

# RECORD OF PROCEEDINGS

Held December 12 20 16

The regular meeting of Council held December 12, 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, and Vice-Mayor Shafer Mayor who presided. Absent from the meeting was Carolyn Kay Riggle. The invocation was given Mr. Jones, followed by the Pledge of Allegiance.

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:** Mrs. Keller moved to excuse Mayor Riggle, seconded by Mr. Jones. Motion approved by a 6-0 vote.

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

APPROVAL of the Motion Summary of the regular meeting of Council held November 28, 2016, as recorded and transcribed.

APPROVAL of the Motion Summary of the Budget Work Session of Council held December 3, 2016, as recorded and transcribed.

**Motion:** Mr. Hellinger moved to approve the Motion Summary for the regular meeting of Council held November 28, 2016, and the Budget Work Session of Council held December 3, 2016, seconded by Mr. DiGenova. Motion approved by a 5-0-1 (Shafer) vote.

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

- A. Acceptance of the Motion Summary for the Historic Preservation Commission meeting held October 26, 2016.
- B. Acceptance of the Motion Summary for the Planning Commission meeting held November 2, 2016.
- C. Resolution No. 16-52, a resolution authorizing the modification of certain traffic control signage to extend the No Parking Here to Corner zone on the west side of North Liberty Street from West William Street to the north property line of 25 North Liberty Street.
- D. Resolution No. 16-53, a resolution repealing Resolution No. 05-23 and Resolution No. 96-43; removing the time restrictions on the two (2) 2-hour parking spaces and one (1) 15-minute parking space in front of 216 North Sandusky Street.
- E. Resolution No. 16-54, a resolution authorizing the installation of a No Parking Anytime zone on the north side of Firestone Drive from the east property line of 188 Firestone Drive to Delaware Drive.
- F. Establish January 9, 2017 at 7:30 p.m. as the date and time for a public hearing and second reading of Ordinance No. 16-110, an ordinance amending Section 737.01 of the City of Delaware's Codified Ordinances, relating to circuses (Council Permission, License, Bond and Insurance Required).

**Motion:** Mr. Hellinger moved to approve the Consent Agenda, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

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

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 12 20 16

## **ITEM 7: COMMITTEE REPORTS**

**ITEM 8: ORDINANCE NO. 16-94** [Public Hearing and Second Reading]  
AN ORDINANCE MAKING APPROPRIATIONS FOR THE YEAR 2017, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

There was no public comment.

Mr. Homan discussed the Recreation Fund and the recommendation that the Council Recreation Sub-Committee meet in the beginning of 2017 to discuss remaining projects.

Mr. Homan discussed the need for an Airport Business Plan to help increase the utilization of the facility.

Mr. Homan discussed the Central Ohio Mayor and Manager Organization dues.

Mr. Homan recommended a discussion be held on impact fees at an upcoming Finance Committee Meeting.

A discussion was held on Hidden Valley Golf Course and potential dedicated revenue sources.

Mr. Homan recommended that future discussions be held regarding updating the Comprehensive Plan and different social media platforms to get citizen input.

**ITEM 9: ORDINANCE NO. 16-98** [Third 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 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 third time.

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

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

**PUBLIC COMMENT:**  
Ed Gifford  
165 Beech Drive  
Delaware, Ohio

Mr. Gifford spoke on behalf of the Stratford Wood's Homeowners Association. Mr. Gifford reported no opposition regarding the project.

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 12 20 16

Mr. Gifford expressed the anticipation of future needs and questions as the project progresses and discussed concerns regarding signage at Hawthorne and U.S. 23.

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 16-98, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

**ITEM 10: ORDINANCE NO. 16-99** [Third 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 third time.

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

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 16-99, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

**ITEM 11: ORDINANCE NO. 16-100** [Third 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 third time.

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

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 16-100, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

**ITEM 12: ORDINANCE NO. 16-101** [Third 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 third time.

APPLICANT:  
Connie Klema  
P.O. Box 991

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Minutes of

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Pataskala, Ohio

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 16-101, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

**ITEM 13: ORDINANCE NO. 16-102** [Third 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 third time.

**APPLICANT:**

Connie Klema  
P.O. Box 991  
Pataskala, Ohio

**Motion:** Mr. DiGenova moved to adopt Ordinance No. 16-102, seconded by Mr. Rohrer. Motion approved by a 6-0 vote.

**ITEM 14: ORDINANCE NO. 16-105** [Second 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 second time.

**Motion:** Mrs. Keller moved to adopt Ordinance No. 16-105, seconded by Mr. Hellinger. Motion approved by a 5-0-1 (Rohrer) vote.

**ITEM 15: ORDINANCE NO. 16-107** [Second 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 second time.

**ITEM 16: ORDINANCE NO. 16-108** [Second 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.

The Clerk read the ordinance for the second time.

**ITEM 17: ORDINANCE NO. 16-109** [Second 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 second time.

**ITEM 18: ORDINANCE NO. 16-110** [First Reading]

AN ORDINANCE AMENDING SECTION 737.01 OF THE CITY OF DELAWARE'S CODIFIED ORDINANCES, RELATING TO CIRCUSES

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(COUNCIL PERMISSION, LICENSE, BOND AND INSURANCE REQUIRED).

The Clerk read the ordinance for the first time.

A public hearing has been set for January 9, 2017 at 7:30 p.m.

**ITEM 19: ORDINANCE NO. 16-111** [First Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR BOWTOWN DELAWARE, LTD., OLD COLONY ESTATES PHASE 2 CONSISTING OF 55 SINGLE-FAMILY LOTS ON APPROXIMATELY 14.92 ACRES ZONED R-4 WITH TEXT LIMITATIONS (MEDIUM DENSITY RESIDENTIAL DISTRICT) AND LOCATED ON WALLACE DRIVE, VERNON AVENUE AND PILGRIM CIRCLE.

The Clerk read the ordinance for the first time.

**ITEM 20: ORDINANCE NO. 16-112** [First Reading]

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR T&R PROPERTIES FOR WILLOWBROOK WEST CONSISTING OF 96 SINGLE-FAMILY ATTACHED UNITS ON APPROXIMATELY 15.18 ACRES ZONED R-6 PUD (MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT OVERLAY DISTRICT) LOCATED ON THE WEST SIDE OF SOUTH HOUK ROAD JUST NORTH OF ARTHUR PLACE.

The Clerk read the ordinance for the first time.

**ITEM 21: ORDINANCE NO. 16-113** [First Reading]

AN ORDINANCE APPROVING A PRELIMINARY SUBDIVISION PLAT FOR T&R PROPERTIES FOR WILLOWBROOK WEST CONSISTING OF 96 SINGLE-FAMILY ATTACHED UNITS ON APPROXIMATELY 15.18 ACRES ZONED R-6 PUD (MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT OVERLAY DISTRICT) LOCATED ON THE WEST SIDE OF SOUTH HOUK ROAD JUST NORTH OF ARTHUR PLACE.

The Clerk read the ordinance for the first time.

**ITEM 22: CITY MANAGER'S REPORT**

**ITEM 23: COUNCIL COMMENTS**

Vice-Mayor Shafer requested a break at 8:00 p.m.

**ITEM 24: 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. (If necessary)

Mr. Rohrer moved to enter into Executive Session at 8:08 p.m. This motion was seconded by Mr. Jones and approved by a 6-0 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

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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: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Joe DiGenova, Fourth Ward Kyle Rohrer, At Large George Hellinger, and Vice-Mayor Kent Shafer. Absent from the discussion was Mayor Carolyn Kay Riggle. Following the discussion at 8:54 p.m., it was moved by Vice-Mayor Shafer that Council move into Open session, seconded by Mr. Rohrer and approved by a 6-0 vote.

## **ITEM 25: ADJOURNMENT**

**Motion:** Vice-Mayor Shafer moved to adjourn the meeting, seconded by Mr. Rohrer. The meeting adjourned at 8:55 p.m.

  
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Mayor Carolyn Kay Riggle

  
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Elaine McCloskey, Council Clerk