

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held January 11 2016

**6:30 EXECUTIVE SESSION:** Vice-Mayor Shafer moved to enter into Executive Session at 6:31 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 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: Second Ward Lisa Keller, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, Vice Mayor Kent Shafer and Mayor Carolyn Kay Riggle. Absent from the discussion was First Ward Chris Jones. Following the discussion at 6:50 p.m., it was moved by Mr. Rohrer that Council move into Open session, seconded by Vice-Mayor Shafer and approved by a 6-0 vote.

The regular meeting of January 11, 2016 was called to order at 7:00 p.m., in the City Council Chambers. The following members of Council were present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Carolyn Kay Riggle who presided. The invocation was given by Darren Shulman, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Sean Hughes, Economic Development Director, Scott Stowers, IT Director, Dean Stelzer, Finance Director, Dave Efland, Planning and Community Development Director, Brad Stanton, Public Utilities Director, John Donahue, Fire Chief, Bruce Pijanowski, Police Chief, Jackie Walker, Assistant City Manager, and Tom Homan, City Manager

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

APPROVAL of the Motion Summary of the regular meeting of Council held December 14, 2015, as recorded and transcribed.

APPROVAL of the Motion Summary of the Year-end meeting of Council held December 21, 2015, as recorded and transcribed.

**Motion:** Vice-Mayor Shafer moved to approve the Motion Summary for the regular meeting of Council held December 14, 2015, and the Year-end meeting of Council held December 21, 2015, seconded by Mr. DiGenova. Motion approved by a 6-0-1 (Hellinger) vote.

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

- A. Acceptance of the Motion Summary of the Civil Service Commission meeting held November 4, 2015.
- B. Acceptance of the Motion Summary of the Parking and Safety Committee meeting held November 16, 2015.
- C. Acceptance of the Motion Summary of the Public Works/Public Utilities Committee meeting held September 1, 2015.
- D. Resolution No. 16-01, a resolution accepting the public improvements for Innovation Court.
- E. Resolution No. 16-02, a resolution accepting the public improvements for Curtis Farms, Phase 3.

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- F. Resolution No. 16-03, a resolution appointing/reappointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointments/reappointments.
- G. Resolution No. 16-04, a resolution appointing members to the 2016 Charter Review Commission.
- H. Resolution No. 16-05, a resolution rescheduling the second regular meeting of City Council from December 26 to December 19, 2016.

Mr. Stelzer informed Council that with a meeting change to December 19, 2016 the Finance Department may not have all the supplemental information until prior to the meeting due to payroll date.

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

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

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

Vice-Mayor Shafer updated Council on the Special Parking and Safety meeting held January 4, 2016.

Mayor Riggle indicated that work sessions will be scheduled for the first Monday of the month, beginning in February. Council agreed for the meetings to begin at 6:30 p.m.

Mayor Riggle requested Council schedule the date for the Council Retreat. Council agreed that the Retreat be held March 12, 2016.

Mayor Riggle requested that Mr. Hughes provide an update regarding the closing of Buehler' Fresh Foods. Mr. Hughes indicated that he is working with employees to inform them of community resources available. Mr. Hughes also discussed efforts to find potential businesses to use the building.

### **ITEM 8: RESOLUTION NO. 16-06** [First Reading]

A RESOLUTION HONORING THE LIFE OF DR. MARTIN LUTHER KING, JR.

The Clerk read the resolution for the first time.

**Motion:** Mr. Jones moved to adopt Resolution No. 16-06, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

### **ITEM 9: ORDINANCE NO. 15-118** [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED ON HOWALD INDUSTRIAL PARK ON APPROXIMATELY 27.79 ACRES LOCATED AT 320 LONDON ROAD.

The Clerk read the ordinance for the second time.

There was no public participation.

**APPLICANT:**  
John Howald

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320 London Road  
Delaware, Ohio 43015

Mr. Howald indicated that he is agreeable to all staff conditions and recommendations.

**Motion:** Mrs. Keller moved to suspend the rules for Ordinance No. 15-118, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

**Motion:** Mrs. Keller moved to adopt Ordinance No. 15-118, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

**ITEM 10: ORDINANCE NO. 15-119** [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A REZONING FROM M-2 (GENERAL MANUFACTURING DISTRICT) TO M-2 PMU (GENERAL MANUFACTURING DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR HOWALD INDUSTRIAL PARK ON APPROXIMATELY 27.79 ACRES LOCATED AT 320 LONDON ROAD.

The Clerk read the ordinance for the second time.

There was no public participation.

**Motion:** Mrs. Keller moved to suspend the rules for Ordinance No. 15-119, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

**Motion:** Mrs. Keller moved to adopt Ordinance No. 15-119, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

**ITEM 11: ORDINANCE NO. 15-120** [Second Reading]

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR HOWALD INDUSTRIAL PARK ON APPROXIMATELY 27.79 ACRES ZONED M-2 PMU (GENERAL MANUFACTURING DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) LOCATED AT 320 LONDON ROAD.

The Clerk read the ordinance for the second time.

**Motion:** Mrs. Keller moved to suspend the rules for Ordinance No. 15-120, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

**Motion:** Mrs. Keller moved to adopt Ordinance No. 15-120, seconded by Mr. DiGenova. Motion approved by a 7-0 vote.

**ITEM 12: ORDINANCE NO. 15-121** [Second Reading]

AN ORDINANCE AUTHORIZING THE FUNDING OF THE PANHANDLE BRIDGE WATER MAIN CONSTRUCTION TO THE DELAWARE COUNTY ENGINEER AS PART OF THE PANHANDLE BRIDGE REPLACEMENT PROJECT.

The Clerk read the ordinance for the second time.

**Motion:** Mrs. Keller moved to suspend the rules for Ordinance No. 15-121, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

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**Motion:** Mrs. Keller moved to adopt Ordinance No. 15-121, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

## **ITEM 13: CITY MANAGER'S REPORT**

Mr. Homan discussed scheduling a Finance Committee meeting.

Mr. Homan stated that he will be meeting with the superintendents of Delaware City Schools and Olentangy City Schools.

Councilman Shafer indicated that a meeting has been set with the B.I.A.

## **ITEM 14: COUNCIL COMMENTS**

Mrs. Keller discussed the use of regular council meeting to discuss information to be presented at work sessions, if the regular meeting agenda is light.

Mr. DiGenova requested the ethic forms. Information provided to Council on accessing the forms online.

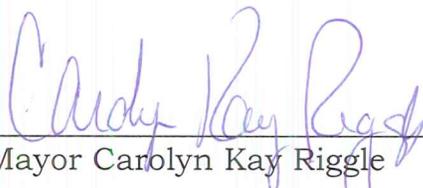
Mr. Hellinger discussed a conversation with Roger Buehler regarding the closing of the store.

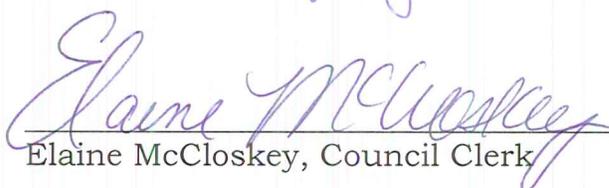
Mayor Riggle indicated that she will be at a convention from January 21 through January 24, for the Ironman.

Vice-Mayor Shafer moved to enter into Executive Session at 8:00 p.m. This motion was seconded by Mrs. Keller and approved by a 7-0 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, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, Vice Mayor Kent Shafer and Mayor Carolyn Kay Riggle. Following the discussion at 8:30 p.m., it was moved by Mr. DiGenova that Council move into Open session, seconded by Mr. Rohrer and approved by 7-0 vote.

## **ITEM 15: ADJOURNMENT**

**Motion:** Vice-Mayor Shafer moved to adjourn the meeting, seconded by Mr. Hellinger. The meeting adjourned at 8:30 p.m.

  
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Mayor Carolyn Kay Riggle

  
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Elaine McCloskey, Council Clerk