

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held July 27 20 15

The regular meeting of July 27, 2015 was called to order at 5:30 p.m., in the City Council Chambers. The following members of Council were present: First Ward Chris Jones, Second Ward Lisa Keller, Fourth Ward Andrew Brush, At Large Kent Shafer, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was Third Ward Joe DiGenova. The invocation was given by Rev. Jim Summers, followed by the Pledge of Allegiance.

A demonstration of the new City of Delaware Website, the Economic Development Website, and the Municipal Court Website was provided by, Lindsey Kerr, Economic Development Specialist.

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

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

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

APPROVAL of the Motion Summary of the regular meeting of Council held July 6, 2015, as recorded and transcribed.

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

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

- A. Acceptance of the Motion Summary for the Airport Commission meeting held April 16, 2015.
- B. Acceptance of the Motion Summary for the Public Works/Public Utilities Commission meeting held May 5, 2015.
- C. Acceptance of the Motion Summary for the Planning Commission meeting held June 3, 2015.
- D. Acceptance of the Motion Summary for the Parks and Recreation Advisory Board meeting held June 16, 2015.
- E. Acceptance of the Motion Summary of the Dog Park Planning Committee for the meeting held October 16, 2014.
- F. Resolution No. 15-33, a resolution appointing a member the Historic Preservation Commission, and specifying the term of the appointment.
- G. Resolution No 15-34, a resolution appointing members to the Sister City Advisory Board, and specifying the term of the appointments.
- H. Resolution No. 15-35, a resolution of necessity for construction or repair of sidewalks, curb, or gutters.
- I. Resolution No. 15-36, a resolution authorizing the City Manager to enter into a Cooperation Agreement with Delaware County for an application to the Ohio Public Works Commission (OPWC) for the pavement resurfacing and rehabilitation of North Sandusky Street and Park Avenue (Round 30 Application)
- J. Resolution No. 15-37, a resolution authorizing the City Manager to prepare and submit an application to participate in the Ohio Public

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Works Commission (OPWC) Local Transportation Improvements (LTIP) Grant Program (Round 30), and to execute contracts as required for pavement resurfacing and rehabilitation of North Sandusky Street and Park Avenue.

- K. Resolution No. 15-38, a resolution accepting public improvements for Heatherton Phase 4, Section 2.
- L. Re-establish August 10, 2015 at 6:30 p.m. **(time change from 7:30 to 6:30)**, as the date and time for a public hearing and third reading of Ordinance No. 15-68, an ordinance approving a Rezoning Amendment from A-1 (Agricultural District) to R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) for Vincent Romanelli for Glenross North Subdivision on approximately 100 acres located just east of Glenn Parkway and north of the Glenross Golf Club and Ordinance No. 15-69, an ordinance approving a Conditional Use Permit allow the placement of a PMU (Planned Mixed Use Overlay District) for Vincent Romanelli to be established for Glenross North Subdivision on approximately 100 acres located just east of Glenn Parkway and north of the Glenross Golf Club.

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

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

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

Mr. Jones stated that the Historic Preservation Commission will meet on July 29, 2015.

Mrs. Keller discussed the recent groundbreaking event at Veteran's Park.

Mr. Brush provided a review of the Finance Committee meeting that was held July 27, 2015. Mr. Brush reviewed the results of the annual audit, provided an update on House Bill 5 and recommendations by the Finance Committee to implement timecard and attendance software in 2016.

Vice-Mayor Hellinger provided an update on the July 16, 2015 Airport Commission meeting.

### **ITEM 8: CONSIDERATION of a New Liquor Permit**

- A. Destination Discount Books LLC, DBA Destination Discount Books, 1185 US23 N, Delaware, OH 43015. Permit Class D2

Chief Pijanowski provided a review of the request for a liquor permit at Destination Discount Books.

#### **APPLICANT:**

Timothy Dickens  
1876 Africa Road  
Galena, Ohio

**Motion:** Mr. Brush moved to approve the new Liquor Permit for Destination Discount Books LLC, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

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**ITEM 9: Discussion**

A. Main Street-Street Closure Request/Update

APPLICANT:

Francis Jo Hamilton  
244 River Rd.  
Delaware, Ohio

Ms. Hamilton provided an update on recent First Friday events and street closures. Ms. Hamilton discussed upcoming events and the request to have a three block closure for September and October First Friday events.

Mr. Shafer recommended that prior to the events that all businesses are notified.

**Motion:** Mr. Brush moved to approve Main Street Delaware's request for a three block street closure for September and October First Friday events, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**ITEM 10: RESOLUTION NO. 15-30** [Third 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 third time.

Mr. Brush recommended that Resolution No. 15-30 not be placed on the November Ballot and that staff present an ordinance with the same text to be read at the next City Council meeting.

**Motion:** Mr. Brush moved to table Resolution No. 15-30, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

**ITEM 11: ORDINANCE NO. 15-63** [Second Reading]

AN ORDINANCE AUTHORIZING THE CITY OF DELAWARE TO PURCHASE ITEMS OR SERVICES FROM ANY STATE OR SCHOOL DISTRICT COOPERATIVE PURCHASING PROGRAM, FROM A LIST OF PRE-QUALIFIED COMPETITIVELY BID COOPERATIVE PURCHASING PROGRAMS, FROM ANY OTHER GOVERNMENTAL AGENCY'S COMPETITIVELY BID CONTRACT IN ORDER TO ACHIEVE THE BEST PRICING FOR THE ITEMS AND SERVICES, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

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**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-63, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-63, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-63, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**ITEM 12: ORDINANCE NO. 15-68** [Second Reading]

AN ORDINANCE APPROVING A REZONING AMENDMENT FROM A-1 (AGRICULTURAL DISTRICT) TO R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR VINCENT ROMANELLI FOR GLENROSS NORTH SUBDIVISION ON APPROXIMATELY 100 ACRES LOCATED JUST EAST OF GLENN PARKWAY AND NORTH OF THE GLENROSS GOLF CLUB.

The Clerk read the ordinance for the second time.

A public hearing has been re-established for August 10, 2015 at 6:30 p.m.

**ITEM 13: ORDINANCE NO. 15-69** [Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT ALLOW THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) FOR VINCENT ROMANELLI TO BE ESTABLISHED FOR GLENROSS NORTH SUBDIVISION ON APPROXIMATELY 100 ACRES LOCATED JUST EAST OF GLENN PARKWAY AND NORTH OF THE GLENROSS GOLF CLUB.

The Clerk read the ordinance for the second time.

A public hearing has been re-established for August 10, 2015 at 6:30 p.m.

**ITEM 14: ORDINANCE NO. 15-70** [Second Reading]

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR VINCENT ROMANELLI FOR GLENROSS NORTH SUBDIVISION FOR 196 SINGLE-FAMILY LOTS ON APPROXIMATELY 100 ACRES LOCATED JUST EAST OF GLENN PARKWAY AND NORTH OF THE GLENROSS GOLF CLUB ON PROPERTY ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the second time.

**ITEM 15: ORDINANCE NO. 15-71** [Second Reading]

AN ORDINANCE APPROVING A PRELIMINARY SUBDIVISION PLAT FOR VINCENT ROMANELLI FOR GLENROSS NORTH SUBDIVISION FOR 196 SINGLE-FAMILY LOTS ON APPROXIMATELY 100 ACRES LOCATED JUST EAST OF GLENN PARKWAY AND NORTH OF THE GLENROSS GOLF CLUB ON PROPERTY ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

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The Clerk read the ordinance for the second time.

**ITEM 16: ORDINANCE NO. 15-72** [First Reading]  
AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR THE PURCHASE OF ROAD SALT FOR THE 2015/2016 WINTER SEASON, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-72, seconded by Mr. Shafer. Motion approved by 6-0 vote.

**Motion:** Mr. Brush moved to enact the emergency clause for Ordinance No. 15-72, seconded by Mr. Shafer. Motion approved by 6-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-72, seconded by Mr. Shafer. Motion approved by 6-0 vote.

**ITEM 17: ORDINANCE NO. 15-73** [First Reading]  
AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING TO HIRE A FULL-TIME POSITION IN THE LEGAL DEPARTMENT TO PROSECUTE DELINQUENT INCOME TAX CASES AND TO PROVIDE OTHER LEGAL ASSISTANCE.

The Clerk read the ordinance for the first time.

Mr. Brush indicated that this position was discussed with and endorsed by the Finance Committee.

**ITEM 18: ORDINANCE NO. 15-74** [First Reading]  
AN ORDINANCE SUPPLEMENTING THE 2015 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR GENERAL LIABILITY AND PROPERTY INSURANCE PREMIUMS, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Mrs. Keller moved to suspend the rules for Ordinance No. 15-74, seconded by Mr. Brush. Motion approved by a 6-0 vote.

**Motion:** Mrs. Keller moved to enact the emergency clause for Ordinance No. 15-74, seconded by Mr. Brush. Motion approved by a 6-0 vote.

**Motion:** Mrs. Keller moved to adopt Ordinance No. 15-74, seconded by Mr. Brush. Motion approved by a 6-0 vote.

**ITEM 19: Discussions:**  
A. Hotel Market Study

Mr. Homan informed Council of the recent meeting with a hotel developer, which also included himself and Mr. Hughes, to determine the market and interest for a hotel in the downtown area.

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## B. Troy Township Update

Mr. Homan stated the he along with Mayor Riggle, and Troy Township Trustees met to discuss their request of a modification of the annexation process. Mr. Homan indicated that a Troy Township Trustee will attend a future City Council meeting to discuss their request.

### **ITEM 20: ORDINANCE NO. 15-64** [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR DELAWARE CITY SCHOOLS FOR AN ADDITION, RENOVATION, AND SITE IMPROVEMENTS FOR SMITH ELEMENTARY SCHOOL ON APPROXIMATELY 3.40 ACRES ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED AT 355 NORTH LIBERTY STREET.

The Clerk read the ordinance for the second time.

There was no public participation.

#### **APPLICANT:**

Larry Davis  
149 Westwood Ave.  
Delaware, Ohio

**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-64, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-64, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

### **ITEM 21: ORDINANCE NO. 15-65** [Second Reading]

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR DELAWARE CITY SCHOOLS FOR AN ADDITION, RENOVATION, AND SITE IMPROVEMENTS FOR SMITH ELEMENTARY SCHOOL ON APPROXIMATELY 3.40 ACRES ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED AT 355 NORTH LIBERTY STREET.

The Clerk read the ordinance for the second time.

#### **APPLICANT:**

Larry Davis  
149 Westwood Ave.  
Delaware, Ohio

Mr. Efland provided a presentation that reviewed the location map, zoning map, and aerial photographs. Mr. Efland reviewed the proposed site location and addition.

Mayor Riggle voiced her concern over the placement of the dumpster next to a surrounding property owner. Mr. Davis indicated that there are plans to move the dumpster to a location closer to the cafeteria area and that they are working with staff to determine the most appropriate location.

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**Motion:** Mr. Brush moved to suspend the rules for Ordinance No. 15-65, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

**Motion:** Mr. Brush moved to adopt Ordinance No. 15-65, seconded by Mr. Shafer. Motion approved by a 6-0 vote.

Mayor Riggle requested a recess at 6:44 p.m. Mayor Riggle reconvened the meeting at 6:52 p.m.

**ITEM 22: 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 6:52 p.m. This motion was seconded by Mr. Jones and approved by a 6-0 vote. Council met in 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. Council conducted a discussion of those items with the following members present: First Ward Chris Jones, Second Ward Lisa Keller, Fourth Ward Andrew Brush, At Large Kent Shafer, Vice Mayor George Hellinger and Mayor Carolyn Kay Riggle. Following the discussion at 7:43 p.m., it was moved by Mr. Brush that Council move into Open session, seconded by Mr. Shafer and approved by 6-0 vote.

**ITEM 23: FINANCE DIRECTOR'S REPORT**

Mr. Stelzer discussed the decrease in revenue at the airport.

**ITEM 24: CITY MANAGER'S REPORT**

Mr. Homan informed Council of an upcoming meeting with MORPC.

Mr. Homan provided an update on the Wayfinding status and that he recently signed a letter of intent to move forward with the project.

Mr. Homan stated that a meeting was held with former members of the Dog Park Committee regarding a follow-up on their request for financial information.

A discussion was held on a Work Session date to discuss and review the findings from the Citizen Survey. A date of September 12, 2015 at 9 a.m. has been agreed on by Council.

Mr. Homan provided an update on recent communication with Sakata, Japan and their interest in formally establishing a Sister City relationship.

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## **ITEM 25: COUNCIL COMMENTS**

Mrs. Keller discussed the need for increase awareness of Lyme Disease and recent conversation with the health department.

Mr. Shafer indicated that there is a scheduled Parking and Safety set meeting date for August 17, 2015.

Mayor Riggle provided an update on recent events including Veteran's Park groundbreaking, Blast from the Past, and Sawmill Parkway groundbreaking.

## **ITEM 26: ADJOURNMENT**

**Motion:** Mr. Brush moved to adjourn the meeting, seconded by Mr. Shafer. The meeting adjourned at 7:46 p.m.

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

  
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Elaine McCloskey, Council Clerk