

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

AGENDA

REGULAR MEETING

FEBRUARY 22, 2016

1. ROLL CALL
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. 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.
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.
6. LETTERS, PETITIONS, AND PUBLIC COMMENTS
7. COMMITTEE REPORTS
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
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

10. 7:30 P.M. PUBLIC HEARING AND SECOND READING of Ordinance No. 16-09, 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).
11. CONSIDERATION of Ordinance No. 16-11, an ordinance supplementing the 2016 appropriations ordinance to provide funding to construct three boating facilities along the Olentangy River.
12. CONSIDERATION of Ordinance No. 16-12, 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.
13. CONSIDERATION of Ordinance No. 16-13, 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.
14. CONSIDERATION of Resolution No. 16-11, 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.
15. Ethics Training – City Attorney Darren Shulman
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.
17. CITY MANAGER'S REPORT
18. COUNCIL COMMENTS
19. ADJOURNMENT

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 8 20 16

The regular meeting of February 8, 2016 was called to order at 7:00 p.m., in the City Council Chambers. The following members of Council were 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 who presided. Absent from the meeting was First Ward Chris Jones. The invocation was given by Mr. Homan, followed by the Pledge of Allegiance, led by Girl Scout Troop 2429.

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

Motion to Excuse: Mrs. Keller moved to excuse Mr. Jones from the February 8, 2016 meeting, seconded by Vice-Mayor 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 January 25, 2016, as recorded and transcribed.

Motion: Mr. DiGenova moved to approve the Motion Summary for the regular meeting of Council held January 25, 2016 seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary for the Historic Preservation Committee meeting held November 18, 2015.
- B. Acceptance of the Motion Summary for the Airport Commission meeting held October 15, 2015.
- C. Acceptance of the Motion Summary for Planning Commission meeting held January 20, 2016.
- D. Acceptance of the Motion Summary for the Civil Service Commission meeting held December 2, 2015.
- E. Establish February 22, 2016 at 7:30 p.m. as the date and time for a public hearing and second reading of Ordinance No. 16-09, and 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).

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

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

ITEM 7: COMMITTEE REPORTS

Vice-Mayor Shafer indicated that there is a scheduled Parking & Safety Committee meeting on February 15, 2016; however the meeting may be cancelled due to no current agenda items.

Mayor Riggle provided an update on the first Charter Review Commission meeting held February 4, 2016.

ITEM 8: PRESENTATIONS

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 1014B

Held February 8 20 16

A. Delaware General Health District Update - Shelia Hiddleson, Health Commissioner

The update from Delaware General Health District will occur at a later date.

ITEM 9: ORDINANCE NO. 16-05 [First Reading]

AN ORDINANCE PERMITTING THE SALE AND CONSUMPTION OF ALCOHOL BY THE DELAWARE YMCA C/O NEW MOON HALF & QUARTER MARATHON EVENT TO BE HELD ON MAY 21, 2016, COURSE AND MAP ATTACHED HERETO, IN THE CITY OF DELAWARE.

The Clerk read the ordinance for the first time.

APPLICANT:

Craig Thompson
4699 Chantry Court
Upper Arlington, Ohio 43220

Mr. Thompson reviewed the need for the liquor permit to be applied for by a non-profit organization.

Motion: Mrs. Keller moved to suspend the rules for Ordinance No. 16-05, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mrs. Keller moved to adopt Ordinance No. 16-05, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 10: ORDINANCE NO. 16-06 [First Reading]

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE DELAWARE COUNTY SHERIFF'S OFFICE TO LEND A NON-TRANSFERRABLE LICENSE OF THE SOFTWARE KNOWN AS JAIL TRACKER TO THE CITY OF DELAWARE.

The Clerk read the ordinance for the first time.

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 16-06, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 16-06, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 11: ORDINANCE NO. 16-07 [First Reading]

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE DELAWARE COUNTY SHERIFF'S OFFICE TO BE A PARTNER IN THE DELAWARE COUNTY LAW ENFORCEMENT AGAINST PUSHERS (LEAP) PROGRAM WHICH IS A COUNTY-WIDE MULTI-JURISDICTIONAL DRUG TASK FORCE.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-07, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 8 20 16

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 16-07, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 12: ORDINANCE NO. 16-08 [First Reading] AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE DELAWARE COUNTY ADULT PROTECTIVE SERVICES INTERDISCIPLINARY TEAM (DCAPSIT).

The Clerk read the ordinance for the first time.

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 16-08, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 16-08, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 13: ORDINANCE NO. 16-09 [First 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 first time.

A public hearing has been scheduled for February 22, 2016 at 7:30 p.m.

ITEM 14: ORDINANCE NO. 16-10 [First Reading] AN ORDINANCE AUTHORIZING THE HIRING OF A SEASONAL TEMPORARY PROSECUTOR FOR TEMPORARY PROSECUTORIAL ASSISTANCE WITHIN THE CITY OF DELAWARE'S PROSECUTOR'S OFFICE, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Mrs. Keller moved to suspend the rules for Ordinance No. 16-10, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mrs. Keller moved to enact the emergency clause for Ordinance No. 16-10, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mrs. Keller moved to adopt Ordinance No. 16-10, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 15: Ethics Training (time permitting) - City Attorney Darren Shulman

The Ethics Training will be scheduled at a later date.

ITEM 16: CITY MANAGER'S REPORT Mr. Homan indicated that the agenda for the Council Retreat is expected to be available later in the week.

Mrs. Walker provided an update on current negotiations with an architect firm for building updates.

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8084 FORM NO. 10148

Held February 8 20 16

ITEM 17: 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 moved to enter into Executive Session at 7:32 p.m. This motion was seconded by Mr. Hellinger, and approved by a 6-0 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: 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 8:09 p.m., it was moved by Mr. Hellinger that Council move into Open session, seconded by Mr. Rohrer and approved by a 6-0 vote.

ITEM 18: COUNCIL COMMENTS

Mr. DiGenova reminded Council of the upcoming Employee Breakfast.

Vice-Mayor Shafer indicated that he will be meeting with Main Street Delaware.

Mayor Riggle provided information on the upcoming meeting in regards to the Hayes Memorial.

ITEM 19: ADJOURNMENT

Motion: Vice-Mayor Shafer moved to adjourn the meeting, seconded by Mr. Hellinger. The meeting adjourned at 8:10 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8084 FORM NO. 10148

Held February 13 20 16

The Delaware City Council Retreat meeting of February 13, 2016 was called to order at 9:00 a.m., in Dickhaut Library, Room L200 at Methesco, located at 3081 Columbus Pike, Delaware Ohio. 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.

Staff Present: Dean Stelzer, Finance Director, Darren Shulman, City Attorney, Bill Ferrigno, Public Works Director/City Engineer, Lee Yoakum, Community Affairs Coordinator, Scott Stowers, IT Director, Jackie Walker, Assistant City Manager, and Tom Homan, City Manager.

ITEM 2: CITY TRASPORTANTION PROGRAM: DISCUSSION, RECOMMEDNATIONS

Mr. Homan discussed the need to address the Comprehensive and Maintenance Transportation Program, along with the need to identify a funding source of revenue.

Mr. Ferrigno reviewed the two main areas of focus regarding transportation which includes maintenance and network improvement.

Mr. Ferrigno reviewed committed transportation projects and provided information on the cost and funding source for each project.

Mr. Ferrigno provided a presentation of priority transportation projects that were recommended by staff. Included in this list of staff recommendations for priority transportation projects include:

1. The Point Intersection
2. Traffic Signal System Improvements
3. Valleyside Drive Extension
4. West Central Reconstruction
5. W. William Reconstruction
6. W. William-Curtis Street Intersection
7. Vernon Avenue Connector

Mr. Ferrigno discussed the 5 year, 2016-2020, Resurfacing Program and resurfacing history throughout the city from 2002-2015. Included in the discussion was the need for funding.

Mr. Stelzer provided Council with information and recommendations regarding a Road Improvement/Maintenance Tax Levy. Mr. Stelzer provided information on the proximate revenue generated from a 1.15% increase in the City's income tax rate. Comparisons were provided on the revenue a 10 year levy compared to a 15 year levy. Mr. Stelzer reviewed the additional cost and impact to resident's income tax.

Mr. Jones recommended that voters be given the option to raise their taxes and not force legislature of tax increases. Council voiced agreement that a Road Improvement/Maintenance Tax Levy will be necessary.

A discussion was held on the benefits of a permanent levy compared to a renewal of a levy. Mrs. Keller expressed concern regarding a 10 or 15 year levy, as the needs for maintenance will be ongoing.

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 13 20 16

Mr. Homan reviewed the proposed timeline for Council action and public involvement to allow for the Transportation/Maintenance Road Levy to be on the November8, 2016 ballot.

Council identified what needs to be included in the levy, which include:

- 1. New Road Connectors
- 2. Maintenance-including signal and timing
- 3. Identify money earmarked to leverage federal dollars.

Discussion held on the use of federal funds compared to potential levy funds for reconstruction of The Point.

Mayor Riggle requested a break at 10:25 a.m. Mayor Riggle reconvened the meeting at 10:34 a.m.

Mr. Shafer reviewed with Council a presentation on Traffic Project Cost Analysis and prioritized the projects based on a 15 year levy. Discussion was held on the recommended improvements to Valleyside Drive and the potential to reduce traffic on Houk Road, and to increase the safety and response time for EMS.

A discussion was held on Merrick Blvd. extension plans and the need for realignment at Troy Road for safety issues.

A discussion was held on the use of social media to educate and provide information on the levy. Mr. Yoakum discussed peak hours of use on social media.

Mr. Shulman reviewed the Ohio Revised Code 9.03 and restrictions on using public funds to support or oppose a levy. Mr. Shulman discussed the need to have a committee formed by members of the community and to raise money for a consultant. Mr. Homan discussed speaking to alumni from the Citizen's Academy.

Mayor Riggle requested a lunch break at 11:40 a.m. Mayor Riggle reconvened the meeting at 12:00 p.m.

Mr. Homan discussed the funding source for Glenn Parkway by the New Community Authority.

A discussion was held on including parking into the levy. Mrs. Walker provided information on a parking consultant and how the consultant can identify what needs the City of Delaware has.

ITEM 3: WRAP-UP

Mr. Homan recommended that Council start getting feedback on transportation projects and awareness to the community. Mr. Homan discussed public involvement through HOA meetings and social media.

Mayor Riggle recommended education be provided on the approximate cost to build a new road.

A discussion was held on the need to form a Mission Statement and fact sheet on road cost and maintenance.

Council requested that the community survey in regards to the public opinion on road needs be placed online.

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-6094 FORM NO. 10148

Held February 13 20 16

Council was in agreement to a 0.15% increase in the City's income tax rate.

ITEM 4: ADJOURNMENT

Motion: Mayor Riggle motioned to adjourn the meeting. The meeting adjourned at 12:43 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM A DATE: 2/22/16
ORDINANCE NO: RESOLUTION NO: 16-10
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: ---

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

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

BACKGROUND:

REASON WHY LEGISLATION IS NEEDED:

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):

Carolyn Kay Riggle, Mayor

RECOMMENDATION:

ATTACHMENT(S)

**PARKS AND RECREATION ADVISORY BOARD
MOTION SUMMARY
November 17, 2015**

ITEM 1. Roll Call

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

Members Present: Joshua Bricker, Cassie Cunningham, Dianna Hibinger, Julie German (arrived at 7:05 p.m.), Nicole LaMar (arrived at 7:04 p.m.), Matt Polites, Celeste Smith (arrived at 7:03 p.m.), Councilmember Chris Jones, Vice-Chairwoman Jennifer Davis and Chairwoman Allyson Lash.

City Staff Present: Linda Mathews, Customer Service City Liaison, Dan Whited, Public Service Group Director, and Stacy Davenport, Parks Superintendent

YMCA Staff Present: Matt Bruns, Executive Director and Matt Kifle, Membership Director.

ITEM 2. MOTION TO EXCUSE

Motion: Mr. Polites moved to excuse Ms. LaMar, Ms. Smith, and Ms. German seconded by Vice-Chairwoman Davis. Motion approved by a 7-0 vote.

ITEM 3. APPROVAL of the Motion Summary for the meeting held August 18, 2015 as recorded and transcribed.

Motion: Mr. Bricker moved to approve the Motion Summary for the meeting held August 18, 2015, seconded by Ms. Hibinger. Motion approved by a 7-0 vote.

ITEM 4. APPROVAL of the Motion Summary for the meeting held September 15, 2015 as recorded and transcribed.

Motion: Ms. Hibinger moved to approve the Motion Summary for the meeting held September 15, 2015 as recorded and transcribed, seconded by Mr. Polites. Motion approved by a 7-0 vote.

ITEM 5. APPROVAL of the Motion Summary for the meeting held October 20, 2015.

Motion: Mr. Bricker moved to approve the Motion Summary for the meeting held October 20, 2015, seconded by Mr. Polites. Motion approved by a 7-0 vote.

ITEM 6. PUBLIC COMMENTS

ITEM 7. UPDATE of YMCA Recreation Services
Mr. Bruns introduced Mr. Kifle to the Board.

Mr. Bruns reviewed the Healthy Weight and Child program. Mr. Bruns provided information on the upcoming indoor soccer tournament and the co-ed volleyball tournament to raise money for the Livestrong Program.

Discussion was held on the Santa's Helper program.

Mr. Jones requested if Mr. Bruns received the management agreement with the city. Mr. Bruns informed the board that he did receive this and will forward it to Ms. Jackie Walker.

ITEM 8. UPDATE of Park Activities

Mr. Davenport provided an update on the Veteran's Park progress.

Mr. Davenport informed the committee that the Dog Park has been aerated and fertilized.

Mr. Davenport discussed the efforts of 60 volunteers for Make A Difference Day.

Mr. Davenport reviewed the parks monthly report that was provided to Advisory Board meeting.

Mr. Davenport discussed research that he completed on the prices of the golf course in surrounding areas. Mr. Davenport recommends increase of the rates of Hidden Valley to weekend rates of \$9.50 to \$10.00 for nine holes and \$13.00 to \$13.50 on eighteen holes.

Motion: Mr. Polites moved to recommend increase of \$0.50 fees at weekend rates, seconded by Vice-Chairwoman Davis. Motion approved by 10-0 vote.

Mr. Davenport discussed the different bucket sizes offered at Hidden Valley Golf Course. Mr. Davenport would like to eliminate the medium size bucket.

Mr. Davenport would like to have on membership cards specific open and close dates. The Advisory Board to discuss further dates for open and close for a formal recommendation in January of 2016. Mr. Davenport recommends a tentative date on membership cards from March through October for future sales during the holidays until specific dates can be set.

ITEM 9. STAFF COMMENTS

Mr. Davenport discussed the Going Green Award received for work completed at Blue Limestone Park.

Mr. Davenport notified the Board that staff is working on updates on the Bike Path Plan.

Ms. Mathews recognized Ms. Smith for her achievements in being appointed to the U.S. Senate Youth Program.

ITEM 10. MEMBER COMMENTS

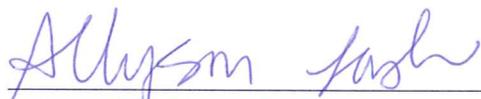
Mr. Bricker discussed the identity and responsibilities of the board. Mr. Whited discussed the input from the Board regarding the Bike Plan.

Vice-Chair Davis discussed concerns on the shared lane markings on Sandusky Street. Mr. Whited discussed the need and opportunity to provide a safe route for bike riders throughout the city.

Mr. Polites praised staff for the fencing at the dog park and the upcoming Ironman event.

ITEM 11. ADJOURNMENT

Motion: Mr. Polites moved to adjourn the Parks and Recreation meeting, seconded by Ms. LaMar. The meeting adjourned at 7:55 p.m.



Allyson Lash, Chairwoman



Elaine McCloskey, Clerk

PARKS AND RECREATION ADVISORY BOARD
MOTION SUMMARY
January 19, 2016
NO QUORUM

ITEM 1. Roll Call

Chairwoman Lash called the meeting to order at 7:07 p.m.

Members Present: Joshua Bricker, Cassie Cunningham, Dianna Hibinger, Matt Polites, and Chairwoman Allyson Lash.

Members Absent: Julie German, Nicole LaMar, Celeste Smith, Lucas Ratliff, Councilmember Kyle Rohrer

City Staff Present: Linda Mathews, Customer Service City Liaison, Stacy Davenport, Parks Superintendent, and Tom Homan, City Manager

YMCA Staff Present: Roger Hanafin, Youth, Teen, and Family Program Director

ITEM 2. APPROVAL of the Motion Summary for the meeting held November 17, 2015 as recorded and transcribed.

The Motion Summary for the meeting held on November 17, 2015 will be voted on at the next regularly scheduled meeting due to a lack of quorum.

ITEM 4. ELECTION of Chair and Vice-Chair

No vote was taken due to lack of quorum.

ITEM 5. PUBLIC COMMENTS

ITEM 6. UPDATE of YMCA Recreation Services

Mr. Hanafin reviewed the youth programs and provided information on the Healthy Weight and your Child program and Safety Town.

Mr. Hanafin provided information on the different youth and adults sports program.

Mr. Hanafin provided an update on the Diabetes Prevention Program and informed the Board that the Livestrong Program was recently completed.

Mr. Hanafin discussed the current registration process for the Daddy Daughter Dance and the Mother Son Super Hero Party.

A discussion was held on advertising and increasing awareness of city and YMCA programs with the community. Mr. Davenport stated that there have been discussions about putting information on YMCA programs on the City of Delaware website.

Mr. Bricker discussed the need for the YMCA to recognize what programs and activities are brought to the community through the City of Delaware.

ITEM 7. UPDATE of Park Activities

Mr. Davenport provided an update on the Hidden Valley Golf Course Clubhouse rehabilitation.

Mr. Davenport discussed the new play toys at Blue Limestone Park and provided photographs of the new equipment. Mr. Davenport provided an update on the Veterans Park Spray and Play, and that plans are for the park to open on Memorial Weekend. Mr. Davenport discussed the all-inclusive play toy and the different amenities at the park.

Information was provided to the Board regarding the greenhouse construction.

Mr. Davenport provided an update on the Dog Park. The Board was made aware of the plans to open the park in this spring. Mr. Davenport voiced his concerns over other dog parks having to close to the turf being ruined from the rains and the dogs. Mr. Davenport discussed the possibility of have to shut the park down during rainy periods to protect the turf.

ITEM8. Discussion with City Manager Homan

Mr. Homan discussed the position for a Parks and Natural Resource Director. Mr. Homan indicated that staff is currently working on the job profile for this position and the plans to advertise nationwide for applicants. Mr. Homan stated that the position would be the principal liaison for the Parks and Recreation Advisory Board.

Mr. Homan and Mr. Davenport discussed the potential to create sub-committees for the Parks and Recreation Board. Mr. Bricker voiced his concern regarding the level of commitment by the current board members. Chairwoman Lash plans to send out an email to all members of the Board to encourage attendance to the scheduled meetings.

ITEM 9. STAFF COMMENTS

Mr. Davenport provided an update on CIP projects. Mr. Davenport discussed the plan for the Board to take part in meeting with HOA Boards, as needed, to determine new park amenities.

Mr. Davenport stated that there will be information provided at the February meeting regarding the Master Bike Plan and that staff will be meeting in January with the various organizations that utilize city facilities to determine needs and coordinate dates.

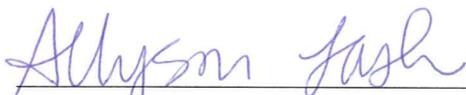
ITEM 10. MEMBER COMMENTS

Ms. Hibinger requested information on a wheelchair accessible swing. Mr. Davenport plans to research and provide information at a later date.

Ms. Cunningham requested volunteer opportunities and needs for the upcoming year to provide time to coordinate schedules and find volunteers at Ohio Wesleyan University. Mr. Hanafin recommended that the Board look at the schedule posted on the YMCA website.

ITEM 11. ADJOURNMENT

Motion: Mr. Polites moved to adjourn the Parks and Recreation meeting. The meeting adjourned at 8:27 p.m.



Allyson Lash, Chairwoman



Elaine McCloskey, Clerk



Delaware Police Department Liquor Permit Report

DPD Report Number L-16-01		Investigating Officer DET Daniel Madden #56	
Applicant (Primary Shareholder) Genti Koci		Company Name (LLC) Maria Food Service LLC	
Common Name OPA Pub and Grill		Address 18 South Sandusky Street Delaware OH 43015	
Applicant Phone Number 614-623-9375		Applicant E-Mail Address: gentikoci@hotmail.com	
<input checked="" type="checkbox"/> Existing Business	Type of Business Restaurant	Notification Type: Transfer	Date of Report 02/09/2016
<input type="checkbox"/> New Business (Supplement Attached)			

Permit Type
 C1/C2X Beer only in original sealed container for carry out only. C2 Wine and mixed beverages in sealed containers for carry out.
 D1/D2X Beer only for on premises consumption or in sealed containers for carry out. D2 Wine and mixed beverages for on premises consumption or in sealed containers for carryout. D4 Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
 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 <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	School, church or library objection <input type="checkbox"/> 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: None	Number of Police Reports in past 12 months: None
Calls for Service excluding calls not related to the business 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 <input type="checkbox"/> 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

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)



Delaware Police Department
Liquor Permit Report

Supplement

Supplement Type

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

On 02/11/2016, I met with Genti Koci and spoke with him about this permit transfer. In doing so, I learned that Genti has been associated with Opa since shortly after it opened six years ago, as a partial owner. Recently, it was decided that the partnership was going to dissolve and that Genti was going to take full ownership of Opa, as the other partner has opened Freddy's Street Food on Columbus Pike. As a result, the Opa's liquor permit, along with the rest of the business accounts, needed to be moved solely into Genti's name.

The Police Department has not had any extensive dealings with Opa. We have never cited them for any kind of an underage liquor violation. Furthermore, in talking with PD associates, we could only recall one or two times of having to go Opa for a noise complaint or something similar. While speaking with Genti, I did express to him that the PD is very proactive in curbing underage liquor sales and cautioned him about being on top of that in his restaurant.

Given all of the above, I do not see any reason why the City of Delaware should object to this transfer. **56**

DET. D MW #56

Investigating Officer Signature

02/11/2016

Date

Cap. Allion #5

Supervisor Signature

2/16/16

Date

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

5531553		TRFO	MARIA FOOD SERVICE LLC DBA OPA PUB AND GRILL 1ST FL & PATIO 18 S SANDUSKY ST DELAWARE OH 43015
PERMIT NUMBER		TYPE	
02	01	2016	
ISSUE DATE			
02	01	2016	
FILING DATE			
D1	D2	D3	
PERMIT CLASSES			
21	022	B	F15472
TAX DISTRICT		RECEIPT NO.	

FROM 02/03/2016

9290021			VJOSA FOOD SERVICE LLC DBA OPA PUB AND GRILL 1ST FL & PATIO 18 S SANDUSKY ST DELAWARE OH 43015
PERMIT NUMBER		TYPE	
02	01	2016	
ISSUE DATE			
02	01	2016	
FILING DATE			
D1	D2	D3	
PERMIT CLASSES			
21	022		
TAX DISTRICT		RECEIPT NO.	



MAILED 02/03/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN. 03/07/2016

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 5531553

(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

Township Fiscal Officer

**CLERK OF DELAWARE CITY COUNCIL
1 SOUTH SANDUSKY ST
DELAWARE OHIO 43015**

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

This presentation, which Bill Ferrigno will make, is intended to provide Council with an overview of the East William Street Improvement Project. A formal public involvement meeting about the project will be held on Monday, February 29, from 5-7 pm at Conger Elementary School (see attached notice)

Background information, including a project exhibit, about the project is enclosed.

Office of the Mayor

Proclamation

Whereas:

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

WHEREAS, the Dempsey Middle School wrestling team enjoyed a memorable 2015-2016 season; and

WHEREAS, the 7th and 8th grade squad capped a history-making season by winning an Ohio Capital Conference championship after going undefeated in its dual meets; and

WHEREAS, Dempsey won the Tormasi Tournament, placed five wrestlers in the state middle school event, and qualified for the state dual-meet championship; and

WHEREAS, coach Mark Rieman and assistant coaches Michael Freado, Chad Spring and Michael Bowman honored their community by showing, through this achievement, their devotion to coaching; and

WHEREAS, each team member demonstrated remarkable dedication and team spirit.

NOW THEREFORE, I, Carolyn Kay Riggle, Mayor of the City of Delaware, Ohio, do hereby issue this proclamation to honor:

THE CONFERENCE CHAMPION DEMPSEY WRESTLING TEAM

in the City of Delaware, Ohio, and I join with my fellow citizens in congratulating the team on tremendous season.

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



Public Involvement Meeting Announcement

E. William Street Improvement Project

DEL-36-10.59; PID 95625

Where: Conger Elementary School Gymnasium, 10 Channing Street, Delaware, OH 43015

When: February 29, 2016 5:00 p.m. – 7:00 p.m.

Reason for Meeting:

1. Present the project overview and provide an opportunity to review the feasibility study.
2. Show components of the design.
3. Provide an opportunity for questions and answers.
4. Gain knowledge from stakeholders regarding items the design team may have overlooked.

Need for Project:

East William Street suffers congestion during peak driving hours. Numerous accidents and delays occur as a direct result from vehicles stopped in the through lane waiting to make left turns. The addition of a center turn lane would

decrease delays from turning movements and reduce the amount of rear-end accidents that occur. Improvements to the Lake Street intersection would increase sight distance and allow for right turns on red.

Meeting Format:

This meeting will be an open house format, with a brief presentation at 5:30 p.m. Drawings and maps will be on display.

Representatives from the City of Delaware, Ohio Department of Transportation (ODOT) and the project consultant (**DLZ**) will be on hand to answer your questions and discuss how the project will unfold.

Written comments may be submitted at the meeting or mailed/emailed to:

Matthew B. Weber, P.E.
Public Works Department
440 E. William Street
Delaware, Ohio 43015
mweber@delawareohio.net

Please submit your comments concerning this project by March 31, 2016.

CITY OF DELAWARE 2016-2020 CAPITAL IMPROVEMENT PROGRAM

Project/Equipment: East William Street (US 36) Improvements

Department: Public Works – Engineering Services

Project Classification: Committed

Description and Purpose:

Widening of E. William Street from Lake Street to The Point Intersection, to accommodate increasing traffic volumes, turning movements and signal operations. Replacement and lengthening of the Springfield Branch Bikepath Bridge over US 36 to accommodate a wider east approach to the US 36 & Lake Street intersection, and better turning radius. The project was identified as an alternative approach to the Veterans Parkway Project, in that immediate relief to congestion and delay can be realized through the completion of a pavement widening and signal modifications along the corridor.

Cost and Funding:

Total current unencumbered funding left for the project is \$3.35M (Federal Earmark and Toll Revenue Credits). The City will pay for and manage the study and design of the improvements. The City will be reimbursed 100% for these costs. ODOT will manage R/W acquisition and construction of the improvements. The current Stage 1 construction cost estimate is \$3.3M, therefore, total projected remaining cost (including ROW and Construction Engineering) \$3.95M. This creates a funding gap of \$600,000. This gap can be closed with allocating MORPC STP funds, which require a 20% local match.

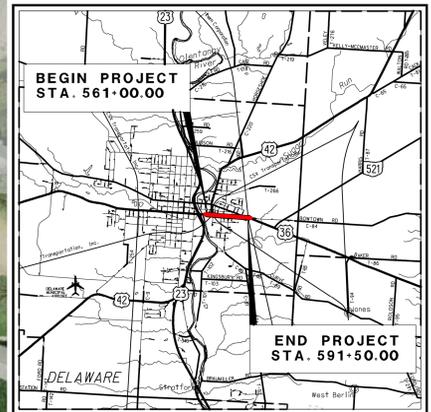
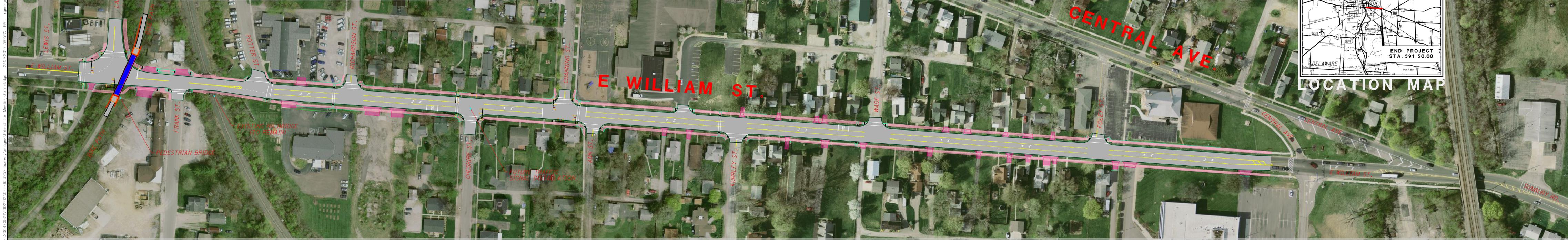
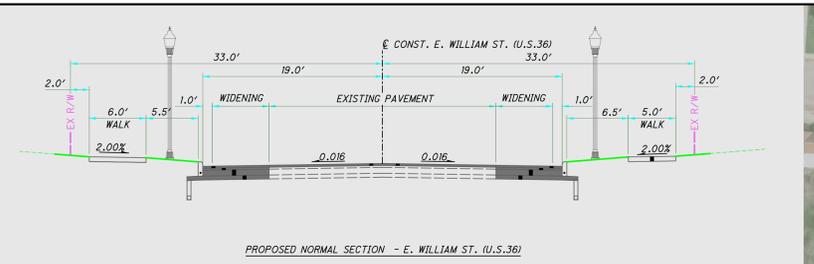
Schedule:

Study/Design in 2014-2015; Seek additional funding in 2016, then Public Involvement; Complete Design in 2017; Acquire ROW in 2018; Construction in 2019 at the earliest.





\\pwr\dlz\corp\com\dlz\Documents\Projects\2008\082\1002\02\DEL\95625\roadway\images\Exhibit for Meeting\Exhibit.dgn 2/15/2016 3:05:25 PM rps\rgs\scu



HORIZONTAL SCALE IN FEET
1" = 100'



CITY OF DELAWARE, OHIO
E. WILLIAM ST. (U.S. 36) IMPROVEMENTS
DEL-36-10.59
CITY OF DELAWARE
DELAWARE COUNTY

PROJECT DESCRIPTION: WIDENING OF E. WILLIAM ST. (U.S. 36) TO A 3-LANE SECTION FROM THE INTERSECTION OF E. WILLIAM ST. (U.S. 36) WITH LAKE ST. (U.S. 42) TO THE INTERSECTION WITH EAST POINT CROSSING. REPLACEMENT AND LENGTHENING OF THE EXISTING PEDESTRIAN BRIDGE (OLD RR BRIDGE) AT THE INTERSECTION OF U.S. 36 WITH U.S. 42.

LEGEND

- DRIVEWAY
- SIDEWALK
- CURB
- EDGE OF PAVEMENT

EXHIBIT

DEL-36-10.59





FACT SHEET

AGENDA ITEM NO: 10

DATE: 2/22/16

ORDINANCE NO: 16-09

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES
February 22, 2016

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

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

BACKGROUND:

The current site is the location of gas station that has been vacant for least 10 years. The Applicant and her business partner operated an auto repair shop in Radnor, Ohio which has since closed. The Applicant desires to re-locate the business to Delaware, where she resides, to open an auto repair shop and feels this site is a prime location. Basic light mechanical services will be offered, such as oil changes, tune-ups, and minor mechanical repairs. No body work, heavy repairs, or other services that might generate excessive noise for the surrounding properties will be performed. In addition, no junk or parts of cars or vehicles shall be allowed outside of the building. Also, all exterior changes will require compliance with the Downtown Historic District regulations and must follow those separate approval processes.

REASON WHY LEGISLATION IS NEEDED:

Per Chapter 1148 Conditional Use Regulations, of the City Codified Ordinances.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 6-0 on February 3, 2016.

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval with documented conditions.

ATTACHMENT(S)

Staff Report

ORDINANCE NO. 16-09

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

WHEREAS, the Planning Commission at its meeting of February 3, 2016, recommended approval of a Conditional Use Permit for Garage 26 for an automotive service facility at 147 East William Street on approximately 0.33 acres zoned B-3 (Community Business District) (PC Case 2016-0101), and

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

SECTION 1. That the Conditional Use Permit for Garage 26 for an automotive service facility at 147 East William Street on approximately 0.33 acres zoned B-3 (Community Business District), is hereby confirmed, approved, and accepted with the following conditions that:

1. No outdoor automotive servicing shall be permitted on the subject site.
2. The entire parking lot shall be repaved, striped, and access points identified within eighteen (18) months of approval.
3. The tree lawn shall be re-established and extended from the front of the building on Little Street north to the north property line and shall be completed prior to final certificate of occupancy permit approval.
4. Any proposed exterior change and/or signage shall achieve compliance with the requirements of the Historic Downtown Overlay District.

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.

VOTE ON RULE SUSPENSION:

YEAS___NAYS___
ABSTAIN ___

PASSED: _____, 2016

YEAS___NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

CASE NUMBER: 2016-0101
REQUEST: Conditional Use Permit
PROJECT: 147 East William Street
MEETING DATE: February 3, 2016

APPLICANT/OWNER

Liz Sickinger
Garage 26
105 English Terrace
Delaware, Ohio 43015

REQUESTS

2016-0101: A request by Garage 26 for approval of a Conditional Use Permit for an automotive service station at 147 East William Street on approximately 0.33 acres on property zoned B-3 (Community Business District).

PROPERTY LOCATION & DESCRIPTION

The subject 0.33 acre site is composed of three parcels located at the northwest corner of the intersection of East William Street and Little Street. The subject site is zoned B-3 (Community Business District) as are the properties directly to the north and west. The properties to the east are zoned B-3 (Community Business District) and R-6 (Multi-Family Residential District), while the properties to the south are zoned R-4 (Medium Density Residential District). The subject site is located within the Transitional Sub-District of the Downtown Historic District Overlay. The current surrounding uses consist of automotive retail, lodge hall, county historical society, and single and multi-family residential uses.

BACKGROUND/PROPOSAL

The site currently consists of a vacant gas station building containing garage bays for light automotive services. Most recently a Shell Oil gas station, the gas pumps, canopy, and underground fuel tanks have been removed. The building was constructed in 1964 as a gas station and has been vacant for over ten years. The Applicant and her business partner Don McCann operated an auto repair shop in Radnor, OH, which has since closed. The Applicant desires to re-locate the business to Delaware, where she resides, to open an auto repair shop and feels this site is a prime location. Basic light mechanical services will be offered, such as oil changes, tune-ups, and minor mechanical repairs. No body work, heavy repairs, or other services that might generate excessive noise for the surrounding properties will be performed. The Applicant will initially lease the property and perform the necessary repairs to the exterior of the building according to Historic District guidelines. The property owner will address the building's heating/cooling repairs and parking lot work required per City Ordinance. The opening of the business to be called 'Garage 26' is planned for April 2016. In recent years, due to the length of vacancy, the site has been a subject of a number of code enforcement violations; therefore, the proposed project would be an effective re-use of this site and result in a positive improvement to the surrounding neighborhood and gateway into the city. The proposal effectively returns the site to its former use minus the gasoline station component.

East William Street (Front/South) Elevation



Little Street (Side/East) Elevation



Rear/North Elevation



Side/West Elevation



STAFF ANALYSIS

- **COMPREHENSIVE PLAN:** The subject site is located in the eastern portion of the Downtown Core of the City of Delaware Comprehensive Plan and recommends mixed use as the future land use. The subject site is surrounded by mixed use future land uses. A low intensity automotive service station with a sensitive site plan would likely meet the intent of the land use plan with minimal impact to the adjacent businesses and residences.
- **ZONING:** As noted above, the current zoning on the property is B-3 (Community Business District) which permits an automotive services station use as a conditional use. Compliance with the general and specific conditional use criteria along with Planning Commission and City Council approval would be required for the proposed automotive services facility. Additionally, compliance with base code requirements for this use given at Section 1143.09 shall be achieved.
- **GENERAL ENGINEERING:** Due to the fact that the property owner indicated responsibility for parking lot repairs, and the site is situated on a corner lot, the Applicant will coordinate with the property owner to provide a general plan of access points and striping.
- **SITE CONFIGURATION:** The Applicant would utilize the site and building as currently constructed. The site has double frontage and currently has a curb cut from East William Street that accesses the front of the building. A curb cut also exists on Little Street to access the front of the building. Employee parking will more than likely be located at the rear of the building. Repaired vehicles would be parked on the west side of the site. Staff recommends that all the proposed business activities occur within the building and no outdoor automotive servicing would be permitted, though customer vehicles could be parked there awaiting service and/or pick up. No junk or parts of cars or vehicles shall be allowed. If the Applicant proposes a dumpster, it should comply with the minimum zoning code requirements. All exterior changes will require compliance with the Downtown Historic District regulations and must follow those separate approval processes.
- **LANDSCAPING & SCREENING:** A future conceptual landscaped ground sign on the East William Street elevation is proposed, as well as a landscaping bed at the corner of the site at East William and Little Streets.
- **LIGHTING:** No outdoor lighting is proposed.
- **SIGNS:** The building is located within the Downtown Historic Overlay District and any proposed signage would have to achieve compliance with the signage requirements of the district. A new wall sign with external illumination is proposed to be affixed to the East William Street (front) elevation of the building. A future landscaped ground sign on the East William Street elevation is also proposed.
- **CONDITIONAL USE PERMIT:** Staff has reviewed the criteria for a Conditional Use Permit and finds that all applicable criteria are achieved for approval.

GENERAL REVIEW CRITERIA FOR ALL CONDITIONAL USE PERMITS

1. Will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not essentially change the character of the same area.
2. Will not be detrimental to property values in the immediate vicinity.
3. Will not restrict or adversely affect the existing use of the adjacent property owners.
4. Will be designed and constructed so that all access drives, access points to public streets, driveways, parking and service areas shall be in compliance with the regulations set forth in Chapter 1161.
5. Will be properly landscaped in accordance with Chapter 1166.
6. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
7. That the establishment of the conditional use in the proposed location will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
8. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
9. That adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets and to maximize public safety.
10. That the establishment of the conditional use will not be detrimental to the economic welfare of the community by creating excessive additional requirements or public cost for public facilities such as police, fire, and schools.
11. That there is minimal potential for future hardship on the conditional uses that could result from the proposed use being surrounded by uses permitted by right that may be incompatible.

Each of these General Review criteria appears to be met or are not applicable.

STAFF RECOMMENDATION – CONDITIONAL USE PERMIT (2016-0101)

Staff recommends approval of a request by Garage 26 for approval of a Conditional Use Permit for an automotive service station at 147 East William Street on approximately 0.33 acres on property zoned B-3 (Community Business District), with the following conditions that:

1. No outdoor automotive servicing shall be permitted on the subject site.
2. The entire parking lot shall be repaved, striped, and access points identified within eighteen (18) months of approval.
3. The tree lawn shall be re-established and extended from the front of the building on Little Street north to the north property line to be completed within eighteen (18) months of approval.
4. Any proposed exterior change or signage shall achieve compliance with the requirements of the Historic Downtown Overlay District.

COMMISSION NOTES:

MOTION: _____ *1st* _____ *2nd* *approved* *denied* *tabled* _____

CONDITIONS/MISCELLANEOUS:

FILE: S:\PLANNING\PC-CASES\2016 CASES\2016-0101_GARAGE 26_147 E WILLIAM ST CUP
ORIGINAL: 1/29/2016
REVISED:



2016-0101
Conditional Use Permit
147 E. William Street
Location Map





2016-0101
 Conditional Use Permit
 147 E. William Street
 Zoning Map





2016-0101
Conditional Use Permit
147 E. William Street
Historic District Map



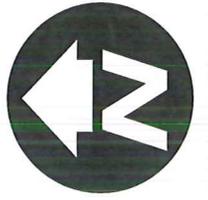
Legend

- Historic Overlay District
- Downtown Core
- Transitional
- Residential



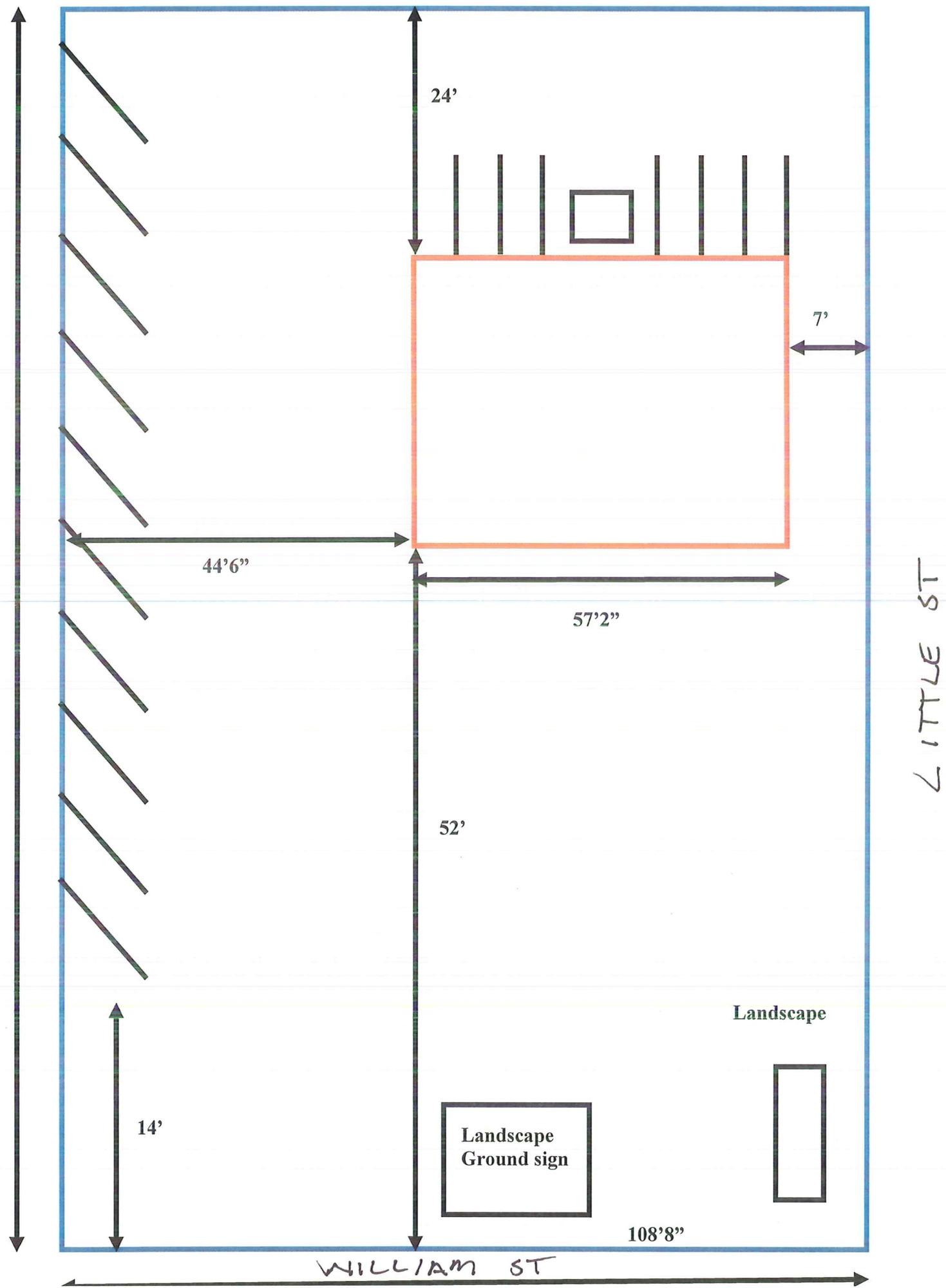
2016-0101
 Conditional Use Permit
 147 E. William Street
 Comprehensive Plan Map





2016-0101
Conditional Use Permit
147 E. William Street
Aerial (2013)





- Paint exterior “Dover White” by Sherwin Williams
- Paint trim “Peppercorn” by Sherwin Williams
- Replace wood where wood is rotting on fascia
- Install sign above front door entrance
- Ground sign out front T.B.D.
- Paint curbing “Dover White”
- Landscape in needed areas

Our intent is to not only conform, but improve this area with an upscale auto repair facility.



CITY OF DELAWARE, OHIO
PLANNING & COMMUNITY DEVELOPMENT
MASTER APPLICATION FORM



Project # _____

Case # 2016-0101

Planning Commission

- Amended Final Development Plan
Amended Final Subdivision Plat
Amended Preliminary Development Plan
Amended Preliminary Subdivision Plat
Annexation Review
Combined Preliminary & Final Development Plan
Comprehensive Plan Amendment
Concept Plan
Conditional Use Permit
Determination of Similar Use
Development Plan Exemption
Final Development Plan
Final Development Plan Extension
Final Subdivision Plat
Final Subdivision Plat Extension
Floodplain Permit
Lot Split
Pre-annexation Agreement
Preliminary Development Plan
Preliminary Dev Plan Extension
Preliminary Sub Plat
Preliminary Sub Plat Extension
Rezoning
Subdivision Variance
Substitution of a Non-Conforming Use
Vacation-Alley
Vacation-Easement
Vacation-Street
Board of Zoning Appeals
Appeal Administrative Decision or Interpretation
Conditional Use Permit
Substitution of Equal or Less Non-Conforming Use
Variance

Subdivision/Project Name _____ Address 147 E. William St.

Acreage _____ Square Footage _____ Number of Lots _____ Number of Units _____

Zoning District/Land Use _____ Proposed Zoning/Land Use _____ Parcel # _____

Applicant Name Garage 210 Contact Person Liz Sickinger

Applicant Address 105 English Terrace Delaware, OH

Phone 614-601-2443 Fax _____ E-mail liz.sickinger@yahoo.com 43015

Owner Name David Drissi Contact Person David Drissi

Owner Address 8348 Dunnbury Circle Powell, OH

Phone 614-361-1771 Fax _____ E-mail delashell@aol.com 43065

Engineer/Architect/Attorney _____ Contact Person _____

Address _____

Phone _____ Fax _____ E-mail _____

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

Owner Signature [Handwritten Signature]

Owner Printed Name David Drissi

Agent Signature _____

Agent Printed Name _____

Sworn to before me and subscribed in my presence this 18 day of January, 2016



Notary Public [Handwritten Signature]



FACT SHEET

AGENDA ITEM NO: 11

DATE: 2/22/16

ORDINANCE NO: 16-11

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Brad Stanton, Public Utilities Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

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

BACKGROUND:

The City received funding from the Ohio Department of Natural Resources Division of Watercraft for a Cooperative Boating Grant in the amount of \$152,900. The grant will fund the construction of three hand-powered boat launch sites on the Olentangy River. The three sites are located within the City. The sites include two locations at Mingo Park and one location on Cherry Street. The project was designed in 2015 utilizing \$9,500 of the grant funding. The remainder of the \$143,400 grant funds will be used for construction of the boat launch sites. Construction bids were received by the City on February 4, 2016.

REASON WHY LEGISLATION IS NEEDED:

An Ordinance is necessary for the City to provide the funding for the construction of the three boat access sites along the Olentangy River. The City cost is reimbursable from the ODNR grant.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

The City's costs for the construction of the three boat access sites will be reimbursed by the Ohio Department of Natural Resources Cooperative Boating Grant.

POLICY CHANGES:

N/A

PRESENTER(S):

Brad Stanton, Public Utilities Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

ORDINANCE NO. 16-11

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

WHEREAS, the Ohio Department of Natural Resources provides financial grants for the construction of boating facility projects in the State of Ohio.

WHEREAS, the City of Delaware applied for and received approval from ODNR for the construction of three hand-powered boating access sites along the Olentangy River and

WHEREAS, the grant agreement was authorized in 2015 for the amount of \$152,900 immediately available for the project, and

WHEREAS, City costs for the grant portion of the project are 100% reimbursable up to the full amount of the available grant funding, and

WHEREAS, a supplemental appropriation will be necessary to add the remainder of the grant for the Boating Facilities project to the 2016 budget.

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 Capital Improvement Fund \$143,400 increasing the following account:

ODNR Boat Access Grant (410-4103-5601) \$143,400

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.

VOTE ON RULE SUSPENSION: YEAS___NAYS___ ABSTAIN ___

PASSED: _____, 2016 YEAS___NAYS___ ABSTAIN ___

ATTEST: _____ CITY CLERK _____ MAYOR



FACT SHEET

AGENDA ITEM NO: 12

DATE: 2/22/16

ORDINANCE NO: 16-12

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Darren Shulman, City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

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.

BACKGROUND:

The properties being purchased have been identified as being needed to realign the intersection at Central and Channing. In addition, the properties have deteriorated to the point where the Building Department believes that they are a hazard and should be demolished. These purchases allow the city to ensure the safety of the neighborhood now and allow the City to realign the intersection in the future.

UPDATE: Council authorized these purchases in 2015. Due to some complications with the closing we have been unable to close until now. Because we didn't have the final closing amounts the project was unable to be funded in 2015.

REASON WHY LEGISLATION IS NEEDED:

The opportunity to purchase these properties did not become available until very recently and therefore a supplemental appropriation is necessary in order to purchase and demolish said buildings.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

POLICY CHANGES:

N/A

PRESENTER(S):

Darren Shulman, City Attorney

RECOMMENDATION:

Approval

ATTACHMENT(S)

N/A

ORDINANCE NO. 16-12

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.

WHEREAS, the City has identified the Central and Channing intersection as one that requires future realignment, and

WHEREAS, the properties have become dilapidated and must be taken down; and

WHEREAS, the owners of the two properties have reached a voluntary, arms-length agreement to sell the properties to the city using the Auditor's appraisal of the properties as the basis for negotiations, and

WHEREAS, Council approved the purchase of two properties in Ordinance No. 15-101;

WHEREAS, Closing was delayed until February 24, 2016 necessitating a supplemental to complete the closing.

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

SECTION 1. That there is hereby appropriated from the unencumbered balance of the Capital Improvement Fund \$145,000 increasing the following account:

Central/Channing Intersection Impr. (410-4108-5530)	\$145,000
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SECTION 2. The City Manager is hereby authorized to enter into contracts to purchase these properties.

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 Ohio Revised Code.

SECTION 4. 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

complete the prior approved purchase and expedite the demolition of the properties due to their poor condition, 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: _____, 2016

YEAS___ NAYS___
ABSTAIN ___

ATTEST:

CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 13

DATE: February 22, 2016

ORDINANCE NO: 16-13

RESOLUTION NO:

READING: First

PUBLIC HEARING: No

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dean Stelzer, Finance Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

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.

BACKGROUND:

This ordinance authorizes the re-issuance of maturing one year notes initially issued to pay for the Glenn Road improvements (\$11,215,000) and the safewalks project (\$450,000). We will be reducing the principal on the outstanding Glenn Rd. notes by \$480,000.

REASON WHY LEGISLATION IS NEEDED:

To continue financing the short term notes.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

This re-issuance was budgeted.

POLICY CHANGES:

N/A

PRESENTER(S):

Dean Stelzer, Finance Director

RECOMMENDATION:

Go to second reading

ATTACHMENT(S)

Supplemental Fiscal Officer's Certification

ORDINANCE NO. 16-13

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.

WHEREAS, pursuant to Ordinance No. 15-19 passed February 23, 2015, notes in anticipation of bonds in the aggregate amount of \$12,145,000, dated April 21, 2015 (the "*Outstanding Notes*"), were issued for the component purposes stated in Section 1, to mature on April 18, 2016; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3 and other funds available to the City; and

WHEREAS, the Director of Finance, as fiscal officer of this City, has certified to this Council that the estimated life or period of usefulness of each component of the Improvement described in Section 1 is at least five years, and (i) the estimated maximum maturity of the \$2,335,000 portion of the Bonds described in clause (a) of Section 1 is fourteen (14) years, and the maximum maturity of the portion of the Notes described in Section 3, to be issued in anticipation of that portion of the Bonds, is July 28, 2025, (ii) the estimated maximum maturity of the \$4,500,000 portion of the Bonds described in clause (a) of Section 1 is fifteen (15) years, and the maximum maturity of the portion of the Notes described in Section 3, to be issued in anticipation of that portion of the Bonds, is May 11, 2026, (iii) the estimated maximum maturity of the \$4,380,000 portion of the Bonds described in clause (b) of Section 1 is eighteen (18) years, and the maximum maturity of the portion of the Notes described in Section 3, to be issued in anticipation of that portion of the Bonds, is December 22, 2029 and (iv) the estimated maximum maturity of the \$450,000 portion of the Bonds described in clause (c) of Section 1 is twenty (20) years, and the maximum maturity of the portion of the Notes described in Section 3, to be issued in anticipation of that portion of the Bonds, is April 22, 2034;

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

Section 1. It is necessary to issue bonds of this City in the maximum aggregate principal amount of \$11,665,000 (the “*Bonds*”) for the purpose of paying the costs of (a) constructing Glenn Road between certain termini by constructing, excavating, grading and paving, installing drainage, sanitary sewer laterals, street lighting, conduit, curbs and gutters, signage, traffic pavement markings, street signs, landscaping, and acquiring interests in real estate, together with all necessary appurtenances thereto, (b) improving the intersection of U.S. Route 23 and Peachblow Road by constructing, excavating, grading and paving, installing drainage, street lighting, conduit, signalization, curbs and gutters, signage, traffic pavement markings, landscaping, and acquiring interests in real estate, together with all necessary appurtenances thereto and (c) the construction, renovation and improvement of pedestrian sidewalks throughout the City, together with all necessary appurtenances thereto (collectively, the “*Improvement*”).

Section 2. The Bonds shall be dated approximately April 1, 2017, shall bear interest at the now estimated rate of 6.00% per year, payable semiannually until the principal amount is paid, and are estimated to mature in (i) fourteen (14) annual principal installments with respect to the \$2,335,000 portion of the Bonds allocated to the component purpose described in clause (a) of Section 1, (ii) fifteen (15) annual principal installments with respect to the \$4,500,000 portion of the Bonds allocated to the component purpose described in clause (a) of Section 1, (iii) eighteen (18) annual principal installments with respect to the \$4,380,000 portion of the Bonds allocated to the component purpose described in clause (b) of Section 1 and (iv) twenty (20) annual principal installments with respect to the \$450,000 portion of the Bonds allocated to the component purpose described in clause (c) of Section 1, and in each case on December 1 of each year. The portion of the Bonds issued for the component purposes described in clauses (a) and (b) of Section 1 shall mature in such amounts that the total principal and interest payments on that portion of the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year. The portion of the Bonds issued for the component purpose described in clause (c) of Section 1 shall mature in such amounts that the total principal and interest payments on that portion of the Bonds in any fiscal year in which principal is payable shall be substantially equal. The first principal payment of the Bonds is estimated to be December 1, 2017.

Section 3. It is necessary to issue and this Council determines that notes in the maximum aggregate principal amount of \$11,665,000 (the “*Notes*”) shall be issued in anticipation of the issuance of the Bonds for the purpose described in Section 1 and to retire, together with other funds available to the City, the Outstanding Notes and to pay any financing costs. The aggregate principal amount of Notes to be issued (not to exceed the stated maximum amount) shall be determined by the Director of Finance in the certificate awarding the Notes in accordance with Section 6 of this Ordinance (the

“*Certificate of Award*”) as the amount which, along with other available funds of the City, is necessary to provide for the retirement of the Outstanding Notes and to pay any financing costs. The Notes shall be dated the date of issuance and shall mature not more than one year following the date of issuance, *provided* that the Director of Finance shall establish the maturity date in the Certificate of Award. The Notes shall bear interest at a rate or rates not to exceed 6.00% per year (computed on the basis of a 360-day year consisting of twelve 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The rate or rates of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award in accordance with Section 6 of this Ordinance.

Section 4. The debt charges on the Notes shall be payable in lawful money of the United States of America, or in Federal Reserve funds of the United States of America as determined by the Director of Finance in the Certificate of Award, and shall be payable, without deduction for services of the City’s paying agent, at the office of a bank or trust company designated by the Director of Finance in the Certificate of Award after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose or at the office of the Director of Finance if agreed to by the Director of Finance and the original purchaser (the “*Paying Agent*”).

Section 5. The Notes shall be signed by the City Manager and Director of Finance, in the name of the City and in their official capacities, *provided* that one of those signatures may be a facsimile. The Notes shall be issued in minimum denominations of \$100,000 (and may be issued in denominations in such amounts in excess thereof as requested by the original purchaser and approved by the Director of Finance) and with numbers as requested by the original purchaser and approved by the Director of Finance. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Ohio Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance. As used in this Section and this Ordinance:

“*Book entry form*” or “*book entry system*” means a form or system under which (a) the ownership of beneficial interests in the Notes and the principal of and interest on the Notes may be transferred only through a book entry, and (b) a single physical Note certificate in fully registered form is issued by the City

and payable only to a Depository or its nominee as registered owner, with the certificate deposited with and “immobilized” in the custody of the Depository or its designated agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

“*Depository*” means any securities depository that is a clearing agency registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of and interest on the Notes, and to effect transfers of the Notes, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“*Participant*” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (a) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (b) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (c) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (d) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after

determining that the signing thereof will not endanger the funds or securities of the City.

Section 6. The Notes shall be sold at not less than par plus accrued interest (if any) at private sale by the Director of Finance in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award referred to in Section 3 fixing the interest rate or rates which the Notes shall bear and evidencing that sale to the original purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the original purchaser, to the original purchaser upon payment of the purchase price. The City Manager, the Director of Finance, the City Attorney, the City Clerk and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Ohio Revised Code.

Section 7. The proceeds from the sale of the Notes received by the City (or withheld by the original purchaser on behalf of the City) shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. The Certificate of Award may authorize the original purchaser to withhold certain proceeds from the sale of the Notes to provide for the payment of certain financing costs on behalf of the City. Any portion of those proceeds received by the City (after payment of those financing costs) representing premium or accrued interest shall be paid into the Bond Retirement Fund.

Section 8. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement

Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due.

In each year to the extent receipts from the municipal income tax are available for the payment of the debt charges on the Notes and the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of such receipts so available and appropriated in compliance with the following covenant. To the extent necessary, the debt charges on the Notes and the Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and the laws of the State of Ohio and the Charter of the City; and the City hereby covenants, subject and pursuant to such authority, including particularly Section 133.05(B)(7) of the Ohio Revised Code, to appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

Nothing in the preceding paragraph in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Notes and the Bonds.

Section 10. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Internal Revenue Code of 1986, as amended (the "Code") or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, including, without

limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties with respect to the Notes, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments with respect to the Notes, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes. The Director of Finance or any other officer of the City having responsibility for issuance of the Notes is specifically authorized to designate the Notes as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Each covenant made in this Section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure the exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Notes.

Section 11. The Director of Finance is directed to promptly deliver a certified copy of this Ordinance to the County Auditor of Delaware County, Ohio.

Section 12. The Director of Finance is authorized to request a rating for the Notes from Moody's Investors Service, Inc. or Standard & Poor's Ratings Services, or both, as the Director of Finance determines is in the best interest of the City. The expenditure of the amounts necessary to secure any such ratings as well as to pay the other financing costs (as defined in Section 133.01 of the Ohio Revised Code) in connection with the Notes is hereby authorized and approved and the amounts necessary to pay those costs are hereby appropriated from the proceeds of the Notes, if available, and otherwise from available moneys in the General Fund.

Section 13. The legal services of the law firm of Squire Patton Boggs (US) LLP are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Notes and securities issued in renewal of the Notes and rendering at delivery related legal opinions. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 14. This Council determines that it would be in the best interest of the City to provide additional flexibility under Chapter 133 of the Ohio Revised Code with respect to the repayment of the principal of and interest on the anticipated portion of the Bonds to be issued for the component purpose described in clause (b) of Section 1 and therefor, Section 2 of Ordinance No. 14-10 is hereby amended as follows:

“Section 2. The Bonds shall be dated approximately April 1, 2015, shall bear interest at the now estimated rate of 6.00% per year, payable semiannually until the principal amount is paid, and are estimated to mature in (a) sixteen (16) annual principal installments with respect to the \$3,200,000 portion of the Bonds allocated to the component purpose described in clause (i) of Section 1, (b) seventeen (17) annual principal installments with respect to the \$4,805,000 portion of the Bonds allocated to the component purpose described in clause (i) of Section 1, and (c) twenty (20) annual principal installments with respect to the \$4,530,000 portion of the Bonds allocated to the component purpose described in clause (ii) of Section 1, and in each case on December 1 of each year. The portion of the Bonds issued for the component purpose described in clause (i) of Section 1 shall mature in such amounts that the total principal and interest payments on that portion of the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year. The portion of the Bonds issued for the component purpose described in clause (ii) of Section 1 shall mature in such amounts that the total principal and interest payments on that portion of the Bonds in any fiscal year in which principal is payable ~~shall be substantially equal~~ **is not more than three times the amount of those payments in any other fiscal year.** The first principal payment of the Bonds is estimated to be December 1, 2015.”

Section 15. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Notes.

Section 16. 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 any of its committees, 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 Ohio Revised Code.

Section 17. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to timely retire the Outstanding Notes and thereby preserve its credit; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS _____ NAYS _____
ABSTAIN _____

EMERGENCY CLAUSE:

YEAS _____ NAYS _____
ABSTAIN _____

PASSED: _____, 2016

YEAS _____ NAYS _____
ABSTAIN _____

ATTEST:

CITY CLERK

MAYOR

**SUPPLEMENTAL
FISCAL OFFICER'S CERTIFICATE**

To the City Council of the City of Delaware, Ohio:

As fiscal officer of the City of Delaware, Ohio, and supplementing the certificates of June 13, 2005, March 27, 2006, October 26, 2009 and February 10, 2014, I certify in connection with your proposed issuance of notes in the maximum aggregate principal amount of \$11,665,000 (the "*Notes*"), to be issued in anticipation of the issuance of bonds (the "*Bonds*") for the purpose of paying the costs of (a) constructing Glenn Road between certain termini by constructing, excavating, grading and paving, installing drainage, sanitary sewer laterals, street lighting, conduit, curbs and gutters, signage, traffic pavement markings, street signs, landscaping, and acquiring interests in real estate, together with all necessary appurtenances thereto, (b) improving the intersection of U.S. Route 23 and Peachblow Road by constructing, excavating, grading and paving, installing drainage, street lighting, conduit, signalization, curbs and gutters, signage, traffic pavement markings, landscaping, and acquiring interests in real estate, together with all necessary appurtenances thereto and (c) the construction, renovation and improvement of pedestrian sidewalks throughout the City, together with all necessary appurtenances thereto (collectively, the "*Improvement*").

1. The estimated life or period of usefulness of each component of the Improvement is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is as follows:

- The maximum maturity of the \$2,335,000 portion of the Bonds to be used for the component purpose described in clause (a) above is twenty (20) years; *provided, however*, since notes in anticipation of Bonds have been outstanding for a period beyond December 31, 2010, that period beyond December 31, 2010 shall be deducted from the maximum maturity of the Bonds and therefore, the maximum maturity of \$2,335,000 of the Bonds to be issued for the component purpose described in clause (a) is fourteen (14) years.
- The maximum maturity of the \$4,500,000 portion of the Bonds to be used for the component purpose described in clause (a) above is twenty (20) years; *provided, however*, since notes in anticipation of Bonds have been outstanding for a period beyond December 31, 2011, that period beyond December 31, 2011 shall be deducted from the maximum maturity of the Bonds and therefore, the maximum maturity of \$4,500,000 of the Bonds to be issued for the component purpose described in clause (a) is fifteen (15) years.
- The maximum maturity of the \$4,380,000 portion of the Bonds to be used for the component purpose described in clause (b) above is twenty (20) years.

years; *provided, however*, since notes in anticipation of Bonds have been outstanding for a period beyond December 31, 2014, that period beyond December 31, 2014 shall be deducted from the maximum maturity of the Bonds and therefore, the maximum maturity of \$4,380,000 of the Bonds to be issued for the component purpose described in clause (b) is eighteen (18) years.

- The maximum maturity of the \$450,000 portion of the Bonds to be used for the component purpose described in clause (c) above is twenty (20) years.

If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of those five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes to be issued for the component purposes described above in (i) clause (a) is July 28, 2025 for the \$2,335,000 portion of the Notes and May 11, 2026 for the \$4,500,000 portion of the Notes, (ii) clause (b) is December 22, 2029 for the \$4,380,000 portion of the Notes and (iii) clause (c) is April 22, 2034 for the \$450,000 portion of the Notes.

Dated: February 22, 2016



Director of Finance
City of Delaware, Ohio



FACT SHEET

AGENDA ITEM NO: 14

DATE: February 22, 2016

ORDINANCE NO:

RESOLUTION NO: 16-11

READING: First

PUBLIC HEARING: No

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dean Stelzer, Finance Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

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.

BACKGROUND:

Every 5 years the City required to re-designate financial institutions as authorized depositories of active and inactive City funds. As part of the authorization process, we review the financial condition of the financial institution to make sure they have adequate capital reserves to safeguard city funds invested. Once so designated the City is able to invest public funds with the financial institution.

REASON WHY LEGISLATION IS NEEDED:

Ohio Revised Code §135.12 requires this review and validation every 5 years with formal approval via a resolution of City Council designating the approved depositories.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

None

POLICY CHANGES:

None

PRESENTER(S):

Dean Stelzer, Finance Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

RESOLUTION NO. 16-11

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.

BE IT RESOLVED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Finance Director is hereby authorized to designate the following banks and savings and loan institutions as depositories for active public funds from the City of Delaware:

- Delaware County Bank and Trust
- PNC Bank, National Association
- First Merit Bank, N.A.
- The Huntington National Bank
- Fifth Third Bank
- Richwood Banking Company

SECTION 2. That the Finance Director is hereby authorized to designate the following banks and savings and loan institutions as depositories for interim and inactive funds from the City of Delaware:

- Delaware County Bank and Trust
- PNC Bank, National Association
- First Merit Bank, N.A.
- The Huntington National Bank
- Fifth Third Bank
- Richwood Banking Company

SECTION 3. That the Finance Director is authorized to enter into contracts with these depositories from March 1, 2016 to February 28, 2021 formally enacting their designations.

SECTION 4. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____, 2016

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

TO: Mayor Riggle and Members of Council
FROM: R. Thomas Homan, City Manager
SUBJECT: Miscellaneous Matters
DATE: February 18, 2016

1. **Calendars**
See Attached
2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**
See attached
3. **Bi-Weekly Meetings**
February 5
* Mayors and Managers meeting
February 8
* Rotary
* Council
February 11
* Leadership Delaware Panelist
February 16
* Strand Board meeting
4. **Required Reading**
A. Fire Department Monthly Report

February

2016

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1 Council Work Session 6:30	2	3 Civil Service Commission 3 Planning Commission 7	4 Charter Review Commission 6	5	6
7	8 Council 7	9	10 BZA 7	11	12	13 Council Retreat 9 AM
14	15	16 Parks & Rec Advisory Board 7	17	18	19	20
21	22 Council 7	23 Shade Tree Commission 7	24	25	26	27
28	29					

March

2016

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
		1	2	3	4	5
		Public Works/Public Utilities Committee 7	Civil Service Commission 3 Planning Commission 7	Charter Review Commission 6		
6	7	8	9	10	11	12
	TENTATIVE Council Work Session 6:30		BZA 7			
13	14	15	16	17	18	19
	Council 7	Parks & Rec Advisory Board 7				
20	21	22	23	24	25	26
		Shade Tree Commission 7	HPC 7	Charter Review Commission 6		
27	28	29	30	31		
	Council 7					

CONTRACT APPROVAL - FEBRUARY 22, 2016

VENDOR	EXPLANATION OF AGREEMENT	2016 AMOUNT	DEPARTMENT
Contract Sweepers	Spring Street Sweeping	\$24,900	Public Works



Delaware Fire Department

January 2016 Monthly Report



PERFORMANCE REVIEW	2014	2015	2016	January	Year-to-Date	% Year to Date	% of Budget	(+/-)
	Actual	Actual	Budget	Actual	Actual	Budget	Completed	Projected for Year
Total number of incidents	5,173	5,380	5,402	510	510	9.44%	8.00%	1.44%
Fire	101	126	130	4	4	3.08%	8.00%	-4.92%
Rupture/Explosion	3	1	3	0	0	0.00%	8.00%	-8.00%
EMS	4,047	4,254	4,256	430	430	10.10%	8.00%	2.10%
Hazardous Conditions	124	135	133	13	13	9.77%	8.00%	1.77%
Service Calls	141	155	154	10	10	6.49%	8.00%	-1.51%
Good Intent	162	155	166	10	10	6.02%	8.00%	-1.98%
False Calls	589	541	547	42	42	7.68%	8.00%	-0.32%
Severe Weather	0	1	1	0	0	0.00%	8.00%	-8.00%
Other	6	12	12	1	1	8.33%	8.00%	0.33%
Number of medical transports	2,586	4,024	402	402	402	100.00%	8.00%	92.00%
Percent of priority calls w/ response within 6 min	68%	74%	70%	69%	69%	98.57%	8.00%	-29.57%
Percent residential structure fires ERF of 15 FF within 12 minutes	78%	85%	70%	N/A	#DIV/0!	#DIV/0!	8.00%	70.00%
# Structure Fires	9	13	10	0	0	0.00%	8.00%	-8.00%
# Structure with personnel and Times	7	11	7	0	0	0.00%	8.00%	-8.00%
Number of commercial inspections conducted	1,473	1,365	1,250	137	137	10.04%	8.00%	2.04%
Number of plans reviewed within five days	100%	100%	90%	N/A	0	0.00%	8.00%	100.00%
Number of fires greater than \$10,000	8	12	8	0	0	0.00%	8.00%	-8.00%
Number of fires of suspicious nature	5	6	3	0	0	0.00%	8.00%	-8.00%
Hours of Training	13,335	10,977	10,000	540	540	4.92%	8.00%	-3.08%

Major Incidents

- 1st Month Delaware FD responded to over 500 responses

Other Activities

- January 20 & 23, Pat Catan Grand Opening
- January 23, Marysville Rd., CPR Class
- January 29, Assisted w/ Science Fair Project

2010 Fire Levy Status

- Equipment - Continuing
 - Three new Paramedic trucks are currently on order. The expected delivery is early February 2016.
 - 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.
 - The total amount of new personnel hired since the new levy is 24. Some of these positions have filled open positions.



Delaware Fire Department

January 2016 Monthly Report



-
- New Fire Station 304 - Continuing
 - Property was purchased in 2011 at 821 Cheshire Rd. The property was leased out and the lease moved out on November 30, 2013. In 2014, we plan to begin the analysis and plans for an anticipated groundbreaking in 2016.
 - 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, 2013 we began operation 24/7. The Fire Station was dedicated on October 19, 2013.



Delaware Fire Department

January 2016 Monthly Report



Council for Older Adults – Monthly Report on the Firehouse Coordinator



First In Response To Seniors

January 2016

Referrals		# new CSP-enrolled clients		Total Contacts (duplicated)		# individuals served during the month		# of new individuals served	
Month	YTD	Month	YTD	Month	YTD	Month	Average/Mo	New for Month	YTD Unduplicated
79	79	2	2	201	201	77	77		

Referrals

Direct Referral		Delaware City FD		Genoa Township FD		SP Staff		Orange Township FD	
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
71	71	4	4	0	0	2	2	0	0
Liberty Township FD		Delaware Co. EMS							
Month	YTD	Month	YTD						
0	0	2	2						

City of residence for those served:

Delaware		Galena		Lewis Center		Marysville		Westerville	
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
72	72	1	1	0	0	0	0	2	2
Powell		Sunbury		Ashley		Other		Total	
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
1	1	1	1	0	0	0	0	77	77

Additional Services

# services added		Home Delivered Meals		Shelf Stable Meals		Emergency Response Unit		Medication Dispenser	
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
12	12	3	3	0	0	3	3	1	1
# Individuals with new services		Incontinence Products		Durable Medical Equipment		In-Home Support		*Other	
Month	YTD	Month	YTD	Month	YTD	Month	YTD	Month	YTD
5	5	0	0	0	0	2	2	3	3

*Other

- 1 client received a Senior Companion visitor
- 1 client received a home accessibility modification
- 1 client received adult day care services



Delaware Fire Department

January 2016 Monthly Report

