The regular meeting of Council held April 24, 2017 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, Fourth Ward Kyle Rohrer, At-Large George Hellinger, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was Second Ward Lisa Keller. The invocation was given by Pastor David Soliday, 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, Matt Weber, Deputy City Engineer, Charles Duke, Public Works Superintendent, Ted Miller, Parks and Natural Resource Director, Jackie Walker, Assistant City Manager, and Tom Homan, City Manager

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held April 10, 2017, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held April 10, 2017, as recorded and transcribed, seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

ITEM 5: CONSENT AGENDA

A. Acceptance of the Motion Summary for the Finance Committee Meeting held on February 16, 2017.
B. Acceptance of the Motion Summary for the Sister City Advisory Board Meeting held on October 11, 2016.
C. Acceptance of the Motion Summary for the Parks and Recreation Advisory Board Meeting held March 21, 2017.
D. Establish May 8, 2017 at 7:15 p.m. as a date and time for a public hearing and second reading for Ordinance No. 17-29, an ordinance repealing and replacing Section 929 of the City of Delaware Streets, Utilities, and Public Services Code establishing general rules and regulations for the collection of refuse.
E. Establish May 8, 2017 at 7:20 p.m. as a date and time for a public hearing and second reading of Ordinance No. 17-30, an ordinance amending Section 521.08 of Chapter 521 of the Codified Ordinance of the City of Delaware, Ohio establishing authority to remove litter, and the right to appeal of a notice of violation.

Motion: Vice-Mayor Shafer motioned to approve the Consent Agenda, seconded by Mr. Rohrer. Motion approved by a 5-0 vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

PUBLIC COMMENT:
Jim Titus
86 Hillcrest Drive
Delaware, Ohio 43015

Mr. Titus requested the consideration of a plaque to show the dedication of the restoration of the World War 1 cannon with a list of names of those that served on the committee.

ITEM 7: COMMITTEE REPORTS

ITEM 8: PRESENTATIONS

A. Proclamation presentation to Delaware Hayes' Girls State Bowling Championship Participants.
B. Arbor Day Proclamation presentation
C. Shade Tree Commission 2016 Annual Report

ITEM 9: RESOLUTION NO. 17-20 [Fourth Reading]

A RESOLUTION ACCEPTING THE CITY OF DELAWARE'S BIKE MASTER PLAN 2025.

The Clerk read the resolution for the fourth time.

PUBLIC COMMENT:

John Sweet
88 Delaware Crossing East
Delaware, Ohio 43015

Mr. Sweet voiced his concerns regarding the Delaware Run in regards to ecology and safety issues.

Rebecca Miller
2177 Bruce Road
Delaware, Ohio 43015

Ms. Miller voiced her support for the bike path at Bruce Rd.

Christina Voise
6029 Wheeler Road
Delaware, Ohio 43015

Ms. Voise discussed the need to complete an environmental analysis and receive proper permits from the EPA.

Stephanie Gregory
110 Tabilore Loop
Delaware, Ohio 43015

Ms. Gregory discussed the option to use the berm and sidewalks as part of the designated bike path on William Street.

Ms. Gregory voiced her support for a committee to be formed.

Mark Hatten
277 N. Franklin Street
Delaware, Ohio 43015

Mr. Hatten voiced his support for multi-use trails and the need for an east and west side connector. Mr. Hatten voiced his concerns of safety for families if a trail was placed alongside roads that are heavily traveled.

Beverly Hall
1706 West Willliam Street
Delaware, Ohio 43015

Ms. Hall discussed ownership rights of her property and the plan to have a bike path go through her property.

Dr. Lynn Elfner
10 Orchard Lane
Delaware, Ohio 43015

Dr. Elfner voiced concerns over the annual maintenance cost and future maintenance needs for the bike paths.

Emma Mirles-Jones
175 S. Sandusky Street
Delaware, Ohio 43015

Ms. Mirles-Jones presented a petition to Council in support of the bike path for Bruce Road.

Carol Trimble
224 Silven Drive
Delaware, Ohio 43015

Ms. Trimble voiced her support for the bike path.

Nahum Burt
118 Strathwick Lane
Delaware, Ohio 43015

Mr. Burt voiced his support for bike paths and discussed the need for separation of space from the trail and roads for safety.

Dick Seebode
132 Delaware Crossing West
Delaware, Ohio 43015

Mr. Seebode voiced his support for the plan and the benefits that the trails can provide to the community.

Abby Trimble
181 N. Washington St.
Delaware, Ohio 43015

Ms. Trimble discussed the health benefits and encouragement of active communities with multi-use trails.

Penny Schmitthenner
70 W. Lincoln Avenue
Delaware, Ohio 43015

Ms. Schmitthenner voiced her support to pass the bike path.

Richard Belch
45 Hillside Drive
Delaware, Ohio 43015

Mr. Belch requested clarification on where the path ends on the Delaware Run. Mr. Miller addressed these questions.

George Alexander
100 Delaware Crossing West
Delaware, Ohio 43015

Mr. Alexander voiced his support for the Delaware Run Bike Path and discussed the health benefits to use the path for exercise.

Patty Belch
45 Hillside Drive
Delaware, Ohio 43015

Ms. Belch voiced her concern of not having prior knowledge of the plan in the early stages.

Joe Coleman
67 West Lincoln Avenue
Delaware, Ohio 43015

Mr. Coleman discussed articles to show the increase of property values with the addition of multi-use trails.

Adam Stiffler
260 North Franklin Street
Delaware, Ohio 43015

Mr. Stiffler recommended the emphasis on public security with the installation of trails.

A discussion was held with Council to table Resolution No. 17-20 until a future meeting, to allow staff time to review the recommendations and public input.

Motion: Mr. Jones moved to table Resolution No. 17-20 until the May 22, 2017 City Council Meeting, seconded by Mr. Rohrer. Motion approved by a 3-2 (Hellinger, Shafer) vote.

Mayor Riggle requested a break at 8:39 p.m. Mayor Riggle reconvened the meeting at 8:49 p.m.

ITEM 10: ORDINANCE NO. 17-16 [Fourth Reading]
AN ORDINANCE APPROVING AN AMENDMENT TO CHAPTER 1168.07 REPLACEMENT OF REMOVED TREES OF CHAPTER 1168 TREE PRESERVATION REGULATIONS OF THE PLANNING AND ZONING CODE.

The Clerk read the ordinance for the fourth time.

Council agreed to take Ordinance 17-16 to a fifth reading to allow staff time for continued research.

ITEM 11: RESOLUTION NO. 17-27 [Second Reading]
A RESOLUTION ADOPTING A CODE OF CONDUCT FOR APPOINTED OFFICIALS.

The Clerk read the resolution for the second time.

Mr. Shulman reviewed the changes to Resolution No. 17-27.

Motion: Vice-Mayor Shafer moved to add the additional language to Resolution No. 17-27, seconded by Mr. Jones. Motion approved by a 5-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Resolution No. 17-27, seconded by Mr. Jones. Motion approved by a 5-0 vote.

ITEM 12: ORDINANCE NO. 17-22 [Public Hearing and Second Reading]
AN ORDINANCE FOR REDHAWK PROPERTY INVESTMENTS INC. FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING AN OUTDOOR SEATING AREA FOR YUMII KETTLE CORN AT 339 SOUTH SANDUSKY STREET ON 0.52 ACRES ZONED B-3 (COMMUNITY BUSINESS DISTRICT).

The Clerk read the ordinance for the second time.

There was no public comment.

Motion: Vice-Mayor Shafer moved to suspend the rules for Ordinance No. 17-22, seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

Motion: Vice-Mayor Shafer moved to adopt Ordinance No. 17-22, seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

ITEM 13: ORDINANCE NO. 17-23 [Public Hearing and Second Reading]
AN ORDINANCE FOR SHORTY'S CASUAL CUISINE FOR APPROVAL OF A CONDITIONAL USE PERMIT TO CONSTRUCT A PERMANENT OUTDOOR PATIO AT 554 WEST CENTRAL AVENUE ON APPROXIMATELY 1.1 ACRES ZONED B-3 (COMMUNITY BUSINESS DISTRICT).

The Clerk read the ordinance for the second time.

APPLICANT:
John Cordas
23 Spencer Street
Delaware, Ohio 43015

There was no public comment.

Motion: Mr. Jones moved to suspend the rules for Ordinance No. 17-23, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

Motion: Mr. Jones moved to adopt Ordinance No. 17-23, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

ITEM 14: ORDINANCE NO. 17-24 [Public Hearing and Second Reading]
AN ORDINANCE FOR TIM COLATRUGLIO FOR APPROVAL OF A REZONING AMENDMENT FROM B-3 (COMMUNITY BUSINESS DISTRICT) AND R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT) TO B-3 AND R-4 PMU (PLANNED MIXED USE OVERLAY DISTRICT) FOR RIVER STREET BUSINESS PARK ON THIRTEEN PROPERTIES ENCOMPASSING APPROXIMATELY 2.594 ACRES LOCATED AT 45 RIVER STREET.

The Clerk read the ordinance for the second time.

APPLICANT:
Mike Williamson
107 East Broad Street, Suite 203
Columbus, Ohio 43215

Tim Colatruglio
3630 Curve Road
Delaware, Ohio 43015

Mr. Williamson discussed the potential placement of a preservation easement on the property.

PUBLIC COMMENT:
John Gootee
140 East William Street
Delaware, Ohio 43015

Mr. Gootee requested confirmation that the alley would be available to residents. Mr. Efland reviewed the plans for the alley to be granted a permanent easement.

Barbara Martin
1901 Stratford Road
Delaware, Ohio 43015

Ms. Martin voiced a concern over the asphalt run off into the Olentangy River. Mr. Weber discussed the need to meet EPA standards and codes.

Motion: Mr. Hellinger moved to suspend the rules for Ordinance No. 17-24, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

Motion: Mr. Hellinger moved to adopt Ordinance No. 17-24, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

ITEM 15: ORDINANCE NO. 17-25 [Public Hearing and Second Reading]
AN ORDINANCE FOR TIM COLATRUGLIO FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) FOR RIVER STREET BUSINESS PARK ON THIRTEEN PROPERTIES ENCOMPASSING APPROXIMATELY 2.594 ACRES LOCATED AT 45 RIVER STREET.

The Clerk read the ordinance for the second time.

APPLICANT:
Mike Williamson
107 East Broad Street, Suite 203
Columbus, Ohio 43215

Tim Colatruglio
3630 Curve Road
Delaware, Ohio 43015

There was no additional public comment.

Motion: Mr. Hellinger moved to suspend the rules for Ordinance No. 17-25, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

Motion: Mr. Hellinger moved to adopt Ordinance No. 17-25, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

ITEM 16: ORDINANCE NO. 17-26 [Second Reading]
AN ORDINANCE FOR TIM COLATRUGLIO FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR RIVER STREET BUSINESS PARK ON THIRTEEN PROPERTIES ENCOMPASSING 2.594 ACRES LOCATED AT 45 RIVER STREET.

The Clerk read the ordinance for the second time.

APPLICANT:
Mike Williamson
107 East Broad Street, Suite 203
Columbus, Ohio 43215

Tim Colatruglio
3630 Curve Road
Delaware, Ohio 43015

Motion: Mr. Hellinger moved to suspend the rules for Ordinance No. 17-26, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

Motion: Mr. Hellinger moved to adopt Ordinance No. 17-26, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

ITEM 17: RESOLUTION NO. 17-28 [First Reading]
A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO PARTICIPATE IN THE COOPERATIVE PURCHASE OF ROAD SALT THROUGH THE ODOT WINTER SALT PURCHASE CONTRACT (018-18).

The Clerk read the resolution for the first time.

Mr. Dukes reviewed the use of salt for the 2016-2017 winter season.

Motion: Mr. Jones moved to adopt Resolution No. 17-28, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

ITEM 18: RESOLUTION NO. 17-29 [First Reading]
A RESOLUTION ACCEPTING THE PARK AND FACILITIES NAMING AND DEDICATION POLICY.

The Clerk read the resolution for the first time.

ITEM 19: ORDINANCE NO. 17-28 [First Reading]
AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY MANAGER TO EXECUTE AND SIGN A PETITION ON BEHALF OF THE CITY OF DELAWARE, OHIO, AS A "PROXIMATE CITY" WITHIN THE MEANING OF SECTION 349.01(M) OF THE OHIO REVISED CODE, TO CREATE A NEW COMMUNITY AUTHORITY AND NEW COMMUNITY DISTRICT UNDER CHAPTER 349 OF THE OHIO REVISED CODE, FOR EVANS FARM NCA, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Mr. Jones moved to suspend the rules for Ordinance No. 17-28, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

Motion: Mr. Jones moved to enact the emergency clause for Ordinance No. 17-28, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

Motion: Mr. Jones moved to adopt Ordinance No. 17-28, seconded by Vice-Mayor Shafer. Motion approved by a 5-0 vote.

ITEM 20: ORDINANCE NO. 17-29 [First Reading]
AN ORDINANCE REPEALING AND REPLACING SECTION 929 OF THE CITY OF DELAWARE STREETS, UTILITIES, AND PUBLIC SERVICES CODE ESTABLISHING GENERAL RULES AND REGULATIONS FOR THE COLLECTION OF REFUSE.

The Clerk read the ordinance for the first time.

A public hearing has been scheduled for May 8, 2017 at 7:15 p.m.

ITEM 21: ORDINANCE NO. 17-30 [First Reading]
AN ORDINANCE AMENDING SECTION 521.08 OF CHAPTER 521 OF THE CODIFIED ORDINANCE OF THE CITY OF DELAWARE, OHIO ESTABLISHING AUTHORITY TO REMOVE LITTER, AND THE RIGHT TO APPEAL OF A NOTICE OF VIOLATION.

The Clerk read the ordinance for the first time.

A public hearing has been scheduled for May 8, 2017 at 7:20 p.m.

ITEM 22: FINANCE DIRECTOR'S REPORT

ITEM 23: CITY MANAGER'S REPORT
Mr. Homan discussed his recent trip to Sakata, Japan.

Mr. Homan discussed potential interview dates for the Third Ward Representative.

ITEM 24: COUNCIL COMMENTS
Mr. Hellinger discussed the composition of the Shade Tree Commission and proposed to make it a citizen community board, as the language designates the Council Representative to be a non-voting member.

Mr. Jones requested information if the fire department has a policy to dispose of American Flags properly. Chief Donahue informed Council that each fire department has a box to collect flags and present to the Vietnam Veteran's for proper disposal.

Mayor Riggle provided information on the recent trip to Sakata, Japan.

ITEM 25: ADJOURNMENT

Motion: Mr. Jones moved to adjourn the meeting. The meeting adjourned at 9:18 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk