an idea of how Delaware compared against neighboring communities and similarly situated cities, a parking survey was conducted by the Police Department. The questions asked included current fines for overtime and over limit, and whether there were any enhancements for repeat violators. Also asked was if monthly permits were available and if so what the cost was and how the cost was derived. Finally, a series of questions related to parking structures was asked, including if there was a structure, what the cost to use the structure was, and if utilization was as projected when the structure was built.

The results are contained in the spreadsheet below. Special thanks to Ofc. Austin Barnthouse for completing the survey, and to the downtown parking committee for their time and suggestions.

Parking Survey 2015

	What are current fines for overtime on meters, and over limit in other areas?	What enhancements are there for repeat violators; i.e. does anyone boot / increase fines; both or other?	How are monthly permit fees calculated – are they a set fee, and if so what is the monthly cost?	Additionally, please find out if there are any parking garages. If there are any jurisdictions with parking garages, try to find out if:	Is there a fee to park?	If the fees and fines generate enough revenue to pay down the construction debt / ongoing costs	The utilization – is it getting used as was projected, or are there any problems
Delaware	METERED: If paid by midnight on the date the notice was attached to such vehicle, three dollars (\$3.00); or if paid after midnight on the date the notice was attached to such vehicle, five dollars (\$5.00). FREE SPACE: ten dollars (\$10.00)	For the second and each subsequent violation notice for a violation of Section 353.08(a)(3) or (4), issued at least one hour following the previous notice, ten dollars (\$10.00)	Monthly rates are calculated based upon the number of enforceable days (Monday-Friday) in the month less any holidays. Fee is \$2.00 per day.				
Marysville	Marysville does not currently use parking meters, though they do have free space parking with time limits. Their over time parking ticket fine is \$20. If the ticket is not paid within 10 days the fine is doubled.	Subsequent tickets receive additional tickets of \$10. Marysville "will probably not tow" for over time parking violations.	N/A	N/A	N/A	N/A	N/A
Newark	Newark does not have metered parking. Their 2 hr timed space violations carry a \$40 parking citation. They also have a section for 30 min, 3 hr, and 11hr violations, which carry a fine of \$15.	No enhancements. Just get re-ticketed. Subject to tow after repeated violations, no boots, etc.	N/A	There is a parking garage which is run by the county. The garage is free to parking in.	Free	There are no fees or fines with respect to the garage. The garage was built by the city 30 years ago and "acquired" by the county. The maintenance cost are high and is funded entirely through tax money. They do have a day time and evening time parking attendant.	The garage is being utilized as envisioned. It is usually at about 55% capacity, with the weather protected portion being used more than the portion which is not protected from the elements. A couple years ago there were problems with vandalism however it was address. There are spurts of kids skateboarding, etc. in the garage, but the problem is easily addressed.
Marion	Marion no longer has metered or otherwise timed parking due to failing downtown businesses.	N/A	N/A	N/A	N/A	N/A	N/A
Sidney	Both metered and timed space parking violations carry a \$5 ticket if paid within 72 hours. If the citation is not paid within 72 hours, the ticket cost becomes \$10.	For subsequent offenses another \$5 parking citation is issued and the vehicle is subject to tow.	Permits are offered at a price of \$30.00 a quarter for parking. An explanation of how the fee is calculated was not able to be given, but the fee is set.	N/A	N/A	N/A	N/A

Lima	Lima does not have metered parking, however they do have timed 2 hour parking zones. The fine for a violation is a \$7.00 ticket if paid before 10 days. If paid after 10 days the fine is raised to \$15. If the ticket is not paid after 30 days the fine is raised to \$25.00	There are no further enhancements, other than after receiving three citations the vehicle is subject to being towed.	The only monthly permits available in Lima are for their parking garage. See that section for further details.	Lima has a 390 space parking garage. The best point of contact for the garage is Howard Elstro ph# 419-221-5288. The garage was built in 1990 for about 4 million dollars.	The garage cost .50 per hour to park or \$3 per day. Special event parking ranges from \$3-\$4 dollars. Howard stated he did not think the rates could be successfully raised higher then currently set. Spaces can be leased for \$40 per month. Leasing prices can differ for fleets of vehicles, etc. A specific cost for leasing multiple spaces (to the same business, etc.) could not be given. It sounded as if different factors would go into the cost for leasing multiple spaces.	The fees collected at the garage are "just about sufficient" to keep up with operating costs, minus money needed for "capital improvements." The garage was initially manned by attendants, however is now contracted out and ran by an automated system. The money is collected once a month.	Howard advised he is "pretty happy" with the parking garage. When asked if it was being utilized as anticipated, he said it was running "a little light." Howard said with a vibrant downtown atmosphere the parking garage would be bringing in more money, but economic difficulty in the city has hampered the garage from operating at the level it was envisioned.
Upper Sandusky	Upper Sandusky is not currently using metered parking or free space parking with set limits. When they did the ticket was \$20.00 The only timed violation is a 24 hour parking violation which carries a \$20.00 ticket.	N/A	N/A	N/A	N/A	N/A	N/A
Bowling Green	Bowling Green charges \$5 for a meter violation. If the ticket is paid after 5 days the fine raises to \$15. Timed parking space violations carry a \$15 ticket, and if paid after 5 days the fine raises to \$20.00	If 3 or more tickets are accumulated for the violation, towing is considered but not preferred. Bowling Green will utilize the BMV's "DETER" program to report unpaid parking tickets, which results in a registration renewal block on the car. This program cost \$5, which is passed onto the violator via their parking ticket fees.	Bowling Green issues parking passes for three month time periods for the amount of \$65 which is a set fee. How the fee is arrived at is unknown.	N/A	N/A	N/A	N/A
Westerville	Westerville does not have parking meters. Over time parking in a marked space(s) carries a fine of \$40.	There are no enhancements to over time parking tickets. If a vehicle remains in violation, another ticket is issued. There are no immobilization measures, other than impounding if the vehicle collects more than two citations.	N/A	N/A	N/A	N/A	N/A

Worthington	Worthington does not use parking meters. Overtime parking in their timed spaces carries a fine of \$25.	If the vehicle is not moved the vehicle receives another \$25 ticket and will be towed.					
Dublin	Overtime parking in Dublin carries a fine of \$52.	According to the officer I spoke to, after one conviction of a parking violation within a year the penalty is increased to an M-4; two increases to M-3; three increases to M-2; four or more increases to M-1.	The only permits issued are for residential parking in certain areas. These permits are free.	N/A	N/A	N/A	N/A
Hilliard	Hilliard does not currently use parking meters. They do have parking spaces with time limits, such as 2 hour parking. Violations carry a \$40 parking ticket. The only other time violation is a 24 hour violation, which also carries a \$40 citation.	There are no enhancements time violations other than receiving an additional ticket(s). Hilliard will consider towing after repeated violations.		N/A	N/A	N/A	N/A

Columbus	Overtime meter violations have a \$30 ticket. Over time space parking violations have a \$55 ticket	There are no enhancements. If the car remains parked in violation, another ticket is issued. Per the Lt. of the impound lot Columbus does not boot vehicles or otherwise immobilized them on the street for parking violations. They will use a "club" device on vehicle but not for parking violations. They are reserved for OVI immobilizations etc.	The only permits Columbus sells are residential parking permits, which cost \$25 a year.				
Mt. Vernon	\$20.00 parking ticket for overtime violations.	No enhancements, but they do boot vehicles which have three or more unpaid parking tickets. A \$25 boot fee is applicable.		N/A Mt. Vernon has a three story public parking garage which is free to use. Overnight parking is not allowed	N/A Free	N/A There are no fees associated with parking in the garage. The building and attached garage were purchased for \$500,000, many years ago. The maintenance cost is high for the garage.	N/A The garage is "virtually full" everyday and is be used as envisioned.

N/A

DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: 12

DATE: 6/8/15

PUBLIC HEARING: NO

READING: FIRST

ORDINANCE NO.: 15-51

RESOLUTION NO.:

DESCRIPTION: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL CULTURAL PROJECT COOPERATIVE USE COOPERATION AGREEMENT AND NON-DISTURBANCE AND ESTOPPEL AGREEMENT WITH THE STATE OF OHIO FOR THE DELAWARE VETERANS MEMORIAL PLAZA PROJECT, AND DECLARING AN EMERGENCY.

DEPARTMENT AFFECTED:

GROUP AFFECTED:

FINANCIAL INFORMATION

COST:

FUND SOURCES:

BUDGETED:

RECOMMENDATIONS

COMMITTEE:

RECOMMENDATION:

VOTE:

MEETING DATE:

STAFF RECOMMENDATION:

Approval at the first reading due to time constraints

PRESENTER:

Jackie Walker, Assistant City Manager

SUMMARY OF ITEM:

The City of Delaware Ohio was awarded a capital grant of \$320,000 from the state of Ohio to build the Veterans Memorial Plaza at the Delaware Training and Community Center. City staff worked diligently to provide the state with all of the documentation that is necessary for the final approval of the Capital Grant. The final documents (attached) are the Cultural Project Cooperative Use Agreement with the state of Ohio and the Non-Disturbance and Estoppel Agreement with the state and the Ohio National Guard Adjutant General's Office, as the ONG actually own the property.

ATTACHMENTS:

Draft agreements

COUNCIL NOTES:

ORDINANCE NO. 15-51

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL CULTURAL PROJECT COOPERATIVE USE COOPERATION AGREEMENT AND NON-DISTURBANCE AND ESTOPPEL AGREEMENT WITH THE STATE OF OHIO FOR THE DELAWARE VETERANS MEMORIAL PLAZA PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Delaware has received funding through the state's capital budget for Delaware Veterans Memorial Plaza; and

WHEREAS, the public and private funding has been appropriated as well as in kind services in order to meet the recommended 50% match for the grant; and

WHEREAS, under the agreement (attached), the City of Delaware will cause the Delaware Veterans Memorial Plaza to be constructed in accordance with state and local laws once the final approval of the grant is received from the State of Ohio.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DELAWARE, OHIO THAT:

SECTION 1. The City Manager is hereby authorized to sign the Intergovernmental Cultural Project Cooperative Agreement and the Non-Disturbance and Estoppel Agreement with the State of Ohio.

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 3. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health, and welfare of the City, and is necessary in order to make the necessary improvements in a timely manner, and as such will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS ___ NAYS ___
ABSTAIN ___

VOTE ON EMERGENCY CLAUSE:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2015

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

CULTURAL PROJECT COOPERATIVE USE AGREEMENT

DELAWARE VETERANS MEMORIAL PLAZA

This Cooperative Use Agreement (Agreement) is entered into by and between the City of Delaware, as the Project Sponsor (Project Sponsor), and the State of Ohio (State), acting by and through the Ohio Facilities Construction Commission (Commission), a state agency organized and operating under Ohio Revised Code (ORC) Chapter 123 (the Commission and the Project Sponsor, collectively, the Parties). This Agreement becomes effective upon the date it is signed by all of the Parties (Effective Date).

RECITALS

1. Pursuant to ORC Chapter 154, Article VIII Section 2i of the Ohio Constitution, and pursuant to a General Bond Order issued by the Ohio Treasurer of State (Treasurer) on August 31, 2005, bonds (Facility Bonds) were issued for the purpose of providing grant moneys to pay the costs of acquiring, constructing, reconstructing, rehabilitating, renovating, enlarging and otherwise improving, equipping and furnishing capital facilities, which are Ohio cultural facilities, as defined in ORC Section 123.28(J).
2. The Ohio Public Facilities Commission (OPFC) entered into the OPFC Lease pursuant to which the Commission will make lease rental payments, which will be assigned by OPFC to the Treasurer, in connection with Ohio cultural facilities.
3. The Commission is a body corporate and politic, an agency of state government and an instrumentality of the State, performing essential governmental functions of the State, duly created, existing and operating under and by virtue of ORC Chapter 123.
4. In accordance with ORC Section 123.21, the Commission may make and enter into all contracts, commitments and agreements, and execute all instruments, necessary or incidental to the performance of its duties.
5. The Commission has determined that the Cultural Project defined herein meets all requirements of the ORC and, subject to the fulfillment of certain conditions, has approved the expenditure for the project.
6. The Commission, by action of the executive director, authorized the execution of this Agreement and determined that the cooperative use of the Facility, as provided in this Agreement, contributes to the development, performance, and presentation of culture, or making the same available, to the public of this State.

In consideration of the mutual promises and covenants set forth herein, the Parties agree as follows:

1. Identification

1.1 Project Sponsor Information

City of Delaware
1 South Sandusky Street
Delaware, OH 43015
Jacqueline M. Walker
Assistant City Manager
jwalker@delawareohio.net
740-203-1025

The Project Sponsor identified above represents and warrants that it is and will continue to be a governmental agency as defined in ORC Section 123.28(F).

1.2 Notices for Official Correspondence

All communications required or permitted to be given pursuant to the terms of this Agreement shall be in writing and shall be deemed to have been properly given if hand delivered or sent by U.S. registered or certified mail, postage prepaid.

(a) with respect to the Commission:

Ohio Facilities Construction Commission
30 West Spring Street, 4th Floor
Columbus, Ohio 43215
Attention: Executive Director

(b) with respect to the Project Sponsor:

City of Delaware
1 South Sandusky Street
Delaware, OH 43015
Attention: City Manager

The parties designated above shall each have the right from time to time to specify as their respective address for purposes of this Agreement any other address upon the giving of fifteen (15) days' prior written notice thereof, as provided herein, to the other parties listed above.

2. Project Information

2.1 Project Location

Delaware Veterans Memorial Plaza, 1121 South Houk Road, Delaware, OH 43015 (the Facility)

2.2 Project Description

The Project Sponsor plans to use the grant to construct a memorial plaza to honor the local veterans of war. The construction project will be known herein as the Cultural Project for the purposes of this agreement. This project supports culture through the preservation and presentation of features of historical interest and significance in a local historical facility.

3. Financial Considerations

3.1 Grant Amount

The 130th General Assembly of the State of Ohio (General Assembly) in H.B. 492 appropriated ALI C230K2 totaling \$320,000 to the Commission to finance all or a portion of the capital facilities costs associated with the Cultural Project. The Commission agrees to provide a grant of \$320,000 (Grant Amount) to the Project Sponsor.

3.2 Appropriation Intent

The funds under this Agreement shall be used by the Project Sponsor for capital improvements that meet the intent and purpose of the fund appropriation. To the extent such costs exceed the funds appropriated, the Project Sponsor will be required to pay the difference. The funds shall be used only for construction, as defined in ORC Section 123.28(K).

3.3 Fiscal Management of Project

The Project Sponsor is responsible for the financial management of the Cultural Project. The Project Sponsor will comply with, or cause compliance with, all appropriate accounting and budgeting procedures in accordance with generally accepted accounting principles, consistently applied.

3.4 Project Budget

The total cost of the project described above is estimated to be \$542,128] (Project Budget), including but not limited to design, construction, land acquisition, environmental assessment and remediation, exhibits, furniture, fixtures, equipment, construction management and other professional service fees, legal fees, marketing, start-up operations, operating endowments, utilities and other start-up costs, insurance, performance or payment bonds, taxes, and permits.

3.5 Local Match

In accordance with ORC Section 123.281(B)(2), the Project Sponsor shall have local contributions amounting to not less than fifty (50) percent of the Grant Amount for the Cultural Project (Local Match).

3.6 Local Share

The Local Share shall be an amount equal to the total costs of the Project Budget less the Grant Amount.

3.7 Full Funding

The Project Sponsor acknowledges that full funding occurs when it can demonstrate, to the satisfaction of the Commission, that funds have been raised to cover the Project Budget set forth in Section 3.4 of this Agreement (Full Funding).

3.8 Disbursement of Grant Funds

The funds to be disbursed under this Agreement shall not exceed the lesser of (A) the amount of the State appropriations or (B) the amount of funds (i) approved by the Commission and (ii) which comply with the conditions set forth in this Agreement. If further appropriations are made by the General Assembly and the expenditure of all or a portion of such funds is approved by the Commission, this Agreement may be amended to reflect any such additional amounts.

Notwithstanding anything set forth above, the state appropriation disbursed under this Agreement shall not exceed the lesser of (i) the aggregate appropriations by the General Assembly for the Cultural Project or (ii) twice the Local Match.

The Project Sponsor expressly acknowledges that no payment of state appropriation funds shall be made until such funds are released by the State Controlling Board.

The Project Sponsor shall submit invoices to the Commission in compliance with Exhibit A, attached hereto and made a part hereof.

3.9 Tax Obligations

The Project Sponsor shall be solely responsible for and shall pay all applicable federal, state, and local tax obligations.

The Project Sponsor affirms that it will take, or cause to be taken, all actions that may be required of the Project Sponsor for the interest on the Facility Bonds to be and remain excluded from gross income for federal income tax purposes and from treatment as an item of tax preference for purposes of the alternative minimum tax imposed on individuals and corporations under the Internal Revenue Code, and will not take, or permit to be taken, any actions which would adversely affect such exclusion and such treatment.

4. Real Estate and Construction

4.1 Commencement

The Project Sponsor shall provide all construction services for the Cultural Project. The Project Sponsor shall be responsible for the construction administration of the Cultural Project. By May 1, 2015, the Project Sponsor shall commence or cause commencement of construction of the Cultural Project.

4.2 Contracts and Permits

The Project Sponsor shall have the full authority to contract with appropriate persons for the design and construction of the Cultural Project. The Project Sponsor shall secure all necessary permits and/or licenses related to the Cultural Project.

4.3 Completion

The Project Sponsor represents and warrants that it will cause the Cultural Project to be constructed with reasonable speed and dispatch and reasonably adhere to the submitted construction schedule. The expected completion date of the Project is December 31, 2015 (Completion Date).

4.4 Restrictions of Record

The Project Sponsor hereby represents and warrants that there are not now, and there will not be, any restrictions of record with respect to the Facility or the Cultural Project, including without limitation, any encumbrances, liens or other matters, which would interfere with or otherwise impair the use of the Facility as an Ohio cultural facility or the rights and obligations granted hereunder by the Project Sponsor to the Commission. The Project Sponsor represents that it is the owner of a lease hold interest of the premises on which the Facility is located, as described in Section 2.1 of this Agreement.

5. Operations and Maintenance

5.1 Operations and Maintenance

The Project Sponsor shall be solely responsible for and shall pay all operating and maintenance costs of the Facility over the term of the Facility Bonds.

The Project Sponsor shall maintain and keep the Facility in good order and repair, shall use the Facility for the intended purpose, and shall take all actions reasonably necessary to ensure that the Facility is available for the presentation of culture to the public over the term of the Facility Bonds.

5.2 Schedule of Operation/Control of Content

During the term of this Agreement, the Project Sponsor shall have the exclusive authority to schedule events and functions at the Facility.

5.3 Ownership

Any part of the Cultural Project paid for with proceeds of the Facility Bonds shall be owned by the Project Sponsor.

5.4 Conveyance of Right to Use and Occupy

As security for the performance of the Project Sponsor's obligations under this Agreement, the Project Sponsor hereby conveys to the Commission the right to use and occupy the Facility upon an Event of Default, as described in Section 9.1 of this Agreement. The Project Sponsor acknowledges and consents to the conveyance by the Commission to the OPFC of such right hereby conveyed to the Commission and acknowledges that the OPFC will lease the Facility to the Commission pursuant to the OPFC Lease. The Commission acknowledges that, absent an Event of Default, it has no right to use or occupy the Facility.

6. Risk Management

6.1 Liability and Indemnification

The Project Sponsor shall either:

(a) Require that private entities that enter into contracts with the Project Sponsor for the operation or management of the Facility hold harmless and indemnify the Commission, the OPFC, the Treasurer, and the State from any and all damages, costs, fees, penalties, and expenses, of any nature whatsoever, incurred by the Commission, the OPFC, the Treasurer, or the State from any claim of any third party claim arising out of or related to the operation or management of the Project, including, but not limited to, the costs of defense of any related action, suit or proceeding; or

(b) Purchase and maintain insurance in an amount determined by a qualified risk assessor to insure the OPFC, the Commission, the Treasurer and the State against liabilities, claims, costs, losses, and expenses, joint or several, imposed upon or asserted against the OPFC, the Commission, the Treasurer, and the State resulting from any claim of any third party arising out of or related to the Project and shall name the OPFC, the Commission, the Treasurer, and the State as additional insureds under such policy; or

(c) Name the OPFC, the Commission, the Treasurer and the State as additional insureds under a self-insurance program or joint self-insurance pool created under Section 2744.08 or Section 2744.081, respectively, of the ORC, and operated by or on behalf of the Project Sponsor.

6.2 Property and Liability Insurance

Unless otherwise stated, the Project Sponsor shall maintain, or cause to be maintained, at no cost to the Commission, commercial general liability insurance and property insurance to insure the OPFC, the Commission, the Treasurer and the State in an amount and type determined by a qualified risk assessor to be sufficient to cover the full replacement costs of improvements funded, in whole or in part, by the State, and the bodily injury, property damage, personal injury, advertising injury and employer's liability

exposures of the Project Sponsor. Unless otherwise stated, such insurance shall remain in force at all times from the date hereof through the term of this Agreement.

6.3 Self-Insurance

Instead of providing the general liability and property insurance above, the Project Sponsor may name the OPFC, the Commission, the Treasurer and the State as additional insured and/or loss payees, as the coverage requires, under a self-insurance program or joint self-insurance pool created under ORC Sections 2744.08 or 2744.081, respectively, and operated by or on behalf of the Project Sponsor, in order to meet the insurance requirements set forth herein.

- (a) If the Project Sponsor has a self-insurance program created under ORC Section 2744.08, by signing this Agreement, the Project Sponsor hereby insures the OPFC, the Commission, the Treasurer and the State as additional insureds under its self-insurance program to cover the full replacement costs of improvements funded, in whole or in part, by the State, and the bodily injury, property damage, personal injury, advertising injury and employer's liability exposure of the Project Sponsor related to the Cultural Project or the operation of the Facility.
- (b) If the Project Sponsor is part of a joint self-insurance pool created under ORC Section 2744.08, the Project Sponsor shall provide certification from the pool's qualified risk assessor that such self-insurance program will insure the OPFC, the Commission, the Treasurer of State and the State as additional insured and/or loss payees in an amount sufficient to cover the full replacement costs of improvements funded, in whole or in part, by the State and the bodily injury, property damage, personal injury, advertising injury and employer's liability exposures of the Project Sponsor.
- (c) The Project Sponsor certifies that its self-insurance program or joint self-insurance pool complies with ORC Sections 2744.08 and 2744.081.

7. Term

7.1 Term

This Agreement commences on the Effective Date and, unless otherwise terminated as provided in this Agreement, expires on the later of (a) ten (10) years from the Completion Date, or (b) the date upon which all Facility Bonds issued to finance or refinance the grant to the Project Sponsor described in Section 3.1 of this Agreement, and all obligations of the Treasurer or other issuing authority to financial institutions related to the Facility Bonds have been paid in full (the Term).

8. Legal Compliance

8.1 General

This Agreement or any actions taken under it are not subject to Chapters 123 or 153 of the ORC, except for section 153.011 of the ORC.

The Project Sponsor affirmatively represents and warrants that it shall comply with this Agreement and with all applicable federal, state, and local laws and regulations, including, but not limited to:

- (a) ORC Chapter 4115 (prevailing wage)
- (b) Worker's Compensation laws
- (c) Equal Opportunity laws
- (d) ORC Section 153.011 (domestic steel)
- (e) The Americans with Disabilities Act
- (f) Environmental laws and regulations
- (g) Historical preservation laws and regulations
- (h) Drug-free Workplace
- (i) ORC Section 9.24 (findings for recovery)
- (j) Executive Order 2011-12K, Governing the Expenditure of Public Funds for Offshore Services

8.2 Negative Pledge; Prohibition Against Disposition

The Project Sponsor shall not assign, transfer, pledge or otherwise encumber all or any part of the Facility, including the Cultural Project, with any mortgage, security interest, or lien, nor shall the Project Sponsor dispose of any part of the Facility, including the Cultural Project, without replacement or substitution with improvements substantially similar to those of the Cultural Project provided for herein, without the prior written consent of the Commission, which consent shall not be unreasonably withheld.

8.3 Reports and Records

The Project Sponsor shall keep and make all reports and records associated with the Cultural Project and the Facility available to the Commission upon request.

8.4 Reviews and Inspections

The Commission may conduct reviews or inspections of the Facility to determine whether the uses made thereof are consistent with the Commission's purposes, including the presentation of culture to the public.

9. Default and Termination

9.1 Events of Default

Each of the following is considered an Event of Default and the Commission may, upon ten (10) days' prior written notice to the Project Sponsor, terminate this Agreement:

- (a) if the Project Sponsor fails to maintain its status as a governmental agency as defined in ORC Section 123.28(F);
- (b) if the Project Sponsor fails to complete the Cultural Project, abandons the Cultural Project or the Facility, or does not provide culture as defined in ORC 123.28;

- (c) if the Project Sponsor shall become insolvent, make a general assignment for the benefit of creditors, be generally unable to pay its debts when they are due, or be a debtor in any receivership proceeding or any other proceeding brought under the federal bankruptcy laws and not cause such proceeding to be terminated within thirty (30) days following the commencement thereof;
- (d) if the Project Sponsor is found to be in default under any other agreement or commitment secured by an interest in the real or personal property comprising the Cultural Project or the Facility and fails to cure such default within any cure period provided for in such agreement or commitment;
- (e) if there is any change in use of the Facility that significantly reduces or eliminates the public purpose;
- (f) if any act of the Project Sponsor adversely affects the federal tax exemption of the Facility Bonds; or
- (g) if the Project Sponsor fails to remedy any covenant, condition or agreement, except as provided in subsections (a) – (f), within a period of thirty (30) days after receipt of written notice that the Project Sponsor is not in compliance.

9.2 Remedies Upon Default

Whenever an Event of Default has occurred, the Commission may:

- (a) terminate this Agreement upon no less than ten (10) days' prior written notice; or
- (b) take whatever action at law or in equity may appear necessary or desirable to enforce performance and observance of any obligation, agreement, or covenant of the Project Sponsor.

Upon termination of this Agreement after completion of the Cultural Project, for any reason other than at the stated expiration of its term, the Project Sponsor shall repay the Commission the percentage of the Grant Amount described in Section 3.1 of this Agreement equal to the ratio of (x) the number of months from the event triggering the reimbursement to the final scheduled maturity date of the Facility Bonds used to finance the grant to the Project Sponsor over (y) the total number of months that such Facility Bonds are scheduled to be outstanding. Such repayment amount shall be calculated by the OPFC.

Notwithstanding the foregoing, if this Agreement is terminated prior to the Completion Date of the Cultural Project, the Project Sponsor shall immediately repay to the Commission the amount of State funds used to pay costs of the Cultural Project.

The requirements to make payment to the Commission as provided in this Section 9.2 shall survive the termination of this Agreement.

10. Interpretative Provisions

10.1 Binding Effect

All of the covenants, conditions and obligations contained in this Agreement shall be binding upon and inure to the benefit of the respective permitted successors and assigns of the Commission and the Project Sponsor to the same extent as if each such successor and assign were named as a party to this Agreement. This Agreement may not be changed or discharged except by written agreement signed by the Parties hereto. Amendments to the Agreement shall require the approval of the Commission.

10.2 Governing Law

This Agreement shall be governed by and interpreted under the laws of the State, and any action or proceeding arising from this Agreement shall be commenced in a court of competent jurisdiction located in Franklin County, Ohio.

10.3 Severability

Each provision hereof shall be separate and independent and the breach of any provision by either party hereto shall not discharge or relieve the other party from its obligations to perform each and every covenant to be performed by it hereunder. If any provisions hereof shall be deemed invalid or unenforceable by any court of competent jurisdiction, the remaining provisions of this Agreement shall not be affected, and said provisions shall be valid and enforceable to the fullest extent permitted by law.

10.4 Waiver

The waiver by any party of, or the failure of such party to take action with respect to, any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of any other term, covenant or condition herein contained, or subsequent breach of the same, or any other term, covenant or condition herein contained.

10.5 Time is of the Essence

Time is of the essence in this Agreement and all provisions herein relating thereto shall be strictly construed.

10.6 Inconsistent Provisions

The Commission and the Project Sponsor each acknowledge that, if any prior agreements exist between the Project Sponsor and the Commission ("Prior Agreements") for so long as the Prior Agreements remain in effect, the provisions of those Prior Agreements shall control and prevail over any inconsistent provisions in this Agreement. Notwithstanding the foregoing, nothing in the Prior Agreements shall be deemed to affect the provisions of the Term of this Agreement.

11. Signatures

The Commission and the Project Sponsor have caused this Agreement to be executed by their duly authorized representatives as of the Effective Date.

CITY OF DELAWARE

**STATE OF OHIO, ACTING BY AND
THROUGH THE OHIO
FACILITIES CONSTRUCTION
COMMISSION**

Signature

Signature

Printed Name

David M. Chovan

Printed Name

Title

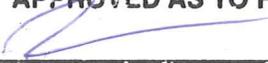
Interim Executive Director

Title

Date

Date

APPROVED AS TO FORM



**DARREN M. SHULMAN
DELAWARE CITY ATTORNEY**

EXHIBIT A

ADDITIONAL REQUIREMENTS FOR REIMBURSEMENT OF COSTS RELATED TO THE DELAWARE VETERANS MEMORIAL PLAZA CULTURAL PROJECT

The Project Sponsor shall submit invoices to the Commission no less frequently than quarterly. The invoices shall identify the total amount then due and payable, the State's share of the total amount due and payable, the Application and Certificate for Payment (AIA Document G702) or similar Commission approved form, and any appropriate back-up documentation requested by the Commission staff.

Upon receipt of invoices and all appropriate supporting information in the form acceptable to the Commission, the Commission shall use its best efforts to pay the Project Sponsor within thirty (30) days. If the invoice(s) submitted by the Project Sponsor fail to meet all of the requirements set forth in this exhibit, then the Commission shall have the right to withhold disbursement of funds for such invoice(s) until Project Sponsor has complied with all such requirements.

State Appropriations to the credit of the Cultural Project shall be held in the Commission's Cultural and Sports Facilities Building Fund and shall accrue interest in accordance with State law. Interest in the Cultural and Sports Facilities Building Fund shall accrue to the credit of the Commission.

1. Payment by the Commission to the Project Sponsor shall be on a pro rata basis (in amount equal to a fraction of the invoice, with the numerator being the Grant Amount and the denominator being the Project Budget) over the length of the construction of the Cultural Project unless otherwise approved by the Commission staff.
2. Invoices containing charges for work that is more than one (1) year old at the time the invoice is received by the Commission will not be accepted or approved, unless otherwise approved by the Commission staff.
3. Invoices will be organized in the following manner:
 - (a) A summary sheet, in the form of Exhibit B, shall be included with each invoice submittal. The summary sheet will include the following information for each contract: the contractor name, the type of work or bid package, the initial contract amount, the total change orders, the total contract amount, the total work completed to date, and the amount to be paid on the invoice.
 - (b) Supporting documents will accompany all invoices. These documents include:
 - (i) copies of complete contractor pay requests including:
 - o cost breakdown including unit/unit cost, amount per unit and total cost;

- approval by the Project Sponsor or Project Sponsor's representative for payment;
 - approval by the architect or construction manager, if applicable;
 - current date;
 - invoice number; and
 - date of service.
 - (ii) copies of all approved change orders. Field work orders, construction change directives, or similar charges, shall not be paid until change orders are finalized and approved.
- (c) When construction is complete, the following documentation shall be submitted along with the summary sheet and supporting documentation:
- (i) A cover letter signed and dated by an appropriate representative of the Project Sponsor with his or her name and title printed thereon, containing the following language:

"By signing below, I certify that the charges being invoiced are for actual work completed on the Delaware Veterans Memorial Plaza Project, and the charges are true, accurate and appropriate, and that no liens have been filed on the Cultural Project or the Facility. I further certify that all work has been done in compliance with all applicable laws, including but not limited to prevailing wage law."
 - (ii) A copy of the Certificate of Occupancy (if available) and/or photographs of the completed project.
4. In accordance with the current capital bill, appropriations made for buildings and structures, including remodeling and renovations, are limited to the following:
- (a) acquisition of real property or interest in real property;
 - (b) buildings and structures, which includes construction, demolition, complete heating and cooling, lighting, and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, water and sewer systems, when such systems are authorized or necessary;
 - (c) architectural, engineering, and professional services expenses directly related to the project;
 - (d) machinery that is a part of the structures at the time of initial acquisition or construction;
 - (e) acquisition, development, and deployment of new computer systems, including the redevelopment or integration of existing and new computer systems, but excluding regular or ongoing maintenance or support agreements; and

- (f) equipment that meets all the following criteria:
 - (i) the equipment is essential in bringing the facility up to its intended use;
 - (ii) the unit cost of the equipment, and not the individual parts of a unit, is about \$100 or more;
 - (iii) the equipment has a useful life of five (5) years or more; and
 - (iv) the equipment is necessary for the functioning of the particular facility or project.

No equipment shall be paid for from these appropriations that is not an integral part of or directly related to the basic purpose or function of a facility or project for which moneys are appropriated. This does not apply to line items appropriated specifically for equipment.

An inventory list shall be kept of all fixtures, furniture and equipment where the cost was reimbursed by the Commission. Items listed on the inventory shall be kept, and shall remain in good repair, for the Term of this Agreement. If an item cannot be repaired, it shall be replaced in kind.

EXHIBIT B: SUMMARY SHEET

Project Sponsor: _____ Date: _____
 Drawdown Number: _____

Work Category	Contractor Name	Initial Contract Amount	Change Orders	Total Contract Amount	Total Work Completed to Date	Amount Paid This Month
General						
General Conditions						
Demolition						
Site Work						
Structural Steel						
Roofing						
Masonry						
Misc. Metals						
Glass						
Plaster/Drywall						
Plumbing						
HVAC						
Electrical						
Fire Protection						
TOTAL						
Initial Project cost per state approval						
Initial contingency per state approval						
Contingency less current Change Orders to date						
Total Invoice Amount						
Total Construction Cost						
Total State Appropriation						
Percent of Invoice to be Reimbursed = Total State Appropriation/Total Construction Cost						
Total Amount to be Reimbursed						

**NON-DISTURBANCE AND ESTOPPEL AGREEMENT
DELAWARE VETERANS MEMORIAL PLAZA**

This Non-Disturbance and Estoppel Agreement (Agreement), made effective as of the ____ day of _____, 2015, by and between the Ohio Facilities Construction Commission (Commission), duly created, existing and operating by virtue of Ohio Revised Code (O.R.C.) Chapter 123 (hereinafter referred to as the Act), a body corporate and politic, an agency of state government and an instrumentality of the State of Ohio (Ohio), performing essential governmental functions of the State, having an office located at 30 West Spring Street, Level 4, Columbus, Ohio 43215; City of Delaware, with its principal offices at 1 South Sandusky Street, Delaware, OH 43015, (Project Sponsor); and State of Ohio, Adjutant General's Department, with its principal offices at 2825 West Dublin-Granville Road, Columbus, OH 43235 (Fee Simple Owner).

WITNESSETH:

1. WHEREAS, by a certain lease agreement dated December 31, 2008, (hereinafter referred to as the Facility Lease Agreement), the Fee Simple Owner leased and rented to the Project Sponsor the real property, the appurtenances and fixtures thereto, commonly known as the Delaware Veterans Memorial Plaza, a legal description of which is attached hereto as Exhibit A (Property);
2. WHEREAS, pursuant to Section 123.21 of the Act, the Commission may make and enter into all contracts, commitments and agreements, and execute all instruments necessary or incidental to the performance of its duties and the execution of its rights under the Act and do anything necessary or appropriate to carry out the purposes of and exercise the powers granted under the Act;
3. WHEREAS, the Project Sponsor has obtained or will obtain moneys from the Commission for use in a Cultural Project as the same is defined Chapter 123.28(C) of the Act, and as a condition of receiving such appropriated funds, the Project Sponsor must provide the Commission with certain rights, safeguards, obligations, and priorities with respect to its interest in the Cultural Project including, but not limited to, a Cooperative Use Agreement with the Commission whereby the Project Sponsor grants to the Commission the right to use and occupy the Cultural Project for the term of the Cooperative Use Agreement (Commission's Use Interest); and
4. WHEREAS, the Commission, the Project Sponsor and the Fee Simple Owner desire hereby to establish certain rights, safeguards, obligations and priorities with respect to their respective interests by means of the following agreement.

NOW THEREFORE, for and in consideration of the premises and of the mutual covenants and promises herein contained, and other good and valuable consideration,

the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Section 1. Fee Simple Owner acknowledges and agrees to the granting of the Commission's Use Interest by the Tenant pursuant to the terms of the Cooperative Use Agreement and further agrees that so long as the Facility Lease Agreement is in full force and effect and the Project Sponsor shall not be in default under any provision of the Facility Lease Agreement or this Agreement, and no event has occurred which has continued to exist for a period of time (after notice, if any, required by the Facility Lease Agreement) as would entitle the Fee Simple Owner to terminate the Facility Lease Agreement or would cause without further action by the Fee Simple Owner, the termination of the Facility Lease Agreement or would entitle the Fee Simple Owner to dispossess the Project Sponsor thereunder:

- (a) The Commission's Use Interest shall not be terminated or disturbed by any steps or proceedings taken by the Fee Simple Owner in the exercise of any of its rights under the Facility Lease Agreement.
- (b) The Commission's Use Interest shall not be terminated or affected by said exercise of any remedy provided for in the Facility Lease Agreement, and the Fee Simple Owner hereby covenants that any sale by it of the Property shall be made subject to the Commission's Use Interest and the rights of the Commission under the Cooperative Use Agreement.

Section 2. The Project Sponsor and/or the Fee Simple Owner agree to give prompt written notice to the Commission of any default by either the Project Sponsor or the Fee Simple Owner under the Facility Lease Agreement which would entitle The Project Sponsor or the Fee Simple Owner to cancel the Facility Lease Agreement or abate the rent payable thereunder, and both parties agree that notwithstanding any provision of Facility Lease Agreement, no notice of cancellation or termination thereof shall be effective unless the Commission has received notice of the aforesaid and the defaulting party has failed, within 30 days of the date of receipt thereof, to cure such default, or if the default cannot be cured within 30 days, has failed to commence and to pursue diligently to cure the default which gave rise to such right of cancellation or termination.

Section 3. The Project Sponsor agrees to certify in writing to the Commission, upon request, whether or not any default on the part of the Fee Simple Owner exists under the Facility Lease Agreement and the nature of any such default. The Project Sponsor states that as of this date there is no default that, whether currently or with the passage of time, would permit the Project Sponsor to terminate or cancel the Facility Lease Agreement and that the Facility Lease Agreement is in full force and effect, without modification, a copy of said Facility Lease Agreement being attached hereto as Exhibit B. The Project Sponsor further states as follows:

- (a) The Project Sponsor is the tenant under the Facility Lease Agreement for space in the above-referenced Property. The monthly base rent presently is \$1 (One Dollar) per month.
- (b) The Project Sponsor has accepted possession of the Premises pursuant to the Facility Lease Agreement. The Facility Lease Agreement term commenced on December 31, 2008. The termination date of the Facility Lease Agreement term, excluding renewals and extensions, is December 30, 2048. The Project Sponsor has the right to extend or renew the Facility Lease Agreement for forty years.
- (c) Any improvements required by the terms of the Facility Lease Agreement to be made by the Fee Simple Owner have been completed to the satisfaction of the Project Sponsor in all respects, and the Fee Simple Owner has fulfilled all of its duties under the Facility Lease Agreement.
- (d) The Facility Lease Agreement has not been assigned, modified, supplemented or amended in any way by the Project Sponsor. The Facility Lease Agreement constitutes the entire agreement between the parties and there are no other agreements concerning the Property, and the Project Sponsor is not entitled to receive any concession or benefit (rental or otherwise) or other similar compensation in connection with renting the Property other than as set forth in the Facility Lease Agreement.
- (e) The Facility Lease Agreement is valid and in full force and effect, and, to the best of the Project Sponsor's knowledge, no party thereto, their successors or assigns is presently in default thereunder. The Project Sponsor has no defense, set-off or counterclaim against the Fee Simple Owner arising out of the Facility Lease Agreement or in any way relating thereto, and no event has occurred and no condition exists, which with the giving of notice or the passage of time, or both, will constitute a default under the Facility Lease Agreement.

Section 4. The Fee Simple Owner agrees to certify in writing to the Commission, upon request, whether or not any default on the part of the Project Sponsor exists under the Facility Lease Agreement and the nature of any such default. The Fee Simple Owner states that, as of the date of this Agreement, there is no default that, whether currently or with the passage of time, would permit the Fee Simple Owner to terminate or cancel the Facility Lease Agreement, and that the Facility Lease Agreement, attached hereto as Exhibit B, is in full force and effect and without modification. The Fee Simple Owner further states as follows:

- (a) The Fee Simple Owner is the landlord under the Facility Lease Agreement for space in the above-referenced Property.

- (b) Any improvements required by the terms of the Facility Lease Agreement to be made by the Project Sponsor have been completed to the satisfaction of the Fee Simple Owner in all respects, and the Project Sponsor has fulfilled all of its duties under the Facility Lease Agreement.
- (c) The Facility Lease Agreement has not been assigned, modified, supplemented or amended in any way by the Fee Simple Owner. The Facility Lease Agreement constitutes the entire agreement between the parties and there are no other agreements concerning the Property, and the Fee Simple Owner is not entitled to receive any concession or benefit (rental or otherwise) or other similar compensation in connection with renting the Property other than as set forth in the Facility Lease Agreement.
- (d) The Facility Lease Agreement is valid and in full force and effect, and, to the best of the Fee Simple Owner's knowledge, no party thereto, their successors or assigns is presently in default thereunder. The Fee Simple Owner has no defense, set-off or counterclaim against the Project Sponsor arising out of the Facility Lease Agreement or in any way relating thereto, and no event has occurred and no condition exists, which with the giving of notice or the passage of time, or both, will constitute a default under the Facility Lease Agreement.
- (e) To the best of its knowledge, the Fee Simple Owner has good and marketable title to the Property, there are no easements or restrictions on the Property, and no agreement with the Fee Simple Owner's lender(s), if any, or any other party, that will interfere with the rights or obligations between the Project Sponsor and the Commission as provided in the Cooperative Use Agreement.

Section 5. The Commission, the Project Sponsor and the Fee Simple Owner acknowledge and agree that for purposes of the Cooperative Use Agreement, tenant is defined as the "Project Sponsor", and the Project Sponsor shall be solely responsible for the obligations and liabilities under the Cooperative Use Agreement. The Fee Simple Owner shall have no obligation to fulfill the obligations of the Project Sponsor under the Cooperative Use Agreement and the Fee Simple Owner shall not be liable for any action or inaction of the Project Sponsor under such agreement.

Section 6. The agreements herein contained shall be binding upon and shall inure to the benefit of the parties hereto, their respective successors, successors-in-interest and assigns, and, without limiting such, the agreements between the parties hereto shall specifically be binding upon any purchaser of the Property at foreclosure or otherwise.

Section 7. This Agreement may not be modified other than by an agreement in writing signed by the parties hereto or their respective successors-in-interest.

Section 8. The parties hereto warrant and represent that: (a) they have all requisite power and authority to enter into, deliver and perform this Agreement; (b) the execution, delivery and performance of this Agreement has been duly authorized by all necessary action on the part of each of the parties hereto, if any is so required; and (c) this Agreement has been duly executed and delivered by the parties and constitutes their valid and legally binding obligation, enforceable against them in accordance with its terms.

Section 9. All notices, statements and other communications to be given under the terms of this agreement shall be in writing and delivered by hand against written receipt or sent by certified or registered mail, return receipt requested, postage prepaid and addressed as provided in the first paragraph of this Agreement, or at such other address as from time to time designated by the party receiving the notice.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed as of the day and year first above written.

**PROJECT SPONSOR: CITY OF
DELAWARE**

By: _____

Printed Name

Title: _____

STATE OF OHIO
COUNTY OF _____ :

The foregoing instrument was acknowledged before me the _____ day of _____,
20__, by _____, the _____
of _____, on its behalf.

Notary Public

APPROVED AS TO FORM



DARREN M. SHULMAN
DELAWARE CITY ATTORNEY

**FEE SIMPLE OWNER: STATE OF
OHIO, ADJUTANT GENERAL'S
DEPARTMENT**

By : _____

Printed Name

Title: _____

STATE OF OHIO
COUNTY OF _____ :

The foregoing instrument was acknowledged before me the _____ day of _____,
20 __, by _____, the _____
of _____, on its behalf.

Notary Public

**STATE OF OHIO, by and through the
OHIO FACILITIES CONSTRUCTION
COMMISSION**

By: _____
David M. Chovan, Interim Executive
Director

STATE OF OHIO
COUNTY OF _____ :

The foregoing instrument was acknowledged before me the _____ day of _____,
20____, by _____, the _____
of _____, on its behalf.

Notary Public

EXHIBIT A

[Attach Legal Description]

EXHIBIT B

[Attach Facility Lease Agreement]

DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: 13

DATE: 06/08/15

PUBLIC HEARING: NO

READING: FIRST

ORDINANCE NO.: 15-52

RESOLUTION NO.:

DESCRIPTION: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO RENEW THE INTERGOVERNMENTAL AGREEMENT WITH THE DELAWARE COUNTY COMMISSIONERS FOR INDIGENT DEFENSE SERVICES FOR MUNICIPAL CODE VIOLATIONS FOR A PERIOD OF ONE YEAR.

DEPARTMENT AFFECTED:

GROUP AFFECTED:

FINANCIAL INFORMATION

COST:

FUND SOURCES:

BUDGETED:

RECOMMENDATIONS

COMMITTEE:

RECOMMENDATION:

VOTE:

MEETING DATE:

STAFF RECOMMENDATION:

Staff requests this be voted on at the first reading under the Uncontroversial exception to the presumption that ordinances be taken to two readings. This is a renewal without any changes to an agreement that is already in place and to date has required no funding. It is also somewhat time sensitive in that the County and City are required to present renewal authorization to the state.

PRESENTER: Darren Shulman, City Attorney

SUMMARY OF ITEM:

The Public Defender's Office requires each city to have an agreement in place with the County to pay for counsel for indigent defendants in Municipal Court. The Public Defender requires annual renewals, authorized by City Council Ordinance every year.

Because defendants typically are not entitled to a public defender when charged under the City's Codified Ordinances, we have not had to issue a payment for indigent defense services during the life of this agreement.

ATTACHMENTS:

County Resolution No. 15-664

COUNCIL NOTES:

ORDINANCE NO. 14-52

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO RENEW AN INTERGOVERNMENTAL AGREEMENT WITH THE DELAWARE COUNTY COMMISSIONERS FOR INDIGENT DEFENSE SERVICES FOR MUNICIPAL CODE VIOLATIONS.

WHEREAS, in 2011 the City of Delaware and the Delaware County Commissioners entered into an agreement for the purpose of indigent defense services for Municipal Code violations; and

WHEREAS, pursuant to Section 3.1 of the Agreement, the Agreement can be renewed for additional one year terms upon approval by City Council;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DELAWARE, OHIO THAT:

SECTION 1. The City Manager is hereby authorized to renew the Intergovernmental Agreement for indigent defense services for Municipal Code violations attached hereto for a term ending on September 12, 2016.

SECTION 2. A copy of this resolution shall be delivered to the Delaware County Commissioners and the Ohio Public Defender, located at 250 East Broad Street, Suite 1400, Columbus, Ohio 43215.

SECTION 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION: YEAS___NAYS___
ABSTAIN ___

PASSED: _____, 2015 YEAS___NAYS___
ABSTAIN ___

ATTEST: _____ CITY CLERK
_____ MAYOR

DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: 14

DATE: 6/8/15

PUBLIC HEARING: NO

READING: FIRST

ORDINANCE NO.: 15-53

RESOLUTION NO.:

DESCRIPTION: AN ORDINANCE APPROVING THE SALE OF EXCESS EQUIPMENT AT THE WATER TREATMENT PLANT.

DEPARTMENT AFFECTED:
Public Utilities

GROUP AFFECTED:

FINANCIAL INFORMATION

COST:

FUND SOURCES:

BUDGETED:

RECOMMENDATIONS

COMMITTEE:

RECOMMENDATION:

VOTE:

MEETING DATE:

STAFF RECOMMENDATION:
Approval

PRESENTER: Brad Stanton, Public Utilities Director

SUMMARY OF ITEM:

A new 2000 kW generator was purchased and installed at the new plant and therefore the 800 kW generator is no longer needed at the water plant. The new generator will run all required equipment at the plant during an emergency power outage. The activated carbon and carbon dioxide equipment is no longer operational and is obsolete with the new membrane water plant equipment.

For Council's information, below is City Code Section 108.04. - Electronic auction of personal property:

Personal property, of any value, not needed for municipal purposes may be sold at electronic auction by the department or division head having supervision or management thereof, upon written approval of the City Manager and the Director of Finance. An electronic auction may be by any means which the City Manager and Director of Finance approve and is intended to attract public bids over the internet or other electronic medium. Prior to the transfer of any property, department and division heads shall be responsible for the removal of logos, seals, emblems or other marks identifying the equipment as the property of the City. A list of items sold, their general condition at the time of sale, the name of the purchaser, the purchase price and the reason for declaring the items available for sale shall be maintained in the City Manager's Office and shall be available for public inspection. If the estimated value of such property is equal to or exceeds five thousand dollars (\$5,000.00), it shall be sold only when authorized by ordinance of Council and approved by the department or division head having supervision or management of such personal property. When so authorized, such department or division head shall sell the property to the highest bidder. The department or division head is authorized to establish a minimum bid which may be submitted.

ATTACHMENTS:

Images

COUNCIL NOTES:

ORDINANCE NO. 15-53

AN ORDINANCE APPROVING THE SALE OF EXCESS EQUIPMENT AT THE WATER TREATMENT PLANT.

WHEREAS, the City of Delaware is the owner of a 800 kW diesel generator, powder activated carbon feeder and carbon dioxide storage tank with an estimated value that exceeds \$5,000; and

WHEREAS, the Public Utilities Director and Water Plant Manager have determined that the equipment is no longer needed at the water treatment plant; and

NOW THEREFORE BE IT ORDAINED, by the Council of the City of Delaware, State of Ohio that:

SECTION 1. The water plant equipment is sold pursuant to Delaware City Code Section 108.

SECTION 2. The Public Utilities Director established a minimum bid for the equipment and shall not be sold for less than the minimum. The equipment will be advertised for sale on the electronic website known as Gov Deals. Bids will be electronically received by GovDeals by a date and time to be established and sold to the highest bidder.

SECTION 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION:

YEAS___ NAYS___
ABSTAIN ___

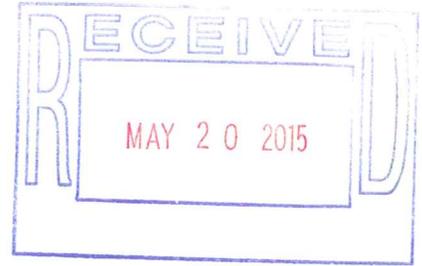
PASSED: _____, 2015

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____

CITY CLERK

MAYOR



MEMORANDUM

TO: R. Thomas Homan, City Manager
Dean Stelzer, Finance Director

FROM: Brad Stanton, Public Utilities Director *BS*

Cc: Dan Whited, Public Service Group Director

DATE: 05/11/2015

RE: Water Plant Equipment for Auction

In accordance with City Codified Ordinance 108.04, I request permission to offer for sale online at GovDeals the following excess equipment at the Water Treatment Plant.

Item Description	Serial Number	Reason for Sale of Item	Fund
800 kW Diesel Generator	ODJNO1135	New Generator at Water Plant. Value \$90,000	Water Fund
Powder Activation Carbon Feeder	N/A	Activated Carbon is longer used at the Water Plant. Value \$5,000	Water Fund
Carbon Dioxide Tank	N/A	Carbon Dioxide is no longer used at the Water Plant. Value \$1,000	Water Fund

The signatures affixed below hereby authorize the online sales of the above listed items.



R. Thomas Homan
City Manager

5/17/15

Date



Dean Stelzer
Finance Director

5/12/15

Date



CAT

Ohio CAT

APS800

500-2

05.11.2015



10-15-2014



05.11.2015

DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: 15

DATE: 6/8/15

PUBLIC HEARING: NO

READING: FIRST

ORDINANCE NO.: 15-54

RESOLUTION NO.:

DESCRIPTION: AN ORDINANCE PLACING AN AMENDMENT TO SECTION 191.14 OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE TO DECREASE THE EXISTING DELAWARE CITY MUNICIPAL INCOME TAX RATE BY FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT (0.15%) EFFECTIVE ON DECEMBER 31 IN THE CALENDAR YEAR IN WHICH ALL SECURITIES ISSUED FOR THE PURPOSES PROVIDED IN 191.14(B) ARE RETIRED ON THE NOVEMBER BALLOT.

DEPARTMENT AFFECTED:

GROUP AFFECTED:

FINANCIAL INFORMATION

COST:

FUND SOURCES:

BUDGETED:

RECOMMENDATIONS

COMMITTEE:

RECOMMENDATION:

VOTE:

MEETING DATE:

STAFF RECOMMENDATION:

PRESENTER:

Andrew Brush, Fourth Ward Council Member

SUMMARY OF ITEM:

This ordinance is being brought to Council at the request of Councilman Brush. The ordinance seeks to place an issue on the November ballot asking the voters to vote on an amendment to our codified ordinances that would eliminate the .15% recreation levy when debt services on \$23.8 million have been repaid. The attached language is the City Attorney's attempt to craft that ballot issue. However, given the subject matter of the ordinance (bonds), staff strongly recommends getting formal input from bond counsel before placing this before the voters. Because this legislation involves taking an issue to the voters, staff recommends third readings. In addition, Council may want to consider whether to hold a public hearing.

During preliminary conversations, bond counsel expressed concerns with proceeding with this ordinance. Bond counsel also shared a perspective that he had not seen a city take action to provide for the repeal of a tax before the outstanding bonds were retired. He had some concerns that it could be perceived as impacting current bondholders rights. Because it is so unusual, counsel expressed some concerns that the legislation might negatively impact the City's ability to get participation in future bond issues (which would drive up the city's borrowing costs). He also stated that we would have to be very careful in how we worded the issue to avoid any unforeseen circumstances. Finally, counsel noted that placing the question before the voters might not have its desired effect. Counsel cited *Singer v. Cartledge*, which addressed the question "May a city council alter or repeal an initiated ordinance adopted by electors of a city?" In that case, the Supreme Court of Ohio held that there was no prohibition to the city council repealing an ordinance adopted by the voters. Therefore, a future city council could simply change the provision by ordinance, as long as the change was made before the bonds were repaid.

Another consideration for Council to consider is cost. It is likely that the cost of an opinion letter from bond counsel would be at least \$5,000 and likely more. There is an additional cost to placing the issue on the ballot, which will depend on how many other issues there are on the ballot.

Given the fact that placing this issue in front of the voters may not have the desired effect, another approach could be for counsel to simply enact ordinance language directly.

ATTACHMENTS:**COUNCIL NOTES:**

ORDINANCE NO. 15-54

AN ORDINANCE PLACING AN AMENDMENT TO SECTION 191.14 OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE TO DECREASE THE EXISTING DELAWARE CITY MUNICIPAL INCOME TAX RATE BY FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT (0.15%) EFFECTIVE ON DECEMBER 31 IN THE CALENDAR YEAR IN WHICH ALL SECURITIES ISSUED FOR THE PURPOSES PROVIDED IN 191.14(B) ARE RETIRED ON THE NOVEMBER BALLOT.

WHEREAS, Council previously passed Resolution 13-39 which adopted the recommendations of the Recreation Levy Sub-Committee that spending based on collections from the existing .15% Delaware City Income Tax established by Ordinance 08-29 and approved by voters at the August 5, 2008 election for the purpose of improving municipal recreation facilities, shall be limited to \$23.8 million plus debt service charges and related costs of securities issued to borrow that \$23.8 million.

WHEREAS, Council desires to put before the voters the question of whether the income tax should be repealed when the debt service on the \$23.8 million is retired.

NOW, THEREFORE, BE IT ORDAINED by The Council of The City of Delaware, State of Ohio, that:

SECTION 1. Council desires the following question to be put on the November 2015 election ballot:

Shall the Delaware Codified Ordinances Sections 191.14 be amended as follows:

191.14 Allocation of Funds.

The funds collected under the provisions of this chapter shall be allocated in such manner as provided by ordinances adopted by Council, with the following exceptions:

- (a) An amount equal to four-tenths of one percent (0.4%) shall be paid into the Fire/EMS Income Tax Fund and such proceeds shall be used solely for fire protection, suppression, and emergency medical services.
- (b) An amount equal to fifteen one-hundredths of one percent (0.15%) shall be allocated solely for the purpose of paying the

DELAWARE CITY COUNCIL FACT SHEET

ITEM NO.: 16

DATE: 6/8/15

PUBLIC HEARING: NO

READING: FIRST

ORDINANCE NO.: 15-55

RESOLUTION NO.:

DESCRIPTION: AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING TO HIRE A PERMANENT PART-TIME POSITION IN THE FINANCE DEPARTMENT, AND DECLARING AN EMERGENCY.

DEPARTMENT AFFECTED:
Finance

GROUP AFFECTED:

FINANCIAL INFORMATION

COST:
\$10,442

FUND SOURCES:
General

BUDGETED:
No

RECOMMENDATIONS

COMMITTEE:

RECOMMENDATION:

VOTE:

MEETING DATE:

STAFF RECOMMENDATION: Approval

PRESENTER:

Dean Stelzer, Finance Director

SUMMARY OF ITEM:

A part of the consideration of the City participation in the JEDD District with Berkshire Township was discussion regarding the impact on the City (primarily Finance Department) of being the collection source for the new tax and also serving as the fiscal agent for the JEDD Board. The City negotiated a 4% of taxes collected fee to offset our administrative costs. At the time I had recommended that in order to not reduce our current income tax collection efforts, the addition of additional staff capacity in the form of a permanent part-time position would be prudent. We elected not to appropriate the funds for 2015 as the JEDD legislation was subject to a referendum. As the referendum was unsuccessful the JEDD District and associated income tax is moving forward. The JEDD Board would like to begin collecting the tax as soon as possible as construction has begun on the facilities. The amount requested for 2015 represents a part-time position at 30 hours per week for the 6.5 months remaining in 2015. The budget amount for 2016, for a full year, would be about \$21,500.

ATTACHMENTS:**COUNCIL NOTES:**

ORDINANCE NO. 15-55

AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING TO HIRE A PERMANENT PART-TIME POSITION IN THE FINANCE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the City entered into a Joint Economic Development District (JEDD) contract with Berkshire Township on November 14, 2014, and

WHEREAS, the JEDD Contract calls for the City to enter into a JEDD Income Tax Agreement in which the City agrees to administer, collect, enforce and distribute the JEDD Income Tax and for the City Director of Finance to be the Assistant Treasurer of the JEDD Board assisting in the duties of the Board Treasurer, and

WHEREAS, the JEDD will remit to the City an annual amount equal to 4% of the gross JEDD tax receipts to offset costs incurred by the city to administer the tax and provide financial administrative support to the JEDD Board, and

WHEREAS, previous discussions with City Council prior to entering into the JEDD Contract included the addition of a permanent part-time position in the Finance Department to offset the additional staff time necessary to administer the JEDD Tax and related financial transactions, and

WHEREAS, a supplemental appropriation will be necessary to authorize funding for the new permanent part-time position.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DELAWARE, OHIO THAT:

SECTION 1. That there is hereby appropriated from the unencumbered balance of the General Fund \$10,442 increasing the following accounts:

Finance Department		
Wages	(101-0031-5100)	\$ 8,854
OPERS Pension	(101-0031-5101)	\$ 1,239
Medicare	(101-0031-5103)	\$ 128
Workers Comp.	(101-0031-5104)	\$ 221

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those

formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 3. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City and for the further reason to provide for the timely administration of a recently authorized JEDD District income tax to become effective in less than 30 days and as such will be in full force and be in effect immediately upon its passage.

VOTE ON RULE SUSPENSION: YEAS___ NAYS___
ABSTAIN ___

EMERGENCY CLAUSE: YEAS___ NAYS___
ABSTAIN ___

PASSED: _____, 2015 YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK MAYOR

ITEM 17. DISCUSSION: Consideration of Parking and Safety Committee's recommendation regarding Cobblestone Drive that the 75 percent rule for unwarranted stop signs be waived.

Discussion of Recommendation from Parking and Safety Committee's May 18 meeting.

This item concerns a recommendation from the Parking and Safety Committee that the city's petition process for the installation of an unwarranted multi-way stop sign be waived for the installation of a 4-way stop sign at the intersection of Cobblestone Drive and Carson Farms Boulevard/Hayfield Drive.

At its May meeting, the Committee heard from residents in the Cobblestone Drive area about their frustration with excessive speed on Cobblestone Drive. Part of the discussion centered on the city's policy that requires the support of 75 percent of property owners with property fronting the affected streets for a distance of at least 500 feet (see attached exhibit) for an unwarranted stop sign. The Committee voted unanimously to request that Council consider waiving the 75 percent requirement for this stop sign request.

The policy that established the stop sign petition process was adopted by Council in 2003 in an effort to address requests for stop signs in residential neighborhoods. A copy of the policy is attached. Also attached is a staff analysis on the existing conditions of the intersection.

Since the meeting, the Police Department has been targeting speed enforcement on Cobblestone and attached are reports from that activity. As part of this initiative, the department is distributing the attached brochure to motorists who are stopped.

Finally, attached is a staff memo outlining the steps that have been, and will be taken to address the problem.

Staff's concern with waiving the 75 percent requirement is the precedent it will establish for other similar situations involving residential speed.

The 75 percent requirement exists because of the potential negatives effects associated with a multi-way stop sign on residents in the immediate vicinity of the signs, and that is outlined in the staff report.

Separate but related, the Committee also discussed traffic calming for the area, but this was not pursued due to the fire chief's concern with this type of speed control. For further background on this, attached is the city's policy on traffic calming.



— PETITION LIMITS

10/10
06/04/2015



Public Works Department

PETITION LIMITS

COBBLESTONE DRIVE-
CARSON FARMS BOULEVARD/HAYFIELD DRIVE
MULTI-WAY STOP

REVISIONS		APPROVED
NO.	DATE	DESCRIPTION

RESOLUTION NO. 03-79

A RESOLUTION ESTABLISHING A POLICY FOR
THE CONSIDERATION, APPROVAL, AND
INSTALLATION OF UNWARRANTED MULTI-WAY
STOP SIGNS IN RESIDENTIAL
NEIGHBORHOODS.

WHEREAS, the City periodically receives requests to install multi-way stop signs at intersections that do not meet the current Manual of Uniform Traffic Control Devices ("MUTCD") Section 2H-2 warrant criteria that governs the installation of stop signs, and

WHEREAS, the MUTCD does not specifically prohibit the installation of additional stop signs for traffic calming purposes, which residents desire as a means to slow traffic entering and exiting intersections, and

WHEREAS, the City recognizes the negative impacts and safety concerns associated with heavy cut-through and/or speeding traffic on residential streets, and

WHEREAS, additional consideration outside the regulations of the MUTCD should be given to neighborhood requests concerning the addition of multi-way stop signs in accordance with a set of specific guidelines established by the City.

NOW THEREFORE, BE IT RESOLVED by the council of the City of Delaware, State of Ohio:

SECTION 1: That the City of Delaware hereby establishes a policy for the installation of unwarranted multi-way stop signs at intersections that requires:

- a) Requests for the additional stop sign be presented to the City in writing from the neighborhood group or appointed representative.
- b) A signed petition be presented demonstrating neighborhood support for additional stop signs by at least 75% of property owners with property fronting the affected streets for a distance of at least five-hundred feet in all directions of the intersection.
- c) **The intersection being considered is located on streets defined as residential, low-volume local streets with a traffic count of less than 2000 vehicles per day.**
- d) A current speed study indicates the recorded 85th percentile speed be at least 5 MPH in excess of the posted speed limit.
- e) **A thorough evaluation of the intersection by the Public Works Director, City Engineer, Fire Chief, Police Chief, and City Attorney find no specific reason to prohibit the installation of the additional stop sign.**



MEMORANDUM

TO: Matthew B. Weber, P.E.
FROM: Jessica Ormeroid, PE, PTOE
DATE: 04/30/2015
RE: Cobblestone Drive & Carson Farms Boulevard/Hayfield Drive Multi-way Stop Analysis

Below please find my review of the existing conditions at the intersection of Cobblestone Drive and Carson Farms Boulevard/Hayfield Drive with regard to a multi-way stop sign warrant analysis as established by the Ohio Manual of Uniform Traffic Control Devices (OMUTCD), 2012 Edition.

The following criteria should be considered in the engineering study for a multi-way stop sign installation:

- A. Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.
- B. Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.
- C. Minimum Volumes:
 1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour of any 8 hours of an average day, and
 2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to the minor street vehicular traffic of at least 30 seconds per vehicle during the highest hour, but
 3. If the 85th percentile approach speed of the major street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.
- D. Where no single criterion is satisfied, but where the Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.

Option:

Other criteria that may be considered in an engineering study include:

- A. The need to control left turn conflicts;
- B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
- C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop, and
- D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.

Summary of Results based on above criteria:

- A. Based on 24-hour count taken 4/21/15 for Cobblestone Drive and 4/22/15 for Hayfield Drive/Carson Farms Boulevard, this intersection does not meet any of the signal warrants outlined in Chapter 4C of the OMUTCD.
- B. The accident history for this intersection shows 1 accident for both 2011 (CR11-311) and 2015 (CR15-246). This doesn't meet five or more crashes in a 12-month period.

C. Minimum Volumes:

1. Based on 24-hour count taken 4/21/15, Cobblestone Drive meets doesn't meet this condition for any hours out of the day. See attached counts.
 2. Based on the 24-hour count taken on 4/22/15, Hayfield Drive/Carson Farms Boulevard doesn't meet this condition for any hours of the day. See attached counts.
 3. Based on the stealth speed data obtained on 4/30/15, the 85th percentile speed is 31 mph (see attached speed data). This doesn't exceed 40 mph so this section will not apply to this intersection.
- D. Based on the accident history and 24-hour count data for both roadways, B, C.1 and C.2 are not satisfied at 80 percent of the minimum values.

Option:

- A. There are no major issues with left turn conflicts at this intersection.
- B. There are no major issues with vehicle/pedestrian conflicts at this intersection.
- C. There is a clear line of sight for traffic turning off of Hayfield Drive or Carson Farms Boulevard onto Cobblestone Drive.
- D. Based on the 24-hour traffic counts, these two roadways are not classified as the same type of roadway per City of Delaware Standards. Cobblestone Drive is classified as a Collector roadway with an ADT of 1720 and Hayfield Drive/Carson Farms Boulevard is classified as a Local roadway with an ADT of 743. Therefore, each roadway has different operating characteristics.

Based on the above summary of results, a multi-way stop at the Cobblestone Drive and Hayfield Drive/Carson Farms Boulevard intersection is not warranted per OMUTCD standards. Given that the ADT for both roadways are less than 2000 and the 85th percentile speed is 5 MPH in excess of the posted speed limit, this intersection could qualify for the installation of unwarranted multi-way stop signs as established by the policy adopted by Resolution No. 03-79. In order to meet all requirements established under this policy, a signed petition must be presented demonstrating neighborhood support for additional stop signs by at least 75% of property owners with property fronting the affected streets for a distance of at least five-hundred feet in all directions of the intersection. Along with 75% property owner support, a thorough evaluation of the intersection by the Public Works Director/City Engineer, Fire Chief, Police Chief and City Attorney must be conducted and find no specific reason to prohibit the installation of the additional stop sign.

DELAWARE POLICE DEPARTMENT STRATEGIC RESPONSE FORM

Project Number: 15- 06	Date of Submission: 5/26/2015
Officer Zoller	Unit: 33

PROBLEM:

Location: Cobblestone Drive
Problem Type: Traffic Concern
Description of Problem: Speeding

DIRECTED ACTION:

Response Plan: (Describe briefly) Targeted enforcement of traffic violations specifically, but not limited to, speed in the 25 MPH zone on Cobblestone Drive.
<input checked="" type="checkbox"/> Additional Narrative Attached

RESULTS:

Date:	Shift:	Arrests:	Citations:	Warnings:	Field Contacts:	Reports:	Assignment Sheet Included
5/31/15	1		3	3	6		<input type="checkbox"/>
6/1/15	1		1	5	6		<input type="checkbox"/>
6/2/15	1			1	1		<input type="checkbox"/>
6/3/15	1			1	1		<input type="checkbox"/>
6/4/15	1		1		1		<input type="checkbox"/>
6/5/15	1						<input type="checkbox"/>
6/6/15	1						<input type="checkbox"/>
6/14/15	1						<input type="checkbox"/>
6/15/15	1						<input type="checkbox"/>
6/16/15	1						<input type="checkbox"/>
6/17/15	1						<input type="checkbox"/>
6/18/15	1						<input type="checkbox"/>
6/19/15	1						<input type="checkbox"/>
6/20/15	1						<input type="checkbox"/>

FINDINGS/RECOMMENDATIONS:

Comments: (Describe briefly)
<input checked="" type="checkbox"/> Additional Narrative Attached

COMPLETED BY:

Officer Zoller	Unit: 33	Date:
Signature:		

DELAWARE POLICE DEPARTMENT STRATEGIC RESPONSE FORM

Project Number: 15-06	Date of Submission: 5/26/2015
Officer Zoller	Unit: 33

PROBLEM:

Location: Cobblestone Drive
Problem Type: Traffic Concern
Description of Problem: Speeding

DIRECTED ACTION:

Response Plan: (Describe briefly) Targeted enforcement of traffic violations specifically, but not limited to, speed in the 25 MPH zone on Cobblestone Drive.
<input checked="" type="checkbox"/> Additional Narrative Attached

RESULTS:

Date:	Shift:	Arrests:	Citations:	Warnings:	Field Contacts:	Reports:	Assignment Sheet Included
5/31/15	2		4	3	7		<input type="checkbox"/>
6/1/15	2		2	2	4		<input type="checkbox"/>
6/2/15	2		2	3	5		<input type="checkbox"/>
6/3/15	2						<input type="checkbox"/>
6/4/15	2						<input type="checkbox"/>
6/5/15	2						<input type="checkbox"/>
6/6/15	2						<input type="checkbox"/>
6/14/15	2						<input type="checkbox"/>
6/15/15	2						<input type="checkbox"/>
6/16/15	2						<input type="checkbox"/>
6/17/15	2						<input type="checkbox"/>
6/18/15	2						<input type="checkbox"/>
6/19/15	2						<input type="checkbox"/>
6/20/15	2						<input type="checkbox"/>

FINDINGS/RECOMMENDATIONS:

Comments: (Describe briefly)
<input checked="" type="checkbox"/> Additional Narrative Attached

COMPLETED BY:

Officer Zoller	Unit: 33	Date:
Signature:		

Drive
Like You
Live
Here

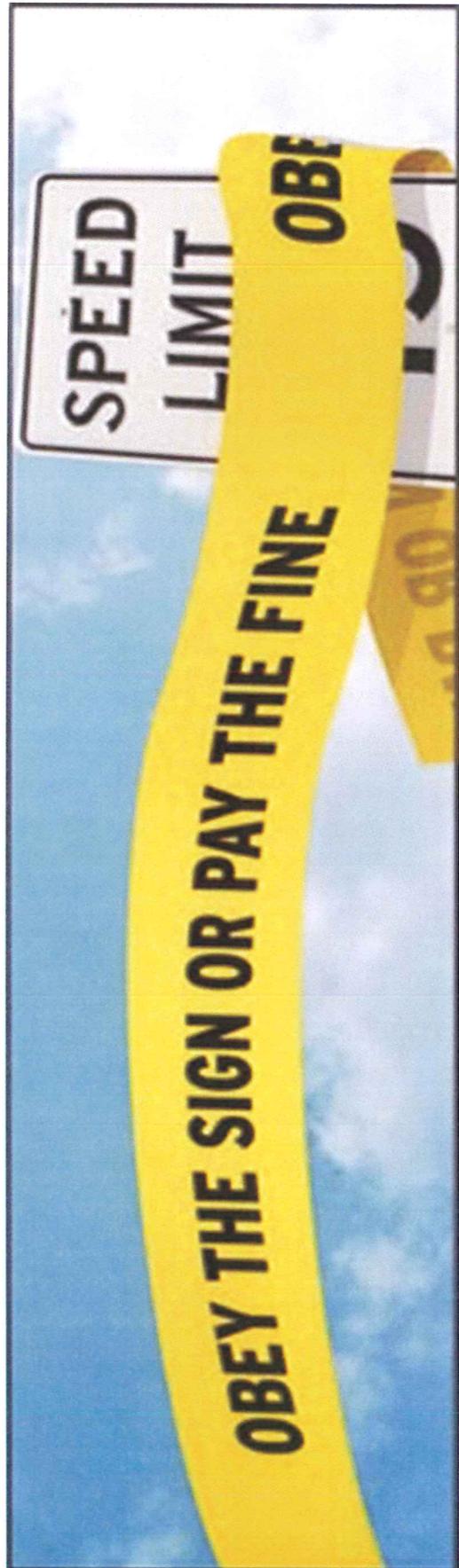


The Delaware Police Department

70 N. Union Street

Delaware, Ohio 43015

740-203-1100



The Basics of Speeding.

Speeding is defined as driving in excess of the posted speed limit or driving too fast for conditions.

Speeding consequences include:

- Reduces a driver's ability to maneuver around curves or obstacles
- Extends braking distances
- Increases the risk of crashes and injuries



According to the Center For Disease Control and Prevention, the leading cause of death among children ages 5 – 19 is Motor Vehicle Traffic Crashes.

- Speed is a factor in 30 percent of all fatal crashes nationally.



Our goal is to save lives.
Obey the sign or pay the fine!



To: R. Thomas Homan, City Manager
From: William L. Ferrigno, P.E., Director of Public Works
Bruce Pijanowski, Chief of Police
Re: Residential Speed on Cobblestone Dr.
Date: June 1, 2015

At the most recent Parking and Safety Committee meeting (on May 18) a recurring concern was aired regarding vehicular speed on Cobblestone Dr. In the past, City Staff has addressed this concern with additional enforcement, crosswalk markings, and with residential speed enforcement options. None have proven to be effective long term given the most recent complaint. The standing request by residents of Cobblestone is for additional stop signs to impede traffic on the street. That is a subject of ongoing research and community action. In the meantime, following are some actions that are ongoing to further the request or address the concerns.

Following the meeting, the Police Department posted the area for extra patrol to begin to have some enforcement deterrence in the area. These extra patrols are not long term, and tend to have an immediate impact but are somewhat ineffective in changing long term behavior.

In order to have a lasting impact, the Police Department is developing a longer term enforcement / educational effort in the area. This effort will include consistent enforcement, which includes traffic stops, warnings and citations. The educational component will consist of officer interaction with motorists, as well the creation of literature we will provide to motorists stopped for speeding in the area. A copy of the literature being distributed is included with this memo. Sgt. Snead and Ofc. Zoller have researched the efficacy of programs such as this, and have relied on guidance from the National Highway Traffic Safety Institute (NHTSA) in developing the overall structure of the operation. The plan was just recently put into operation and initial results are telling. One officer in one day during two short durations tracked 47 vehicles, wrote 2 tickets and two warnings. Average observed speeds dropped from 27.8 MPH to 26.9 MPH. It is hoped that the duration of the reinforcement will help further reduce and solidify any gains achieved. The Police Department and Engineering will coordinate on measuring effectiveness of any measures before implementing any additional measures, which follow. In addition, the Police Department may eventually use the same plan to address other areas of the city that are subject to recurring residential speed complaints.

Public Works staff will also work directly with residents regarding the potential to install an All-Way Stop condition at the intersection of Cobblestone Drive and Carson Farms Blvd. The City currently has policy in place regarding the establishment of additional STOP Signs that are not warranted per the Ohio Manual of Uniform Traffic Devices (OMUTCD). The policy itself was based on significant research as to how other communities attempt to deal with residential speeding, both measured and perceived. The policy permits in some instances, the installation of an All-Way STOP condition at certain intersections if specific criteria regarding traffic volumes, vehicle speeds and functional roadway classification are met. In all cases and because the policy operates outside of the regulatory requirements of the OMUTCD, the installation of such devices must have the overwhelming support of the neighborhood as measured through a survey of those residents in the immediate vicinity of the proposed intersection in question. Strong support is important as the residents closest to the intersection are subject to the most notable negative impacts of the additional STOP sign including increased vehicle braking and acceleration noise and exhaust fumes. With this in mind, the policy established a minimum level of favorable neighborhood support at 75%. It was felt that support below this threshold could make changes to neighborhood traffic patterns that as much as half the neighborhood residents are not in favor of. Staff will prepare the petition language and determine which properties to include in the petition/survey process.

Public Works staff is also investigating the potential application of portable radar actuated speed display devices. These devices are typically the size of a standard speed limit sign and can be temporarily mounted along a residential street on an existing pole. They are used to educate both drivers and residents as to what following the posted speed limit feels like from within a vehicle, and from the perspective of standing on a sidewalk and watching a vehicle travel by. We've found in many cases that residents, who believe a vehicle is speeding, are surprised to see that a car is travelling at or below the posted speed limit when they are able to see real time speed data on these devices. A pair of these portable devices could be utilized as an educational component in many neighborhoods with similar complaints regarding speeding.

Chapter 10: Traffic Calming

1. Purpose

Traffic calming sometimes referred to as neighborhood Traffic Management, is not a new concept in the field of transportation engineering. Traffic calming responds to public concerns about speeding and cut-through traffic on neighborhood streets. The Institute of Transportation Engineers (ITE) has defined traffic calming accordingly:

“Traffic calming is the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized street users.”

Motorists tend to drive faster when they feel the risk of doing so is minimal, such as along wide pavements with unobstructed views of intersections, driveways, and of pedestrians. When motorists have an increased sense of control, vehicle speeds are generally higher, regardless of posted speed limit. Streets without parking on one or both sides instill this feeling of reduced risk and increased control, and often result in higher average speeds than similar width streets with parking. When installed, traffic calming measures generally necessitate a heightened sense for driver awareness due to the perceived or actual increase in risk resulting from posted warning signs, pavement markings, or physical obstructions in the pavement, all of which can lead to some level of reduced speed.

Like Delaware, many communities stress the importance of providing adequate pavement width to allow for parking on both sides of residential streets, while still maintaining sufficient pavement width for the provision of city services including refuse collection, snow plowing and emergency response vehicles. Current residential development practices typically include homes with driveways and attached garages, leading to a reduced demand for on-street parking. As a result, local streets often have long sections of open pavement whereby motorists are comfortable driving above the speed limit. The majority of speeding complaints received are initiated from residential neighborhoods and in regards to local or collector streets.

It is important to address speeding issues as higher vehicle speeds lead to reduced safety for other motorists, cyclists, and pedestrians. The intent of traffic calming is to reduce the speed and volume of traffic to levels acceptable for the functional class of street and the nature of the bordering activity. Traffic calming measures are meant to be self-enforcing as opposed to traffic control devices such as stop signs and speed limit signs, which are regulatory and require enforcement. However, recent research has shown that the introduction of altered regulatory signage such as additional stop signs and reduced speed limits are typically well received by bordering property owners and reduce the perception of speeding issues as well. Additional research has further shown that introducing passive measures such as pavement markings that narrow travel lanes, or that require minor shifts in direction of vehicle travel, can be effective in reducing vehicle speeds.

The following benefits can be realized through the appropriate implementation of traffic calming measures:

- Reduced speeds for motor vehicles
- Reduce collision frequency and severity
- Increase safety and perception of safety for non-motorized users of the street
- Reduce need for police enforcement
- Enhanced neighborhood environment
- Increase access for all modes of transportation
- Reduce cut-through motor vehicle traffic

2. Traffic Calming Measures

The following is a list of traffic calming measures which may be considered singly, or in combination to address neighborhood speeding issues:

Self-Enforcing Measures:

- Speed Tables
- Raised Intersections
- Diverter Islands
- Choker (Bump outs)/Intersection Narrowing
- Travel lane Chicaning
- One Way Designation
- Closure to Through Traffic
- Permissible Parking on both sides of street

Regulatory Measures:

- Neighborhood Speed Watch Programs
- Speeding Enforcement
- Multi-Way Stop Signs
- Mid-Block Pedestrian Crossings
- Enhanced Pedestrian Crossings

A traffic calming method or combination of methods is best selected based on the results of a traffic study and engineering judgment. The purpose of the traffic study is to identify the existence, nature and extent of a traffic condition correctable through traffic calming. Determination of study area boundaries also assists in notification of residents and businesses that may be impacted by installation of a traffic calming method. The results of the traffic study identify the best traffic calming options for a study area. Ultimately, the residents of the study area must decide whether a traffic problem warrants the installation of traffic calming measures on their community street as such measure will impact their daily access as well.

3. Pre-Qualification for Calming Measures

The basic premise of the City of Delaware Traffic Calming Program is for City staff to assist, coordinate and facilitate the efforts of neighborhoods in implementing traffic calming plans. The approach to neighborhood traffic calming can be both reactive – in response to neighborhood complaints, and proactive – initiated by the City. In either case, the consideration and implementation process for traffic calming is similar and involves considerable consensus building in the community. Traffic calming devices are suitable in residential areas to manage speeds. Therefore, characteristics of the streets should be residential in nature. The street pre-qualifications are designed to ensure that the street segment is appropriate for considering traffic calming. Since there can be negative impacts associated with the implementation of certain traffic calming devices, some restrictions, in the interest of emergency and transit services, have been added to the list of pre-qualifications.

Streets pre-qualified for traffic calming must meet the following criteria:

- The street has a posted speed limit of 25 mph.
- The street is classified as a local, or neighborhood collector street.
- The 85th percentile speed is at least 5 MPH over the posted limit.
- The street has an ADT < 3500 vehicles per day.
- The street is not a cul-de-sac street.
- The street is not a primary emergency response route.

Enhanced pedestrian crossings may be considered on streets with higher functional classification and speed limit pending validation of a verifiable reoccurring safety issue involving pedestrian movements. Enhanced crossings should be limited to locations subject to high pedestrian activity, or along routes subject to school age children or elderly pedestrians requiring additional consideration when crossing a street. Pedestrian activated enhancement signage should only be considered at locations away from signalized and stop sign controlled intersections, and only after the installation of static enhancements, including pavement markings and advance warning signage, fails to modify driver behavior.

4. Neighborhood Petition Process

Following an initial request for traffic calming by an individual or neighborhood group, City staff will review the situation in the field to verify the presence of the safety issue as described. City staff will then establish a study area based on the information obtained during the preliminary request and review. This area is generally defined as those households and businesses fronting the affected segments of the project street. In the case of a single intersection request, the minimum area would be one block in all directions. The purpose of establishing a study area is to determine the level of agreement among area residents concerning the need for introducing traffic calming measures into their respective neighborhood.

City staff will prepare a petition describing the problem and the procedures to be followed if a traffic calming study is to be undertaken. The project requestor(s) is responsible for circulating the petition to all residents within the study area. Signatures representing seventy-five percent (75%) of the households and addresses located along the primary street within the defined study area, and fifty percent (50%) on affected connecting streets are required to move the project forward. This includes, but not limited to, businesses and schools. Each household, address, business, school, etc. is entitled to one signature. Non-resident property owners are not included in the petition-to-study process. However, non-resident property owners are notified concerning the project request to allow them to give input on the project.

5. Traffic Speed Study and Analysis

If the petition is returned with the majority of the homeowners in favor of traffic calming, the City will perform a comprehensive speed study and traffic analysis of the identified area. The study will include the collection of speed data, vehicle volumes, turning movements, determination of cut through traffic volumes, accident history, pedestrian crossing counts, and roadway condition and configuration geometrics.

The City will review the collected data to identify specific issues leading to excessive vehicle speeds, or the perception of speeding, and make a determination as to what calming measure(s) could be effective in addressing the issues. The request to install calming measures is reviewed by several City departments to identify the potential negative impacts associated with the installation of calming measures. Consideration is given to the impacts on the provision of emergency services, city refuse collection, highway maintenance, and snow removal operations. Additional consideration is given to the impact of traffic calming measures upon institutions such as local schools, hospitals and emergency care facilities. A final recommendation will be prepared by staff that summarizes the benefits and impacts of installing certain calming measures as requested.

6. Review and Approval of Calming Measures

The final staff recommendation is presented to the Parking & Safety Committee for further public discussion and consideration. The group initiating the request is invited to attend the meeting to present their concerns as well as to provide comments regarding the proposal as presented by staff. If the Parking & Safety Committee finds in favor of the proposed calming measures as presented by staff, or as modified by the Parking & Safety Commission, a recommendation is forwarded to City Council for final consideration and action. In cases where the traffic calming measures being proposed included the installation of regulatory signage, Council approval is required by Resolution before such measures can be installed.

Traffic Calming Measures - Comparative Effectiveness									
Calming Measure	Cost	Requires Regulatory Approvals	Impact on Reducing Speeding	Impact on Improving Intersection Safety	Improve Pedestrian Safety	Reduce Traffic Volume	Required Police Enforcement	Impedes EM Access	Notes
Speed Tables	High	No	High	Low	Low	Low	No	High	Not permitted on primary EM Routes
Raised Intersections	High	No	Mod	High	Mod	Low	No	High	Not permitted on primary EM Routes
Diverter Islands	High	No	Mod	High	Mod	Low	No	Mod	Not permitted on primary EM Routes
Curb Bump-out & chokers	Mod	No	Mod	Mod	Low	Low	No	Low	Parking prohibited in these areas
Chicane	Low	No	Mod	Low	Low	Low	No	Mod	Most effective with adjustments to curb line
One Way Designation	Low	Yes	High ⁽¹⁾	Low	Low	High	No	High	Requires development of alternate traffic routing plan
Closure to Through Traffic	Low	Yes	High ⁽¹⁾	Low	Low	High	No	High	Requires development of alternate traffic routing plan
Mid-Block Pedestrian Crossings	Low	Yes	Low	Low	High	Low	Yes	Low	For locations with high pedestrian volumes; along school routes; at non-signalized intersections
Enhanced Pedestrian Crossings	Mod	Yes	Low	Low	High	Low	Yes	Low	Limited to high risk crossing locations with reoccurring, observable problems.
Parking on Both Sides of Street	Low	No	Mod	Low	Low	Low	No	Low	Generally permitted on most streets except tight corners.
Multi-Way Stop Signs	Low	Yes	Mod	High	High ⁽²⁾	Low	Yes	Low	For local streets only.
Neighborhood Speed Watch	Low	No	Mod	Low	Low	Low	Yes	Low	Requires substantial active neighborhood participation
<p>Notes</p> <p>(1) Assumes reduced traffic volume results in fewer number of speeding vehicles</p> <p>(2) Improves pedestrian safety at stop controlled intersections</p>									

7. Design and Installation

The installation of certain calming measures can be expensive depending on the type and extent of installation recommended. Approval by the City for the installation of calming measures on a designated street or area does not guarantee funding of the measure by the City. Each request will be considered individually to identify the merits of the proposed installation in addressing safety concerns versus the estimated implementation costs. In some cases a calming measure may only require the installation of signage or pavement striping which can be completed by City staff at relatively low cost. However, other measures such as speed tables, deflector islands or curb bump-outs are costly and require design before installation. In each case, City Council will determine the level of City financial involvement in the process of designing and constructing a proposed calming measure. If the City is unable to fund part or any of a recommended traffic calming measure, area residents have the option of paying for the cost of the improvement directly or indirectly through property assessments.

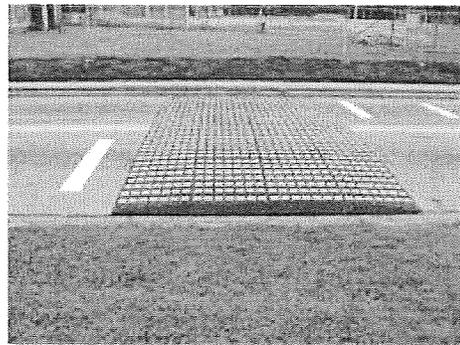
8. Review of Effectiveness and Removal

Following the installation of a particular traffic calming measure, the City will continue to monitor the study area to determine the level of effectiveness that a particular installation has on reducing vehicle speeding. In some cases, the impact on reducing vehicle speeding may be found to be negligible; However, a goal in the implementation of traffic calming can at times be measured by a neighborhood's perception that some level of success has been achieved. If following the installation of new calming measures, it is determined that the measures present a hazardous condition to the study area not previously identified during the review process, the City reserves the right to remove part or all of the calming measures to eliminate the hazard.

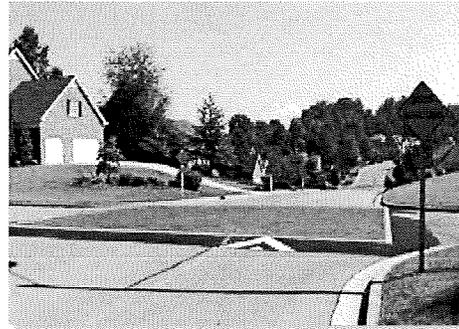
9. Traffic Calming Measures (Examples)

The following traffic calming measures are shown to provide some visual context pertaining to the layout and/or operation of individual measures.

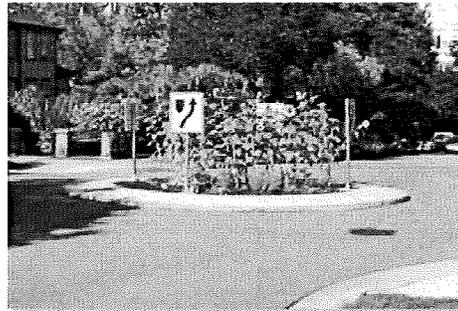
Speed tables, more commonly referred to as speed bumps, provide an effective means to slow the majority of traffic to 25 MPH along a street section when installed in groups. Speed tables do result in an increase in noise from older vehicles, or vehicles carrying loads that rattle when negotiating the table. Emergency vehicles must also reduce speed to negotiate the tables and thus result in a minor increase in response times (3 seconds per hump).



Raised intersection islands, used in some Central Ohio Communities, are an effective means to slow traffic on through streets at intersections and along routes that carry significant pass-thru traffic in residential areas. The islands include appropriate pavement markings to warn drivers to slow while travelling over the island. Emergency response vehicles as well as snow removal operations are impacted by the islands.



Diverter Islands force motorists to slow and change course on thru-streets when passing through an intersection. The islands should be landscaped and appropriately signed to increase visibility to motorist. The islands do increase the difficulty for motorists making left turns, especially for larger trucks. Emergency response vehicles, as well as snow removal operations, are impacted by the islands



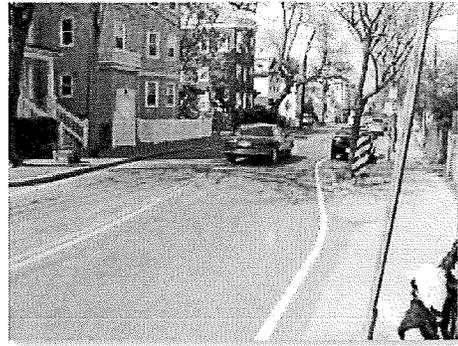
Intersection curb bump-outs provide a physical and visual narrowing of the street at the intersections of thru-streets and result in slower vehicle speeds both approaching and moving through the intersections. They also increase pedestrian safety by reducing the length of the pedestrian crossing path. Snow removal operations can be impacted by the islands



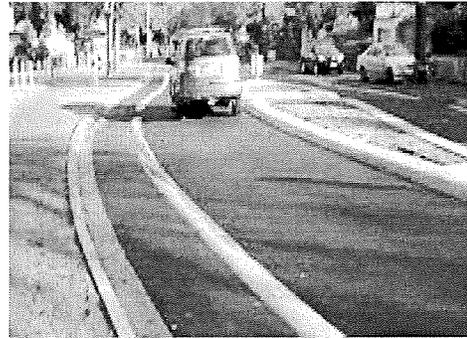
Mid-block curb bump-outs provide a physical and visual narrowing of the street between intersections resulting in slower vehicle speeds. The islands established by introducing curb bump-outs can be utilized for enhanced landscaping to provide further visual impairment to thru-traffic. Parking is restricted at bump-out locations to maintain the minimum lane widths for two-way traffic at all times. Snow removal operations, are impacted by the islands



Pavement center and edge lines can be effectively and economically utilized to alter or narrow the appearance of the thru-lanes of a street. Motorists generally are more cautious when travelling along narrower streets and thus slow their speeds slightly. This application is best suited for streets where two lanes can be maintained with or without parking.



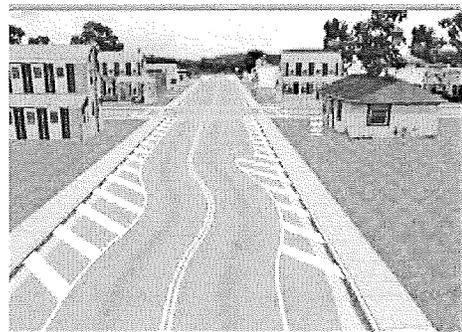
Pavement edge lines in combination with diverter islands visually and physically narrow the travel lanes of a street, and can be designed to force motorists to divert their direction of travel as they drive. Raised diverter islands though are subject to being hit by motorists not paying attention to changing roadway conditions, and require sufficient reflective signage to be maintained to minimize such occurrences.



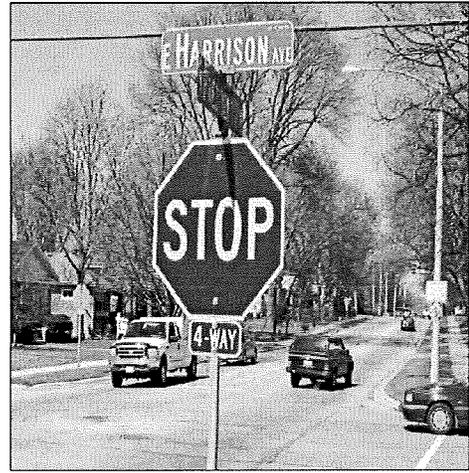
Pavement markings that provide a visual restriction to motorists as to the available travel lane area effectively narrow the perceived travel lane width and can result in slower vehicle speeds. When implemented, it is important to identify the permissible uses of the striped area, and in many cases will require the installation of signage to identify such utility.



Lane Chicaning, introduced with pavement markings, provides a visual requirement for motorists to change direction of travel while travelling along a street. The perceived risk of having to follow the chicaning lane can result in some reduction in average vehicle speed. The same effect can be accomplished by constructing the curb line in a chicaning pattern.



Multi-way stop signs are utilized by many communities, generally at the insistence of neighborhood residents, as a means to slow traffic. Though stop signs are statutorily utilized to establish the right of way for motorists travelling in a particular direction at an intersection, the placement of multi-way stop signs does require traffic to stop in all directions. Research indicates that the installation of multi-way stop signs is not effective in reducing vehicle speeds between intersections and can also lead to motorists' tendencies to roll through the stop signs as the perceived risk from side street traffic interference can be very low. These should be limited to local streets applications.



Centerline crossing enhancement signage can be utilized to increase driver awareness of an increased presence of pedestrians at crossings located away from an intersection (mid-block), or at locations along a primary school walking route subject to a high volume of school age pedestrians. The use of these signs should be restricted to high pedestrian volume crossings to maintain effectiveness by remaining unique to the motorists. These signs are subject to vehicle collision as they are small, blend in with centerline striping, unlit, and difficult to see in the dark.



Pedestrian activated crossing signs provide real time warning to the motorists of the presence of a pedestrian entering or within a designated crossing. These applications though are expensive, relative to the cost of the typical enhanced pedestrian crossing signage and pavement markings. The use of these signs should be limited to locations away from signalized or stop controlled intersections; where a safety issue can be routinely observed; and where prior attempts to increase motorist awareness and address vehicle speeding have been unsuccessful.



TO: Mayor Riggle and Members of Council
FROM: R. Thomas Homan, City Manager
SUBJECT: Miscellaneous Matters
DATE: June 2, 2015

1. **Calendar**
See Attached
 2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**
See Attached
 3. **Bi-Weekly Meetings**
 - May 12
 - * 911 Administrative Committee
 - May 19
 - * Strand Board Meeting
 - May 20
 - * EMS Meeting
 - May 21
 - * Award of Excellence at OCCH
 - May 28
 - * JEDD Board Meeting
 - June 1
 - * City Council and Commissioners Joint Meeting
 - June 2
 - * 911 Committee Meeting
 - June 3
 - * Main Street Board Meeting
 4. **Required Reading**
 - A. Fire Department April Monthly Report
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June

2015

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1 Council and Commissioners Joint meeting 7 Commissioners Hearing Room	2	3 Planning Commission 7	4	5	6
7	8 Council 7	9	10 BZA 7	11 SPECIAL HPC meeting 7	12	13
14	15	16 Parks & Recreation Advisory Board 7	17	18	19	20
21	22 Rec Levy Sub- Committee 6-7 Council 7	23 Shade Tree Commission 7	24 HPC 7	25	26	27
28	29	30				

CONTRACT APPROVAL - JUNE 8, 2015

VENDOR	EXPLANATION OF AGREEMENT	2015 AMOUNT	DEPARTMENT
Fidelity Federal Savings & Loan	US23 & Pennsylvania-Sandusky Land Acquisition	\$36,884	Engineering
OWU	Basketball Summer Camp	\$525	Police
Target Solutions Learning	Training	\$6,811.19	Fire
Burgess & Niple	Sawmill Parkway Water & Sewer Extension Construction Administration	\$30,000	Public Utilities
Burgess & Niple	Sawmill Parkway Water & Sewer Extension Project Inspection	\$49,968.75	Public Utilities
CH@M Hill	Advanced Meter Infrastructure Implementation Project	\$72,400	Public Utilities
Diners LLC	US23 & Pennsylvania-Sandusky Land Acquisition	\$14,743	Engineering
Columbus Pike Contract Management	Mowing	\$32/hr	Building
Verity Enterprises	Fuel Service	\$525,000	Public Works
Time Warner	Glenn Rd Conduit Install	\$9,000	Engineering
Delo-Co	Glenn Parkway Waterline Easement	\$0	Engineering
Trucco Construction	Sawmill Parkway Sewer & Water Extension	\$492,875.30	Public Utilities

Delaware Fire Department

April 2015 Monthly Report

PERFORMANCE REVIEW	2012	2013	2014	2015	April	Year-to-Date	% Year to Date	% of Budget	(+ / -)
	Actual	Actual	Actual	Budget	Actual	Actual	Budget	Completed	Projected for Year
Total number of incidents	4,928	4,831	5,173	5,372	437	1,742	32.43%	33.00%	-0.57%
Fire	103	104	101	107	27	51	47.66%	33.00%	14.66%
Rupture/Explosion	9	3	3	3	0	1	33.33%	33.00%	0.33%
EMS	3,861	3,883	4,047	4,197	343	1,366	32.55%	33.00%	-0.45%
Hazardous Conditions	173	131	124	135	9	41	30.37%	33.00%	-2.63%
Service Calls	146	94	141	146	15	58	39.73%	33.00%	6.73%
Good Intent	169	165	162	176	9	56	31.82%	33.00%	-1.18%
False Calls	453	440	589	599	31	165	27.53%	33.00%	-5.45%
Severe Weather	6	3	0	2	0	1	50.00%	33.00%	17.00%
Other	8	8	6	7	3	3	42.86%	33.00%	9.86%
Number of medical transports	2,593	2,576	2,586	2,888	427	1,276	44.18%	33.00%	11.18%
Percent of priority calls w/ response within 6 min	57%	56%	68%	68%	75%	70%	65.00%	33.00%	5.00%
Percent residential structure fires ERF of 15 FF within 12 minutes	40%	70%	78%	70%	0%	67%	-14.53%	33.00%	75.00%
# Structure Fires			9	10	1	3	30.00%	33.00%	-3.00%
# Structure with personnel and Times			7	7	0	2	28.57%	33.00%	-4.43%
Number of commercial inspections conducted	594	1,222	1,473	1,250	205	613	49.04%	33.00%	16.04%
Number of plans reviewed within five days	89%	86%	100%	95%	100%	100%	105.26%	33.00%	100.00%
Number of fires greater than \$10,000	6	13	8	8	2	3	37.50%	33.00%	-4.50%
Number of fires of suspicious nature	3	5	5	3	1	3	100.00%	33.00%	67.00%
Hours of Training	9,326	8,831	13,335	10,000	954	4,420	44.20%	33.00%	11.20%

Major Incidents

- April 12, Motor Vehicle Accident-Entrapment, US 23
- April 12, Structure Fire, Hancock St.
- April 13, Motor Vehicle Accident-Entrapment, US 23
- April 16, Possible Water Rescue, Delaware Twp.
- April 21, Motor Vehicle Accident-Entrapment, Scioto Twp.
- April 24, Gun Shot Wound, Apple Valley
- April 29, Technical Rescue, Brown Twp.

Other Activities

- April 4, Citizens Academy, St 301
- April 11, Red Cross and DFD Smoke Detector Canvassing—455 Residents Met contacted

2010 Fire Levy Status

- Equipment - Continuing
 - Three new Paramedic trucks are currently on order. The expected delivery is mid-2015.
 - Staff cars have been replaced in 2012, 2013 and 2014. This has included the implementation of retired police vehicles for station and inspector cars.
 - The new engine was delivered and placed in-service in April 2013.
 - The new paramedic truck was delivered and was placed in-service in January 2013.
 - The new ladder truck was delivered and was placed in-service in April 2012.
- Personnel - Continuing

- Officer Development Training Continued. All new Lieutenants have completed their Instructor training, Fire Inspector and Fire Officer 1 certifications. They continue to work on their Associates Degree and other required classes.
- Three new Firefighters completed their Orientation training and are now working on shifts. The total amount of new personnel hired since the new levy will be 22 with the addition of the three new Firefighters. Some of these positions have filled open positions.
- New Fire Station 304 - Continuing
 - In 2014, we plan to begin the design analysis and engineering plans for an anticipated groundbreaking in 2015.
 - Property was purchased in 2011 at 821 Cheshire Rd. The property was leased out and the lease moved out on November 30, 2013. The building is currently for lease.
 - The opening of this Station is dependent on the increased staffing. This will be accomplished through the use of Part-Time personnel to supplement the staffing. The Part-Time personnel will be backfilling the open positions caused by personnel scheduled leaves.
- Fire Station 303 - Completed
 - On September 27, 2014 we began operation 24/7. The Fire Station was dedicated on October 19.

Council for Older Adults – Monthly Report on the Firehouse Coordinator

2015 FIRST Location Data for City of Delaware		
Month	April	TOTALS YTD
Referrals	26	103
DFD FIRST Coordinator	20	74
DFD Personnel	5	23
Other Agency	1	6
# of New COA-Enrolled	0	2
Total FIRST Contacts	243	825
# of Individuals Served	91	297
# on New Individuals Served	60	259
City of Delaware Residents Served	88	285
Individuals with New Service	2	17
Services Provided	3	28
Home Delivered Meals	0	4
Shelf Stable Meals	0	0
Emergency Alert Unit Provided	1	7
Medication Dispenser	1	2
Incontinence Products	0	1
Durable Medical Equipment	0	3
In-Home Support	1	7
Other	0	4