

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held June 22 2015

The regular meeting of June 22, 2015 was called to order at 7:00 p.m., in the Moses Byxbe Room, 500 Lincoln Avenue. The following members of Council were present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Joe DiGenova, Fourth Ward Andrew Brush, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was At Large Kent Shafer. The invocation was given by John Peterson, followed by the Pledge of Allegiance.

Staff Present: Dave Efland, Planning and Community Development Director, Scott Stowers, IT Director, Dean Stelzer, Finance Director, Dan Whited, Public Service Group Director, Darren Shulman, City Attorney, Bill Ferrigno, Public Works Director/City Engineer, Bruce Pijanowski, Police Chief, Jackie Walker, Assistant City Manager, and Tom Homan, City Manager

**Motion to Excuse:** Mr. Brush moved to excuse Mr. Shafer, seconded by Mr. Jones. Motion approved by a 6-0 vote.

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

APPROVAL of the Motion Summary of the joint meeting between City Council and the Delaware County Commissioners held June 1, 2015, as recorded and transcribed.

APPROVAL of the Motion Summary of the regular meeting of Council held June 8, 2015, as recorded and transcribed.

**Motion:** Mr. Brush moved to approve the Motion Summaries of the joint meeting between City Council and the Delaware County Commissioners held on June 1, 2015 and the regular meeting of Council held June 8, 2015, as recorded and transcribed, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

## **ITEM 5: CONSENT AGENDA**

- A. Acceptance of the Motion Summary for the Board of Zoning Appeals meeting held April 8, 2015.
- B. Acceptance of the Motion Summary for the Historic Preservation Commission meeting held March 25, 2015.
- C. Acceptance of the Motion Summaries for the Parks and Recreation Advisory Board meetings held April 21 and May 19, 2015.

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

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

### **ITEM 7: COMMITTEE REPORTS**

Mr. Jones indicated that there is a Historic Preservation Commission meeting scheduled for June 24, 2015 in the Moses Byxbe Room.

Mr. DiGenova indicated that there is a Shade Tree meeting scheduled for June 23, 2015 in the Moses Byxbe Room.

### **ITEM 8: PRESENTATIONS**

- A. Source Point (Council for Older Adults) Rebranding Update – Bob Horrocks, Director

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

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- B. Board of Elections presentation "Delaware for Democracy" – Josh Pedaline, Director, Karla Herron, Deputy Director, and Stephanie Clase, Election Services Manager

**ITEM 9: ORDINANCE NO. 15-54** [Second Reading]

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.

The Clerk read the ordinance for the second time.

**Motion:** Mr. Brush moved to table Ordinance No. 15-54 indefinitely, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**ITEM 10: RESOLUTION NO. 15-30** [First Reading]

A RESOLUTION DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE TO AMEND SECTIONS 191.03 AND 191.14 OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE, OHIO, TO PROVIDE FOR THE CONTINUATION OF AN EXISTING FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT (0.15%) LEVY ON INCOME BY THE CITY FOR THE PURPOSE OF IMPROVING MUNICIPAL RECREATION FACILITIES AND PAYING THE DEBT SERVICE CHARGES OF SECURITIES ISSUED FOR THAT PURPOSE, BUT LIMITING THE FINAL CALENDAR YEAR IN WHICH THE TAX WILL BE LEVIED TO THE CALENDAR YEAR IN WHICH THE DEBT SERVICE CHARGES ON SECURITIES ISSUED PURSUANT TO SUCH AUTHORITY AND OUTSTANDING AS OF JUNE 1, 2015, INCLUDING ANY SECURITIES HEREAFTER ISSUED TO REFUND THOSE SECURITIES, HAVE BEEN FULLY PAID OR PROVIDED FOR.

The Clerk read the resolution for the first time.

**APPLICANT:**

Chris Franzmann, Attorney  
Squire Patton Boggs  
41 S. High St.  
Columbus, Ohio

Mr. Shulman discussed the recommendation of the Bond Counsel to proceed with a resolution to place an ordinance on the ballot for voters. Mr. Shulman provided information on the approximate cost to place an ordinance on the ballot.

A discussion was held on the potential outcomes if ordinance is placed on the ballot. Mr. Brush recommended that if a decision is made to place on the ballot, that Council should draft a letter to the Board of Elections to address issue for clarification purposes.

**ITEM 11: ORDINANCE NO. 15-55** [Second Reading]

AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING TO HIRE A PERMANENT PART-

# RECORD OF PROCEEDINGS

Held June 22 2015

TIME POSITION IN THE FINANCE DEPARTMENT, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

A discussion was held and Mr. Stelzer spoke on the possibility to combine the requested position within the department.

**ITEM 12: RESOLUTION NO. 15-31** [First Reading]

A RESOLUTION AUTHORIZING THE INSTALLATION OF STOP SIGNS ON COBBLESTONE DRIVE AT CARSON FARMS BOULEVARD AND THE ESTABLISHMENT OF NO PARKING ZONES ALONG THE COBBLESTONE DRIVE STREET FRONTAGE OF PROPERTIES AT 402 COBBLESTONE DRIVE AND 100 HAYFIELD DRIVE.

The Clerk read the resolution for the first time.

Mr. Ferrigno discussed the need to remove for safety and sight distance three trees and reviewed the location of the no parking zone changes. Mr. Ferrigno explained that the trees would not be able to be relocated. Mr. Ferrigno discussed potential changes to the survey to allow for petitioning for traffic changes and the need to increase the use of social media and websites to inform the public of public hearings.

Chief Pijanowski provided an update on the past month police enforcement on Cobblestone Drive.

Mr. Ferrigno plans to notify residents that will be affected by the changes from Resolution No. 15-31.

**Motion:** Mrs. Keller moved to enact Resolution No. 15-31, seconded by Mr. Jones. Motion approved by a 4-2 (DiGenova, Hellinger) vote.

**ITEM 13: ORDINANCE NO. 15-56** [First Reading]

AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR THE PURCHASE OF A REPLACEMENT TRAFFIC SERVICE VEHICLE, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-56, seconded by Mr. Jones. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-56, seconded by Mr. Jones. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact Ordinance No. 15-56, seconded by Mr. Jones. Motion approved by a 6-0 vote.

**ITEM 14: ORDINANCE NO. 15-57** [First Reading]

AN ORDINANCE AMENDING ORDINANCE NO. 14-124 ESTABLISHING THE PAY AND BENEFITS FOR VARIOUS PART-TIME AND INTERMITTENT/SEASONAL EMPLOYEES OF THE CITY OF DELAWARE, AND DECLARING AN EMERGENCY.

# RECORD OF PROCEEDINGS

Held June 22 2015

The Clerk read the ordinance for the first time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-57, seconded by Vice-Mayor Hellinger. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-57, seconded by Vice-Mayor Hellinger. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact Ordinance No. 15-57, seconded by Vice-Mayor Hellinger. Motion approved by a 6-0 vote.

**ITEM 15: ORDINANCE NO. 15-58** [First Reading]  
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD) BOARD, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-58, seconded by Vice-Mayor Hellinger. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-58, seconded by Vice-Mayor Hellinger. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact Ordinance No. 15-58, seconded by Vice-Mayor Hellinger. Motion approved by a 6-0 vote.

**ITEM 16: ORDINANCE NO. 15-59** [First Reading]  
AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR REPAIR OF THE SHOWERS AT THE JUSTICE CENTER, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Chief Pijanowski provided an update on the current conditions and deterioration in the shower room at the Justice Center.

**Motion:** Mr. Brush moved to amend Ordinance No. 15-59, Section One, to read "that there is hereby appropriated from the unencumbered balance of the general fund \$23,500 increasing the following account", seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-59, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-59, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact Ordinance No. 15-59 as amended, seconded by Mr. DiGenova. Motion approved by a 6-0 vote.

**ITEM 17: FINANCE DIRECTOR'S REPORT**  
Mr. Stelzer reviewed the General Fund Revenue and General Fund Expenditures.

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

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Held June 22 20 15

## **ITEM 18: CITY MANAGER'S REPORT**

Mr. Homan stated that there will be a Town Hall meeting to address Home Owners Association concerns regarding the new community authority and annexation process.

Mr. Homan discussed the recent budget passed by the Senate regarding the local government fund.

Mr. Homan stated that the neighborhood in Cheshire Crossing reached out to Mr. DiGenova on a request for a fountain and that the City of Delaware is working with the Home Owner's Association on an agreement of installation and maintenance.

## **ITEM 19: COUNCIL COMMENTS**

Mr. Jones, Mrs. Keller, and Mr. Brush indicated that they have scheduled or potential travel plans for the week of July 13, 2015. A discussion was held on moving the scheduled regular council meeting of July 13, 2015 to July 6, 2015.

**Motion:** Mr. Brush moved to reschedule the regular council meeting of July 13, 2015 to be held on July 6, 2015, seconded by Mr. Jones. Motion approved by a 6-0 vote.

Mrs. Keller informed staff of a complaint received regarding graffiti at the Carson Farm's Park.

Mr. DiGenova requested that Mrs. Walker provide an update on the estoppels agreement for Veteran's Park Plaza.

Vice-Mayor Hellinger discussed the use of large city vehicles as a means to provide and advertise community messages.

Mayor Riggle proposed that the start time for council meetings change during July and August from 7:00 p.m. to 5:30 p.m.

**Motion:** Mayor Riggle moved to start council meetings at 5:30 p.m. for regular council meetings during the months of July and August, seconded by Vice-Mayor Hellinger. Motion approved by a 6-0 vote.

**ITEM 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.

Mr. Brush moved to enter into Executive Session at 9:21 p.m. This motion was seconded by Mr. DiGenova and approved by a 6-0 vote. Council met in executive session pursuant to Ohio Revised Code Section pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) Consideration of Confidential Information Related To A Request For

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Economic Development Assistance. Council conducted a discussion of those items with the following members present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Joe DiGenova, Fourth Ward Andrew Brush, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle. Following the discussion at 10:03 p.m., it was moved by Mr. Brush that Council move into Open session, seconded by Vice-Mayor Hellinger and approved by 6-0 vote.

## **ITEM 21: ADJOURNMENT**

**Motion:** Mr. Brush moved to adjourn the meeting, seconded by Mr. Jones. The meeting adjourned at 10:04 p.m.



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Mayor Carolyn Kay Riggle



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Elaine McCloskey, Council Clerk