

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held July 11 20 16

The regular meeting of Council held July 11, 2016 was called to order at 7:00 p.m., at the Ohio National Guard, located at 1121 S. Houk Rd, Delaware, Ohio. The following members of Council were present: First Ward Chris Jones, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was Second Ward Lisa Keller and Vice-Mayor Kent Shafer. The invocation was given Mr. Rohrer, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, , Dean Stelzer, Finance Director, Bill Ferrigno, Public Works Director, Dave Efland, Planning and Community Development Director, John Donahue, Fire Chief, Bruce Pijanowski, Police Chief, Brad Stanton, Public Utilities Director, Jackie Walker, Assistant City Manager, and Tom Homan, City Manager

ITEM 4: MOTION TO EXCUSE

Motion: Mr. DiGenova moved to excuse Mrs. Keller and Vice-Mayor Shafer, seconded by Mr. Jones. Motion approved by a 5-0 vote.

ITEM 5: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held June 27, 2016, as recorded and transcribed.

Motion: Mr. Rohrer moved to approve the Motion Summary for the regular meeting of Council held June 27, 2016 seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

ITEM 6: CONSENT AGENDA

- A. Resolution No. 16-28, a resolution of necessity for construction or repair sidewalks, curbs, or gutters.
- B. Establish July 25, 2016 at 7:30 p.m. as the date and time for a public hearing and second reading of Ordinance No. 16-57, an ordinance approving a Rezoning Amendment to the development text for Pulte Homes, The Communities at Glenross Sections 11-22 consisting of 487 single family lots on approximately 210.7 acres zoned R-2 PMU (One-Family Residential District with a Planned Mixed Use Overlay District) located south of Cheshire Road.
- C. Acceptance of the Motion Summary for the Civil Service Commission meeting held June 1, 2016.
- D. Acceptance of the Motion Summary for Shade Tree Commission meeting held May 24, 2016.
- E. Acceptance of the Motion Summary for the Historic Preservation Commission meeting held April 27, 2016.
- F. Acceptance of the Motion Summary for the Planning Commission meeting held June 1, 2016.
- G. Acceptance of the Motion Summary for the Public Works/Public Utilities Committee meeting held March 1, 2016.

Motion: Mr. DiGenova moved to approve the Consent Agenda, seconded by Mr. Rohrer. Motion approved by a 5-0 vote.

ITEM 7: LETTERS, PETITIONS, AND PUBLIC COMMENTS

Tamika Vinson
614 Lamplight Dr.
Delaware, Ohio

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Ms. Vinson voiced a concern over the display of the Confederate flag during the Fourth of July parade in the City of Delaware. Ms. Vinson requested information on why this was allowed.

Greg Nobis
1052 Chatham Lane W.
Delaware, Ohio 43015

Mr. Nobis provided history of the Confederate flag and the status of veterans of the Confederate Army.

Mark Butler
407 Western Dreamer Dr.
Delaware, Ohio

Mr. Butler provided a photograph that he took of the Confederate Flag in the Fourth of July parade. Mr. Butler voiced concerns over the display of the flag.

Patrick Parks
146 S. Washington St.
Delaware, Ohio

Mr. Parks discussed his ideas for community policing efforts and need to promote minority entrepreneurship programs.

Mr. Jones voiced concern over the display of the Confederate flag and requested follow-up on the entry request for the individuals displaying the flag. Discussion was held that the Fourth of July parade is not sponsored by the City of Delaware.

ITEM 8: COMMITTEE REPORTS

Mr. DiGenova provided an update on the Civil Service meeting.

Mr. Hellinger reviewed the discussion of a citizen tree stewardship program at the Shade Tree Commission.

Mayor Riggle informed Council that the Sister City Advisory Board will be meeting at City Hall, July 12, 2016.

ITEM 9: PRESENTATION

- A. Recognition of 2016 Fourth of July Fireworks Team
- B. DATA's Transit Development Plan – Denny Schooley, Executive Director

ITEM 10: ORDINANCE NO. 16-45 [Public Hearing and Third Reading]

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

The Clerk read the ordinance for the third time.

There was no public participation.

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Motion: Mr. DiGenova moved to enact the emergency clause for Ordinance No. 16-45, seconded by Mr. Rohrer. Motion approved by a 5-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 16-45, seconded by Mr. Rohrer. Motion approved by a 5-0 vote.

ITEM 11: ORDINANCE NO. 16-46 [Public Hearing and Third Reading]

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.

The Clerk read the ordinance for the third time.

PUBLIC PARTICIPATION:

Diane Engel
1067 Chatham Lane W
Delaware, Ohio

Ms. Engel voiced a concern over the proposed construction of Valleyside Dr. and the effects to the wildlife in the area and property values.

Judy Pavely
1111 Chatham Lane E
Delaware, Ohio

Ms. Pavely questioned how the proposed Valleyside Dr. will assist with traffic on Central Avenue.

Mark Noecker
1096 Chatham Lane E
Delaware, Ohio

Mr. Noecker voiced a concern over property values declining and noise pollution.

Mike West
1073 Chatham Lane W
Delaware, Ohio 43015

Mr. West voiced a concern over the wildlife in the area and informed Council that he was told that the woods were a protected area.

Don Shannon

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604 Governors St.
Delaware, Ohio

Mr. Shannon voiced his support for the Levy and discussed the difficulty driving his bus route as a Delaware City School bus driver. Mr. Shannon informed Council that he was not representing Delaware City Schools.

Windell Wheeler
23 Penick Ave.
Delaware, Ohio

Mr. Wheeler discussed the importance to reduce any potential time for EMS in an emergency situation.

Sheila Fox
Representative of Sustainable Delaware
1401 Curve Rd
Delaware, Ohio

Tom Wolber
272 Hearthstone Dr.
Delaware, Ohio

Ms. Fox and Mr. Wolber read a letter on behalf of Sustainable Delaware in support of the Moving Delaware Forward Campaign.

Susan McGrail
268 Silven Dr.
Delaware, Ohio

Ms. McGrail discussed previous personal experiences on the response time from EMS to her. Ms. McGrail voiced concerns over the continued speed and need for speed control at Hills Miller Rd. and U.S. 23.

Greg Nobis
1052 Chatham Lane W
Delaware, Ohio

Mr. Nobis voiced a concern over the difficulty to turn onto Lexington.

Sheriff Russ Martin
Delaware County Sheriff
149 N. Sandusky St.
Delaware, Ohio

Sheriff Martin voiced support for the road levy. Sheriff Martin discussed the increase traffic and impact from the development of Tanger Outlets.

Stephanie Steinbeck
553 Boulder Dr.
Delaware, Ohio

Jim Browning
189 Hawthorn Blvd.
Delaware, Ohio

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Ms. Steinbeck and Mr. Browning voiced support for the road levy and introduced themselves as co-chairs for the Moving Delaware Forward Campaign.

Dr. John McGrail
268 Silven Dr.
Delaware, Ohio

Dr. McGrail requested information on the response time with the proposed Valleyside Drive.

Chief Donahue discussed the expected decrease of three minutes with Valleyside Drive to Carson Farms.

Chief Pijanowski discussed the benefits of connectivity and synchronizing lights to assist in better response times.

Mr. Ferrigno discussed the maintenance plans and improvements. Mr. Ferrigno discussed the need to upgrade traffic signals and expected improvement in traffic with road connectivity.

Susan McGrail
268 Silven Dr.
Delaware, Ohio

Ms. McGrail requested if Kroger Distribution Warehouse and other large corporations helps financially support road maintenance. Mr. Homan and Mr. Stelzer discussed income taxes provided by Kroger to the City of Delaware, and school taxes to Olentangy City Schools.

Mike West
1073 Chatham Lane W
Delaware, Ohio 43015

Mr. West voiced a complaint over the W. Central CSX railroad bridge not being fixed.

Mayor Riggle requested a break at 8:55 p.m.

Mayor Riggle reconvened the meeting at 9:02 p.m. Mr. Homan provided and reviewed a statement provided by the Economic Development Director. Mayor Riggle closed the public hearing at 9:04 p.m.

ITEM 12: ORDINANCE NO. 16-55 [First Reading]

AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE TO INCREASE FUNDING FOR REPAIRS TO THE PUBLIC WORKS FACILITY ROOF, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Mr. Rohrer moved to suspend the rules for Ordinance No. 16-55, seconded by Mr. DiGenova. Motion approved by a 5-0 vote.

Motion: Mr. Rohrer moved to enact the emergency clause for Ordinance No. 16-55, seconded by Mr. DiGenova. Motion approved by a 5-0 vote.

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Motion: Mr. Rohrer moved to approve Ordinance No. 16-55, seconded by Mr. DiGenova. Motion approved by a 5-0 vote.

ITEM 13: ORDINANCE NO. 16-56 [First Reading]
AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR A 60,000 SQUARE FOOT BUILDING ON APPROXIMATELY 7.165 ACRES ZONED M-1 PMU (LIGHT MANUFACTURING DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR SYMMETRY II LOCATED AT 105 INNOVATION COURT.

The Clerk read the ordinance for the first time.

Mr. Efland reviewed the site plan.

APPLICANT:
John Lewis
1036 Hills Miller Rd.
Delaware, Ohio 43015

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 16-56, seconded by Mr. Rohrer. Motion approved by a 5-0 vote.

Motion: Mr. DiGenova moved to approve Ordinance No. 16-56, seconded by Mr. Rohrer. Motion approved by a 4-0-1 (Riggle) vote.

ITEM 14: ORDINANCE NO. 16-57 [First Reading]
AN ORDINANCE APPROVING A REZONING AMENDMENT TO THE DEVELOPMENT TEXT FOR PULTE HOMES, THE COMMUNITIES AT GLENROSS SECTIONS 11-22 CONSISTING OF 487 SINGLE FAMILY LOTS ON APPROXIMATELY 210.7 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) LOCATED SOUTH OF CHESHIRE ROAD.

The Clerk read the ordinance for the first time.

A public hearing has been set for July 25, 2016 at 7:30 p.m.

ITEM 15: ORDINANCE NO. 16-58 [First Reading]
AN ORDINANCE APPROVING AN AMENDMENT TO THE PRELIMINARY DEVELOPMENT PLAN FOR PULTE HOMES, THE COMMUNITIES AT GLENROSS SECTIONS 11-22 CONSISTING OF 487 SINGLE FAMILY LOTS ON APPROXIMATELY 210.7 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) LOCATED SOUTH OF CHESHIRE ROAD.

The Clerk read the ordinance for the first time.

ITEM 16: ORDINANCE NO. 16-59 [First Reading]
AN ORDINANCE APPROVING AN AMENDMENT TO THE PRELIMINARY SUBDIVISION PLAT TEXT FOR PULTE HOMES, THE COMMUNITIES AT GLENROSS SECTIONS 11-22 CONSISTING OF 487 SINGLE FAMILY LOTS ON APPROXIMATELY 210.7 ACRES ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) LOCATED SOUTH OF CHESHIRE ROAD.

The Clerk read the ordinance for the first time.

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ITEM 17: RESOLUTION NO. 16-29 [First Reading]

A RESOLUTION ACCEPTING NEGOTIATED CHANGES TO THE FRATERNAL ORDER OF POLICE (FOP) PATROL AND SUPERVISORS AGREEMENTS WITH THE CITY OF DELAWARE.

The Clerk read the resolution for the first time.

Motion: Mr. Rohrer moved to approve Resolution No. 16-29, seconded by Mr. Jones. Motion approved by a 5-0 vote.

ITEM 18: CITY MANAGER'S REPORT

Mr. Homan provided an update on Fire Station 304.

Mr. Homan provided an update on upcoming meetings for the Moving Delaware Forward Campaign.

Mr. Homan informed Council that he will be out of town June 15, 2016 and June 16, 2016, as well as Ms. Walker. Mr. Homan informed Council that Mr. Stelzer will be Acting City Manager in their absence.

ITEM 19: COUNCIL COMMENTS

Mr. Jones requested an update on the Community Funds Program. Ms. Walker informed Council that quarterly reviews have been received.

Mr. DiGenova discussed "No Solicitation" signs on mail posts in Dublin. Mr. Shulman plans to research ordinances in Dublin regarding "No Solicitation" signage.

Mr. DiGenova informed Council of calls received from constituents in Olentangy City School district that are upset over taxation of Delaware City Income Tax and the increased taxes for Olentangy City School.

Mr. Rohrer discussed the Confederate flag in the Fourth of July parade and voiced his concern over it being permitted.

Mayor Riggle informed Council of the upcoming 20 year celebration for Howell Industries.

Mayor Riggle provided information on the July 23, 2016 Blast from the Past car show event.

ITEM 20: ADJOURNMENT

Motion: Mr. DiGenova moved to adjourn the meeting, seconded by Mr. Rohrer. The meeting adjourned at 9:22 p.m.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk