

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held November 28 20 16

6:30 EXECUTIVE SESSION: Mr. Rohrer moved to enter into Executive Session at 6:30 p.m. This motion was seconded by Mr. DiGenova and approved by a 5-0 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, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance. Council conducted a discussion of those items with the following members present: Second Ward Lisa Keller, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, and Mayor Carolyn Kay Riggle. Absent from the discussion was First Ward Chris Jones and Vice-Mayor Kent Shafer. Following the discussion at 6:56 p.m., it was moved by Mr. DiGenova that Council move into Open Session, seconded by Mr. Rohrer and approved by a 5-0 vote.

The regular meeting of Council held November 28, 2016 was called to order at 7:00 p.m., in the City Council Chambers. The following members of Council were present: Second Ward Lisa Keller, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was First Ward Chris Jones and Vice-Mayor Shafer. The invocation was given Mr. DiGenova, followed by the Pledge of Allegiance, led by members of Boy Scout Troop 249.

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

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

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held November 14, 2016, as recorded and transcribed.

Motion: Mr. Hellinger moved to approve the Motion Summary for the regular meeting of Council held November 14, 2016, seconded by Mr. DiGenova. Motion approved by a 5-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the motion summary for the Parks and Recreation Advisory Board meeting held October 18, 2016.
- B. Acceptance of the motion summary for the Parking and Safety Committee meeting held August 16, 2016.
- C. Resolution No. 16-49, a resolution authorizing the installation of additional stop signs on North Street and Curve Road at the intersection of Armstrong Road in order to establish an all-way stop condition.

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

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ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

ITEM 7: COMMITTEE REPORTS

ITEM 8: CONSIDERATION OF A NEW LIQUOR PERMIT/TREX

- A. FLYING PIG ALE HOUSE, LLC, 12 SANDUSKY ST., DELAWARE, OH 43015.
CLASS: D5

Mr. Shulman discussed the TREX liquor permit from one county to another. Mr. Hughes discussed the applicant's ability to locate a liquor license from Franklin County.

Chief Pijanowski recommended that the City Manager request a hearing regarding the TREX due to concern that the applicant had two social security numbers issued under his name. Chief Pijanowski stated that during the investigation it was discovered that one social security number was related to a felony.

APPLICANT:

James Talbert
10 W. Broad St. Suite 2100
Columbus, Ohio

Xuegong Chen
1440 Boswell Dr.
Delaware, Ohio

Mr. Talbert discussed his attempt to disclose the felony on the application and discussed his findings on why the applicant had two social security numbers.

Motion: Mr. Hellinger moved to accept the TREX application, as submitted, seconded by Mr. Rohrer. Motion approved by a 5-0 vote.

Motion: Mr. Hellinger moved to request a hearing in Franklin County in regards to the liquor permit, seconded by Mr. DiGenova. Motion approved by a 5-0 vote.

ITEM 9: ORDINANCE NO. 16-94 [Public Hearing and First Reading]

AN ORDINANCE MAKING APPROPRIATIONS FOR THE YEAR 2017, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

There was no public comment.

Mr. Homan provided information on the December 3, 2016 budget work session.

ITEM 10: ORDINANCE NO. 16-98 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING THE REZONING AMENDMENT FOR DELAWARE DEVELOPMENT PLAN LTD FROM A-1 (AGRICULTURAL DISTRICT) AND A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED

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MIXED USE OVERLAY DISTRICT) TO A-1 PMU FOR COUGHLIN'S CROSSING ON 15 PARCELS ENCOMPASSING APPROXIMATELY 80 ACRES LOCATED EAST OF US23, WEST OF STRATFORD ROAD AND NORTH OF MEEKER WAY.

The Clerk read the ordinance for the second time.

Mr. Efland provided a presentation regarding the zoning and Comprehensive Land Use Plan and well as reviewed the Proposed Site Plan.

APPLICANT:

Connie Klema
P.O. Box 991
Pataskala, Ohio

Ms. Klema provided a presentation on the proposed development plan.

PUBLIC COMMENT:

Joanne Meyer
170 Wagner Way
Delaware, Ohio

Ms. Meyer voiced her concern regarding the potential harm to her well water supply and concerns over the increase in traffic in the area. Ms. Meyer expressed concern regarding the developer not mowing surrounding areas, which has caused a flea and rodent infestation in her yard.

Ms. Klema stated she will speak with Ms. Meyer to address her concerns.

Mr. Ferrigno provided information on the traffic study and the potential plans for an additional traffic signal.

ITEM 11: ORDINANCE NO. 16-99 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR DELAWARE DEVELOPMENT PLAN LTD ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) FOR COUGHLIN'S CROSSING ENCOMPASSING APPROXIMATELY 80 ACRES LOCATED EAST OF US23, WEST OF STRATFORD ROAD AND NORTH OF MEEKER WAY.

The Clerk read the ordinance for the second time.

ITEM 12: ORDINANCE NO. 16-100 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING AN AMENDMENT TO THE COMPREHENSIVE PLAN FOR DELAWARE DEVELOPMENT PLAN LTD ON PROPERTY DESIGNATED AS MIXED USE, LOW DENSITY SINGLE FAMILY AND MEDIUM DENSITY SINGLE FAMILY ON THE FUTURE LAND USE MAP TO MIXED USE FOR COUGHLIN'S CROSSING ENCOMPASSING APPROXIMATELY 80 ACRES LOCATED EAST OF US23, WEST OF STRATFORD ROAD AND NORTH OF MEEKER WAY.

The Clerk read the ordinance for the second time.

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ITEM 13: ORDINANCE NO. 16-101 [Second Reading]
AN ORDINANCE APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR DELAWARE DEVELOPMENT PLAN LTD FOR COUGHLIN'S CROSSING ENCOMPASSING APPROXIMATELY 80 ACRES LOCATED EAST OF US23, WEST OF STRATFORD ROAD AND NORTH OF MEEKER WAY.

The Clerk read the ordinance for the second time.

APPLICANT:
Connie Klema
P.O. Box 991
Pataskala, Ohio

ITEM 14: ORDINANCE NO. 16-102 [Second Reading]
AN ORDINANCE APPROVING A PRELIMINARY SUBDIVISION PLAT FOR DELAWARE DEVELOPMENT PLAN LTD FOR COUGHLIN'S CROSSING ENCOMPASSING APPROXIMATELY 80 ACRES LOCATED EAST OF US23, WEST OF STRATFORD ROAD AND NORTH OF MEEKER WAY.

The Clerk read the ordinance for the second time.

ITEM 15: RESOLUTION NO. 16-50 [First Reading]
A RESOLUTION INDICATING WHAT SERVICES THE CITY OF DELAWARE WILL PROVIDE TO 1.7023 ACRES OF LAND, MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS "A" AND "B" FOR THE ANNEXATION KNOWN AS THE DELAWARE DEVELOPMENT PLAN (AKA COUGHLIN'S CROSSING DEVELOPMENT RIGHT OF WAY) ANNEXATION BY MICHAEL R. SHADE, AGENT FOR THE PETITIONERS.

The Clerk read the resolution for the first time.

Motion: Mr. DiGenova moved to adopt Resolution No. 16-50, seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

ITEM 16: RESOLUTION NO. 16-51 [First Reading]
A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDMENT OF THE SECURITY AGREEMENT ARISING OUT OF THE REVOLVING LOAN FUND (RLF) LOAN AGREEMENT WITH PRECISION TOWER PRODUCTS, LLC, FOR THE PURPOSE OF PURCHASING LAND AND EQUIPMENT AT THEIR NEW DEVELOPMENT SITE ON PITTSBURGH DRIVE.

The Clerk read the resolution for the first time.

Motion: Mr. Rohrer moved to adopt Resolution No. 16-50, seconded by Mr. DiGenova. Motion approved by a 5-0 vote.

ITEM 17: ORDINANCE NO. 16-104 [First Reading]
AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH RLB ENTERPRISES, LLC, MIDWAY STRUCTURAL PIPE AND SUPPLY, INC., DELAWARE CITY SCHOOLS AND DELAWARE AREA CAREER CENTER,

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FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON A PARCEL ON PITTSBURGH DRIVE.

The Clerk read the ordinance for the first time.

APPLICANT:

Robin Brannan
10509 Mackenzie Way
Dublin, Ohio

Motion: Mr. DiGenova moved to suspend the rules for Ordinance No. 16-104, seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

Motion: Mr. DiGenova moved to enact the emergency clause for Ordinance No. 16-104, seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

Motion: Mr. DiGenova moved to adopt Ordinance No. 16-104, seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

ITEM 18: ORDINANCE NO. 16-105 [First Reading]

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A SETTLEMENT AGREEMENT WITH THE DELAWARE COUNTY BOARD OF COMMISSIONERS AND WOLF INDUSTRIAL PARK COMPANY.

The Clerk read the ordinance for the first time.

ITEM 19: ORDINANCE NO. 16-106 [First Reading]

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A RECRUITMENT TRAINING AGREEMENT BETWEEN THE CITY OF DELAWARE AND THE CITY OF COLUMBUS, DEPARTMENT OF PUBLIC SAFETY, DIVISION OF POLICE, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Mr. Rohrer moved to suspend the rules for Ordinance No. 16-106, seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

Motion: Mr. Rohrer moved to enact the emergency clause for Ordinance No. 16-106, seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

Motion: Mr. Rohrer moved to adopt Ordinance No. 16-106, seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

ITEM 20: ORDINANCE NO. 16-107 [First Reading]

AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

ITEM 21: ORDINANCE NO. 16-108 [First Reading]

AN ORDINANCE AMENDING ORDINANCE NO 15-115 ESTABLISHING THE PAY AND BENEFITS FOR VARIOUS PART-TIME AND INTERMITTENT/SEASONAL EMPLOYEES OF THE CITY OF DELAWARE, AND DECLARING AN EMERGENCY.

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ITEM 22: ORDINANCE NO. 16-109 [First Reading]
AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

ITEM 23: CITY MANAGER'S REPORT

Mr. Homan provided information on MORPC funding.

Mr. Homan discussed the need to set a meeting regarding the Parking Study.

Mr. Homan discussed the need for the Recreation Sub-Committee to meet at the beginning of 2017.

Mr. Homan provided information on the upcoming First Friday event and tree lighting ceremony.

ITEM 24: COUNCIL COMMENTS

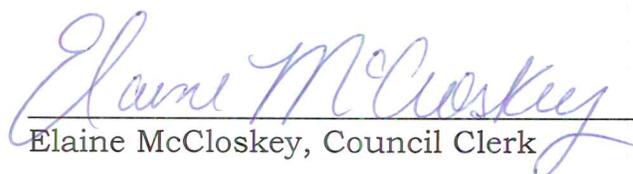
Mr. Hellinger thanked staff for the informative signage near The Point regarding how to merge appropriately.

ITEM 25: ADJOURNMENT

Motion: Mr. Rohrer moved to adjourn the meeting. The meeting adjourned at 9:02 p.m.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk