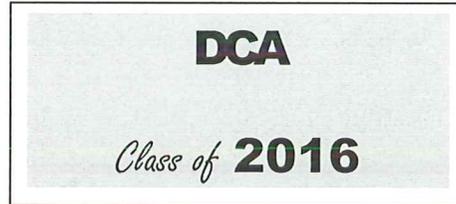


## 2016 Delaware Citizens Academy

The 2016 Citizens Academy was our seventh. We now can count more than 120 graduates, including tonight's Class of 2016.

The 2016 graduating class reflected our city: young, old, married, single, retired; some who work in our city and some who work outside. This class is unique from our others in that members already are serving the community, even before tonight's graduation.

With City Council's encouragement, the city is engaging with residents and communicating how and why we do the things we do. This Academy helps accomplish that goal.



### The Class of 2016:

**Janice Rybka**  
**John Rybka**  
**Jonathan Williamson**  
**Mel Colegrove**  
**Bob Kanitz**  
**Robin Amstutz**

**Sara Carbary**  
**Sarah Stevens**  
**Scott Fanok**  
**Stacie Hines**  
**Tina Baker**

Over parts of four months, from Valentine's Day to Memorial Day, the class met twice a month to learn about our city. All told, they amassed nearly 20 hours of instruction, met key city leaders and toured city facilities.

The sessions were:

1. City History/Manager-Council Government - City Manager **Tom Homan**
2. Planning and Community Development - Director **Dave Efland**
3. Fire - Chief **John Donahue**, Assistant Chief **Doug Stewart**
4. Economic Development – Director **Sean Hughes**  
Public Records – City Attorney **Darren Shulman**
5. Public Works and Transportation – Director **Bill Ferrigno**, **Matt Weber**, **Charles Dukes**, **Joe Bullis**, **Linda Mathews**,
6. Public Utilities – Director **Brad Stanton**, Water Manager **Tom Hinson**
7. Parks & Natural Resources – Superintendent **Stacy Davenport**, YMCA Director **Matt Bruns**, **Linda Mathews**,
8. Police – Capt. **Adam Moore**
9. Finance – Accountant **Rob Alger**, Income Tax Administrator **John Hunter**

Lesson plans and class presentations are here: <http://www.delawareohio.net/citizens-academy/>

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

**AGENDA**

**6:30 P.M.** - Citizens Academy Graduation

REGULAR MEETING

JUNE 13, 2016

1. ROLL CALL
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. APPROVAL of the Motion Summary of the regular meeting of Council held May 23, 2016, as recorded and transcribed.
5. CONSENT AGENDA
  - A. Acceptance of the Motion Summary for the Shade Tree Commission meeting held April 26, 2016.
  - B. Acceptance of the Motion Summary for the 2016 Charter Review Commission meeting held May 12, 2016.
  - C. Acceptance of the Motion Summary for the Civil Service Commission meeting held April 13, 2016.
  - D. Acceptance of the Motion Summary for the Planning Commission meeting held May 4, 2016.
  - E. Acceptance of the Motion Summaries for the Board of Zoning Appeals meetings held June 10, 2015 and March 9, 2016.
  - F. Establish June 27, and July 11, 2016 at 7:30 p.m. as the dates and times for public hearings and second readings of Ordinance No. 16-45, an ordinance providing for the submission to the Electorate of amendments to the Delaware City Charter, and declaring an emergency.
  - G. Establish June 27, and July 11, 2016 at 8:00 p.m. as the dates and time for public hearings and second readings of Ordinance No. 16-46, an ordinance to amend Sections 192.012, 192.013, 192.014, and 192.02 of the Codified Ordinances of the City of Delaware, Ohio in order to increase the City Income Tax by point one five percent (.155) from the current rate of one point eight five percent (1.85%) to a rate of two percent (2%), beginning January 1,

2017, for the purpose of pay the costs of improving and maintaining the transportation and parking system in the City by constructing and reconstructing municipal roads, highways, streets, bridges, sidewalks, bikeways, and parking facilities, acquiring real estate and interests in real estate therefor, and paying the debt service charges and related costs of securities issued to pay the costs of those projects.

6. LETTERS, PETITIONS, AND PUBLIC COMMENTS
7. COMMITTEE REPORTS
8. PRESENTATIONS:
  - A. Proclamation presentation to the State Champion Dempsey Middle School Lacrosse Team
  - B. 2016 Charter Review Commission Recommendations Report (Recommendation Report will be sent to Council on Friday)
9. CONSIDERATION of Resolution No. 16-24, a resolution authorizing the City Manager to prepare and submit an application for Federal Attributable Funding through the Mid-Ohio Regional Planning Commission (MORPC) for the planning, design and construction of the US36/37 Intersection "The Point" Improvement Project.
10. CONSIDERATION of Ordinance No. 16-45, an ordinance providing for the submission to the Electorate of amendments to the Delaware City Charter, and declaring an emergency.
11. CONSIDERATION of Ordinance No. 16-46, an ordinance to amend Sections 192.012, 192.013, 192.014, and 192.02 of the Codified Ordinances of the City of Delaware, Ohio in order to increase the City Income Tax by point one five percent (.155) from the current rate of one point eight five percent (1.85%) to a rate of two percent (2%), beginning January 1, 2017, for the purpose of pay the costs of improving and maintaining the transportation and parking system in the City by constructing and reconstructing municipal roads, highways, streets, bridges, sidewalks, bikeways, and parking facilities, acquiring real estate and interests in real estate therefor, and paying the debt service charges and related costs of securities issued to pay the costs of those projects.
12. CONSIDERATION of Ordinance No. 16-47, an ordinance approving a Combined Preliminary and Final Development Plan for Certified Oil to raze the existing building and construct a new building for Certified Oil at 2061 US23 North on property zoned B-4 (General Business District)

on approximately 0.998 acres.

13. CONSIDERATION of Ordinance No. 16-48, an ordinance approving a Final Development Plan for Ohio Wesleyan University for a phase 2 Small Living Unit (SLU) on approximately 1.373 acres located on the north side of Rowland Avenue between South Washington Street and South Liberty Street on property zoned PO/I PMU (Planned Office/Institutional District with a Planned Mixed Use Overlay District).
14. CONSIDERATION of Ordinance No. 16-49, an ordinance amending the 2016 Appropriations Ordinance to provide additional funding for pay of contracted recreation services to the YMCA.
15. CONSIDERATION of Ordinance No. 16-50, an ordinance amending the 2016 Appropriations Ordinance to establish funding for the purchase of equipment for the solid waste recycling operation.
16. CONSIDERATION of Ordinance No. 16-51, an ordinance amending the 2016 Appropriations Ordinance to provide funding for administrative support within the City Prosecutor's Office, and declaring an emergency.
17. CONSIDERATION of Ordinance No. 16-52, an ordinance amending the 2016 Appropriations Ordinance to provide funding for parking lot maintenance work at the Delaware Community Center, and declaring an emergency.
18. CONSIDERATION of Ordinance No. 16-53, an ordinance authorizing the City Manager to enter into a Cooperative Agreement with the Ohio Department of Transportation to install rectangular rapid flashing beacons (RRFB'S) on South Liberty Street at the Oak Hill Avenue/Spring Street and Rowland Avenue intersections, and declaring an emergency.
19. **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.
20. CITY MANAGER'S REPORT
21. COUNCIL COMMENTS
22. ADJOURNMENT

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held May 23

20 16

**6:30 EXECUTIVE SESSION:** Mr. Rohrer motioned to enter into Executive Session at 6:34 p.m. This motion was seconded by Vice-Mayor Shafer 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 6:55 p.m., it was moved by Mr. Jones that Council move into Open session, seconded by Vice-Mayor Shafer and approved by 7-0 vote.

The regular meeting of May 23, 2016 was called to order at 7:00 p.m., in the City Council Chambers. The following members of Council were present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Carolyn Kay Riggle who presided. The invocation was given by John Powers, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Scott Stowers, IT Director, Dean Stelzer, Finance Director, Brad Stanton, Public Utilities Director, Ted Miller, Natural Parks and Resource Director, and Tom Homan, City Manager

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

APPROVAL of the Motion Summary of the regular meeting of Council held May 9, 2016, as recorded and transcribed.

**Motion:** Mr. Jones moved to approve the Motion Summary for the regular meeting of Council held May 9, 2016 seconded by Vice-Mayor Hellinger. Motion approved by a 7-0 vote.

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

- A. Acceptance of the Motion Summary for the Parking and Safety Committee meeting held January 4, 2016.
- B. Acceptance of the Motion Summary for the 2016 Charter Review Commission meeting held April 28, 2016.
- C. Resolution No. 16-20, a resolution authorizing the City Manager to participate in the cooperative purchase of road salt through the Ohio Department of Transportation's Winter Salt Purchase Contract (018-17) for road salt, and repealing Resolution No. 16-18 in its entirety.
- D. Resolution No. 16-21, a resolution authorizing the City Manager to file an application with the Ohio Development Services Agency, Office of Community Development, for Program Year 2016 Ohio Small Cities CDBG Community Development Allocation Program Funds and supplemented by the local CDBG ED-ELF Program Income.
- E. Resolution No. 16-22, a resolution appointing the Public Works Superintendent of Solid Waste Management as the City's

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held May 23 20 16

representative to the Delaware, Knox, Marion, Morrow (DKMM) Solid Waste District Policy Committee.

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

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

**ITEM 7: COMMITTEE REPORTS**

Mr. Jones stated that there is an upcoming meeting with Main Street on June 1, 2016.

Mrs. Keller provided an update on the Spray & Play Park grand opening.

Mr. DiGenova provided an update regarding the upcoming Memorial Day celebrations at Oak Grove Cemetery and Veterans Memorial Plaza.

Mr. Hellinger indicated that there will be a Shade Tree meeting held on May 24, 2016

Mayor Riggle provided an update regarding the recently held and upcoming Moving Delaware Forward meetings.

**ITEM 8: PRESENTATION**

- A. Proclamation presentation honoring Master Sgt. Kenneth L. Davenport
- B. Delaware General Health District Update – Shelia Hiddleson, Health Commissioner

**PRESENTOR:**

Sheila Hiddleson, Health Commissioner  
1 W. Winter St.  
Delaware, Ohio 43015

A discussion was held with Ms. Hiddleson regarding efforts to educate the public and Delaware City Schools regarding tick prevention and awareness. Mrs. Keller requested a follow-up regarding signage at Preservation Parks.

**ITEM 9: ORDINANCE NO. 16-38** [Third Reading]

AN ORDINANCE AMENDING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER.

The Clerk read the ordinance for the third time.

**Motion:** Vice-Mayor Shafer moved to approve Ordinance No. 16-38, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**ITEM 10: RESOLUTION NO. 16-23** [First Reading]

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AN OHIO DEPARTMENT OF NATURAL RESOURCES NATUREWORKS GRANT.

The Clerk read the resolution for the first time.

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held May 23 20 16

**Motion:** Mr. DiGenova moved to approve Resolution No. 16-23, seconded by Mr. Jones. Motion approved by a 7-0 vote

**ITEM 11: ORDINANCE NO. 16-44** [First Reading]  
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO RENEW AN INTERGOVERNMENTAL AGREEMENT WITH THE DELAWARE COUNTY COMMISSIONERS FOR INDIGENT DEFENSE SERVICES FOR MUNICIPAL CODE VIOLATIONS.

The Clerk read the ordinance for the first time.

**Motion:** Mr. DiGenova moved to suspend the rules for Ordinance No. 16-44, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. DiGenova moved to approve Ordinance No. 16-44, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 12: PUBLIC RECORDS TRAINING: SOCIAL MEDIA-DARREN SHULMAN, CITY ATTORNEY**

**ITEM 13: FINANCE DIRECTOR'S REPORT**

**ITEM 14: CITY MANAGER'S REPORT**

Mr. Homan provided an update on the Moving Delaware Forward campaign and community outreach efforts.

Mr. Homan provided an update on the recent New Moon Marathon that took place in Delaware, May 23, 2016.

Mr. Homan stated that he will be out of the office June 8 until June 13, 2016.

**ITEM 15: COUNCIL COMMENTS**

Mr. Jones indicated that the soccer nets at Nottingham Park needed replaced.

Mr. Jones requested information regarding the Tree Fund balance.

Mr. Jones requested an update on the potential plans to begin bulk pickup for refuse. Mr. Homan discussed potential plans to host two annual bulk drop off dates.

Mrs. Keller voiced her concerns regarding retention ponds not working correctly in neighborhoods causing concerns for increase of mosquitoes and recommended that the city should look into repeat offenders. Mr. Stanton discussed storm water requirements and efforts to collect samples to test nutrient and oxygen levels in ponds with algae issues.

Mr. Rohrer voiced his concern over issues that have occurred at Kensington Pond.

Mayor Riggle stated that she will be out of town June 3 to June 5, 2016 for training for the IronMan.

# RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10146

Held May 23 20 16

**ITEM 16: ADJOURNMENT**

**Motion:** Mr. Jones moved to adjourn the meeting. The meeting adjourned at 8:15 p.m.

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

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

**SHADE TREE COMMISSION  
MOTION SUMMARY  
April 26, 2016**

ITEM 1. Roll Call

Chairman Olen called the meeting to order at 7:00 p.m.

Members Present: Shannon Brewster, Jim Buck, Tom Glissman, Tom Wolber, Councilmember George Hellinger, Vice-Chairwoman Susan Wright, and Chairman Paul Olen

Members Absent: Dave Carey and Juliette Rike

Staff Present: Ted Miller, Parks and Natural Resources Director, Doug Richmond, City Arborist and Linda Mathews, Customer Service Liaison

**Motion to Excuse:** Mr. Wolber moved to excuse Mr. Carey and Ms. Rike, seconded by Mr. Buck. Motion approved by a 7-0 vote.

ITEM 2. APPROVAL OF MOTION SUMMARY of Shade Tree Commission meeting held March 22, 2016 as recorded and transcribed.

Vice-Chairwoman Wright indicated that there was an error on the minutes from March 22, 2016 in which the Motion Summary should have reflected a vote for the Annual Arbor Day tree planting ceremony to reflect 8-0 and not 8-2. The Clerk did submit an amended Motion Summary to reflect the requested change.

**Motion:** Mr. Wolber moved to approve the amended Motion Summary for the March 22, 2016 meeting, seconded by Vice-Chairwoman Wright. Motion approved with a 7-0 vote.

ITEM 3. INTRODUCTION of Parks and Natural Resource Director

Mr. Ted Miller introduced himself to the Commission. A discussion was held with Mr. Miller regarding concerns of the mess created by the fruit trees in the Downtown Business and Historic District.

ITEM 4. PUBLIC COMMENTS

**PUBLIC COMMENT:**

Rayna Patton  
86 Delaware Crossing E.  
Delaware, Ohio 43026

Ms. Patton voiced her concern over the proposed road connection at Valleyside Drive. Ms. Patton discussed concerns over the diversity of birds and wildlife in the area that need the trees that would be removed. Councilman Hellinger discussed the benefit for a road connection to reduce emergency response time in the area.

Ms. Patton provided a copy of the report by Professor Edward H. Burt, Jr., "Delaware Run Floodplain: Preserving Nature in an Urban Landscape".

#### ITEM 5. DISCUSSION of 2016 Arbor Day Activities

Vice-Chairwoman Wright discussed the plans and outline of activities for Arbor Day. Mr. Richmond indicated that the designated tree will already be planted. Vice-Chairwoman stated that Mr. Carey will bring the seedlings to be passed out.

Discussion was held on the upcoming May 6, 2015 First Friday event.

Mr. Wolber presented the revised summary for the pamphlet completed by Mr. Buck. Mr. Wolber plans to reformat and submit to the city staff for approval. The Commission was in agreement to pass out the remainder of the older pamphlets if administrative approval is not received in time for the event.

#### ITEM 6. ARBORIST REPORT

Mr. Richmond reviewed the provided monthly summary. Mr. Richmond indicated that 16 street trees were pruned and 4 trees were removed.

Mr. Richmond provided an update on current inventory and plans for spring planting.

A discussion was held on homeowners replacing and planting their own street trees. Mr. Richmond recommended that specific homeowners are encouraged to call the city to be aware of and follow city protocol and recommended trees. Mr. Richmond discussed also making these residents aware of the Cost Share Program.

#### ITEM 7. STAFF COMMENTS

#### ITEM 8. MEMBER COMMENTS

Vice-Chairwoman Wright provided an update on the Annual Tree City U.S.A. event that she attended along with Mr. Richmond and Ms. Brewster.

Chairman Olen discussed a request by Councilman DiGenova to have an oak tree planted for the Veteran's Memorial.

Mr. Wolber thanked Chairman Olen and Vice-Chairwoman Wright for presenting the Annual Shade Tree Report to council.

ITEM 9. PLAN REVIEWS

Ms. Mathews stated that there will be an additional review for Columbia Gas.

- A. Midwest Acoust-a-Fiber- Plan accepted as submitted with recommendation to change Cleveland Select Pears trees to either Adirondack, Marlee, or Centurion Crabapple trees as Pears are a contributing factor to the Callery Pear invasive issue.
- B. Speedway- Accepted as submitted with suggestion that the White Spruce trees be substituted with an equal quantities of Norway, Blue and Black Hills Spruce instead of the White Spruce
- C. Washington Enterprises- Accepted as submitted with 2 of the Sugar Maples on S. Sandusky Street be changed to American Hornbeam due to overhead utility wires and visibility concerns.
- D. Millbrook-Section 2- Accepted as submitted with only changes being trees at intersections being moved to allow for sight triangle.
- E. Columbia Gas- Accepted as submitted with suggestion to diversify Spruce Trees to include Blue, Norway and Black Hills Spruce.

ITEM 10. ADJOURNMENT

**Motion:** Mr. Wolber moved to adjourn the meeting, seconded by Vice-Chairwoman Wright. The Shade Tree Commission meeting adjourned at 8:26 p.m.

Paul D. Olen 5.24.16  
Chairman Olen

Elaine McCuskey  
Clerk

**2016 CHARTER REVIEW COMMISSION  
MOTION SUMMARY  
May 12, 2016**

ITEM 1. Roll Call

Chairwoman Santos called the 2016 Charter Review Commission Meeting to order at 6:00 p.m.

Members Present: Megan Cochran, Stephanie Steinbeck, Cathy Falter, Charlotte Joseph, Mayor Carolyn Kay Riggle, Vice-Chairman Dan Bennington, and Chairwoman Mary Jane Santos

Members Absent: Jeremy Byers and Jack Hillborn

Staff Present: Dean Stelzer, Finance Director, Darren Shulman, City Attorney and David Moser, Assistant City Attorney

**Motion to Excuse:** Mayor Riggle moved to excuse Mr. Byers and Mr. Hillborn, seconded by Vice-Chairman Bennington. Motion approved by a 7-0 vote.

ITEM 2. Approval of the Motion Summary for the meeting held April 28, 2016, as recorded and transcribed.

**Motion:** Ms. Steinbeck moved to approve the Motion Summary for the meeting held April 28, 2016, as recorded and transcribed, seconded by Ms. Falter. Motion approved by a 7-0 vote.

ITEM 3. Review of Submissions from the Public

ITEM 4. Review drafts of Commission requested changes to Articles 3 and 4

Sec. 45. SALARY OF MAYOR.

The Commission recommends proceeding with no changes.

Sec. 46. CITY MANAGER; QUALIFICATIONS, ABSENCE OR DISABILITY.

The Commission recommends proceeding with no changes.

Sec. 47. TERM, SUSPENSION AND REMOVAL OF CITY MANAGER.

The Commission recommends proceeding with no changes.

Sec. 50. APPOINTMENT, SUSPENSION, AND REMOVAL OF SUBORDINATES OF CITY MANAGER.

The Commission recommends proceeding with no changes.

ITEM 5. Review of Delaware City Charter, Articles 15-20

ARTICLE XI. DEPARTMENT OF PUBLIC WORKS.

Sec. 66. ESTABLISHMENT; APPOINTMENT OF DIRECTOR  
Mr. Shulman to provide new language in reference to department.

Sec. 67. DUTIES OF DIRECTOR OF PUBLIC WORKS.  
The Commission recommends proceeding with no changes.

ARTICLE XII. PUBLIC PARKS AND RECREATION.

Sec. 68. MAINTENANCE AND CONDUCT OF FACILITIES;  
ADMINISTRATION.  
The Commission recommends proceeding with no changes.

ARTICLE XIII. PUBLIC UTILITIES.

Sec. 69. ADMINISTRATION; RATES.  
The Commission recommends proceeding with no changes.

ARTICLE XIV. PURCHASING AND INVENTORY.

Sec. 70. DESIGNATION AND DUTIES GENERALLY OF PURCHASING  
AGENT.  
Mr. Shulman presented to the Commission recommended changes. The  
Commission recommends that Mr. Shulman to bring forward for review at the  
next regularly scheduled meeting.

Sec. 71. PURCHASING REGULATIONS.  
Mr. Shulman presented to the Commission recommended changes. The  
Commission recommends that Mr. Shulman to bring forward for review at the  
next regularly scheduled meeting.

Sec. 72. INVENTORY OF CITY PROPERTY.  
The Commission recommends proceeding with no changes.

ARTICLE XV. CONTRACTS

Sec. 73. COMPETITIVE BIDDING REQUIRED; EXCEPTIONS; REPORT OF  
CONTRACTS.  
The Commission recommends proceeding with no changes

Sec. 75. AUTHORITY OF MAKE CONTRACTS AND AGREEMENT.  
The Commission recommends proceeding with grammar changes.

ARTICLE XVI. APPROPRIATION BUDGETING.

Sec. 76. BUDGET MESSAGE AND ORDINANCE; FORM AND CONTENT OF BUDGET.

The Commission recommends proceeding with recommended changes.

Sec. 77. HEARINGS; COPIES OF BUDGET.

The Commission recommends proceeding with recommended changes to acknowledge availability of budget electronically.

Sec. 78. APPROPRIATION ORDINANCE; TEMPORARY AND ANNUAL.

The Commission recommends proceedings with no changes.

#### ARTICLE XVII. CAPITAL IMPROVEMENT BUDGET AND PROGRAMS.

Sec. 79. CAPITAL PROGRAM.

The Commission recommends proceedings with no changes.

Sec. 80. ACTION BY COUNCIL ON CAPITAL IMPROVEMENTS PROGRAM.

The Commission recommends proceedings with no changes.

Sec. 81. PRESENTATION OF ANNUAL CAPITAL BUDGET.

The Commission recommends proceedings with no changes.

Sec. 82. ADOPTION OF ANNUAL CAPITAL IMPROVEMENT BUDGET.

The Commission recommends proceedings with no changes.

#### ARTICLE XVIII. DEPARTMENT OF FINANCE.

Sec. 83. ESTABLISHMENT; APPOINTMENT OF DIRECTOR.

The Commission recommends proceeding with recommended changes to remove effective date of.

Sec. 84. VACANCY.

The Commission recommends proceeding with recommended changes to the title.

Sec. 85. ACTING DIRECTOR OF FINANCE.

The Commission recommends proceeding with grammar changes.

Sec. 86. DUTIES GENERALLY OF DIRECTOR.

The Commission recommends proceeding with recommended changes to the title.

Sec. 87. ACCOUNTS AND PROCEDURE

The Commission recommends proceedings with no changes.

Sec. 88. APPROPRIATION ACCOUNTS.  
The Commission recommends proceedings with no changes.

Sec. 89. MONTHLY FINANCIAL STATEMENT; OTHER REPORTS.  
The Commission recommends proceedings with recommended changes to remove the wording “not later than the tenth day of each month” to “monthly’.

Sec. 90. SPECIAL AUDITS; ACTION ON RESULT OF SUCH AUDITS.  
The Commission recommends proceeding with recommended changes.

Sec. 91. ADMINISTRATION OF TREASURY; MONEYS PAID INTO TREASURY; DEPOSIT OF CITY MONEY.  
The Commission recommends proceedings with no changes.

Sec. 92. SAFEKEEPING OF SECURITIES  
The Commission recommends proceedings with recommended changes to remove reference of “vault”.

Sec. 93. PREPARATION AND CERTIFICATION OF SPECIAL ASSESSMENTS.  
The Commission recommends proceedings with no changes.

Sec. 94. COUNCIL MAY REQUIRE CERTAIN DUTIES OF DIRECTOR OF FINANCE.  
The Commission recommends proceedings with no changes.

Sec. 95. RECORDATION OF BONDS AND NOTES.  
The Commission recommends proceedings with recommended change to delete Sec. 95 from the Charter.

Sec. 96. INTERESTS AND EARNINGS BELONGING TO BOND RETIREMENT FUND.  
The Commission recommends proceedings with no changes.

ARTICLE XIX. PUBLIC HEALTH

Sec. 97. BOARD OF HEALTH; COMBINATION OF HEALTH DISTRICTS.  
The Commission recommends proceedings with no changes.

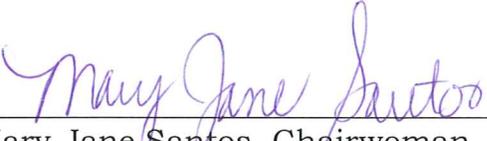
Sec. 98. HEALTH POWERS OF CITY PRESERVED.  
The Commission recommends proceedings with no changes.

ITEM 6 REVIEW OF ARTICLE 21 (TIME PERMITTING)  
The Commission plans to review Article 20-25 at the next regularly scheduled meeting.

ITEM 7 Next Meeting Date: May 19, 2016

ITEM 8      Adjournment

**Motion:** Ms. Joseph moved for the 2016 Charter Review meeting to adjourn, seconded by Ms. Cochran. The meeting adjourned at 7:49 p.m.

  
\_\_\_\_\_  
Mary Jane Santos, Chairwoman

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

**Civil Service Commission  
Motion Summary  
April 13, 2016**

ITEM 1. ROLL CALL

Michael Robinson called the meeting to order at 3:05pm.

Members Present: Michael Robinson, Eric Coss and Brooke Acker

Staff Present: Human Resource Manager Jessica Feller, Police Chief Bruce Pijanowski, Fire Chief John Donahue, Assistant City Manager Jackie Walker, City Council Member Joe DiGenova, Human Resource Coordinator Lorrie Diaz and Assistant Prosecutor/City Attorney David Moser

ITEM 2. APPROVAL of FEBRUARY 3, 2016 Motion Summary of the Civil Service Commission meeting held FEBRUARY 3, 2016, as recorded and transcribed.

**Motion:** Ms. Acker moved to approve of the Motion Summary for the February 3rd Motion Summary, seconded by Mr. Coss. Motion passed by a 3-0 vote.

ITEM 3. Amend Police Officer List

Two candidates have been removed from the list.

**Motion:** Mr. Coss moved to approve the amended Police Officer List, seconded by Ms. Acker. Motion passed by a 3-0 vote.

ITEM 4. Amend Police Officer Process

A clarification is being made in the process to include a candidate's failure to respond to a portion of the process will result in the candidate's score through NTN dropping off. This information will be clarified in communications to the candidates.

**Motion:** Ms. Acker moved to approve Mr. Coss for Vice Chair, seconded by Mr. Robinson. Motion passed by a 3-0 vote.

ITEM 5. Certify Firefighter List

**Motion:** Ms. Acker moved to approve of the Firefighter List, seconded by Mr. Coss. Motion passed by a 3-0 vote.

ITEM 6. PUBLIC COMMENT

Fire Lieutenant Eric Zierden spoke to the Captains promotional process. Eric is on the current list established approximately one year ago. Eric was only

one of five to pass the exam. The Rule of Three was not able to be obtained. The Lieutenant test was given recently and one was promoted from the list. Chief Donahue believes the Captain list is not competitive. Eric believes the test was competitive with five original test takers. Eric would like further clarification of where and at one point the Rule of Three apply. Chief Donahue recommends legal counsel advice. Per the Rule of Three, the process can move forward with two candidates with it being a competitive process. The Captains list expires on 7/16/16 and the Lieutenant list expires on 11/16/16. There has been one promotion from the Lieutenant list leaving a remainder of two candidates. City Attorney Darren Shulman will rule an opinion on this matter.

Clint Archangel would also like to know how long the Rule of Three as been in effect.

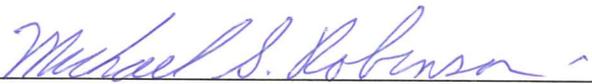
Joe Murphy spoke regarding the National Testing Network. There are seventeen candidates left out of sixty-three after the City took the top sixty and ties. Joe believes these numbers are relatively low. Joe asks about new procedures to evaluate the new process. Joe doesn't feel it has gone as well as previous recruitment processes. There was a short advertisement window. There will be an applicant educational piece regarding the process to be done.

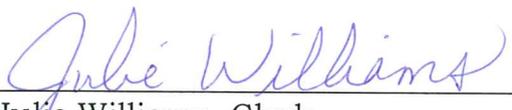
#### ITEM 7. COMMISSION MEMBERS COMMENTS

Joe DiGenova asks about his position with the Civil Service Commission as a representative from City Council and his voting rights. Darren will research Joes' voting rights on the Civil Service Commission board and will follow up with Joe on this matter.

#### ITEM 8. MEETING ADJOURNMENT

Chairman Robinson adjourned the meeting at 4:46 p.m.

  
\_\_\_\_\_  
Michael Robinson, Chairman

  
\_\_\_\_\_  
Julie Williams, Clerk

**PLANNING COMMISSION  
MOTION SUMMARY  
May 4, 2016**

ITEM 1. Roll Call

Chairwoman Keller called the Planning Commission meeting to order at 7:00 p.m.

Members Present: Robert Badger, George Mantzoros, Jim Halter, Dean Prall, Colleen Tucker-Buck, Vice-Chairman Stacy Simpson, and Chairwoman Lisa Keller

Staff Present: Joe Rose, Planning Department Intern, Jennifer Stachler, Assistant City Engineer, Lance Schultz, Zoning Administrator, and David Efland, Planning and Community Development Director.

ITEM 2. Approval of the Motion Summary of the Planning Commission meeting held on April 6, 2016, as recorded and transcribed.

**Motion:** Mr. Halter moved to approve the Motion Summary for the April 6, 2016 meeting, seconded by Mr. Prall. Motion approved by a 6-0-1 (Tucker-Buck) vote.

ITEM 3. REGULAR BUSINESS

A. 2016-1086: A request by Columbia Gas for approval of a Development Plan Exemption to allow the construction of a Gas Receiver on 0.735 acres zoned M-2 (General Manufacturing) located on the southeast corner of Pittsburgh Drive and Section Line Road intersection.

**Anticipated Process**

a. Staff Presentation

Mr. Schultz provided a presentation that included the proposed site plan. Information was provided regarding the fencing to enclose the equipment and the proposed landscape plan.

b. Applicant Presentation

**APPLICANT:**

Diego Catano  
1600 Dublin Rd.  
Columbus, Ohio

Mr. Catano discussed the analysis that was completed to determine the risk and impact of the area would be low.

Mr. Halter discussed his concern with the proximity to the airport. Mr. Catano stated that the above ground structure will be depressurized,

Mr. Halter voiced his concern over whether the gravel area will be dust proof or not. Ms. Stachler and Mr. Efland stated that due to the size of gravel and the majority of the area off the road, that it will not be required.

- c. Public comment (not a public hearing)
- d. Commission Action

**Motion:** Mr. Badger moved to approve 2016-1086, along with all staff conditions and recommendations, seconded by Ms. Tucker-Buck. Motion approved by a 7-0 vote.

- B. 2016-1004: A request by Washington Enterprises for approval of a Development Plan Exemption for a building addition to NAPA Auto Parts at 455 South Sandusky Street on 0.76 acres zoned B-3 (Community Business District).

**Anticipated Process**

- a. Staff Presentation

Mr. Schultz reviewed the proposed site plan and building addition. Information was provided on the both the existing and proposed access to the site, parking spaces, dumpster location and requirements, proposed building elevations. The Commission was informed of the approval of the landscape plan by the Shade Tree Commission.

- b. Applicant Presentation

**APPLICANT:**

Robert Washington  
10451 Rosecrans Rd  
Sunbury, Ohio

Mr. Washington discussed plans to have the existing parking lot repaved.

- c. Public comment (not a public hearing)
- d. Commission Action

**Motion:** Vice-Chairman Simpson moved to approve 2016-1004, along with all staff conditions and recommendations, seconded by Mr. Halter. Motion approved by a 7-0 vote.

- C. Stockdale Farms
- (1) 2016-0984: A request by LYH, LLC for approval of an extension to the approved Final Development Plan for Phase 1 of Stockdale Farms Subdivision consisting of 60 single family lots on 44.74 acres located at the northeast corner of Braumiller and Pollock Roads and zoned R-2 PMU (One-Family Residential with a Planned Mixed Use Overlay District).
  - (2) 2016-0985: A request by LYH, LLC for approval of an extension to the approved Final Subdivision Plat for Phase 1 of Stockdale Farms Subdivision consisting of 60 single family lots on 44.74 acres located at the northeast corner of Braumiller and Pollock Roads and zoned R-2 PMU (One-Family Residential with a Planned Mixed Use Overlay District).

**Anticipated Process**

a. Staff Presentation

Mr. Efland provided information on the Approved Preliminary Development Plan and Plat and the recommendation for a one year extension.

b. Applicant Presentation

**APPLICANT:**

Steve Martin  
50 N. Sandusky St.  
Delaware, Ohio 43015

Mr. Martin discussed issues regarding Braumiller Road and the increasing cost of infrastructure and building cost. Mr. Martin informed the Commission the property is on the market for sale.

A discussion was held on the process that would happen if a new developer wanted to purchase the property and make new changes.

c. Public comment (not a public hearing)

d. Commission Action

**Motion:** Vice-Chairman Simpson moved to approve 2016-0984, along with all staff conditions and recommendations, seconded by Mr. Mantzoros. Motion approved by a 7-0 vote.

**Motion:** Vice-Chairman Simpson moved to approve 2016-0985, along with all staff conditions and recommendations, seconded by Mr. Mantzoros. Motion approved by a 7-0 vote.

- D. 2016-1011: A request by Medlock LLC., for approval of a Final Subdivision Plat for Millbrook Section 2 consisting of 40 single family lots

on 10.26 acres zoned R-3 (One-Family Residential District) located on Ridgefield Drive and Elliot Road.

**Anticipated Process**

a. Staff Presentation

Mr. Schultz provided a presentation that included zoning and location map. Mr. Schultz informed the Commission that Section 2 was originally approved in 2004, but that plans never moved forward. Mr. Schultz provided information on the park and open space.

A discussion was held on the correct street names. Staff will make the necessary changes.

Chairwoman Keller voiced her concern over the conditions of property owned by Mr. Sabatino along Houk Road. Chairwoman Keller provided photographs of landscape areas with weeds and no mulch along with the deteriorating condition of the fencing and signage along Houk Road. Chairwoman Keller informed the Commission that the pictures were taken on May 4, 2016. Chairwoman Keller read into the record an email from Mr. Roger Collum regarding the conditions of the property.

b. Applicant Presentation

**APPLICANT:**

Ron Sabatino  
2895 Stoneridge Lane  
Dublin, Ohio 43017

Mr. Sabatino discussed the partnership of Medrock. Mr. Sabatino indicated that Rockford Homes has hired a company to manage the properties and Homeowners Associations. Mr. Sabatino further stated that he has a purchase order for the fence to be repaired and repainted, but that the work cannot be completed until the weather is dry. Mr. Sabatino agreed that the area needs to be properly taken care of and that the sign needs repair but it is not owned by Medrock.

Mr. Efland recommended that a formal code enforcement process be completed in the area. Mr. Efland is to research if the signage was a temporary permit. Chairwoman Keller recommended that a condition be added regarding the landscape plan.

Mr. Halter added Condition 9 to the staff report to state: that within 30 days all of mowing, landscaping, including mulching and weeding and painting of the fence shall be installed and maintained on Medrock property located on the west side of Houk road and extending west on William Street shall be

completed or no housing permits on Medrock Final Subdivision Plat Section 2 2016-1011 will be issued until said work is completed and inspected by city. The Commission members were in agreement to the new condition. Mr. Sabatino voiced no concern over the changes to the staff agreement.

c. Public comment (not a public hearing)

d. Commission Action

**Motion:** Mr. Halter moved to approve 2016-1011, along with all staff conditions and recommendations, including Condition 9, seconded by Mr. Badger. Motion approved by a 7-0 vote.

#### ITEM 4. PLANNING DIRECTOR'S REPORT

Mr. Rose presented the Commission the Housing Pipeline Exhibit.

Mr. Efland provided a presentation of the Engineering Plan Review and Construction Process pertaining to the bonding of subdivisions to the Commission for feedback. The Commission recommended that no changes be made to the current bonding process.

#### ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

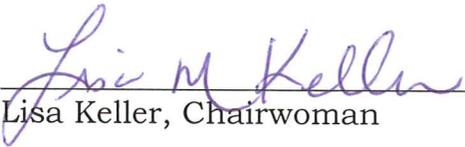
Mr. Prall requested an update regarding a potential park for the south east side of the city. Mr. Prall also requested an update regarding the upcoming construction of the new fire station.

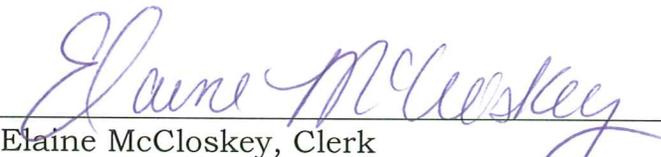
Ms. Tucker-Buck stated that this meeting will be her official last meeting and due to work commitments, she has resigned from the Planning Commission.

ITEM 6. NEXT REGULAR MEETING: June 1, 2016

ITEM 7. ADJOURNMENT:

**Motion:** Chairwoman Keller moved for the May 4, 2016 Planning Commission meeting to adjourn. The meeting adjourned at 9:22 p.m.

  
\_\_\_\_\_  
Lisa Keller, Chairwoman

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

**BOARD OF ZONING APPEALS**  
**MOTION SUMMARY**  
**June 10, 2015**

ITEM 1. Roll Call

Chairman Dick called the meeting to order at 7:00 p.m.

Members Present: Robert Badger, Adam Vaughn, Todd Daughenbauh, Crystal Brewer Councilman Joe DiGenova, Vice-Chairman Paul Junk, and Chairman Matt Dick

Staff Present: Lance Schultz, Zoning Administrator

ITEM 2. Approval of the Motion Summary of the Board of Zoning Appeals meeting held on March 11, 2015, as recorded and transcribed.

**Motion:** Vice-Chairman Junk moved to approve the Motion Summary for the April 8, 2015 meeting, seconded by Mr. Badger. Motion approved by a 7-0 vote.

ITEM 3. REGULAR BUSINESS

(A) 2015-0213:A request by Yoav and Schlomo Batch to appeal an administrative decision by the code official requiring the condemnation/demolition of 15 Flax Street on approximately 3.61 acres zoned M-1 (Light Manufacturing District) under the 2000 International Property Maintenance Code.

(1) This case needs to be removed from the table prior to any action taken by the Board.

**Motion:** Councilman DiGenova moved to remove 2015-0213 from the table, seconded by Mr. Vaughn. Motion approved by a 7-0 vote.

Chairman Dick swore in the following participants from the public:

James Mardis  
6 Flax Street  
Delaware, Ohio

Behzad Vedaie, Professional Engineer  
IEG, Inc.  
1901 E. Dublin-Granville Rd., Suite 304  
Columbus, Ohio 43229

David Gordon, Attorney  
82 North Franklin Street

Delaware, Ohio

Mr. Schultz provided a review of case 2015-0213, which included a map of the location, zoning map, and aerial photographs of the location from 2013. Mr. Schultz reviewed the discussion regarding 2015-0213 from the April 8, 2015 Board of Zoning Appeals meeting. Mr. Schultz reviewed the existing site plan and the Flax Street Property Improvement Plan provided by Mr. Vedaie. Mr. Vedaie confirmed that the Flax Street Property Improvement Plan was sent to Mr. Schultz approximately two weeks prior to the June 10, 2015 meeting. Mr. Schultz reviewed staff recommendations that improvements shall be completed by December 31, 2015 and meet all other City development improvements. Mr. Schultz also reviewed the requirement that the site is to be routinely mowed and clean of debris.

APPLICANT:

Behzad Vedaie, Professional Engineer  
IEG, Inc.  
1901 E. Dublin-Granville Rd., Suite 304  
Columbus, Ohio 43229

David Gordon, Attorney  
82 North Franklin Street  
Delaware, Ohio

Mr. Badger voiced his concern, stating that he observed the property and found that the site was not being maintained as required. Mr. Gordon explained that the landscape company was stopped by a surrounding property owner stating that the landscape company was on their property.

Mr. Vedaie reviewed the contract for service for the hired landscape contractor. Mr. Vaughn requested that Mr. Vedaie provide a maintenance schedule to staff. Mr. Schultz is to have code enforcement staff monitor the site.

Mr. Schultz clarified that applicant must meet state building code.

Mr. DiGenova discussed the need to add stipulations to the recommendations for approval of an extension. Councilman DiGenova recommended that the applicant furnish a monthly report on progress of the building and present it to staff, and that there will be no further extensions after December 31, 2015 if the work is not completed per the "Flax Street Improvement Plan."

PUBLIC PARTICIPATION:

James Mardis  
6 Flax Street  
Delaware, Ohio

Mr. Mardis clarified on the location map the property boundaries. Mr. Mardis voiced his concerns regarding the septic tank and sewer lines. Mr. Schultz informed the Board that the City Engineer and Public Works Department will address these concerns when plans are submitted to ensure that the plans meet state and city code requirements.

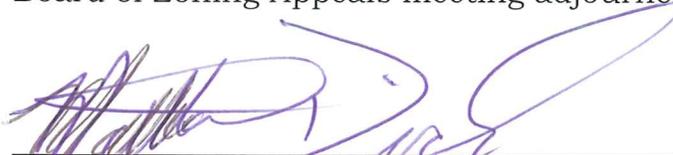
**Motion:** Councilman DiGenova moved to add the conditions that the applicant will provide monthly progress report and completion status to staff and that no further extension will be granted after December 31, 2015 to approve the applicant an extension to December 31, 2015 to have all the work completed as documented in the “Flax Street Property Improvement Plan” that achieves compliance with the 2000 International Property Maintenance Code and the minimum building and zoning requirements or staff will insert this case on the January 13, 2016 BZA meeting agenda and request the condemnation/demolition of the above mentioned buildings as originally proposed in the March 11, 2015 BZA staff report, seconded by Mr. Badger. Motion approved by a 7-0 vote.

ITEM 4. BOARD MEMBER COMMENTS AND DISCUSSION

ITEM 5. NEXT REGULAR MEETING: July 8, 2015

ITEM 6. ADJOURNMENT

**Motion:** Vice-Chairman Junk moved to adjourn the Board of Zoning Appeals meeting, seconded by Ms. Brewer. Motion was approved by a 7-0 vote. The Board of Zoning Appeals meeting adjourned at 7:54 p.m.



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Matt Dick, Chairman



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Elaine McCloskey, Clerk

**BOARD OF ZONING APPEALS  
MOTION SUMMARY  
March 9, 2016**

ITEM 1. Roll Call

Chairman Dick called the meeting to order at 7:00 p.m.

Members Present: Beth Fisher, Adam Vaughn, Todd Daughenbauh, Crystal Brewer, Councilman George Hellinger, Vice-Chairman Paul Junk, and Chairman Matt Dick.

Staff Present: Lance Schultz, Zoning Administrator

ITEM 2. Approval of the Motion Summary of the Board of Zoning Appeals meeting held on June 10, 2015, as recorded and transcribed.

**Motion:** Vice-Chairman Junk moved to approve the Motion Summary for the Board of Zoning Appeals June 10, 2016 meeting, seconded by Mr. Vaughn. Motion approved by a 6-0-1 (Hellinger) vote.

ITEM 3. REGULAR BUSINESS

(A) 2015-0213: A request by Yoav and Schlomo Batch to appeal an administrative decision by the code official requiring the condemnation/demolition of 15 Flax Street on approximately 3.61 acres zoned M-1 (Light Manufacturing District) under the 2000 International Property Maintenance Code.

Chairman Dick swore in the following participants from the public:

Behzad Vedaie, Professional Engineer  
IEG Inc.  
1901 E. Dublin-Granville Rd., Suite 304  
Columbus, Ohio 43229

Scott Gordon, Attorney  
82 North Franklin Street  
Delaware, Ohio

Jerry Warner, Chief Building Official  
City of Delaware  
1 South Sandusky Street  
Delaware, Ohio 43015

Diana Longworth  
37 Flax Street

Delaware, Ohio

James Mardis  
6 Flax Street  
Delaware, Ohio

APPLICANT:

Behzad Vedaie, Professional Engineer  
IEG Inc.  
1901 E. Dublin-Granville Rd., Suite 304  
Columbus, Ohio 43229

Scott Gordon, Attorney  
82 North Franklin Street  
Delaware, Ohio

Mr. Vedaie provided an update on repairs and maintenance completed and plans for future repairs.

Mr. Warner discussed current conditions of building and that building is not currently up to city code. Mr. Warner provided information on the permit process and timeline.

PUBLIC PARTICIPATION:

Diana Longworth  
37 Flax Street  
Delaware, Ohio

Ms. Longworth voiced her concern over the conditions of the property for the past ten years. Ms. Longworth indicated that the grass is overgrown and not taken care of.

James Mardis  
6 Flax Street  
Delaware, Ohio

Mr. Mardis voiced his concern over a tree being taken down and not cleaned up. Mr. Mardis voiced his concern over the property not being cleaned up.

**Motion:** Councilmember Hellinger moved to deny the applicants appeal in this case therefore to approve the decision of the code officer requiring condemnation and demolition of the structures located on the property in application 2015-0213, finding beyond a reasonable doubt that the decision factors necessary to consider given the 2000 International Property Maintenance Code have been answered sufficiently by the code official based

upon the evidence presented, seconded by Vice-Chairman Junk. Motion approved by a 6-0-1 (Fisher) vote.

ITEM 4. BOARD MEMBER COMMENTS AND DISCUSSION

ITEM 5. ELECTION OF OFFICERS

**Motion:** Mr. Junk moved to nominate Mr. Dick as Chairman, seconded by Mr. Vaughn. Motion approved by a 6-0-1 (Dick) vote.

**Motion:** Mr. Vaughn moved to nominate Mr. Junk as Vice-Chairman, seconded by Mr. Daughenbaugh. Motion approved by a 6-0-1 (Junk) vote.

ITEM 6. NEXT REGULAR MEETING: April 13, 2016

ITEM 7. ADJOURNMENT

**Motion:** Ms. Brewer motioned to adjourn the Board of Zoning Appeals meeting, seconded by Vice-Chairman Junk. Motion was approved by a 7-0 vote. The Board of Zoning Appeals meeting adjourned at 8:01 p.m.

  
\_\_\_\_\_  
Matt Dick, Chairman

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

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 boys lacrosse team enjoyed a memorable 2016 season; and

WHEREAS, the combined 7<sup>th</sup> and 8<sup>th</sup>-grade squad capped a history-making season by winning a state championship in May; and

WHEREAS, Dempsey compiled a 13-3-1 record and won four games in the state tournament, defeating Upper Arlington in the championship game by a 3-2 score; and

WHEREAS, through this achievement, head coach Anthony SanFillipo and assistant coach Steve Schumacher honored their community by showing their devotion to coaching; and

WHEREAS, each Dempsey 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 STATE CHAMPION DEMPSEY MIDDLE SCHOOL  
LACROSSE TEAM**

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

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the seal of the City of Delaware.

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Carolyn Kay Riggle, Mayor





## FACT SHEET

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AGENDA ITEM NO: 9

DATE: 6/13/16

ORDINANCE NO:

RESOLUTION NO: 16-24

READING: First

PUBLIC HEARING: No

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, P.E., Director of Public Works/City Engineer

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT APPLICATIONS FOR FEDERAL ATTRIBUTABLE FUNDING THROUGH THE MID-OHIO REGIONAL PLANNING COMMISSION FOR THE PLANNING, DESIGN AND CONSTRUCTION OF THE US36/SR37 INTERSECTION "THE POINT" IMPROVEMENT PROJECT AND FOR CITY-WIDE TRAFFIC SIGNAL SYSTEM UPGRADES.

**BACKGROUND:**

The Point intersection continues to be subject to increased traffic congestion and delay as the region grows. In 2009, a modification was made to the intersection to improve traffic flow, specifically in the westbound direction. The improvement was successful in reducing delay, though it was understood that the benefits would have short term effectiveness as additional growth in local and background traffic would yield the type of delay now experienced in all travel directions. The next level of improvements requires replacement of the existing two-lane railroad bridge with a larger span structure that can accommodate at least four vehicle lanes and pedestrian facilities on either side. Preliminary evaluations indicate that such an improvement could cost up to \$22.5 million.

The city's coordinated traffic signal system was initially installed in 1999 and is in need of upgrades to both equipment and programming. In some cases the current equipment must be replaced as it is no longer supported with replacement parts. The city has grown over the past sixteen years since the

system was installed, with the number of signals doubling and the amount of traffic through particular intersections substantially greater than originally designed for. It has been estimated that the cost of updating the signals along the primary travel corridors including Sandusky Street, London Road, Central Avenue and William Street is \$3.5 million.

**REASON WHY LEGISLATION IS NEEDED:**

Funding for large scale improvements along federal routes is available through a competitive application process administered by MORPC. As part of requests for federal funding, local jurisdictions are required to provide legislation that demonstrates a commitment to advancing a project initiative should funding be approved.

Federal funding is generally available on two-year cycles with 2016 being the next application period. Federal funds take several years to become available, though once awarded a recipient is able to borrow other funding to complete a project through various sources such as the State Infrastructure Bank (SIB), understanding that reimbursement of eligible project costs is available through an approved grant. In the case of both "The Point" project and the Traffic Signal upgrades, the city will have a local match that may be funded through potential transportation levy funding revenues. Without levy funds, The Point project remains a top priority for the city and application for all possible funding sources is critical if the project is to advance. Delay of a grant funding application is not recommended as the need to complete improvements becomes more critical as congestion and delay through the intersection becomes more prevalent and for longer periods of time.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

The city intends to submit an application for MORPC surface transportation program funds (STP). The STP funding program requires a minimum 20% local matching contribution. Staff has developed a funding strategy utilizing local, state and federal funding sources to cover the cost. Traffic signal system improvements that alleviate congestion and delay are eligible for 80% funding through the Surface Transportation Program funds, and as much as 100% funding through the CMAQ Program.

**POLICY CHANGES:**

None

**PRESENTER(S):**

William L. Ferrigno, P.E., Director of Public Works/City Engineer

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

None

RESOLUTION NO. 16-24

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT APPLICATIONS FOR FEDERAL ATTRIBUTABLE FUNDING THROUGH THE MID-OHIO REGIONAL PLANNING COMMISSION FOR THE PLANNING, DESIGN AND CONSTRUCTION OF THE US36/SR37 INTERSECTION "THE POINT" IMPROVEMENT PROJECT AND FOR CITY-WIDE TRAFFIC SIGNAL SYSTEM UPGRADES.

WHEREAS, the city has identified making certain improvements to the existing intersection of William Street (US36) and Central Avenue (SR37), known locally as "The Point", and

WHEREAS, the city has identified making certain improvements to the existing traffic signal system along principal travel corridors within the city, and

WHEREAS, preliminary evaluations performed by professional transportation engineering firms have estimated projects cost at \$23 million for The Point project and \$3.5 million for the traffic signal initiative, and

WHEREAS, Federal funding is available for transportation improvements through a competitive application process associated with various transportation funding programs, and

WHEREAS, Sources of potential funding include both Surface Transportation Program (STP) and Congestion Mitigation and Air Quality (CMAQ) funds administered through MORPC, and

WHEREAS, Federal funding applications require the inclusion of approved legislation enacted upon by the local governing body demonstrating support of the project initiative.

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

SECTION 1. That the City Manager is hereby directed, to prepare and submit applications, to apply for Federal attributable funds for this priority project initiative.

SECTION 2. That this resolution shall be in force and effect immediately upon its passage.

PASSED: \_\_\_\_\_, 2016

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



## FACT SHEET

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AGENDA ITEM NO: 10

DATE: 6/13/16

ORDINANCE NO: 16-45

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: **YES**  
**June 27, 2016 at 7:30 p.m.**  
**July 11, 2016 at 7:30 p.m.**

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Darren Shulman, City Attorney

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO THE DELAWARE CITY CHARTER, AND DECLARING AN EMERGENCY.

**BACKGROUND:** Pursuant to Section 128 the Charter, a Charter Review Commission comprised of 9 electors of the City reviews the charter and makes recommendations to Council. Council then votes to submit the changes to the voters in November. Council can approve, modify, or reject the recommendations. The background report, which will be provided to council, provides a summary of the changes.

The Charter Review Commission will be meeting on June 9 to finalize their recommendations. City Attorney Darren Shulman will be sending out the final recommended changes on Friday.

**REASON WHY LEGISLATION IS NEEDED:**

Legislation is required to submit the proposed changes to the voters.

**COMMITTEE RECOMMENDATION:**

Approval

**FISCAL IMPACT(S):**

**POLICY CHANGES:**

**PRESENTER(S):**

Darren Shulman, City Attorney

**RECOMMENDATION:**

Approval at third reading

**ATTACHMENT(S)**

ORDINANCE NO. 16-45

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO THE DELAWARE CITY CHARTER, AND DECLARING AN EMERGENCY.

WHEREAS, the 2016 Delaware City Charter Commission has recommended amendments to the Delaware City Charter; and

WHEREAS, Delaware City Council has considered said amendments and desires to have those amendments acted upon by the electors of the City,

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

SECTION 1. That the question of the amendments to the Delaware City Charter, Sections 4A, 5, 7, 8, 11, 12, 13, 14, 15, 16, 17, 21, 26, 45, 46, 47, 66, 67, 70, 71, 74, 75, 76, 77, 83, 84, 85, 86, 89, 90, 92, 95, 101, 102, 104, 107, 109, 110, 113, 114, 118, 119, and 126 by making revisions thereto, be submitted to the electors of the City of Delaware at the regular municipal election to be held November 8, 2016, so that as amended sections the same shall read as follows:

See Exhibit A attached hereto in which **bold** indicates new language and ~~strike-through~~ indicates deleted language.

SECTION 2. That the Clerk of Council is directed to certify a true copy of this ordinance to the Board of Elections of Delaware County. The Clerk of Council is further directed to cause the full text of the Charter Amendments to be posted on the City's website. In addition, pursuant to Article XVIII Section 9 of the Ohio Constitution, the Clerk of Council shall provide notice of the proposed amendments, along with a link to the full language and notice that paper copies may be obtained at City Hall to be published once per week for two consecutive weeks in a newspaper of general circulation in the City of Delaware, with the first publication being not less than thirty (30) days prior to the election.

SECTION 3. EMERGENCY CLAUSE: That in order to provide for the usual daily operation of the various departments of the municipal government and to provide for the public peace, safety, health and welfare this ordinance is hereby declared to be an emergency measure and shall take effect and be in full force and effect immediately upon its passage and to assure that it will be in effect in time to be certified to the Delaware County Board of Elections so

that the issue may be placed on the ballot at the November 8, 2016 general municipal election.

VOTE ON RULE SUSPENSION:

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

EMERGENCY CLAUSE:

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2016

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



## FACT SHEET

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AGENDA ITEM NO: 11

DATE: 6/13/16

ORDINANCE NO: 16-46

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: **YES**  
**June 27, 2016 8:00 p.m.**  
**July 11, 2016 8:00 p.m.**

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: --

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE TO AMEND SECTIONS 192.012, 192.013, 192.014 AND 192.02 OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE, OHIO, IN ORDER TO INCREASE THE CITY INCOME TAX BY POINT ONE FIVE PERCENT (.15%) FROM THE CURRENT RATE OF ONE POINT EIGHT FIVE PERCENT (1.85%) TO A RATE OF TWO PERCENT (2%), BEGINNING JANUARY 1, 2017, FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING AND MAINTAINING THE TRANSPORTATION AND PARKING SYSTEM IN THE CITY BY CONSTRUCTING AND RECONSTRUCTING MUNICIPAL ROADS, HIGHWAYS, STREETS, BRIDGES, SIDEWALKS, BIKEWAYS, AND PARKING FACILITIES, ACQUIRING REAL ESTATE AND INTERESTS IN REAL ESTATE THEREFOR, AND PAYING THE DEBT SERVICE CHARGES AND RELATED COSTS OF SECURITIES ISSUED TO PAY THE COSTS OF THOSE PROJECTS.

**BACKGROUND:**

Managing local traffic is a major concern for residents. According to the 2015 Community Attitudes Survey, half are dissatisfied with the amount of congestion, and one in four is dissatisfied with the condition of Delaware streets. Moving Delaware Forward is City Council's vision to take care of the basics and allow our transportation system to keep pace with a growing city. "Moving Delaware Forward is critical to maintaining Delaware's streets and

making them less congested, and ensuring our city remains attractive to new businesses and residents.

**REASON WHY LEGISLATION IS NEEDED:**

Pursuant to Ohio Revised Code Section 718.04, in order for the City to increase the income tax rate to 2%, the electors of the City must approve of the tax by a vote. This legislation, if passed by Council, would be sent to the Board of Elections, along with a Resolution requesting the issue be placed on the November ballot and requested ballot language.

**COMMITTEE RECOMMENDATION:**

**FISCAL IMPACT(S):**

This levy is anticipated to generate \$2.2 million annually for transportation improvements.

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

R. Thomas Homan, City Manager

**RECOMMENDATION:**

**ATTACHMENT(S)**

ORDINANCE NO. 16-446

AN ORDINANCE TO AMEND SECTIONS 192.012, 192.013, 192.014 AND 192.02 OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE, OHIO, IN ORDER TO INCREASE THE CITY INCOME TAX BY POINT ONE FIVE PERCENT (.15%) FROM THE CURRENT RATE OF ONE POINT EIGHT FIVE PERCENT (1.85%) TO A RATE OF TWO PERCENT (2%), BEGINNING JANUARY 1, 2017, FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING AND MAINTAINING THE TRANSPORTATION AND PARKING SYSTEM IN THE CITY BY CONSTRUCTING AND RECONSTRUCTING MUNICIPAL ROADS, HIGHWAYS, STREETS, BRIDGES, SIDEWALKS, BIKEWAYS, AND PARKING FACILITIES, ACQUIRING REAL ESTATE AND INTERESTS IN REAL ESTATE THEREFOR, AND PAYING THE DEBT SERVICE CHARGES AND RELATED COSTS OF SECURITIES ISSUED TO PAY THE COSTS OF THOSE PROJECTS.

WHEREAS, the City continues to grow through residential, commercial and business expansion activity in all areas of the community placing an increasing burden on the existing transportation infrastructure to support the management of daily traffic movements in an effective and efficient manner; and

WHEREAS, the level of traffic and street maintenance operations necessary to adequately maintain the existing transportation network including pavement resurfacing, signage, striping, crash barrier, traffic signals, roadway lighting and all related appurtenances, continues to increase as the amount of infrastructure expands and ages; and

WHEREAS, increasing traffic volumes have exceeded capacity of many of the existing main arterial routes throughout the community necessitating the construction of additional roadway connections to expand the network available for traffic trips, and ease traffic congestion and loading on existing streets; and

WHEREAS, substantial analysis regarding the anticipated cost to maintain and repair highway infrastructure has been developed, reviewed and presented to the public over the past several years, demonstrating the need to increase available revenues dedicated to maintenance of the city's roadway network; and

WHEREAS, the City has developed and adopted a Thoroughfare and Transportation Plan that identifies over fifty priority transportation improvement projects including intersection improvements, existing street reconstruction, and new network connections, all requiring funding above that which is available for such initiatives; and

WHEREAS, without additional funding directed toward the transportation system, congestion and delay on city streets will increase, impacting daily commuting, commerce and freight transport throughout the community, while the condition of local residential streets will continue to deteriorate affecting ride, safety and neighborhood housing value; and

WHEREAS, maintaining a high quality transportation system is critical to the economic health and welfare of a community in support of its residents, businesses and industry; and

WHEREAS, City Council has actively supported an organized effort presenting the needs of the city's transportation network to the general public through the "Moving Delaware Forward" initiative in order to gauge public response and acceptance of the need to increase revenues available for transportation initiatives; and

WHEREAS, City Council has considered a permanent increase in the local city income tax rate of 0.15% to address transportation needs, raising the total income tax burden from 1.85% to 2.0%; and

WHEREAS, the City shall continue to use existing gasoline tax revenue, license fee revenue, and the currently allocated portion of the general fund 1% income tax revenue to maintain and improve the transportation and parking system, in addition to the funds collected from the Road Improvement Income Tax; and

WHEREAS, a 0.15% increase in income tax would raise an estimated \$2.1 million per year to be dedicated toward transportation maintenance and expansion projects.

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

Section 1. Section 192.012 of the Codified Ordinances of the City of Delaware, Ohio, is hereby amended to read as follows:

**192.012 PURPOSES OF TAX**

To provide funds for the purposes of paying the costs of providing general Municipal services, including but not limited to providing fire protection,

suppression and emergency medical services, recreation facilities, improving and maintaining the transportation and parking system, and capital improvements related thereto, and the payment of securities issued therefor, there shall be levied a tax on the City taxable income, as hereinafter defined of all businesses, professions or other activities conducted by the residents of the City; on the City taxable income of all businesses, professions or other activities conducted in the City by nonresidents and on the City taxable income of all corporations doing business in the City; and further, requiring the filing of returns and the furnishing of information by employers and all those subject to such tax; and further, imposing on employers the duty of collecting the tax at the source and paying the same to the City; and further, providing for the administration, collection and enforcement of such tax; and further, declaring violation thereof to be a misdemeanor and imposing penalties therefor as hereinafter set forth under this chapter; and further, permitting the adjustment for municipal income taxes paid by individual taxpayers to other municipalities.

Section 2. Section 192.013 of the Codified Ordinances of the City of Delaware, Ohio, is hereby amended to read as follows:

### **192.013 IMPOSITION OF TAX**

192.013 - Imposition of tax.

- (a) Subject to the provisions of Section 192.081, an annual tax for the purposes specified in Section 192.012, shall be imposed on or after January 1, 2017 at the rate of two percent (2.00%) per annum for the period beginning January 1, 2017, and ending on December 31 in the calendar year in which all securities issued for the purpose set forth in Section 192.014(b) are retired, and thereafter at the rate of one and eighty five hundredths of a percent (1.85%), upon the following:
- (1) Resident individuals. On Delaware taxable income of residents during the effective period of this chapter.
  - (2) Nonresident individuals. On Delaware taxable income of nonresidents for work done or services performed in the City, during the effective period of this chapter.
  - (3) Resident business. On Delaware taxable income attributable to the City during the effective period of this chapter of all resident corporations, associations, unincorporated businesses, professions or other entities, as derived from the sales made, work done or services performed or rendered, or business or other activities conducted in the City.
  - (4) Nonresident business.
    - A. On Delaware taxable income attributable to the City during the effective period of this chapter, of all nonresident corporations, associations, unincorporated businesses, professions or other entities, as derived from sales made, work done or services

performed or rendered or business or other activities conducted in the City, whether or not such association or unincorporated entity has an office or has a place of business in the City.

- B. On a resident partner's or owner's share of Delaware taxable income derived during the effective period of this chapter, of a nonresident association or other unincorporated entity not attributable to the City and not levied against such association or other unincorporated entity.

Section 3. Section 192.014 of the Codified Ordinances of the City of Delaware, Ohio is hereby amended to read as follows:

**192.014. Allocation of funds.**

The funds collected under the provisions of this chapter shall be allocated in such manner as provided by ordinances adopted by Council, with the following exceptions:

- (a) An amount equal to four-tenths of one percent (0.7%) shall be paid into the Fire/EMS Income Tax Fund and such proceeds shall be used solely for fire protection, suppression and emergency medical services.
- (b) An amount equal to fifteen one-hundredths of one percent (0.15%) shall be allocated solely for the purpose of paying the costs of improving the municipal recreation facilities, including construction of a recreation center to provide fitness, track, swimming, and indoor and outdoor multi-purpose facilities, and athletic fields, and the construction, renovation and improvement of other municipal recreation facilities, including the provision of furnishing and equipment for the center and all of such other facilities, and acquiring related interests in real property and otherwise improving the same, together with all necessary appurtenances thereto and paying the debt service charges and related costs of securities issued to pay the costs of the center and such other facilities, and shall be placed in a special fund or funds and used only for that purpose, all until December 31 in the calendar year in which all securities issued for the purpose set forth in this Section 192.13(b) are retired.
- (c) An amount equal to fifteen one-hundredths of one percent (.15%) for the purpose of paying the costs of improving and maintaining the transportation system in the City by constructing, reconstructing, extending, opening, improving, widening, grading, draining, curbing, repairing and changing the lines of municipal roads, highways, streets, bridges, sidewalks, walkways, bikeways, and parking facilities, acquiring real estate and interests in real estate therefor, providing lighting systems and all other necessary appurtenances thereto.

Section 4. Section 192.02 of the Codified Ordinances of the City of Delaware, Ohio, is hereby amended to read as follows:

**192.02. Effective Date.**

(A) Ordinance 2015-112, effective January 1, 2016, and corresponding changes to ORC 718, apply to municipal tax years beginning on or after January 1, 2016. All provisions of this Chapter 192 apply to taxable years beginning 2016 and succeeding taxable years.

(B) The tax rate established in Ordinance 2016-XX, effective January 1, 2017, applies to municipal tax years beginning on or after January 1, 2017.

(C) Ordinance 2015-112 does not repeal the existing sections of Chapter 191 or 192 for any taxable year prior to 2016, but rather amends Chapter 191 effective January 1, 2016. For municipal years beginning before January 1, 2016, the Municipality shall continue to administer, audit, and enforce the income tax of the Municipality under ORC 718 and ordinances and resolutions of the Municipality as that chapter and those ordinances and resolutions existed before January 1, 2016.

(D) Ordinance 2016-XX does not repeal the existing sections of Chapter 192 for any taxable year prior to 2017, but rather amends Chapter 192 effective January 1, 2017.

Section 5. Effective January 1, 2017, Sections 192.012, 192.013, 192.014 and 192.02 of the Codified Ordinances of the City of Delaware, Ohio, as they have heretofore existed, are hereby repealed and Sections 192.012, 192.013, 192.014 and 192.02 as set forth herein shall become effective. Provided, however, that no provision of this Ordinance, including the repeal of Sections 192.012, 192.013, 192.014 and 192.02 of the Codified Ordinances of the City of Delaware, Ohio, as they have heretofore existed, shall in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or entity, with respect to the one point eight five (1.85%) percent municipal income tax authorized by predecessor Sections 192.012, 192.013, 192.014 and 192.02.

Section 6. The tax ordinance requirements set forth in Ohio Revised Code Section 718.04(A)(1), (2), and (4) are addressed by existing codified ordinance sections 192.011 and 192.08 which remain unchanged and are incorporated by reference herein.

Section 7. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with the law.

Section 8. This Ordinance shall become effective January 1, 2017 provided that a majority of votes cast by electors of the City of Delaware in the November election are in favor of the proposed tax.

VOTE ON RULE SUSPENSION: YEAS \_\_\_\_\_ NAYS \_\_\_\_\_  
ABSTAIN \_\_\_\_\_

PASSED: \_\_\_\_\_, 2016 YEAS \_\_\_\_\_ NAYS \_\_\_\_\_  
ABSTAIN \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK MAYOR

RESOLUTION NO. 16-

A RESOLUTION DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTION OF APPROVING THE ORDINANCE PASSED TO AMEND SECTIONS 192.013, 192.014 AND 192.02 OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE, OHIO, IN ORDER TO INCREASE THE CITY INCOME TAX BY POINT ONE FIVE PERCENT (.15%) FROM THE CURRENT RATE OF ONE POINT EIGHT FIVE PERCENT (1.85%) TO A RATE OF TWO PERCENT (2%), BEGINNING JANUARY 1, 2017 FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING AND MAINTAINING THE TRANSPORTATION SYSTEM IN THE CITY, BE PASSED WHICH ORDINANCE IS INCLUDED AS AN ATTACHMENT TO THIS RESOLUTION.

WHEREAS, on [DATE] City Council passed Ordinance \_\_\_\_, attached hereto, to increase the City Income Tax rate to 2.00%, which must be approved by the electors of the City of Delaware; and

WHEREAS, per section 718.04(C)(2) of the Ohio Revised Code, no City may levy a tax in excess of one percent without having obtained the approval of a majority of the electors of the city voting on the question at an election.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Delaware, Delaware County, Ohio, that:

Section 1. This Council hereby authorizes and directs the submission to the electors of the City of Delaware, Ohio at the election to be held at the usual places of voting in said City on November 8th between the hours of 6:30 a.m. to 7:30 p.m. of said day, of the question of approving the passage of an ordinance to amend Sections 192.012, 192.013, 192.014 and 192.02 of the Codified Ordinances of the City of Delaware, Ohio to increase the City income tax rate by point one five percent (.15%) from the current rate of one point eight five percent (1.85%) to a rate of two percent (2%), beginning on January 1, 2017.

Section 2. It is the desire of this Council that the ballots presented to the electors of the City of Delaware shall be substantially in the following form:

A majority affirmative vote is necessary for passage.

Shall Ordinance No. 16- of the Delaware City Council providing for an increase in the City income tax by fifteen one-hundredths percent (0.15%) from the current rate of one and eighty-five one-hundredths percent (1.85%) to a rate of two percent (2.0%), beginning January 1, 2017, for the purpose of paying the costs of improving and maintaining the transportation system in the City by constructing and reconstructing, municipal roads, highways, streets, bridges, sidewalks, bikeways, and parking facilities, acquiring real estate and interests in real estate therefor, and paying the debt service charges and related costs of securities issued to pay the costs of those projects, be passed?

FOR THE INCOME TAX	
AGAINST THE INCOME TAX	

Section 4. The Clerk of this Council shall file a copy of this Resolution and attached ordinance with the Board of Elections in Delaware County, Ohio no later than 4:00 p.m. on July 12, 2016.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.



## FACT SHEET

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AGENDA ITEM NO: 12

DATE: 6/13/16

ORDINANCE NO: 16-47

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING:NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR CERTIFIED OIL TO RAZE THE EXISITING BUILDING AND CONSTRUCT A NEW BUILDING FOR CERTIFIED OIL AT 2061 US 23 NORTH ON PROPERTY ZONED B-4 (GENERAL BUSINESS DISTRICT) ON APPROXIMATELY 0.998 ACRES.

**BACKGROUND:**

Certified Oil purchased 0.258 acres just west of their property from Delaware County (Delaware County owns the Big Lots Shopping Center) to assemble with their current parcel to construct a larger and more efficient gas station and convenience store. Certified Oil is proposing to raze their existing building and construct a new 4,400 square foot gas station and convenience store while maintaining the existing Subway franchise. The building would have two entrances, one fronting US 23 North and one fronting the new rear access drive after Certified acquired an easement from Delaware County utilizing the Big Lots Shopping Center parking lot to access the traffic signal on US 23 North. The gas station would have 6 fuels pumps under a new canopy with a new right-in/right-out curb cut from US 23 North along with access to the above mentioned access easement in the rear of the building. The gas station would not have commercial diesel fueling for semi-trucks and the like.

The rectangular 4,400 square foot building would be oriented towards US 23 North and the access drive that fronts the Big Lots Shopping Center. The US 23 North elevation (east) would be comprised of an expansive pitched main entrance feature comprised of typical aluminum storefront windows with brick flanking the entrance feature. The framing of the “pitch entrance” is painted Certified red. The front elevation is characterized by a lot of window glazing giving it an open feel. A limestone wainscoting encircles the building with the elevation capped off with a pitch roof with fiberglass shingles. The Big Lots Shopping Center elevation (west) mirrors the front elevation but with a smaller pitched secondary entrance feature. The north and south elevations have hardie panel cementitious vertical siding above the roofline. A cooler with doors along with a Certified sign is located on the north elevation. In addition, there would be five goose neck lights on the east elevation and six gooseneck lights on the west elevation. The mansard roof vehicular gas canopy would have a beige sign band in place of the prototypical color scheme of the end user (either Sunoco or Marathon) that will help minimize its appearance and would be supported by four limestone (cultured) faced columns. Furthermore, the mechanical equipment would be located on the rear roof elevation and would be screened from public view by a decorative fence. The owner is proposing building, fuel canopy and ground signage which achieves compliance with the zoning code along with landscaping and lighting plans that would need to be approved by the Shade Tree Commission and Chief Building Official respectively. Certified Oil plans to initiate construction in late Summer/early Fall of 2016 with a 3-4 month timeline for completion.

**REASON WHY LEGISLATION IS NEEDED:**

To achieve compliance with Section 1129.06 Development Plan Review Procedures of the zoning code.

**COMMITTEE RECOMMENDATION:**

Planning Commission approved this case 6-0 on June 1, 2016.

**FISCAL IMPACT(S):**

N/A

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

David Efland, Planning and Community Development Director

**RECOMMENDATION:**

Staff recommends approval as submitted with the documented conditions.

**ATTACHMENT(S)**

See attached

ORDINANCE NO. 16-47

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR CERTIFIED OIL TO RAZE THE EXISTING BUILDING AND CONSTRUCT A NEW BUILDING FOR CERTIFIED OIL AT 2061 US 23 NORTH ON PROPERTY ZONED B-4 (GENERAL BUSINESS DISTRICT) ON APPROXIMATELY 0.998 ACRES.

WHEREAS, the Planning Commission at its meeting of June 1, 2016, recommended approval of a Combined Preliminary and Final Development Plan for Certified Oil to raze the existing building and construct a new building for Certified Oil at 2061 US 23 North on property zoned B-4 (General Business District) on approximately 0.998 acres (PC 2016-1352), and

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

SECTION 1. That the Combined Preliminary and Final Development Plan for Certified Oil to raze the existing building and construct a new building for Certified Oil at 2061 US 23 North on property zoned B-4 (General Business District) on approximately 0.998 acres, is hereby confirmed, approved, and accepted with the following conditions:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. Certified Oil shall provide a payment in lieu of constructing the sidewalk along US 23 per the City Engineer prior to engineering plan approval.
3. The private access drive easement agreement utilizing the Big Lots Shopping Center between Certified Oil and Delaware County shall be executed and recorded at the County prior to issuance the building permit.
4. As submitted by the Applicant, no overnight semi-truck parking shall be permitted within the subject development and the applicant shall be responsible for ensuring compliance of such.
5. The dumpster shall be screened from public view by a wall constructed of similar building materials that match the new building with wood doors painted or stained to match or compliment the overall building.

6. The Shade Tree Commission shall review and approve the submitted street tree plans.
7. Any qualifying removed trees shall achieve compliance with Chapter 1168 Tree Preservation Requirements.
8. The limestone on the building, the stone canopy columns, and the ground sign base shall be Delaware blue vein limestone (or cultured stone) or equivalent as approved by Staff.
9. The limestone columns on the fuel canopies shall extend from ground level to the canopy.
10. All building and fuel canopy appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building material color.
11. All roof top mechanical equipment shall be completely screened from public view.
12. The Applicant shall submit all building, fuel canopy, and sign elevations along with material and color samples for all building materials for staff review and approval after approval of the Final Development Plan and prior to any building permit issuance.
13. A lighting plan that achieves compliance with the zoning code shall be submitted, reviewed and approved by the Chief Building Official. All lights shall be fully recessed and cut off and the light poles shall be black.
14. The signs on the fuel canopy shall be flush mounted or inset to achieve a flush mounted appearance and the entire sign band shall be beige.
15. The ground sign shall be flush mounted to the stone cap base, shall be faced with limestone (or cultured stone) as per the building and columns.
16. The projecting sign on the east elevation and the wall sign on the north elevation shall not be permitted per code.
17. The outdoor merchandise (ice box, propane tanks, etc.) shall be located on the north side of the building with installation of low wall (2 to 3 feet tall) to delineate the storage area and shield the "outside merchandise" from public right-of-way. No movie boxes, ATM machines, etc., shall be allowed outside the building.
18. Brick insets or rectangular color variations shall be designed on the building elevations to break up the blank wall space. These shall be submitted, reviewed and approved by Staff.

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



## PLANNING COMMISSION/STAFF REPORT

CASE NUMBER: 2016-1352

REQUEST: Combined Preliminary and Final Development Plan

PROJECT: Certified Oil

MEETING DATE: June 1, 2016

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### APPLICANT/OWNER

Certified Oil  
949 King Avenue  
Columbus, Ohio 43212

### REQUEST

2016-1352: A request by Certified Oil for approval of a Combined Preliminary and Final Development Plan to raze the existing building and construct a new building for Certified Oil at 2061 US 23 North on property zoned B-4 (General Business District) on approximately 0.998 acres.

### PROPERTY LOCATION & DESCRIPTION

The existing gas station is located on the west side of US 23 North south of Hills Miller Road between Wendy's and 84 Lumber. The subject property is zoned B-4 (General Business District) as are the surrounding properties.

### BACKGROUND

Certified Oil purchased 0.258 acres just west of their property from Delaware County (Delaware County owns the Big Lots Shopping Center) to assemble with their current parcel to construct a larger and more efficient gas station and convenience store. Certified Oil is proposing to raze their existing building and construct a new 4,400 square foot gas station and convenience store while maintaining the existing Subway franchise. The building would have two entrances, one fronting US 23 North and one fronting the new rear access drive after Certified acquired an easement from Delaware County utilizing the Big Lots Shopping Center parking lot to access the traffic signal on US 23 North. The gas station would have 6 fuels pumps under a new canopy with a new right-in/right-out curb cut from US 23 North along with access to the above mentioned access easement in the rear of the building. The gas station would not have commercial diesel fueling for semi-trucks and the like. Certified Oil plans to initiate construction in late Summer/early Fall of 2016 with a 3-4 month timeline for completion.

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### STAFF ANALYSIS

- **ZONING:** As previously mentioned, the subject property is zoned B-4 General Business District. Under the current zoning, the proposed gas station and convenience store is a permitted use. The applicant would have to receive Preliminary and Final Development Plan approval from the Planning Commission and City Council prior to any construction. There is an existing station on the site. This project will essentially reconstruct the building and canopy.
- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be detailed through the Engineering and Utilities Departments prior to Final Development Plan Submission and with the subsequent Site Engineering Construction Improvement plans that would follow. Utilities are available to the site and it is the responsibility of the applicant to construct whatever is required to service the site and use. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
- **ROADS AND ACCESS:** The proposed site would have access from US 23 North and from the rear of the property from the existing Big Lots Shopping Center. A new right-in/right-out curb cut would be located on US 23 and full access to the rear of the property after Certified acquired an easement from Delaware County utilizing the existing Big Lots Shopping Center's parking lot to access the traffic signal on US 23 North. This access would be consistent with ODOT's backage road concept along US 23. Also an internal access drive just south of the proposed building would connect the east and west parking lots of the gas station and convenience store.
- **PEDESTRIAN CONNECTIVITY:** The adopted City 2010 Bikeway Plan identifies that a bike path be located behind the Big Lots Shopping Center to the west on 84 Lumber Property which the City acquired a bike path

easement on via the May 2015 84 Lumber Development Plan Exemption approval by the Planning Commission. Staff would not recommend at this time a sidewalk adjacent to US 23 because of safety reasons. As with the case of other similar developments along US 23, the applicant would be required to provide easements for a sidewalk (if it cannot be accommodated within the existing right-of-way as determined by the City Engineer) while a condition of approval would require a payment in lieu of its construction. This method would ensure space for future such connections if desired while allowing for other priority pathway construction to be addressed in accordance with adopted plans.

- **SITE CONFIGURATION:** The approximate 4,400 square foot gas station and convenience store would be a somewhat unique design because it would have dual entrances with the main entrance fronting US 23 North and the secondary entrance fronting the access drive that fronts the Big Lots Shopping Center parking lot to the rear. As mentioned above, a right-in/right-out curb cut would access the 6 vehicular fueling bays and seven parking space parking lot on the east side of the building. A mansard roof canopy would cover the fueling bays. A dumpster would be located just northeast of the building and it would be required to be enclosed by a brick wall that matches the building and have wood doors painted or stained to match. Staff would require that an area (maybe just north of the building near the dumpster area) should be dedicated for “outside merchandise” (ice box, propane tanks, seasonal items, mulch, etc.) with the installation of a low wall (2 to 3 feet tall) to delineate the storage area and shield the “outside merchandise” from public right-of-way. The access easement thru the Big Lots Shopping Center would access the west secondary entrance of the building that would have seven parking spaces adjacent to the building. A loading zone would be located just north of the building while an access drive connecting the east and west parking lot would be located just south of the building. The 14 parking spaces along with the 12 fuel bay parking spaces would accommodate the required 22 parking spaces for the subject use.
- **BUILDING DESIGN:** The rectangular 4,400 square foot building would be oriented towards US 23 North and the access drive that fronts the Big Lots Shopping Center. The US 23 North elevation (east) would be comprised of an expansive pitched main entrance feature comprised of typical aluminum storefront windows with brick flanking the entrance feature. The framing of the “pitch entrance” is painted Certified red. The front elevation is characterized by a lot of window glazing giving it an open feel. A limestone wainscoting encircles the building with the elevation capped off with a pitch roof with fiberglass shingles. The Big Lots Shopping Center elevation (west) mirrors the front elevation but with a smaller pitched secondary entrance feature. The north and south elevations have hardie panel cementitious vertical siding above the roofline. A cooler with doors along with a Certified sign is located on the north elevation. Staff recommends brick insets or color changes in a rectangular pattern on the blank walls not dis-similar from other approved convenience store applications. This will break up the blank wall space. In addition, there would be five goose neck lights on the east elevation and six gooseneck lights on the west elevation. The mansard roof vehicular gas canopy would have a beige sign band in place of the prototypical color scheme of the end user (either Sunoco or Marathon) that will help minimize its appearance and would be supported by four limestone (cultured) faced columns. The area on the sign band under the proposed signs on the north, south and east canopy would be Sunoco blue with yellow letters or marathon white with blue letters and red underlying stripe. The building and fuel canopy appurtenances (coping, downspouts, etc.) should be painted to match the adjacent building surface. The limestone on the building and canopy columns shall be Delaware blue vein limestone (or cultured stone) or equivalent as approved by staff. Furthermore, the mechanical equipment would be located on the rear roof elevation and would be screened from public view by a decorative fence. Staff would need submittal of each building material with color samples with the building permit submittal to ensure compliance is achieved with the approved Final Development Plan.
- **TREE REMOVAL & REPLACEMENT:** There appears to be a few qualifying trees (6 inches or larger caliper) on the subject site that would need to be documented and replaced per Chapter 1168 Tree Preservation Regulations.
- **LANDSCAPING & SCREENING:** The development would require street and parking lot landscaping. The approximately 150 feet of frontage requires 4 street trees and 3 front yard trees along US 23 North while the owner is proposing two trees. The required additional five trees shall be installed on the site. The US 23 North frontage does not have enough street and front yard trees but the limited site and access requirements make it impossible to install all the trees along the frontage. The required landscaping should be installed along the

north and south boundaries of the site. The Shade Tree Commission would have to review and approve all landscape plans.

- **SIGNAGE:** The owner is proposing building, fuel canopy and ground signage. The proposed signage on the east elevation contains the Certified logo (approximately 20 square feet) and Subway sign (approximately 5 square feet) south of the main entrance between two gooseneck lights. If internally illuminated, the Subway sign shall be channel letters to achieve compliance with the zoning code. Seasonal or sale signage should be contained inside the front windows and should be designated on the plan to allow for future enforcement. Also, they are proposing a projection sign on the northern portion of the east elevation which is prohibited. On the west and north elevations a Certified logo (approximately 20 square feet) is proposed. The sign on the north elevation is not permitted per code because it does not front a street or parking lot. The vehicular fuel canopy sign on the north, south and east elevation (front) would encompass a maximum 22 square feet regardless if it is Sunoco or Marathon and would be required to be channel letters flush mounted on the canopy. The canopy signs shall be flush mounted (or inset to achieve a flush mounted appearance) such that the sign faces do not extend past the front face of the canopy. Staff recommends the entire band behind the signage be beige to match the rest of the canopy and not Sunoco blue or Marathon white. The proposed ground sign would be located just north of the curb cut on US 23 North and would be 8 feet high (40 square feet) mounted on a 3 foot high limestone base. The sign would have two digital pricers along with three panel signs which would achieve compliance with the adopted City Gateway and Corridor Plan as well as the sign code. The sign shall be flush mounted to the stone base.
- **LIGHTING:** The applicant is proposing 9 light poles along the perimeter of the site which would be 18 feet high with cut off style fixtures. In addition, there would be 11 gooseneck lights (5 on east elevation and 6 on west elevation) and 24 canopy lights. All lights shall be fully recessed and cut off. Additionally, any light poles shall be black in color. The lighting plans would have to achieve compliance with the minimum zoning requirements and would have to be approved by the Chief Building Official.
- **MISCELLANEOUS:** Movie boxes, ATM machines, etc. would not be permitted outside the building. Any outdoor merchandise shall be designated in limited storage areas screen from the public right-of-way. Outdoor storage shall be contained to only those areas so designated to be consistent with other recently approved developments. They propose a small area along the US 23 North frontage just north of the building that would be screened by a low wall to match the building for the subject merchandise.

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**STAFF RECOMMENDATION (2016-1352 – COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN)**

Staff recommends approval of a request by Certified Oil of a Combined Preliminary and Final Development Plan to raze the existing building and construct a new building for Certified Oil at 2061 US 23 North on property zoned B-4 (General Business District) on approximately 0.998 acres, with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. Certified Oil shall provide a payment in lieu of constructing the sidewalk along US 23 per the City Engineer prior to engineering plan approval.
3. The private access drive easement agreement utilizing the Big Lots Shopping Center between Certified Oil and Delaware County shall be executed and recorded at the County prior to issuance the building permit.
4. As submitted by the Applicant, no overnight semi-truck parking shall be permitted within the subject development and the applicant shall be responsible for ensuring compliance of such.
5. The dumpster shall be screened from public view by a wall constructed of similar building materials that match the new building with wood doors painted or stained to match or compliment the overall building.
6. The Shade Tree Commission shall review and approve the submitted street tree plans.
7. Any qualifying removed trees shall achieve compliance with Chapter 1168 Tree Preservation Requirements.
8. The limestone on the building, the stone canopy columns, and the ground sign base shall be Delaware blue vein limestone (or cultured stone) or equivalent as approved by Staff.
9. The limestone columns on the fuel canopies shall extend from ground level to the canopy.

10. All building and fuel canopy appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building material color.
11. All roof top mechanical equipment shall be completely screened from public view.
12. The Applicant shall submit all building, fuel canopy, and sign elevations along with material and color samples for all building materials for staff review and approval after approval of the Final Development Plan and prior to any building permit issuance.
13. A lighting plan that achieves compliance with the zoning code shall be submitted, reviewed and approved by the Chief Building Official. All lights shall be fully recessed and cut off and the light poles shall be black.
14. The signs on the fuel canopy shall be flush mounted or inset to achieve a flush mounted appearance and the entire sign band shall be beige.
15. The ground sign shall be flush mounted to the stone cap base, shall be faced with limestone (or cultured stone) as per the building and columns.
16. The projecting sign on the east elevation and the wall sign on the north elevation shall not permitted per code.
17. The outdoor merchandise (ice box, propane tanks, etc.) shall be located on the north side of the building with installation of low wall (2 to 3 feet tall) to delineate the storage area and shield the "outside merchandise" from public right-of-way. No movie boxes, ATM machines, etc., shall be allowed outside the building.
18. Brick insets or rectangular color variations shall be designed on the building elevations to break up the blank wall space. These shall be submitted, reviewed and approved by Staff.

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**COMMISSION NOTES:**

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*MOTION:*    \_\_\_\_\_ *1<sup>st</sup>*    \_\_\_\_\_ *2<sup>nd</sup>*    *approved*    *denied*    *tabled* \_\_\_\_\_

*CONDITIONS/MISCELLANEOUS:*

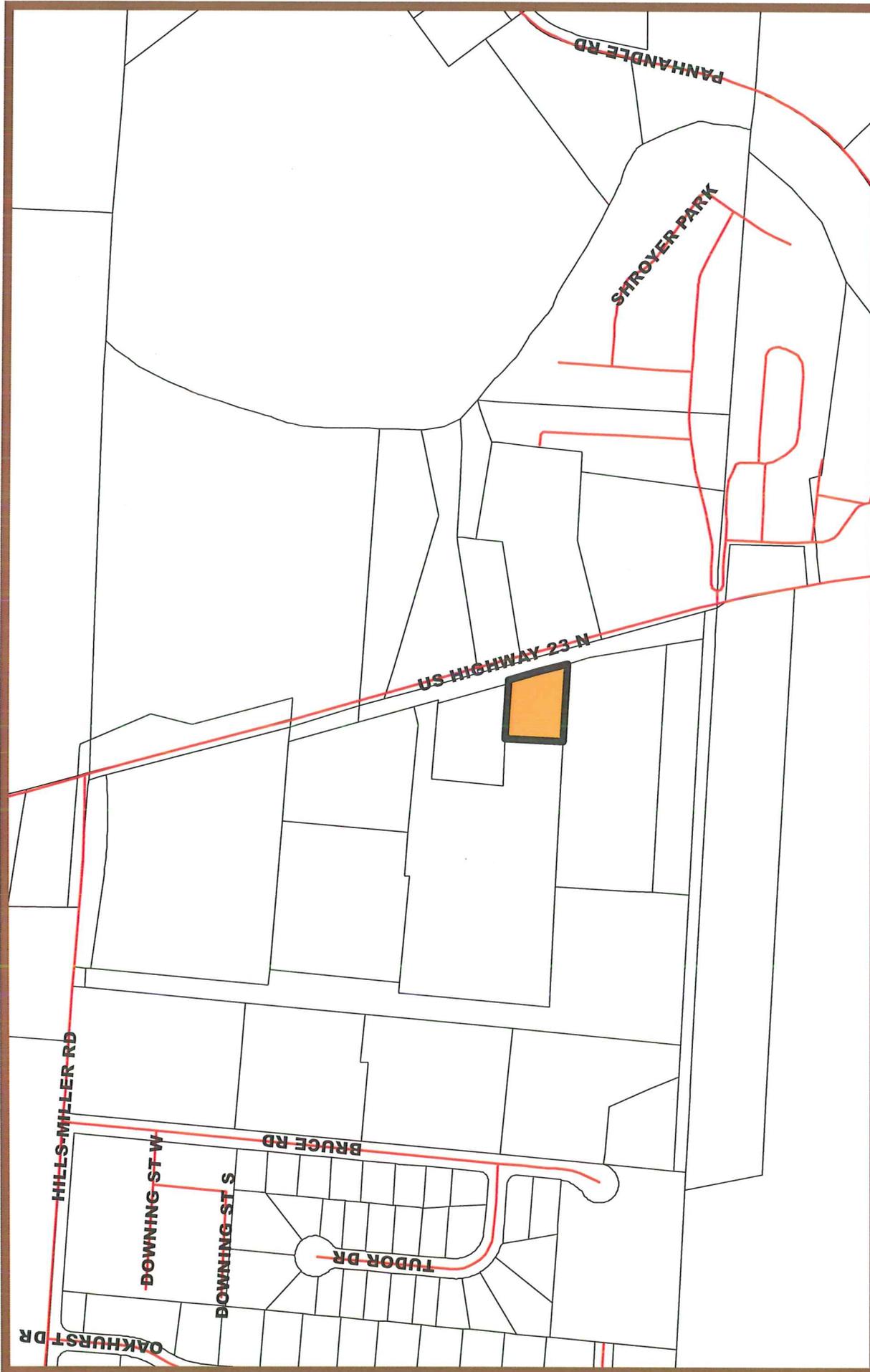
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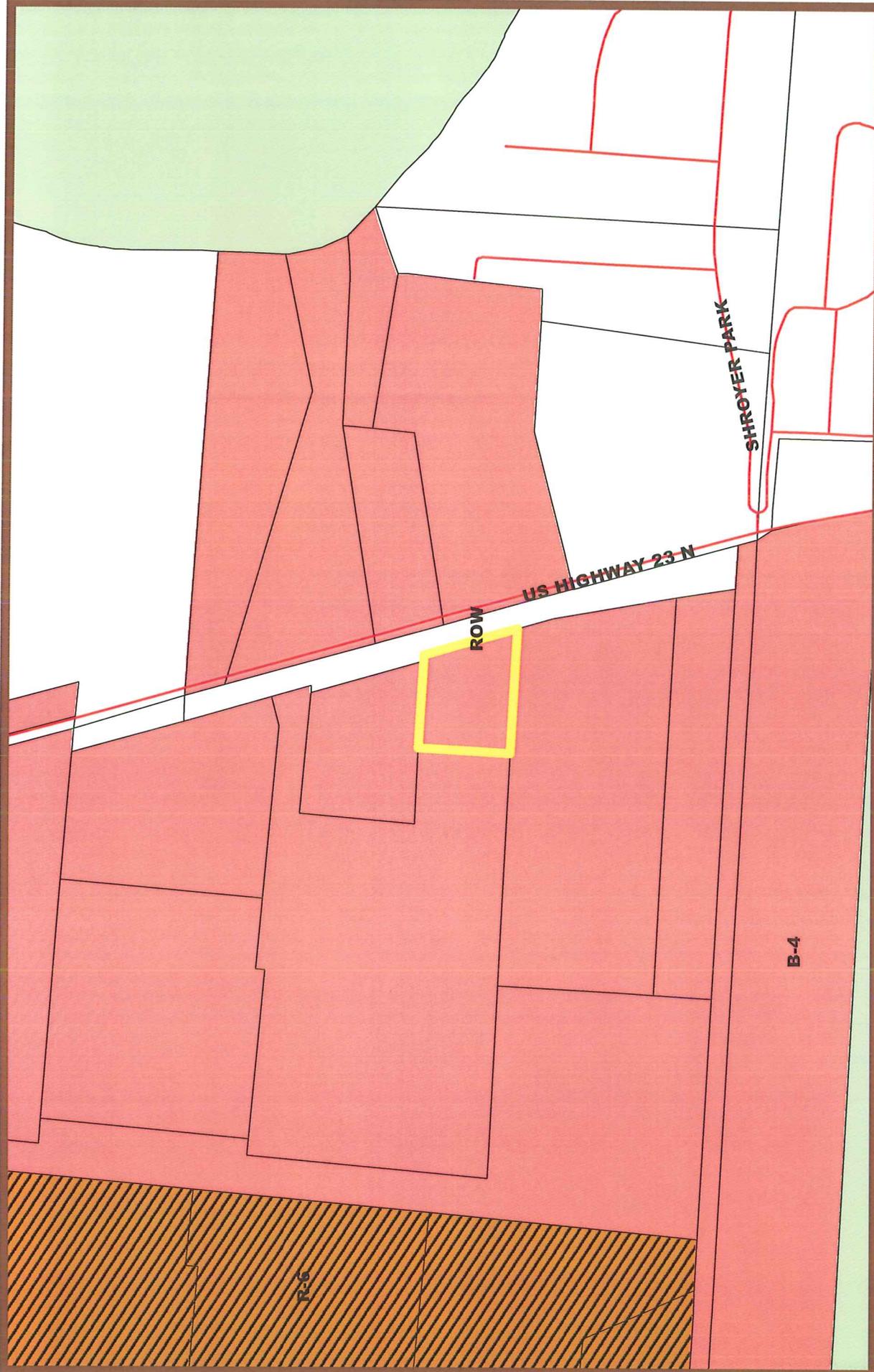
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**FILE:**                      SPEEDWAY  
**ORIGINAL:**                05/25/16  
**REVISED:**



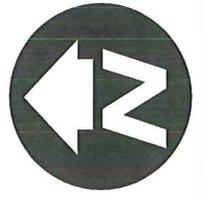
2016-1352  
 Combined Preliminary and Final Development Plan  
 Certified Oil - 2061 US 23 North  
 Location Map





2016-1352  
Combined Preliminary and Final Development Plan  
Certified Oil - 2061 US 23 North  
Zoning Map





2016-1352  
Combined Preliminary and Final Development Plan  
Certified Oil - 2061 US 23 North  
Aerial (2013)







128 EAST MAIN ST  
 ZANESVILLE, OH 43701  
 740-365-2140

1895 OLD HENDERSON RD  
 COLUMBUS, OH 43220  
 614-449-6987

507 MAIN STREET, SUITE 200  
 ZANESVILLE, OH 43701  
 740-365-1440



PROJECT: NEW CONVENIENCE STORE AND FUEL ISLAND CANOPY  
 DRAWING NO.:  
 SHEET TITLE: SITE DIMENSION PLAN

**SITE PLAN KEYNOTES**

1. PAVEMENT MARKINGS INCLUDING PARKING SPACES, TRAVEL LANE MARKINGS, AND ADA SYMBOLS.
2. CONCRETE CURBED APPROACH.
3. CONCRETE DRIVEWAY.
4. PLANS FOR SCREENING DETAILS.
5. SITE LIGHTING TYP. REFERENCE ARCHITECTURAL PLANS FOR DETAILS.
6. DETAILING BOLLARDS. REFERENCE ARCHITECTURAL PLANS FOR DETAILS.
7. CONCRETE FUEL ISLAND WITH CANOPY. REFERENCE ARCHITECTURAL PLANS FOR DETAILS.
8. CONCRETE FUEL ISLAND WITH CANOPY. REFERENCE ARCHITECTURAL PLANS FOR DETAILS.
9. CONCRETE FUEL ISLAND WITH CANOPY. REFERENCE ARCHITECTURAL PLANS FOR DETAILS.
10. CONCRETE FUEL ISLAND WITH CANOPY. REFERENCE ARCHITECTURAL PLANS FOR DETAILS.
11. STRAIGHT 18" CONCRETE CURB.
12. ADA COMPLIANT SIGNAGE.
13. PROPOSED MONUMENT SIGN. REFERENCE ARCHITECTURAL PLANS FOR DETAILS.
14. CURB RAIL.

**MISC. SITE NOTES**

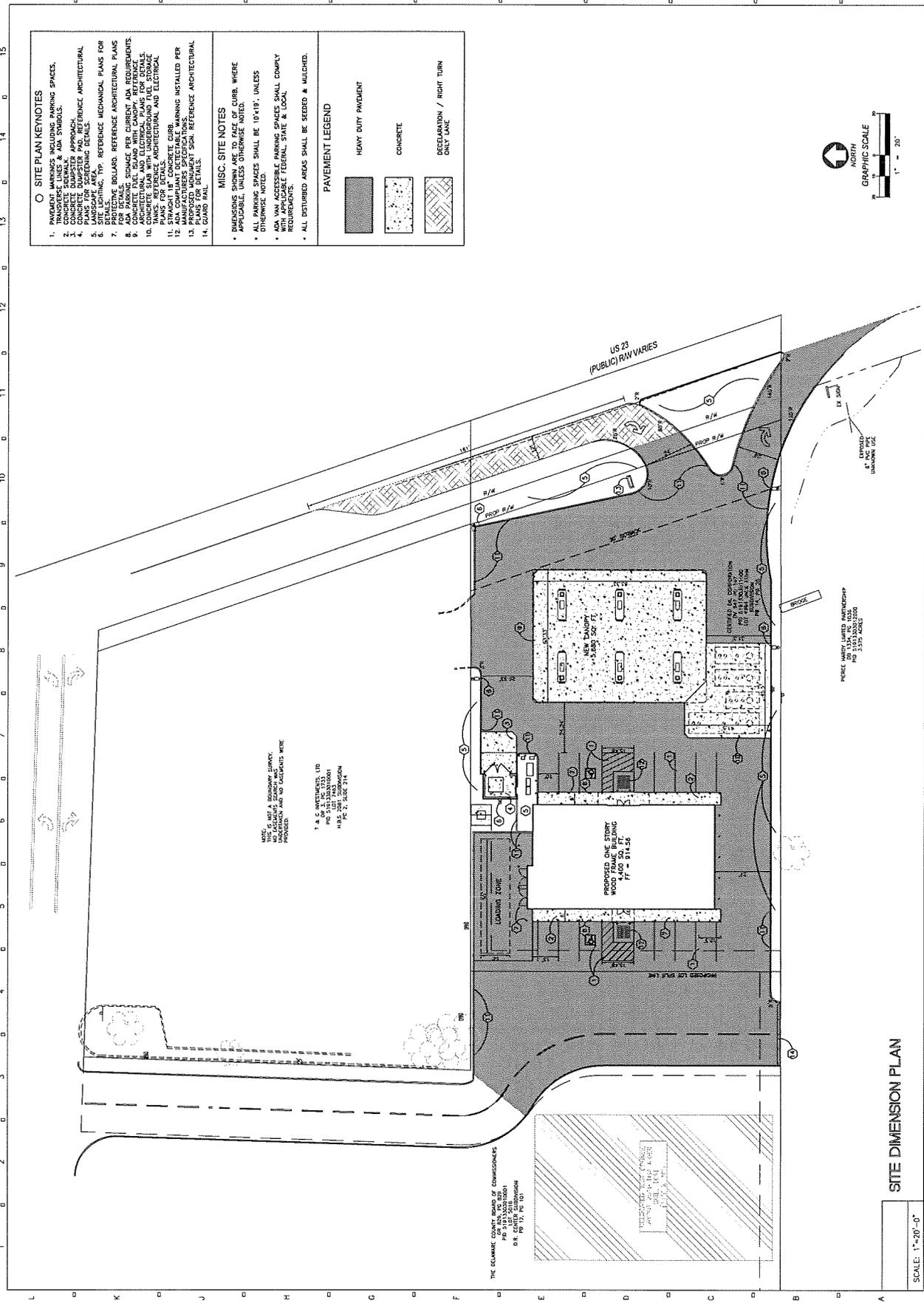
- PAVEMENT SHALL BE HEAVY DUTY PAVEMENT, UNLESS OTHERWISE NOTED.
- ALL PARKING SPACES SHALL BE 10'x19', UNLESS OTHERWISE NOTED.
- ADA VAN ACCESSIBLE PARKING SPACES SHALL COMPLY WITH APPLICABLE FEDERAL STATE & LOCAL REQUIREMENTS.
- ALL DISTURBED AREAS SHALL BE SEEDED & MULCHED.

**PAVEMENT LEGEND**

- HEAVY DUTY PAVEMENT
- CONCRETE
- DECLARATION / RIGHT TURN ONLY LANE

**NOTE:** SEE ALL DIMENSIONAL SPACING. NO ADJUSTMENT SHOULD BE PROVIDED. SEE ALL DIMENSIONAL SPACING. NO ADJUSTMENT SHOULD BE PROVIDED.

**T & B SURVEYORS, LTD**  
 1000 W. MAIN ST. SUITE 100  
 ZANESVILLE, OH 43701  
 740-365-2140



These drawings are instruments of professional service by Sands Decker CPS, LLC for the designated project. Sands Decker CPS, LLC assumes no liability for unauthorized use of these drawings, specifications, and documents.

**SITE DIMENSION PLAN**  
 SCALE: 1"=20'-0"



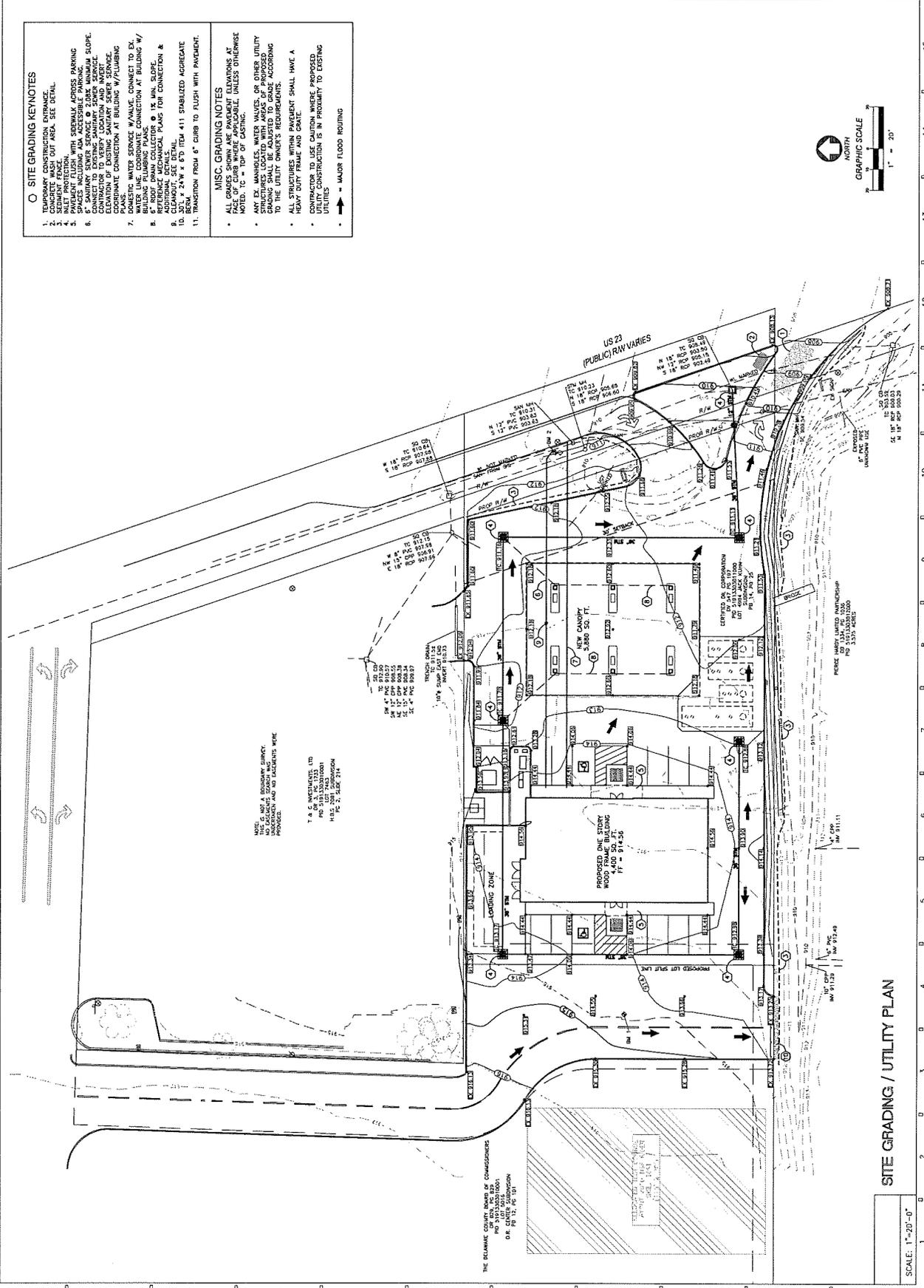
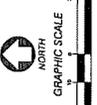
128 EAST MAIN ST  
ZANESVILLE, OH 43701  
740-365-2140  
1405 OLD BRIDGEMAN RD  
COLUMBUS, OH 43220  
740-365-2140  
740-365-2140  
TOLL FREE: 866-277-6660  
FAX: 740-365-6987  
507 MAIN STREET, SUITE 203  
ZANESVILLE, OH 43701  
740-365-1400

NO.	REVISIONS	DATE

**CERTIFIED OF COMPANY**  
**AND FUEL ISLAND COMPANY**  
**Architect's/Planner's Inc**  
ARCHITECT  
2250 FIVE STAR BLVD. SUITE 300  
COLUMBUS, OH 43220  
614.444.4444  
FAX: 614.444.4444  
PROJECT: NEW CONVENIENCE STORE AND FUEL ISLAND CANOPY  
SHEET TITLE: SITE GRADING / UTILITY PLAN

**330**  
DRAWING NO.  
PROJECT NO.  
DATE  
SCALE: 1" = 20'  
SHEET TITLE: SITE GRADING / UTILITY PLAN

- SITE GRADING KEYNOTES**
1. TEMPORARY CONSTRUCTION ENTRANCE.
  2. CONSTRUCTION ENTRANCE.
  3. SEWAGE TREATMENT FACILITY.
  4. PAVEMENT WITH SIDEWALK ACROSS PARKING SPACES INCLUDING ADA ACCESSIBLE PARKING.
  5. PAVEMENT WITH SIDEWALK ACROSS DRIVEWAY.
  6. CONNECT TO EXISTING SANITARY SEWER SERVICE CONTRACTOR TO VERIFY LOCATION AND WATER MAIN SERVICE.
  7. COORDINATE CONNECTION AT BUILDING W/ PLUMBING.
  8. DOMESTIC WATER SERVICE W/ VALVE. CONNECT TO EX. WATER LINE. COORDINATE CONNECTION AT BUILDING W/ PLUMBING.
  9. 6" RED DRAIN COLLECTOR @ 1% MIN. SLOPE. REFER TO MECHANICAL PLANS FOR CONNECTION & CLEANOUT. SEE DETAIL.
  10. 12" W/ 24" W X 8" D ITEM 411 STABILIZED AGGREGATE BERM.
  11. TRANSITION FROM 8" CURB TO FLUSH WITH PAVEMENT.
- MISC. GRADING NOTES**
- ALL UTILITY LOCATIONS SHALL BE SHOWN AT FACE OF CURB WHERE APPLICABLE UNLESS OTHERWISE NOTED. TC = TOP OF CASTING.
  - ANY EX. MANHOLES, WATER VALVES, OR OTHER UTILITY LOCATIONS SHALL BE ADJUSTED TO GRADE ACCORDING TO THE UTILITY OWNER'S REQUIREMENTS.
  - ALL STRUCTURES WITHIN PAVEMENT SHALL HAVE A HEAVY DUTY FRAME AND CURB.
  - ALL UTILITIES SHALL BE SHOWN AT FACE OF CURB UNLESS OTHERWISE NOTED.
  - UTILITY CONSTRUCTION IS TO BE PROHIBITED DURING MAJOR FLOOD ROUTING.



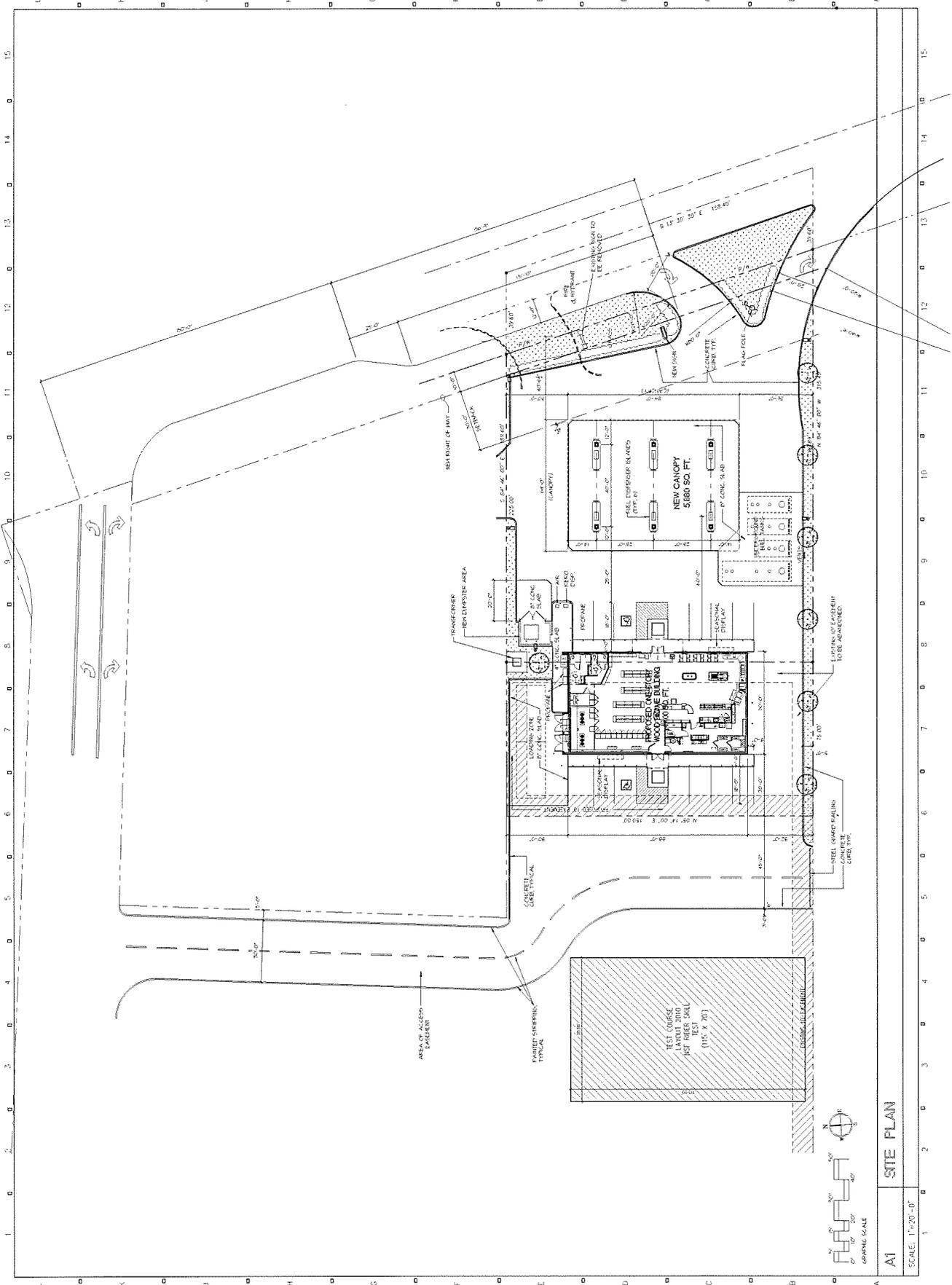
**SITE GRADING / UTILITY PLAN**

SCALE: 1" = 20'-0"

These drawings are instruments of professional service by Sands Decker CPS, LLC for the anticipated project. Sands Decker CPS, LLC assumes no liability for unauthorized use of these drawings, specifications, and documents.



DATE: 11/13/15  
SCALE: 1"=20'-0"



**CEMTEC OIL COMPANY**  
NEW FUEL ISLAND CANOPY  
AND FUEL DISPENSER STORE

**Wachel & McNally**  
Architects/Planners Inc.  
12200 W. 11th Street, Suite 100  
Overland Park, MO 66213  
Phone: (816) 333-1000 Fax: (816) 333-7470

**SITE PLAN**  
PROJECT NO. 1527  
DATE: 11/13/15

**C100**

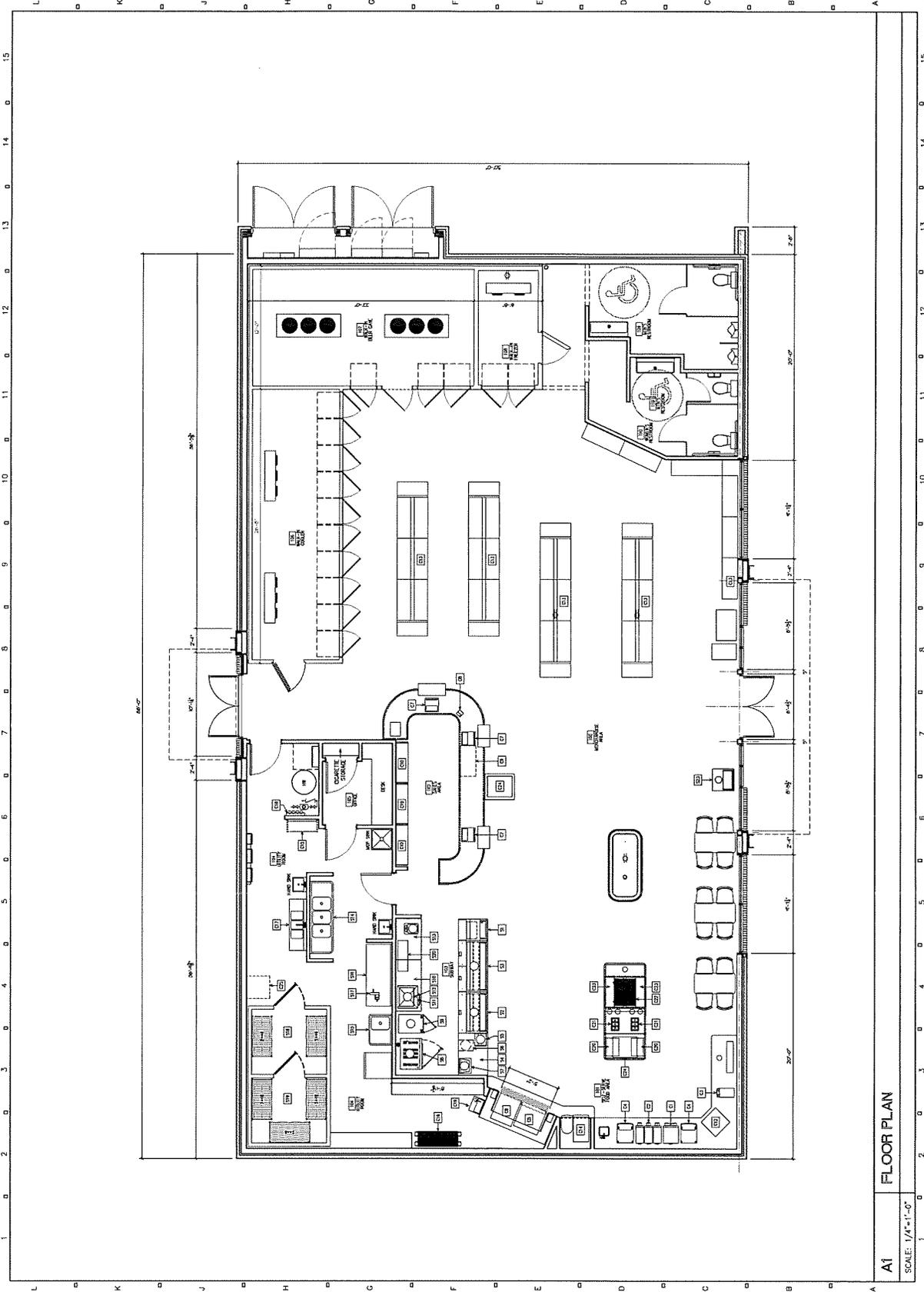
PROJECT TITLE: [REDACTED]

**A1**  
SCALE: 1"=20'-0"  
GRAPHIC SCALE





DATE: 10/15/10



FLOOR PLAN

A1

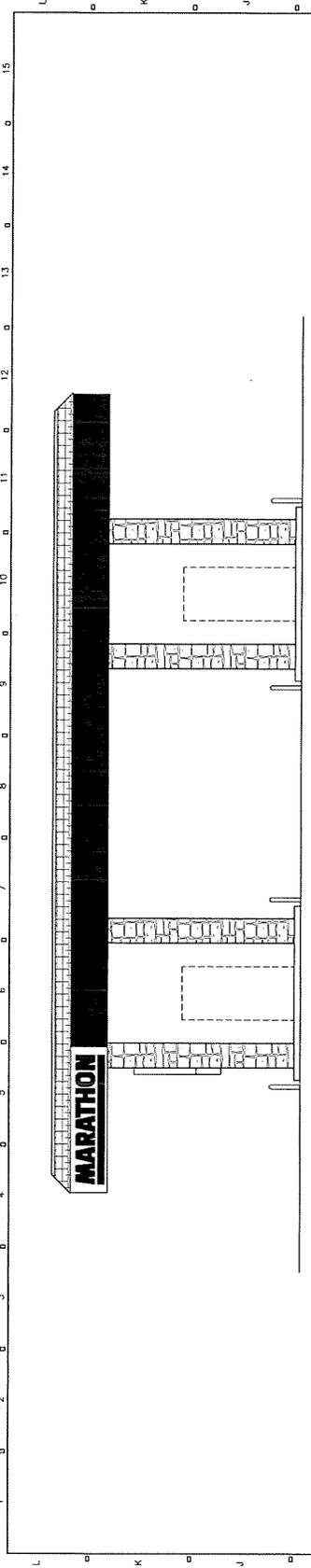
SCALE: 1/4"=1'-0"

**WACHTEL & MCANALLY**  
 ARCHITECTS/PLANNERS INC.  
 2001 US ROUTE 28  
 WASHINGTON, DC 20008  
 PHONE: (202) 336-1300 FAX: (202) 336-1700

**CERTIFIED OIL COMPANY**  
 NEW CONVENIENCE STORE  
 AND FUEL ISLAND CANOPY

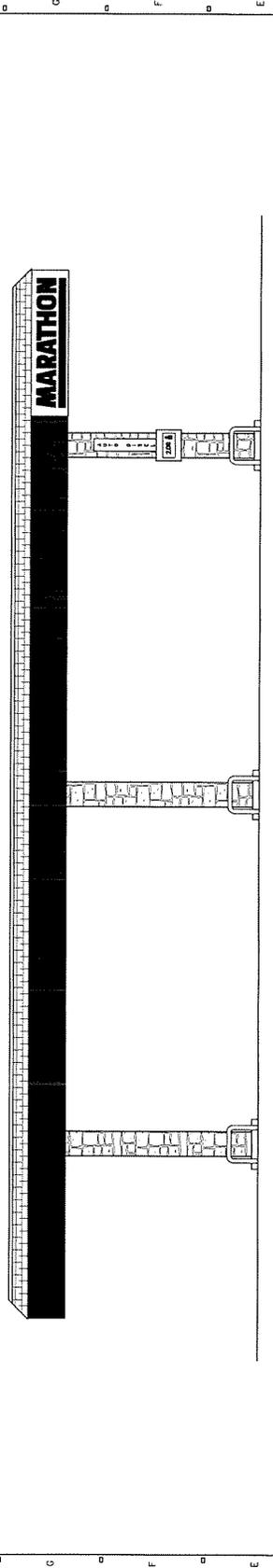
**A100**  
 SHEET NO. 10 OF 10  
 PROJECT NO. 1000000000  
 DRAWING NO. 1000000000

NO.	REVISION	DATE



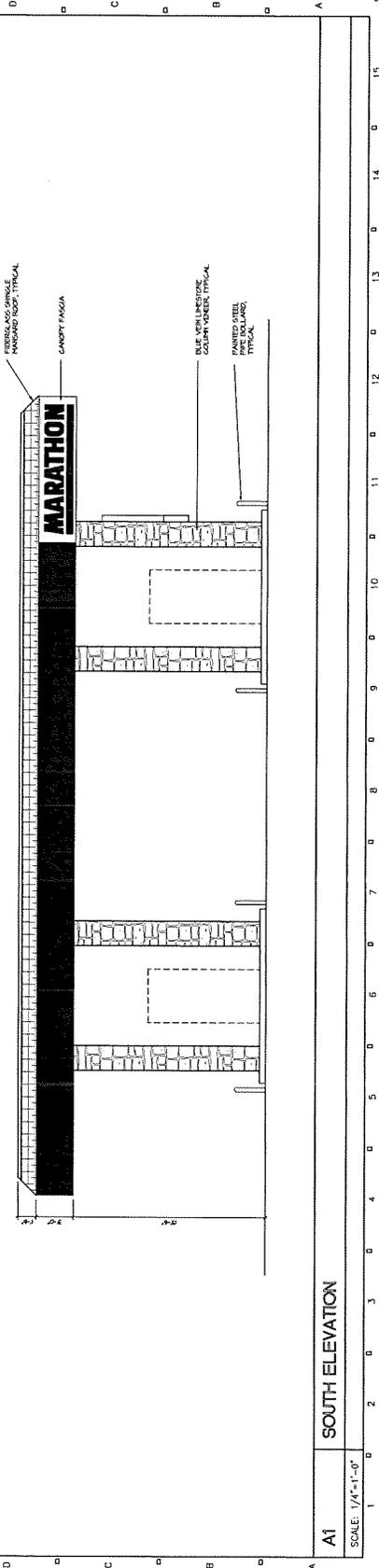
H1 NORTH ELEVATION

SCALE: 1/4"=1'-0"



E1 EAST ELEVATION

SCALE: 1/4"=1'-0"



A1 SOUTH ELEVATION

SCALE: 1/4"=1'-0"

PROJECT: CERTIFIED OIL COMPANY  
 AND FUEL ISLAND CANOPY  
 2011 US ROUTE 23  
 NEW CANON, MISSISSIPPI  
 ARCHITECTS/PLANNERS INC.  
 1000 PINE BLVD. SUITE 200  
 MEMPHIS, TN 38103  
 PHONE: (901) 525-3300 FAX: (901) 525-1750  
 WWW.ARPINCORP.COM

SHEET TITLE: CANOPY ELEVATIONS  
 DRAWING NO.:  
 PROJECT NO.:  
 DATE: 07/17/13  
**A202**  
 SHEET NO. 1 OF 1

NO.	REVISIONS	DATE

DATE PLOTTED: 07/17/13 11:00 AM



**EXHIBIT A**

**SUBJECT PROPERTY DESCRIPTION**

**0.258 ACRES**

Situated in the State of Ohio, County of Delaware, City of Delaware, Farm Lot 10, Quarter Township 1, Township 5 North, Range 19 West, United States Military Lands and being part of Lot 5016 of the O. R. Center Subdivision (Plat Book 12, Page 101) and also part of an original 5.643 acre tract of land now or formerly owned by The Delaware County Board of Commissioners as recorded in Official Record 829, Page 885 of the Delaware County Recorder's Office, being bounded and more particularly described as follows:

BEGINNING at an iron pin set at a Northeast corner of said Lot 5016 and also being the Northwest corner of Lot 4994 (Jack Kuhns Sub., P.B. 14, Pg. 197);

Thence along the line common to Lots 4994 and 5016 South 3° 09' 44" West for a distance of 150.00 feet to a point near the end of a concrete curb at a Southeast corner of said Lot 5016 and the Southwest corner of said Lot 4994, referenced by an iron pin set South 86° 50' 15" E at a distance of 2.00 feet;

Thence with the South line of said Lot 5016 North 86° 50' 15" West for a distance of 75.00 feet to an iron pin set;

Thence across and through said Lot 5016 North 3° 09' 44" East for a distance of 150.00 feet to a railroad spike set on a North line of said Lot 5016;

Thence along said North line of Lot 5016 South 86° 50' 16" East for a distance of 75.00 feet to the **POINT OF BEGINNING**;

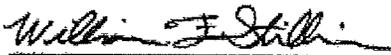
Containing 0.258 acres, more or less, subject to all easements, agreements and restrictions of record.

The above described parcel is a part of Auditor's Parcel Number 519-133-03-010-000.

Grantor claims title by deed recorded in Official Record 829, Page 885, Delaware County Recorder's Office.

This description is prepared from a field survey performed by William F. Stillions Registered Professional Surveyor 8420 and dated September 9, 2015. All iron pins set are 5/8 inch dia. Rebar and have a yellow plastic identity cap with the inscription "D.C.E.O. PS-8420"

Basis of bearings, Ohio State Plane Coordinate System (NAD 83 No Trans, North Zone) with ODOT VRS adjustment. Bearings are shown to indicate angle only.

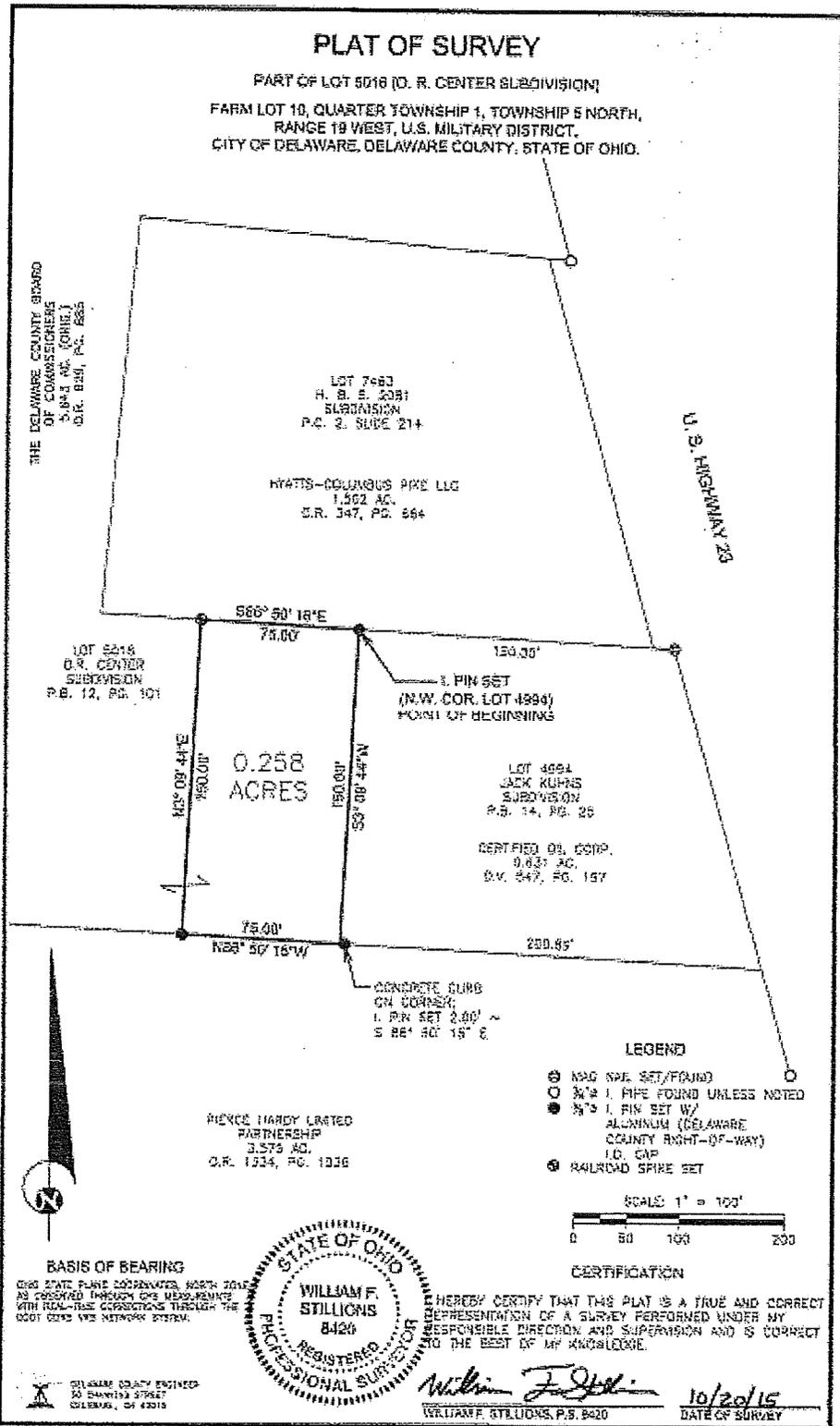
  
William F. Stillions, PS-8420



10/20/15  
Date

# PLAT OF SURVEY

PART OF LOT 5016 (D. R. CENTER SUBDIVISION)  
 FARM LOT 10, QUARTER TOWNSHIP 1, TOWNSHIP 5 NORTH,  
 RANGE 19 WEST, U.S. MILITARY DISTRICT,  
 CITY OF DELAWARE, DELAWARE COUNTY, STATE OF OHIO.



**PROPOSED EASEMENT DESCRIPTION  
CERTIFIED OIL US RT 23**

Situate in the State of Ohio, County of Delaware, City of Delaware, being part of Farm Lot 10, of Section 1, Township 5, Range 19, U.S. Military Lands, and being located on a tract of land conveyed to the Delaware County Board of Commissioners by deed as recorded in OR 828, page 829, of the Delaware County Recorder's Office, being more particularly described as follows:

**BEGINNING** at a corner of Lot 5016 of the H.S.B. 2081 Subdivision as recorded in Cabinet 2 Slide 214, said point also being on the south line of an existing easement as recorded in DB 473 page 748;

Thence along an east line of said Lot 5016 **South 05°09'59" West** for a distance of **187.23 feet** to a corner of said Lot 5016;

Thence along a north line of said Lot 5016 **South 86°50'31" East** for a distance of **47.52 feet** to the northwest corner of a proposed 0.258 acre tract;

Thence across said Lot 5016 and along the west line of said proposed 0.258 acre tract **South 03° 09' 29" West** for a distance of **150.00 feet** to the southwest corner of said 0.258 acre tract, said point also being on the south line of said Lot 5016;

Thence along the south line of said Lot 5016 **North 86° 50' 31" East** for a distance of **50.00 feet** to point;

Thence across said Lot 5016 following four (4) courses:

1. **North 03° 09' 29" East** for a distance of **88.44 feet** to point at a point of curvature;
2. along a curve to the left having a **radius of 40.00 feet**, a **delta angle of 54°22'21"**, a chord bearing of **North 24°01'42" West**, chord length of 36.55 feet, along an **arc distance of 37.96 feet** to a point of reverse curvature;
3. along a curve to the right having a **radius of 40.00 feet**, a **delta angle of 56°22'51"**, a chord bearing of **North 23°01'27" West**, chord length of 37.79 feet, along an **arc distance of 39.36 feet** to a point;
4. **North 05° 09' 59" East** for a distance of **183.62 feet** to a point on the south line of said existing easement recorded in DB 473, page 748;

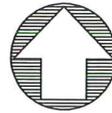
Thence continuing across said Lot 5016 and along the south line of said existing easement **South 84°50'01" East** for a distance of **36.00 feet** to the **POINT OF BEGINNING**.

Bearings are based upon the Ohio State Plane Coordinate System, Ohio North Zone by GPS observations to the ODOT RTK/VRs Network.

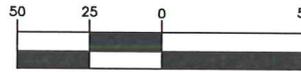
This description is based upon existing public documents and is not the result of a property boundary survey performed by Sands Decker CPS, LLC.

\_\_\_\_\_  
Steven W. Newell, PS 7212                      Date

**PROPOSED EASEMENT**  
 PART OF DELAWARE COUNTY BOARD  
 OF COMMISSIONERS LAND  
 PART OF FARM LOT 10, OF SECTION 1,  
 TOWNSHIP 5, RANGE 18, U.S. MILITARY LAND  
 CITY OF DELAWARE,  
 DELAWARE COUNTY, OHIO

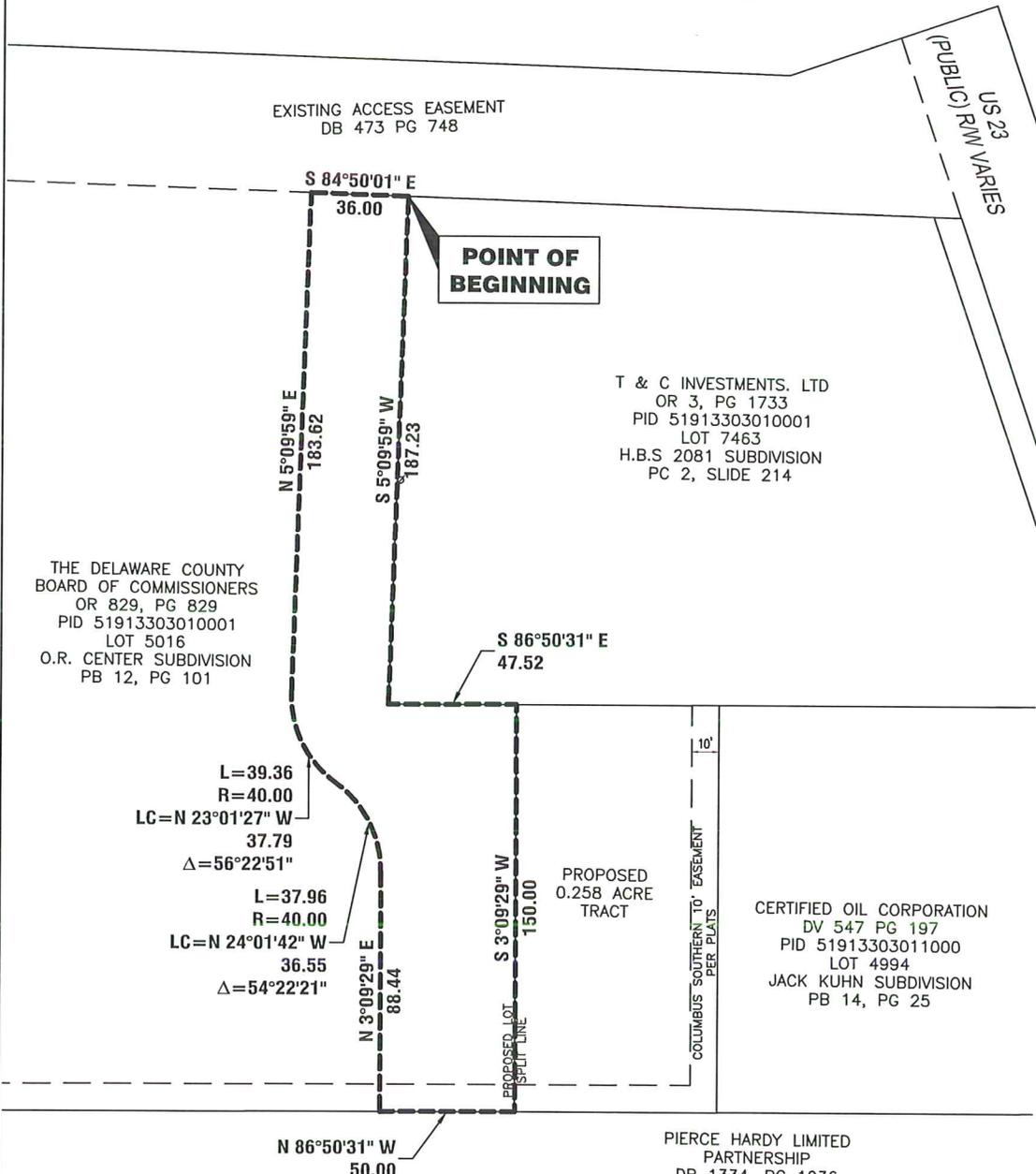


**NORTH**  
**GRAPHIC SCALE**



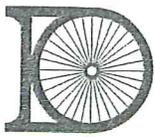
1" = 50'

**SANDS  
 DECKER  
 CPS**  
 ENGINEERS • SURVEYORS  
 ATHENS • COLUMBUS • LOGAN • ZANESVILLE



BEARINGS ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM - OHIO NORTH ZONE (NAD83) BY GPS OBSERVATIONS TO THE ODOT RTK/VRS NETWORK.

THE INFORMATION DEPICTED ON THIS DRAWING IS BASED ON PUBLIC RECORD DOCUMENTS FROM THE DELAWARE COUNTY OHIO RECORDER'S OFFICE AND IS NOT THE RESULT OF PROPERTY BOUNDARY SURVEY



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



Project # \_\_\_\_\_

Case # 2016-1352

CPFD

**Planning Commission**

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

Subdivision/Project Name CERTIFIED OIL Address 2061 U.S. ROUTE 23  
 Acreage 0.86 Square Footage 4,400 Number of Lots 1 Number of Units 1  
 Zoning District/Land Use B-4 Proposed Zoning/Land Use B-4 Parcel # 51913303011000

Applicant Name CERTIFIED OIL CO. Contact Person NICHOLAS LACAILLADE  
 Applicant Address 949 KING AVE., COLUMBUS, OH 43212  
 Phone (614) 421-7500 Fax (614) 421-6525 E-mail nlacaille@certifiedoil.com  
 Owner Name CERTIFIED OIL CO. Contact Person RICHARD SCHULZE  
 Owner Address 949 KING AVE., COLUMBUS, OHIO 43212  
 Phone (614) 421-7500 Fax (614) 421-6525 E-mail rschulze@certifiedoil.com  
 Engineer/Architect/Attorney WACHTEL & MCANALLY Contact Person CRAIG VANHORN  
 Address 35 SOUTH PARK PLACE, NEWARK, OHIO 43055  
 Phone (740) 345-3500 Fax (740) 345-7690 E-mail cvanhorn@wachtelmcannally.com

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.

N. Lacaille

Owner Signature

Nicholas Lacaille

Owner Printed Name

Richard Schulze

Agent Signature

RICHARD SCHULZE

Agent Printed Name

Sworn to before me and subscribed in my presence this 25<sup>th</sup> day of APRIL, 2016



**SANDRA E. HOAG**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 08-07-2020

Notary Stamp

Sandra E. Hoag  
Notary Public



## FACT SHEET

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AGENDA ITEM NO: 13

DATE: 6/13/16

ORDINANCE NO: 16-48

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

---

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 FINAL DEVELOPMENT PLAN FOR OHIO WESLEYAN UNIVERSITY FOR A PHASE 2 SMALL LIVING UNIT (SLU) ON APPROXIMATELY 1.373 ACRES LOCATED ON THE NORTH SIDE OF ROWLAND AVENUE BETWEEN SOUTH WASHINGTON STREET AND SOUTH LIBERTY STREET ON PROPERTY ZONED PO/I PMU (PLANNED OFFICE/INSTITUTIONAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

**BACKGROUND:**

Ohio Wesleyan University is proposing to raze the existing houses along the north side of Rowland Avenue which accommodates student housing and replace them with new small living unit (SLU's) student housing which would occur in four phases. The four new SLU's would allow the University to locate all the housing along the pedestrian corridor linking the residential area with the academic area of the campus. The existing houses would only be demolished when funding for each new SLU would be obtained.

Phase 2 would require the demolition of the existing houses at 86 and 94 Rowland Avenue (easternmost houses on Rowland Avenue). A new 24 unit, 6,103 square foot SLU with 10 double bedrooms and 4 single bedrooms would be constructed at this location. The recently constructed and proposed SLU are setback the same distance as the five existing homes along Rowland Avenue (three have been demolished and two are in the process of being demolished).

The design character of the SLU would mimic the existing single family housing stock with two story elevations, front porches, gabled pitch roofs, etc., per the attached building elevations and would have to achieve compliance with Chapter 1171.08 Residential Design Criteria.

In Phase 5, Ohio Wesleyan's ultimate goal (this has been discussed with the City in the past) is to have Rowland Avenue vacated for vehicular travel and be utilized exclusively for pedestrians to extend the "jaywalk" concept in this area. Again, the City and University have discussed this possibility in general terms over several years and generally have agreed that it is a potential long term plan; however, both entities have discussed that much more detailed planning in this regard is needed and many more details would need to be worked out prior to a formal application for vacation and Final Development Plan for Phase 5 being submitted. This approval would identify the vacation as part of the OWU long term plan.

**REASON WHY LEGISLATION IS NEEDED:**

To achieve compliance with Section 1129.06 Development Plan Review Procedures of the zoning code.

**COMMITTEE RECOMMENDATION:**

Planning Commission approved this case 6-0 on June 1, 2016.

**FISCAL IMPACT(S):**

N/A

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

David Efland, Planning and Community Development Director

**RECOMMENDATION:**

Staff recommends approval with the documented conditions.

**ATTACHMENT(S)**

Staff Report

ORDINANCE NO. 16-48

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR OHIO WESLEYAN UNIVERSITY FOR A PHASE 2 SMALL LIVING UNIT (SLU) ON APPROXIMATELY 1.373 ACRES LOCATED ON THE NORTH SIDE OF ROWLAND AVENUE BETWEEN SOUTH WASHINGTON STREET AND SOUTH LIBERTY STREET ON PROPERTY ZONED PO/I PMU (PLANNED OFFICE/INSTITUTIONAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

WHEREAS, the Planning Commission at its meeting of June 1, 2016, recommended approval of a Final Development Plan for Ohio Wesleyan University for a Phase 2 Small Living Unit (SLU) on approximately 1.373 acres located on the north side of Rowland Avenue between South Washington Street and South Liberty Street on property zoned PO/I PMU (Planned Office/Institutional District with a Planned Mixed Use Overlay District) (PC 2016-1478), and

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

SECTION 1. That the a Final Development Plan for Ohio Wesleyan University for a Phase 2 Small Living Unit (SLU) on approximately 1.373 acres located on the north side of Rowland Avenue between South Washington Street and South Liberty Street on property zoned PO/I PMU (Planned Office/Institutional District with a Planned Mixed Use Overlay District), is hereby confirmed, approved, and accepted, with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The new SLU shall achieve compliance with the design standards of the approved development text per the submitted building elevation.
3. Any tree removal shall comply with Chapter 1168 Tree Preservation Regulations along with the approved development text.
4. The landscape plan shall be submitted, reviewed and approved by the Shade Tree Commission.

5. The lighting plan shall be submitted, reviewed and approved by the Chief Building Official.
6. The seven parcels shall be consolidated prior to the occupancy permit of the Phase 2 SLU.

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



## PLANNING COMMISSION / STAFF REPORT

CASE NUMBERS: 2016-1478

REQUEST: Final Development Plan

PROJECT: Ohio Wesleyan University Student Housing

MEETING DATE: June 1, 2016

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### APPLICANT/OWNER

BSHM Architects  
1020 Goodale Boulevard  
Columbus, Ohio 43212

Ohio Wesleyan University  
61 South Sandusky Street  
Delaware, Ohio 43015

### REQUESTS

2016-1478: A request by Ohio Wesleyan University for approval of a Final Development Plan for a Phase 2 Small Living Unit (SLU) on approximately 1.373 acres located on the north side of Rowland Avenue between South Washington Street and South Liberty Street on property zoned to PO/I PMU (Planned Office/Institutional District with a Planned Mixed Use Overlay District)

### PROPERTY LOCATION & DESCRIPTION

The subject three parcels for the proposed Phase 2 Small Living Unit (SLU) are located on the northwest corner of South Washington Street and Rowland Avenue. The subject properties are zoned PO/I PMU (Planned Office/Institutional District with a Planned Mixed Use Overlay District). The properties to the north are zoned R-6 while the properties to the east, west and south are zoned PO/I (Planned Office/Institutional District). To the north are single family homes that have been converted to private rental units, to the south is the City Fire Department and a City Park and to the east and west are University uses.

### BACKGROUND/PROPOSAL

In August 2015, Ohio Wesleyan University received a Rezoning Amendment, Conditional Use Permit, and Preliminary Development Plan for Phases 1-5 and Final Development Plan Phase 1 approval by the Planning Commission and City Council. The Phase 1 SLU is constructed and will be occupied for the fall semester and now the OWU is proposing to raze the two houses on the east end of Rowland Avenue and construct the second SLU (Phase 2) in this area.

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### STAFF ANALYSIS

- **ZONING:** As mentioned above, the subject zoning for the site is PO/I PMU which permits the proposed use with Final Development Plan approval by the Planning Commission and City Council.
- **LAND USE:** The proposed student housing is consistent with the Comprehensive Plan of the "OWU Subarea" of the plan which identifies these properties for Institutional uses.
- **ENGINEERING** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on a technical review by the Engineering Department once a complete plan set is submitted for review.
- **ROADS AND TRAFFIC:** The new SLU would have access from Rowland Avenue which is a public street. However, Ohio Wesleyan's long term desire is to vacate Rowland Avenue for vehicular travel and extend the "jaywalk" concept in this area. The logistics of vacating (abandoning) the public street would have to be vetted with all City departments and the University to determine the feasibility of such request as the University and the City are the only two adjacent property owners at this time. The Fire Department has provided detailed comments in this regard and supports the concept.
- **PARKING:** Section 1161.05 Specific Parking Standards for College/University Uses of the zoning code specifically calls for a parking study to be prepared in cases such as this to determine overall campus parking demand, use and relocation. As a result OWU prepared a Rowland Avenue Student Housing Parking Study in July 2015 (see attached) which indicates there is a 161 parking space surplus of student parking throughout the campus (882 parking space supply – 721 parking space demand). The study concluded 43% of the students have purchased parking permits in 2015 and that percentage would be used to determine parking demand for each SLU. Staff has accepted the study results to determine the number of parking spaces required for each phase as it is constructed. The study indicates no new parking would be required for a Phase 2 SLU. There is an existing 10 space parking lot located just west of the proposed Phase 2 SLU along with on-street parking to provide parking in the proximity of the proposed building.

- **SITE LAYOUT:** The proposed development would be developed in five phases and consist of four individual SLU's that front Rowland Avenue. Phase 2 would require the demolition of the existing houses at 86 and 94 Rowland Avenue (easternmost houses on Rowland Avenue). A new 24 unit, 6,103 square foot SLU with 10 double bedrooms and 4 single bedrooms would be constructed at this location. The recently constructed and proposed SLU are setback the same distance as the five existing homes along Rowland Avenue (three have been demolished and two are in the process of being demolished). The design character of the SLU's would mimic the existing single family housing stock with two story elevations, front porches, gabled pitch roofs, etc., per the attached building elevations and would have to achieve compliance with Chapter 1171.08 Residential Design Criteria.
- **PARKLAND AND OPEN SPACE:** There is no parkland or open space associated with this proposal but the potential vacation of Rowland Avenue would yield additional active open space for the University which already has more parkland and open space than any other single land use (except for the City).
- **BIKE PATHS AND PEDESTRIAN ROUTES:** There are not any proposed bike paths or pedestrian routes in this area per the City of Delaware Bikeway Plan approved in 2010. The existing sidewalk on the north side of Rowland Avenue would remain.
- **LANDSCAPING:** The applicant submitted a landscape plan for the Phase 2 SLU which identifies 14 shrubs planted around the structure which appears to be appropriate. All landscape plans would need to be submitted, reviewed and approved by the Shade Tree Commission.
- **TREE PRESERVATION:** Any tree removal shall comply with Chapter 1168 Tree Preservation Regulations along with the approved development text.
- **UTILITIES:** The site would be serviced by City sanitary sewer and water that would have to be extended by the developer where necessary.
- **LIGHTING PLAN:** The proposed plan does not show any proposed lights on the SLU's which are required for each house per the zoning code. All lighting plans would need to be submitted, reviewed and approved by the Chief Building Official that achieves compliance with the zoning code.

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**STAFF RECOMMENDATION (2016-1478 –FINAL DEVELOPMENT PLAN – PHASE 2)**

Staff recommends approval of a request by Ohio Wesleyan University for a Final Development Plan for a Phase 2 Small Living Unit (SLU) on approximately 1.373 acres located on the north side of Rowland Avenue between South Washington Street and South Liberty Street on property zoned to PO/I PMU (Planned Office/Institutional District with a Planned Mixed Use Overlay District), with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The new SLU shall achieve compliance with the design standards of the approved development text per the submitted building elevation.
3. Any tree removal shall comply with Chapter 1168 Tree Preservation Regulations along with the approved development text.
4. The landscape plan shall be submitted, reviewed and approved by the Shade Tree Commission.
5. The lighting plan shall be submitted, reviewed and approved by the Chief Building Official.
6. The seven parcels shall be consolidated prior to the occupancy permit of the Phase 2 SLU.

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**COMMISSION NOTES:**

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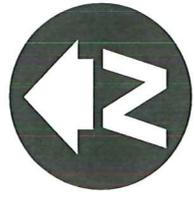
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2016-1478  
 Final Development Plan  
 Ohio Wesleyan University - Phase 2 Rowland Avenue SLU's  
 Location Map





2016-1478  
 Final Development Plan  
 Ohio Wesleyan University - Phase 2 Rowland Avenue SLU's  
 Zoning Map





2016-1478  
Final Development Plan  
Ohio Wesleyan University - Phase 2 Rowland Avenue SLU's  
Aerial (2013)

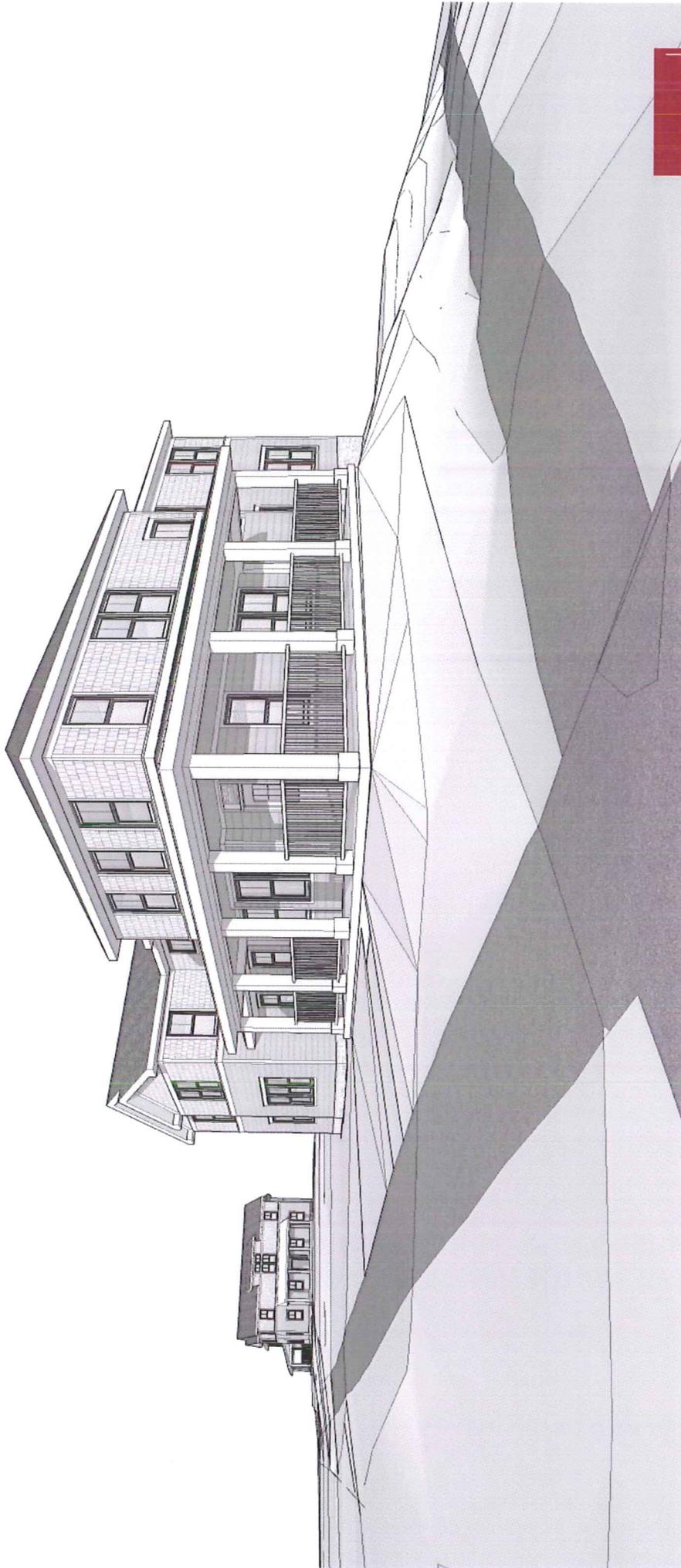


### **Ohio Wesleyan University – Small Living Units, Rowland Avenue**

Ohio Wesleyan plans to remove and replace Small Living Unit (SLUs) student housing located along Rowland Avenue. In the future it is planned to build additional SLUs to replace the others located elsewhere on campus. These new buildings will replace older, hard to maintain buildings and locate all of the SLUs along the pedestrian corridor linking the student residential area with the academic . The ultimate goal in the future is to abandon Rowland Avenue for vehicular travel and to extend the Jaywalk concept.

The first SLU has been constructed at the corner of Rowland and Liberty and now OWU has funding to allow the construction of the second SLU which will be a mirror image of the first SLU. It is planned for the corner of Rowland and Washington.

OHIO WESLEYAN UNIVERSITY  
SMALL LIVING UNITS - STUDENT HOUSING  
PHASE 2 - CORNER OF ROWLAND AND WASHINGTON

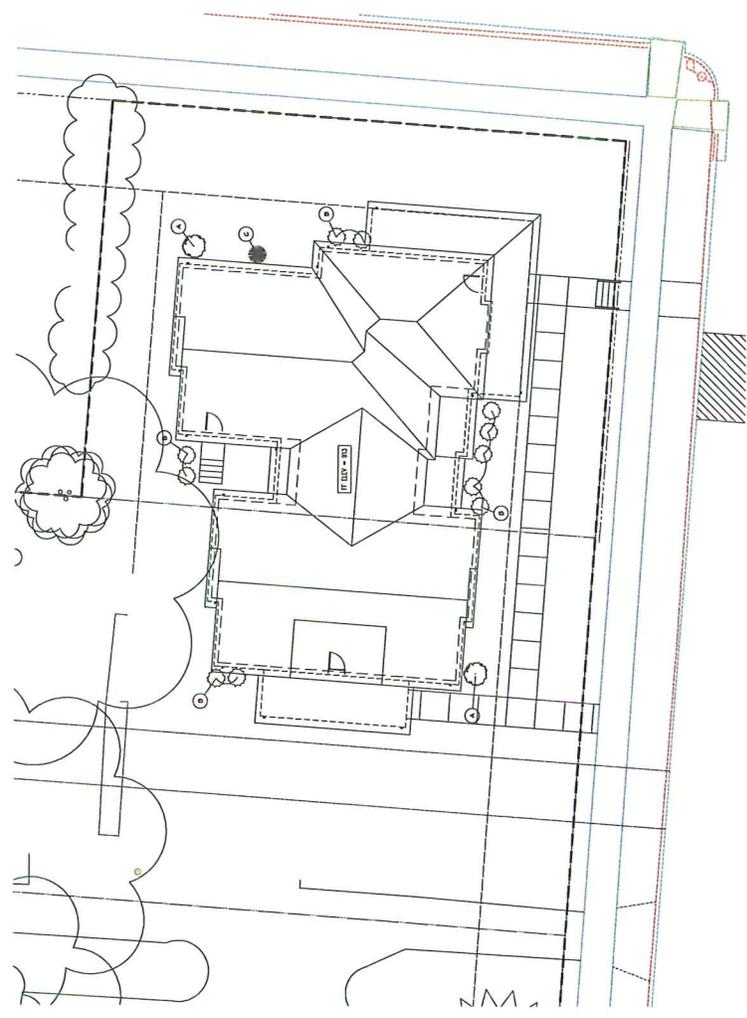


LITTLE  
DIVERSIFIED ARCHITECTURAL CONSULTING









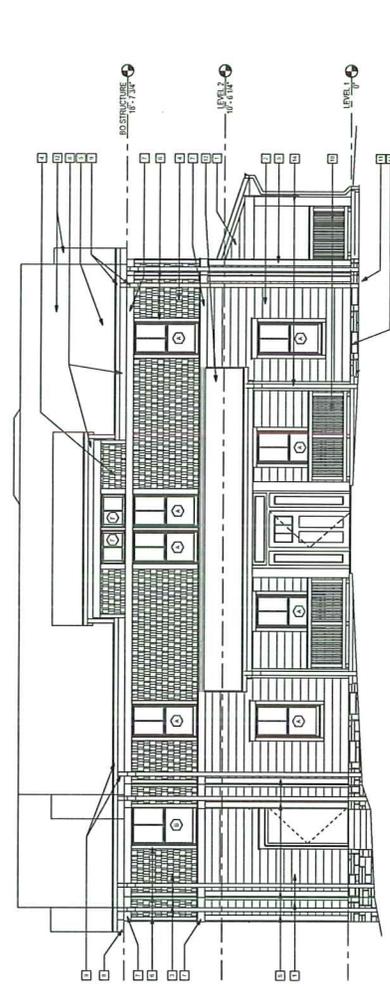
LANDSCAPING PLAN  
 SCALE: 1" = 10'-0"

MARK	COMMON NAME	PLANTING SCHEDULE	SIZE	QUANTITY
A	SPARTAN JUNIPER	1-1/2" x 1-1/2" x 1-1/2" POTTED	2'-0" POTTED	2
B	SPARTAN JUNIPER	1-1/2" x 1-1/2" x 1-1/2" POTTED	2'-0" POTTED	1
C	SPARTAN JUNIPER	1-1/2" x 1-1/2" x 1-1/2" POTTED	2'-0" POTTED	1

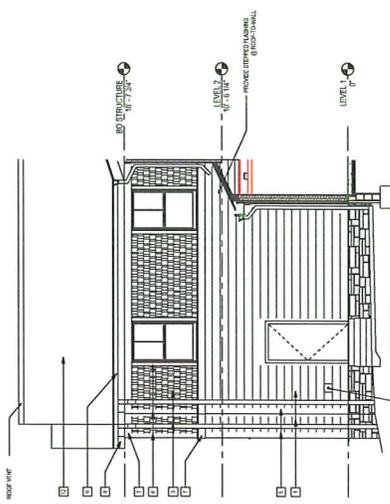


- ELEVATION KEY NOTES**
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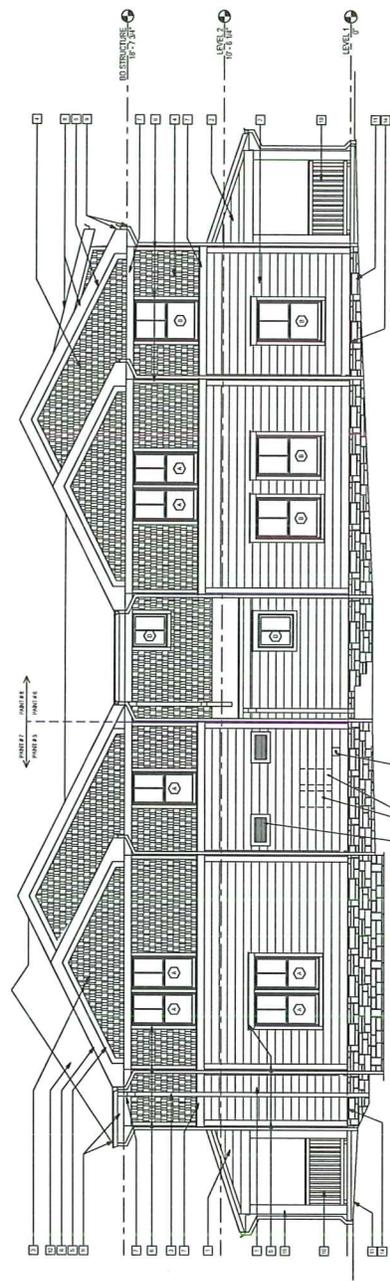
- GENERAL ELEVATION NOTES**
1. ALL DIMENSIONS ARE UNLESS OTHERWISE SPECIFIED.
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  3. FINISHES ARE TO BE USED AS SHOWN ON THE DRAWINGS.
  4. LOCATION OF DOWNROCK IS TO BE DETERMINED BY THE CONTRACTOR AND SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS.
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SECTION 2 - EAST ELEVATION  
 1/2" = 1'-0"



SECTION 2 - WEST ELEVATION  
 1/2" = 1'-0"



SECTION 2 - NORTH ELEVATION  
 1/2" = 1'-0"

SEE OTHER SHEETS FOR  
 FINISH SCHEDULE

SEE OTHER SHEETS FOR  
 FINISH SCHEDULE

**ELEVATIONS**  
ROWLAND ELEVATION



**ELEVATIONS**  
WASHINGTON STREET ELEVATION



Ohio Wesleyan University

Rowland Avenue Student  
Housing Parking Study

## **Parking Management- Campus Wide:**

Total Spaces Available	<u>1,605</u>
Reserved for ADA	(54)
Reserved for Residential Life Staff	(8)
Reserved for Admissions visitors	(8)
Reserved for Short term/deliveries	(25)
Reserved for public safety	(7)
Reserved for faculty and staff	(500)
Reserved for Aramark/Chartwells employees	<u>(120)</u>
<b>Net Student Parking Spaces</b>	<u><b>882</b></u>

## AY15 Student Parking Demand

Fall enrollment	1,716
Students studying abroad	<u>(50)</u>
Delaware based students	<u>1,666</u>
Student parking permits sold	<u>721</u>
% of students with cars	43%

## Parking Supply vs. Demand

Student Parking Supply	882
Student Parking Demand	<u>721</u>
Surplus/(Deficit)	<u>161</u>

OWU has a *surplus* of student parking

## **Options for Meeting Higher Concentrations of student parking Along Rowland Avenue**

1. Allocate HWCC west lot to student parking- 24 spaces
2. Build spaces at Bashford Hall

**Phase 1: Corner of Rowland & Liberty**

Raze 118 Rowland Avenue -12  
Construct Building +24

Net new students at 118 Rowland Avenue 12

**Net Parking Spaces Required (@ 43% headcount) 6**

**ACTION PLAN: CONVERT 6 SPACES AT HWCC TO STUDENT  
PARKING**

**Phase 2: Corner of Rowland & Washington**

Raze 21 and 86 Rowland Avenue	-24
Construct 2 <sup>nd</sup> Building	+24

Net new students 0

Net new cars (@ 43% headcount) 0

**ACTION PLAN: NO ACTION REQUIRED**

**Phase 3: Rowland Avenue**

Construct 3 <sup>rd</sup> Building	+24
Net new students	24
<b>Net new cars (@ 43% headcount)</b>	<b>11</b>

**ACTION PLAN: CONVERT 11 SPACES AT HWCC TO STUDENT  
PARKING**

**Phase 4: Rowland Avenue**

Construct 4 <sup>th</sup> Building	+24
Net new students	24
<b>Net new cars (@ 43% headcount)</b>	<b>11</b>

**ACTION PLAN: ADD 11 SPACES AT HWCC TO STUDENT PARKING**

**Phase 5: Close Rowland Avenue**

Street Parking reduced by 20 Spaces

**ACTION PLAN: BUILD 20 NEW SPACES AT BASHFORD LOT TO  
SUPPORT THE PARK**

## Rowland Avenue Parking Summary

	Number of New Spaces Needed
Phase 1: Rowland & Liberty	6
Phase 2: Rowland & Washington	0
Phase 3: Rowland Avenue	11
Phase 4: Rowland Avenue	11
Phase 5: Close Rowland Avenue	20
<b>TOTAL</b>	<b>48</b>



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



Project # \_\_\_\_\_ Case # \_\_\_\_\_

Planning Commission

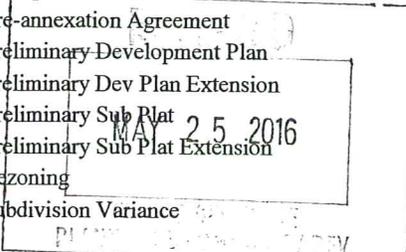
- Amended Final Development Plan
- Amended Final Subdivision Plat
- Amended Preliminary Development Plan
- Amended Preliminary Subdivision Plat
- Annexation Review
- Combined Preliminary & Final Development Plan
- Comprehensive Plan Amendment
- Concept Plan
- Conditional Use Permit
- Determination of 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 OWU SMALL LIVING UNIT Address 94 A+B ROWLAND AVENUE  
 Acreage 0.3 Square Footage 3130 Number of Lots \_\_\_\_\_ Number of Units 2  
 Zoning District/Land Use PD/EPMU Proposed Zoning/Land Use \_\_\_\_\_ Parcel # \_\_\_\_\_

Applicant Name OHIO WESLEYAN UNIVERSITY Contact Person PETER SCHANTZ

Applicant Address 29 HAYES STREET DELAWARE

Phone 740 368 3400 Fax \_\_\_\_\_ E-mail PKSCHANTZ@OWU.EDU

Owner Name OHIO WESLEYAN UNIVERSITY Contact Person SAME

Owner Address SAME

Phone SAME Fax \_\_\_\_\_ E-mail SAME

Engineer/Architect/Attorney BSHM ARCHITECTS Contact Person RANDY REGER

Address 1020 GOODALE BLVD COLUMBUS OHIO 43212

Phone 614 447 9770 Fax 614 447 9995 E-mail R.R.@BSHM-ARCHITECTS.COM

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

PETER SCHANTZ

Owner Printed Name

Agent Signature

Agent Printed Name

Sworn to before me and subscribed in my presence this 19 day of MAY, 2016.

Notary Public



Notary Stamp  
**JONI L. GARLOCH**  
NOTARY PUBLIC - OHIO  
MY COMMISSION EXPIRES 8/1/2019



## FACT SHEET

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AGENDA ITEM NO: 14

DATE: 6/13/16

ORDINANCE NO: 16-49

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: R. Thomas Homan, City Manager

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE AMENDING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR PAYMENT OF CONTRACTED RECREATION SERVICES TO THE YMCA.

**BACKGROUND:**

The fourth quarter payment from 2015 was carried over to 2016 for payment in January and due to the purchase order not being issued for the correct amount initially the carryover purchase order from 2015 to 2016 was \$12,075 less than the contracted amount,

**REASON WHY LEGISLATION IS NEEDED:**

A supplemental appropriation is necessary to compensate the YMCA the proper amount due under the current contract

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

\$12,075 be appropriated from the Parks and Recreation Fund to the Recreation Services – YMCA account

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

R. Thomas Homan, City Manager

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

N/A

ORDINANCE NO. 16-49

AN ORDINANCE AMENDING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR PAYMENT OF CONTRACTED RECREATION SERVICES TO THE YMCA.

WHEREAS, the City of Delaware entered into a Recreation Services Management agreement with the YMCA to provide recreation service on behalf of the City starting in 2012, and

WHEREAS, the contracted annual rate was increased from \$187,000 per year to \$199,075 per year for calendar year 2015, and

WHEREAS, a purchase order was issued in 2015 for the previous contract amount of \$187,000 as opposed to the new rate of \$199,075, and

WHEREAS, the fourth quarter payment from 2015 was carried over to 2016 for payment in January and due to the purchase order not being issued for the correct amount initially the carryover purchase order from 2015 to 2016 was \$12,075 less than the contracted amount, and

WHEREAS, a supplemental appropriation is necessary to compensate the YMCA the proper amount due under the current contract.

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 Parks and Recreation Fund \$12,075 increasing the following account:

Recreation Services – YMCA (210-2120-5230) \$12,075

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 Ohio Revised Code.

VOTE ON RULE SUSPENSION:

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2016

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



## FACT SHEET

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AGENDA ITEM NO: 15

DATE: 6/13/16

ORDINANCE NO: 16-50

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, Public Works Director/City Engineer

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE AMENDING THE 2016 APPROPRIATIONS ORDINANCE TO ESTABLISH FUNDING FOR THE PURCHASE OF EQUIPMENT FOR THE SOLID WASTE RECYCLING OPERATION.

**BACKGROUND:**

The city has been in the process of planning for the relocation of the solid waste recycling operation from its current location on Cherry Street to a new facility to be constructed at the Public Works Facility at 440 E William Street. The new facility will have double the floor space for storage of recyclables, and will employ loadout operations that are more efficient than the current process of transferring and compacting mixed materials into an enclosed container. To perform the new operations, the purchase of a compact wheel loader will allow for rapid transfer of mixed materials from the sorting floor to open containers in preparation for transport of the materials to the recycling facility (MRF) in Marion.

The city applied for DKMM grant funding late in 2015 to help offset the estimated \$80,000 cost of the purchase of this new equipment. The grant was approved making \$20,000 available for the purchase of the wheel loader. However, not knowing at the time the budget was under review if grant funding would be available, the budget was approved with funding to replace the existing compactor at the Cherry Street facility, which would be necessary to maintain the current operation for an indeterminate amount of time. With the

availability of grant funding, the preferred option is to purchase the new compact wheel loader to be utilized in the new facility, while limiting maintenance on the exiting compactor to only what's necessary to keep it in service short term, and up to the point where it can be decommissioned. Ultimately, plans call for the demolition of the Cherry Street Recycling Facility and restoration of adjacent lands adjacent to the river to a natural state.

**REASON WHY LEGISLATION IS NEEDED:**

A supplemental appropriation in the amount of \$50,000 is being proposed that will a) cover the expenditure of the DKMM grant funding of \$20,000, and b) provide \$30,000 in additional funding over the available fund balance to purchase the new equipment.

**COMMITTEE RECOMMENDATION:**

The Public Works/Public Utilities Committee and the Finance Committee have previously supported the proposed relocation of the Solid Waste operations to the 440 E William facilities.

**FISCAL IMPACT(S):**

The supplemental appropriation will reduce the anticipated refuse fund balance shown in the 2016 budget at \$1,157,229 by \$30,000. The transfer is not anticipated to interfere with other proposed expenditures using refuse funds.

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

William L. Ferrigno, P.E. – Public Works Director/City Engineer

**RECOMMENDATION:**

Approval at second reading.

**ATTACHMENT(S)**

N/A

ORDINANCE NO. 16-50

AN ORDINANCE AMENDING THE 2016 APPROPRIATIONS ORDINANCE TO INCREASE FUNDING FOR THE PURCHASE OF EQUIPMENT FOR THE SOLID WASTE RECYCLING OPERATION.

WHEREAS, the City is in process of planning for the relocation of the solid waste recycling operation from Cherry Street to a new facility to be constructed at the Public Works Facility at 440 E William Street, and

WHEREAS, the City applied for and received \$20,000 in grant funding from the Delaware, Knox, Morrow and Marion (DKMM) Solid Waste District for the purchase of equipment to be utilized in the recycling operation, and

WHEREAS, the new equipment will allow for the recycled materials sorting and loading operation to be managed in a more effective and efficient manner than past practices have allowed, and

WHEREAS, the total cost of the equipment exceeds the estimated amount included in the 2016 Budget, and

WHEREAS, a supplemental appropriation is required to provide the necessary funding to cover the anticipated final purchase cost of the equipment.

NOW, THEREFORE, BE IT ORDAINED: BY THE COUNCIL OF THE CITY OF DELAWARE, OHIO THAT:

SECTION 1. There is hereby appropriated from the unencumbered balance of the Refuse Fund, \$50,000 increasing the following account:

New Equipment/Capital Outlay (550-5530-5500)	\$50,000
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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 Ohio Revised Code.

VOTE ON RULE SUSPENSION:

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2016

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



## FACT SHEET

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AGENDA ITEM NO: 16

DATE: 6/13/16

ORDINANCE NO: 16-51

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 AMENDING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR ADMINISTRATIVE SUPPORT WITHIN THE CITY PROSECUTOR'S OFFICE, AND DECLARING AN EMERGENCY.

**BACKGROUND:**

One of the two administrative assistants at the prosecutor's office has been on medical leave, which is expected to stretch into the new year. The office is not able to function for long periods of time with only one assistant, as each assistant is assigned to one of the courtrooms. This supplemental would provide funds to pay for temporary clerical help until our staff returns to full strength. Until now, the temporary help has been paid for out of professional services funds, which are insufficient to continue the arrangement. We have contract with an agency to help with these types of situations.

**REASON WHY LEGISLATION IS NEEDED:**

A supplemental appropriation is necessary in order to provide temporary administrative support.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

This ordinance will increase Legal Affairs Professional Services Account in the amount of \$25,000.

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Darren Shulman, City Attorney

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

N/A

ORDINANCE NO. 16-51

AN ORDINANCE AMENDING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR ADMINSTRATIVE SUPPORT WITHIN THE CITY PROSECUTOR'S OFFICE, AND DECLARING AN EMERGENCY.

WHEREAS, the City Prosecutor Office is in need of continued temporary administrative support due to extended sick leave of an administrative support employee, and

WHEREAS, the extended leave creates a shortage of administrative support to the Prosecutor's Office, and

WHEREAS, additional funds will be necessary to provide continued contracted temporary assistance.

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 General Fund \$25,000 increasing the following accounts:

Legal Affairs/Prosecution	
Professional Services (101-0021-5230)	\$25,000

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 Ohio Revised Code.

SECTION 3. 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 provide continued administrative support in the Prosecutor's Office, and as such will be in full force and be in 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



## FACT SHEET

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AGENDA ITEM NO: 17

DATE: 6/13/16

ORDINANCE NO: 16-52

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Ted Miller, Parks and Natural Resources Director

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE AMENDING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR PARKING LOT MAINTENANCE WORK AT THE DELAWARE COMMUNITY CENTER, AND DECLARING AN EMERGENCY.

**BACKGROUND:**

The Delaware Community Center/YMCA/National Guard parking lot is 192,700 square feet that is in need of routine maintenance. The work will include crack sealing, sealing and line striping. Per the Lease Agreement the City of Delaware will manage the improvement project and be reimbursed by the YMCA and the National Guard for the work done. The cost to complete the work will be divided between YMCA (60%), City of Delaware (25%) and the National Guard (15%).

**REASON WHY LEGISLATION IS NEEDED:**

An appropriation for this work was not included in the 2016 City Budget.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

Requires \$22,000 allocation from the unencumbered balance of the Park and Recreation Fund to Maintenance of Facility (Account# 210-2110-5271).

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Ted Miller, Parks and Natural Resources Director

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

ORDINANCE NO. 16-52

AN ORDINANCE AMENDING THE 2016 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR PARKING LOT MAINTENANCE WORK AT THE DELAWARE COMMUNITY CENTER, AND DECLARING AN EMERGENCY.

WHEREAS, there is a need to perform preventative maintenance on the parking lots at the Delaware Community Center - YMCA facility,

WHEREAS, in accordance with the City's lease agreements with the YMCA and the Ohio National Guard, infrastructure maintenance costs are to be split 25% to the City of Delaware, 15% to the Ohio National Guard, and 60% to the YMCA, and

WHEREAS, the estimated total cost to complete the parking lot crack sealing, striping, and sealing maintenance work is \$22,000 which will be paid for initially by the City of Delaware with reimbursements from the Ohio National Guard and the YMCA back to the City totaling \$16,500, and

WHEREAS, an appropriation for this work was not included in the 2016 City Budget.

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 Park and Recreation Fund \$22,000 increasing the following account:

Maintenance of Facility (210-2110-5271)	\$22,000
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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 Ohio Revised Code.

SECTION 3. 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 provide timely parking lot maintenance work in conjunction with the City's annual asphalt maintenance contract, and as such will be in full force and be in 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



## FACT SHEET

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AGENDA ITEM NO: 18

DATE: 6/13/16

ORDINANCE NO: 16-53

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, Public Works Director/City Engineer

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO INSTALL RECTANGULAR RAPID FLASHING BEACONS (RRFB'S) ON SOUTH LIBERTY STREET AT THE OAK HILL AVENUE/SPRING STREET AND ROWLAND AVENUE INTERSECTIONS, AND DECLARING AN EMERGENCY.

**BACKGROUND:**

In response to the number of pedestrian injury accidents and high pedestrian volumes crossing South Liberty Street at the Oak Hill Avenue/Spring Street and Rowland Avenue intersections, the City of Delaware submitted an abbreviated application to the Ohio Department of Transportation (ODOT) and received 100% funding to install Rectangular Rapid Flashing Beacons (RRFB's) on South Liberty Street at both intersections. RRFB's are activated by pedestrians using pushbuttons and, once activated, the extra-large beacons flash in a "wig-wag" pattern to warn vehicular traffic that a pedestrian is crossing the street. RRFB's are a lower cost alternative to traffic signals and hybrid signals and are known to increase driver yielding behavior at crosswalks significantly when supplementing standard pedestrian crossing signs and markings. In addition to the RRFB's, the enhanced crosswalks will be re-stripped with Heat-Fused Preformed Thermoplastic Pavement Markings which are known to last 6-8 times longer than normal Traffic Paint.

**REASON WHY LEGISLATION IS NEEDED:**

ODOT District 6 is administering the project and the State requires consent legislation be passed by the local government to allow for the project to occur within the corporate limits.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

The total project budget is \$54,500 and will be 100% funded by ODOT using Safety Funds.

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

William L. Ferrigno, P.E. – Public Works Director/City Engineer

**RECOMMENDATION:**

Approval at first reading as this is consent legislation and no City funds are being committed to design nor construct the project.

**ATTACHMENT(S)**

Two (2) exhibits showing the final plan layout for both intersections..

ORDINANCE NO. 16-53

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO INSTALL RECTANGULAR RAPID FLASHING BEACONS (RRFB'S) ON SOUTH LIBERTY STREET AT THE OAK HILL AVENUE/SPRING STREET AND ROWLAND AVENUE INTERSECTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the STATE and CITY have identified the need for the above described project:

WHEREAS, the City of Delaware, referred to as the Local Public Agency (LPA), desires the Director of Transportation to complete the project; and

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

SECTION 1. The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director;

SECTION 2. ODOT agrees to assume and bear the costs of preliminary engineering, right-of-way, and construction by administering Federal and State funds for the project;

SECTION 3. The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration;

SECTION 4. The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way costs include eligible utility costs. The LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 5. Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 6. The City Manager of the City of Delaware is hereby empowered on behalf of the City of Delaware to enter into contracts with the Director of Transportation necessary to complete the described project.

SECTION 7. That the Clerk of Council will transmit to the Director of Transportation a fully executed copy of this Ordinance.

SECTION 8. 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.

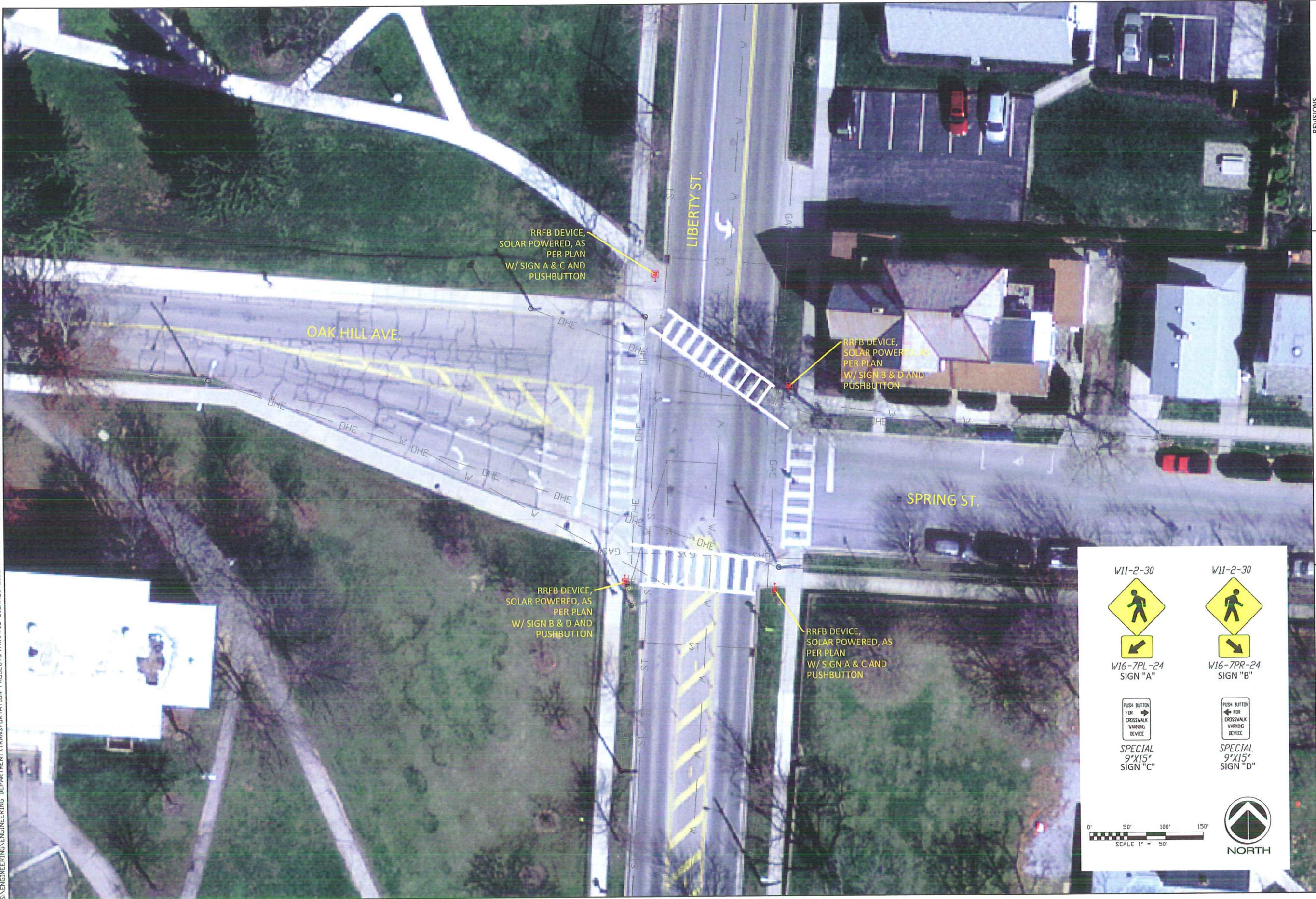
SECTION 9. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure, necessary to provide for the public peace, property, health, safety, welfare, or to provide for the usual daily operation of a department or an office of the City, and as such, will be in full force immediately upon its passage.

VOTE ON RULES SUSPENSION: YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

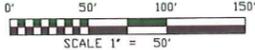
EMERGENCY CLAUSE: YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2016 YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK MAYOR



<p>W11-2-30</p>  <p>W16-7PL-24 SIGN "A"</p>  <p>SPECIAL 9'X15' SIGN "C"</p>	<p>W11-2-30</p>  <p>W16-7PR-24 SIGN "B"</p>  <p>SPECIAL 9'X15' SIGN "D"</p>
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 SCALE 1" = 50'

  
 NORTH

LIBERTY STREET  
PEDESTRIAN CROSSING AT  
OAK HILL AVENUE/SPRING STREET

PLAN LAYOUT



DATE ISSUED:  
03/24/2016  
Sheet  
1 / 2

NO.	DATE	DESCRIPTION	APPROVED



RRFB DEVICE,  
SOLAR POWERED, AS  
PER PLAN  
W/ SIGN A & C AND  
PUSHBUTTON

RRFB DEVICE,  
SOLAR POWERED, AS  
PER PLAN  
W/ SIGN B & D AND  
PUSHBUTTON

RRFB DEVICE,  
SOLAR POWERED, AS  
PER PLAN  
W/ SIGN B & D AND  
PUSHBUTTON

RRFB DEVICE,  
SOLAR POWERED, AS  
PER PLAN  
W/ SIGN A & C AND  
PUSHBUTTON

<p>W11-2-30</p> <p>W16-7PL-24 SIGN "A"</p> <p>SPECIAL 9'X15" SIGN "C"</p>	<p>W11-2-30</p> <p>W16-7PR-24 SIGN "B"</p> <p>SPECIAL 9'X15" SIGN "D"</p>
<p>SCALE 1" = 50'</p>	
<p>NORTH</p>	

REVISIONS		APPROVED
No.	DATE	DESCRIPTION

**LIBERTY STREET  
PEDESTRIAN CROSSING AT  
ROWLAND AVENUE**

**PLAN LAYOUT**



TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: June 9, 2016

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1. **Calendar**

See Attached

2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**

See attached

3. **Bi-Weekly Meetings**

May 23

- \* Rotary
- \* Finance Committee
- \* Council meeting

May 25

- \* Moving Delaware Forward Presentation

May 26

- \* Moving Delaware Forward Presentation to Noon Kiwanis

May 27

- \* Partnership Breakfast

June 2

- \* Moving Delaware Forward Presentation to Willow Brook

June 3

- \* First Friday – Moving Delaware Forward

June 4

- \* Grand Opening of the Spray and Play

June 6

- \* Rotary
- \* Moving Delaware Forward Presentation to Delaware City School Board

June 7

- \* 911 Board meeting
- \* EMA Executive Board meeting

**CONTRACT APPROVAL - JUNE 13, 2016**

<b>VENDOR</b>	<b>EXPLANATION OF AGREEMENT</b>	<b>2016 AMOUNT</b>	<b>DEPARTMENT</b>
Delaware County	Warrensburg Road Resurfacing	\$44,648.13	Public Works
Everett Prescott	AMI System	\$1,610,200.81	Public Utilities
JHR	Mowing	\$40/sq ft	Planning
Columbus Pike Contract Management	Mowing	\$32/hr	Planning
CH2M	AMI System Implementation	\$100,000	Public Utilities

# June

2016

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>

Planning  
Commission 7

Spray and Play  
Grand Opening  
10-Noon

<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>
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BZA 7

<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>
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Council 7

<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>
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Parks and  
Recreation  
Advisory Board 7

HPC 7

<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>		
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Council 7

Shade Tree  
Commission 7