

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held March 14 20 16

**6:30 EXECUTIVE SESSION:** Mrs. Keller motioned to enter into Executive Session at 6:31 p.m. This motion was seconded by Mr. Hellinger and approved by a 7-0 vote. Council met in executive session pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, and Section 121.22 (G) (2) acquisition of property for public purpose and 121.22 (G) (8) consideration of confidential information related to a request for economic development assistance. Council conducted a discussion of those items with the following members present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, Vice Mayor Kent Shafer and Mayor Carolyn Kay Riggle. Following the discussion at 6:50 p.m., it was moved by Mr. Rohrer that Council move into Open session, seconded by Mr. Jones and approved by 7-0 vote.

The regular meeting of March 14, 2016 was called to order at 7:01 p.m., in the City Council Chambers. The following members of Council were present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Carolyn Kay Riggle who presided. The invocation was given by Mr. Sean Hughes, followed by the Pledge of Allegiance.

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

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

APPROVAL of the Motion Summary of the regular meeting of Council held February 22, 2016, as recorded and transcribed.

**Motion:** Vice-Mayor Shafer moved to approve the Motion Summary for the regular meeting of Council held February 22, 2016 seconded by Mr. Jones. Motion approved by a 7-0 vote.

## **ITEM 5: CONSENT AGENDA**

- A. Acceptance of the Motion Summaries for the Shade Tree Commission meetings held November 24, 2015 and January 26, 2016.
- B. Acceptance of the Motion Summary for the Public Works/Public Utilities Committee meeting held January 5, 2016.
- C. Acceptance of the Motion Summary for the Planning Commission meeting held February 3, 2016.
- D. Acceptance of the Motion Summary for the 2016 Charter Review Commission meeting held February 4, 2016.
- E. Acceptance of the Motion Summary for the Finance Committee meeting held September 10, 2015.
- F. Resolution No. 16-12, a resolution appointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointments.

**Motion:** Mr. Rohrer moved to approve the Consent Agenda, seconded by

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Vice-Mayor Shafer. Motion approved by a 7-0 vote.

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

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

Mr. DiGenova provided an update regarding the Finance Committee meeting that was held March 8, 2016.

Mayor Riggle indicated that there will be meetings for the Ironman on March 15 and March 16.

### **ITEM 8: RESOLUTION NO. 16-13** [First Reading]

A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE DELAWARE CITY TAX INCENTIVE REVIEW COUNCIL (TIRC) ON THE STATUS OF THE 2015 COMMUNITY REINVESTMENT AREA (CRA), ENTERPRISE ZONE (EZ) AND TAX INCREMENT FINANCING PROGRAMS (TIF).

The Clerk read the resolution for the first time.

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

### **ITEM 9: ORDINANCE NO. 16-13** [Reconsideration and First Reading]

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

The Clerk read the ordinance for the first time.

**Motion:** Mr. Jones moved to reconsider Ordinance No. 16-13, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones moved that Ordinance No. 16-13 be reconsidered as purpose of to pass ordinance as originally intended, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones moved to suspend the rules for Ordinance No. 16-13, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones moved to enact the emergency clause for Ordinance No. 16-13, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones moved to adopt Ordinance No. 16-13, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

### **ITEM 10: ORDINANCE NO. 16-14** [First Reading]

AN ORDINANCE PERMITTING THE SALE AND CONSUMPTION OF ALCOHOL FOR THE WOMEN'S CITY CLUB ART FOR YOUR EARS EVENT TO BE HELD ON MAY 14, 2016 ON SOUTH SANDUSKY STREET

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FROM WILLIAM STREET TO SPRING STREET IN THE CITY OF DELAWARE.

The Clerk read the ordinance for the second time.

Mayor Riggle informed Council that the applicant withdrew the request.

**ITEM 11: ORDINANCE NO. 16-15** [First Reading]

AN ORDINANCE APPROVING AN ECONOMIC INCENTIVE GRANT AGREEMENT WITH ONDA USA, LLC FOR FIBER OPTIC AND/OR ELECTRICAL UPGRADES TO A BUILDING AT 600 LONDON ROAD, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

APPLICANT:

Alberto Bordignon  
690 Hadley Dr.  
Columbus, Ohio 43228

**Motion:** Mr. DiGenova moved to suspend the rules for Ordinance No. 16-15, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved to enact the emergency clause for Ordinance No. 16-15, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 16-15, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

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

AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH MIDWEST ACOUST-A-FIBER AND METAL STARS II, LLC, DELAWARE CITY SCHOOLS AND DELAWARE AREA CAREER CENTER FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON THEIR BUILDING AND PARCEL AT 759 PITTSBURGH DRIVE, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Mr. Hughes informed Council of the applicant's request to table Ordinance 16-16 indefinitely

**Motion:** Mr. DiGenova moved to table Ordinance No. 16-16 indefinitely, seconded by Mr. Jones. Motion approved by a 7-0 vote.

**ITEM 13: ORDINANCE NO. 16-17** [First Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR THE DAIMLER GROUP FOR A BUILDING ADDITION TO THE DELAWARE HEALTH CENTER ON APPROXIMATELY 102.25 ACRES ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT WITH A PLANNED MIX USE OVERLAY DISTRICT) LOCATED AT 8001 OHIO HEALTH BOULEVARD.

The Clerk read the ordinance for the first time.

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**APPLICANT:**

Chris Tumblin  
1533 Lake Shore Dr.  
Columbus, Ohio

Todd Sloan  
Daimler Group  
2469 Stone Haven Court S.  
Columbus, Ohio

**Motion:** Mr. DiGenova moved to suspend the rules for Ordinance No. 16-17, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 16-17, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 14: ORDINANCE NO. 16-18** [First Reading]

AN ORDINANCE FOR PRECISION TOWER PRODUCTS FOR APPROVAL OF A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR AN APPROXIMATE 77,500 SQUARE FOOT BUILDING ON APPROXIMATELY 9.49 ACRES ZONED M-2 (GENERAL MANUFACTURING DISTRICT) LOCATED AT 1600 PITTSBURGH DRIVE.

The Clerk read the ordinance for the first time.

**Motion:** Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-18, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer moved to adopt Ordinance No. 16-18, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**ITEM 15: ORDINANCE NO. 16-19** [First Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR THE COMMUNITIES AT GLENROSS SECTION 7 CONSISTING OF 40 SINGLE-FAMILY LOTS ON 38.76 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) LOCATED ON WHITE FAWN RUN, NIGHT BIRD LAND, COURSE ROAD, AND CRICK STONE DRIVE.

The Clerk read the ordinance for the first time.

Mr. Keller recommended that Council revisit their guidelines for passage of ordinances in cases of development.

**Motion:** Mr. Jones moved to suspend the rules for Ordinance No. 16-19, seconded by Mr. Rohrer. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones moved to adopt Ordinance No. 16-19, seconded by Mr. Rohrer. Motion approved by a 7-0 vote.

**ITEM 16: ORDINANCE NO. 16-20** [First Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR THE COMMUNITIES AT GLENROSS SECTION 7 CONSISTING OF 40 SINGLE-FAMILY LOTS ON 38.76 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY

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DISTRICT) LOCATED ON WHITE FAWN RUN, NIGHT BIRD LAND, COURSE ROAD, AND CRICK STONE DRIVE.

The Clerk read the ordinance for the first time.

**Motion:** Mr. Jones moved to suspend the rules for Ordinance No. 16-20, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones moved to adopt Ordinance No. 16-20, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**ITEM 17: ORDINANCE NO. 16-21** [First Reading]  
AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO ESTABLISH FUNDING FOR TRANSPORTATION STUDY EXPENSES, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Mr. Jones moved to suspend the rules for Ordinance No. 16-21, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones moved to enact the emergency clause for Ordinance No. 16-21, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones moved to adopt Ordinance No. 16-21, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 18: ORDINANCE NO. 16-22** [First Reading]  
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH GENOA TOWNSHIP AND DELAWARE COUNTY TO ALLOW GENOA TOWNSHIP THE USE OF FREQUENCIES FOR ACTIVATING A TORNADO SIREN.

The Clerk read the ordinance for the first time.

**Motion:** Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-22, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer moved to adopt Ordinance No. 16-22, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**ITEM 19: ORDINANCE NO. 16-23** [First Reading]  
AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO ESTABLISH FUNDING A DOWNTOWN PARKING STUDY, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Mr. Jones requested a map of the designated study area. Mrs. Walker reviewed the perimeter of the study and defined the geographic area.

**Motion:** Mr. Jones moved to suspend the rules for Ordinance No. 16-23, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

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**Motion:** Mr. Jones moved to enact the emergency clause for Ordinance No. 16-23, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones moved to adopt Ordinance No. 16-23, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 20: ORDINANCE NO. 16-24** [First Reading]

AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING TO EXECUTE AN ECONOMIC DEVELOPMENT GRANT PASS THROUGH PAYMENTS (INNOVATION COURT), AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 16-24, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer moved to enact the emergency clause for Ordinance No. 16-24, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer moved to adopt Ordinance No. 16-24, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**ITEM 21: CITY MANAGER'S REPORT**

Mr. Homan provided an update on the MORPC meeting that was attended by himself and Vice-Mayor Shafer.

Mr. Homan provided an update on the North-West Neighborhood Association meeting that was attended by himself, Mr. Rohrer, and Mayor Riggle.

**ITEM 22: COUNCIL COMMENTS**

Mr. Jones requested an update regarding the Public Works study regarding the use of smaller totes for residents.

Mr. Jones requested information on when street sweeping will begin this spring. Mr. Homan addressed Mr. Jones question.

Mr. Jones requested the procedures to recruitment process for an assistant to Mr. Hughes in Economic Development.

Mr. Jones requested an update on the plans to the north campus for the Career Center.

Mrs. Keller discussed the pick-up times for trash in the downtown area.

Mr. DiGenova reminded Council to vote on March 15, 2016.

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## **ITEM 23: ADJOURNMENT**

**Motion:** Vice-Mayor Shafer moved to adjourn the meeting, seconded by Mr. DiGenova. The meeting adjourned at 8:25 p.m.

  
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Mayor Carolyn Kay Riggle

  
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Elaine McCloskey, Council Clerk