

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 22 2016

The regular meeting of February 22, 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 Mr. Jones, 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 February 8, 2016, as recorded and transcribed.

APPROVAL of the Motion Summary from the Council Retreat meeting held February 13, 2016, as recorded and transcribed.

**Motion:** Mr. DiGenova moved to approve the Motion Summary for the regular meeting of Council held February 8, 2016 seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Rohrer moved to approve the Motion Summary for the Council Retreat meeting held February 13, 2016 seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

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

- A. Resolution No. 16-10, a resolution appointing/reappointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointments/reappointments.
- B. Acceptance of the Motion Summaries of the Parks and Recreation Advisory Board meetings held November 17, 2015 and January 19, 2016.

**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**

Tracy Cromwell  
71 Griswold Street  
Delaware, Ohio 43015

Ms. Cromwell presented Mayor Riggle an American Flag from the Evening Kiwanis Club.

Jim Stillwagon  
Columbus, Ohio

Mr. Stillwagon discussed his current lawsuit against the City of Delaware. Mr. Shulman recommended that Mr. Stillwater have his attorney contact him.

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 22 2016

## **ITEM 7: COMMITTEE REPORTS**

Mr. DiGenova indicated that the dedication for Veterans Memorial will be held May 30, 201 at noon.

Mr. Rohrer provided an update of the discussion held at the Parks & Recreation Advisory Board regarding the implementation of sub-committees.

Mr. Hellinger indicated that Shade Tree Commission will meet February 23, 2016.

## **ITEM 8: LIQUOR PERMIT TRANSFER**

A. From VJOSA Food Service LLC, DBA OPA Pub & Grill, 1st Floor & Patio, 18 S. Sandusky St., Delaware, OH 43015 to Maria Food Service, DBA OPA Pub & Grill, 1st Floor & Patio, 18 S. Sandusky St., Delaware, OH 43015. PERMIT CLASSES: D1, D2, and D3

**Motion:** Vice-Mayor Shafer moved to approve the liquor permit transfer, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

## **ITEM 9: PRESENTATIONS**

- A. Proclamation presentation to the Conference Champion Dempsey Middle School Wrestling Team
- B. East William Street project – Bill Ferrigno, Public Works Director/City Engineer

Mr. Ferrigno provided information regarding safety improvements, landscape plan, and pedestrian bridge. Information provided on a public meeting regarding the planned improvements.

## **ITEM 10: ORDINANCE NO. 16-09** [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR GARAGE 26 FOR AN AUTOMOTIVE FACILITY AT 147 EAST WILLIAM STREET ON APPROXIMATELY 0.33 ACRES ZONED B-3 (COMMUNITY BUSINESS DISTRICT).

The Clerk read the ordinance for the second time.

### **APPLICANT:**

Liz Sickinger  
105 English Terrace  
Delaware, Ohio 43015

Don McCann  
447 North Washington St.  
Delaware, Ohio 43015

There was no public participation.

**Motion:** Mr. DiGenova moved to suspend the rules for Ordinance No. 16-09, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 16-09, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 22 2016

**ITEM 11: ORDINANCE NO. 16-11** [First Reading]

AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING TO CONSTRUCT THREE BOATING FACILITIES ALONG THE OLENTANGY RIVER.

The Clerk read the ordinance for the first time.

**Motion:** Mr. Jones moved to suspend the rules for Ordinance No. 16-11, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones moved to adopt Ordinance No. 16-11, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**ITEM 12: ORDINANCE NO. 16-12** [First Reading]

AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING TO CLOSE ON PREVIOUSLY APPROVED PURCHASE OF TWO PROPERTIES ON CENTRAL AVENUE, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-12, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer moved to enact the emergency clause for Ordinance No. 16-12, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer moved to adopt Ordinance No. 16-12, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**ITEM 13: ORDINANCE NO. 16-13** [First Reading]

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$11,665,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS PUBLIC INFRASTRUCTURE IMPROVEMENTS, TOGETHER WITH ALL RELATED APPURTENANCES THERETO, AND AMENDING THE TERMS OF A PORTION OF THE ANTICIPATED BONDS DESCRIBED IN ORDINANCE NO. 14-10, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Mr. DiGenova moved to suspend the rules for Ordinance No. 16-13, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved to enact the emergency clause for Ordinance No. 16-13, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved adopt Ordinance No. 16-13, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

Mayor Riggle requested a break at 7:57 p.m. Mayor Riggle reconvened the meeting at 8:04 p.m.

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 22 2016

Discussion held on the need to reconsider Ordinance No. 16-13 due to need to omit on page 8, Section 2.

**Motion:** Mr. DiGenova moved to reconsider Ordinance No. 16-13, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved amend Ordinance No. 16-13, to remove Section 2 on page 8, seconded by Vice-Mayor Shafer. Motion approved by a 7- vote.

**Motion:** Mr. DiGenova moved to suspend the rules for Ordinance No. 16-13, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved enact the emergency clause for Ordinance No. 16-13, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 16-13, as amended, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 14: RESOLUTION NO. 16-11** [First Reading]

A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO DESIGNATE VARIOUS BANKS AND SAVINGS AND LOAN INSTITUTIONS AS DEPOSITORIES FOR PUBLIC FUNDS FROM THE CITY OF DELAWARE AND TO ENTER INTO CONTRACTS FROM MARCH 1, 2016 TO FEBRUARY 28, 2021.

The Clerk read the resolution for the first time.

**Motion:** Vice-Mayor Shafer moved to adopt Resolution No. 16-11, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**ITEM 15: Ethics Training – City Attorney Darren Shulman**

**ITEM 16: 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.

Vice-Mayor Shafer motioned to enter into Executive Session at 8:44 p.m. This motion was seconded by Mr. Jones, and approved by a 7-0 vote. Council met in executive session in 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 9:18 p.m., it was moved by Vice-Mayor

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 22 2016

Shafer that Council move into Open session, seconded by Mr. DiGenova and approved by a 7-0 vote.

## **ITEM 17: CITY MANAGER'S REPORT**

Mr. Homan discussed the need to acknowledge the spraying for the Gypsy Moth by the State of Ohio Department of Agriculture. Mrs. Keller voiced a concern over spraying over water sources in Delaware.

Mr. Homan discussed the need to set up a meeting for the Finance Committee.

## **ITEM 18: COUNCIL COMMENTS**

Mr. Jones requested the date for the upcoming Ironman. Staff provided Mr. Jones with the scheduled date of August 21, 2016.

Mrs. Keller voiced concern regarding the trash placed in front of businesses on Sandusky Street in the downtown area.

Mr. DiGenova paid tribute to the death of former Fire Chief Wilbur Bills.

Mr. DiGenova provided information regarding Vietnam Veterans request to put American Flags and lights on Veteran's Bridge.

Mr. DiGenova discussed the preference to leave the holiday lights on the trees for special events throughout the year.

## **ITEM 19: ADJOURNMENT**

**Motion:** Mr. Rohrer moved to adjourn the meeting, seconded by Vice-Mayor Shafer. The meeting adjourned at 9:18 p.m.



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



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