

# RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held May 22 20 17

**6:30 EXECUTIVE SESSION:** Mr. Rohrer motioned to enter into executive session at 6:31 p.m. This motion was seconded by Vice-Mayor Shafer 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: First Ward Chris Jones, Second Ward Lisa Keller (arrived at 6:36 p.m.), 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 Vice-Mayor Shafer that Council move into Open session, seconded by Mr. Jones and approved by a 6-0 vote.

The regular meeting of Council held May 22, 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, Second Ward Lisa Keller, Third Ward Jim Browning, Fourth Ward Kyle Rohrer, At-Large George Hellinger, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle who presided. Mr. Shulman swore in Third Ward Appointee, Jim Browning. The invocation was given by Ma Shivanda, with the Nithyanandeshwara Hindu Temple, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Dean Stelzer, Finance Director, Dave Efland, Planning and Community Development Director, Bruce Pijanowski, Police Chief, Bill Ferrigno, Public Works Director/City Engineer, Ted Miller, Parks and Natural Resource Director, and Tom Homan, City Manager

## **ITEM 5: APPROVAL OF MINUTES**

APPROVAL of the Motion Summary of the regular meeting of Council held May 8, 2017, as recorded and transcribed.

APPROVAL of the Motion Summary of the special meeting of Council held May 15, 2017, as recorded and transcribed.

**Motion:** Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held May 8, 2017, as recorded and transcribed, and the special meeting of Council held May 15, 2017, as recorded and transcribed, seconded by Mr. Rohrer. Motion approved by a 7-0 vote.

## **ITEM 6: CONSENT AGENDA**

A. Resolution No. 17-31, a resolution authorizing the City Manager to submit a grant application to the Federal Aviation Administration and the Ohio Department of Transportation, and to enter into required agreements for the resurfacing of Taxiway 'A'.

**Motion:** Mrs. Keller motioned to approve the Consent Agenda, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

## **ITEM 7: LETTERS, PETITIONS, AND PUBLIC COMMENTS**

### **PUBLIC COMMENT:**

Susie Bibler

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Main Street Delaware, Executive Director  
20 East William Street  
Delaware, Ohio 43015

Ms. Bibler informed Council that the City of Delaware was being awarded the Downtown Ambiance Award.

## **ITEM 8: COMMITTEE REPORTS**

Mr. Rohrer informed Council of the upcoming Historic Preservation Commission meeting that will be held May 25, 2017.

### **ITEM 9: ORDINANCE NO. 17-29** [Third 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 third time.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 17-29, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

### **ITEM 10: ORDINANCE NO. 17-31** [Second Reading]

AN ORDINANCE AMENDING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR COMPLETING A MULTI-USE TRAIL EXTENSION ON THE SPRINGFIELD BRANCH TRAIL, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

**Motion:** Mr. Jones motioned to suspend the rules for Ordinance No. 17-31, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones motioned to enact the emergency clause for Ordinance No. 17-31, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones motioned to adopt Ordinance No. 17-31, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

### **ITEM 11: ORDINANCE NO. 17-32** [Public Hearing and Second Reading]

AN ORDINANCE APPROVING AN AMENDMENT TO CHAPTER 1111 SUBDIVISION REGULATIONS OF THE PLANNING AND ZONING CODE PERTAINING TO ACCEPTANCE OF PUBLIC IMPROVEMENTS AND BONDING.

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. 17-32, seconded by Mr. Hellinger. Motion approved by a 6-1 (Keller) vote.

**Motion:** Vice-Mayor Shafer moved to adopt Ordinance No. 17-32, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

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**ITEM 12: ORDINANCE NO. 17-33** [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A STREET VACATION OF STRATFORD DRIVE FOR COUGHLIN'S CROSSING ENCOMPASSING APPROXIMATELY 77.102 ACRES ZONED A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED EAST OF US 23, WEST OF STRATFORD ROAD AND NORTH OF MEEKER WAY.

The Clerk read the ordinance for the second time.

**PUBLIC COMMENT:**

Jeanine Ruffing  
1960 Stratford Road  
Delaware, Ohio

Ms. Ruffing requested information regarding the location of the sewer and reported high grass.

Susan McGrail  
268 Sylvan Drive  
Delaware, Ohio

Ms. McGrail requested information on the location of the utilities and transformer boxes.

Jean Ball  
1989 Stratford Road  
Delaware, Ohio

Ms. Ball requested clarification on green space and the changes to the curve in the roads.

Barbara Martin  
1901 Stratford Road  
Delaware, Ohio

Ms. Martin requested information on the asphalt material that would be used and recommended permeable asphalt to reduce runoff.

**APPLICANT:**

Connie Klema  
P.O. Box 991  
Pataskala, Ohio

Ms. Klema informed Council that she had hired someone to mow the area and would follow up with them. Ms. Klema discussed the asphalt materials that would be used throughout the development and provided information on the curvature to the roads.

**Motion:** Mr. Hellinger moved to suspend the rules for Ordinance No. 17-33, seconded by Mr. Browning. Motion approved by a 7-0 vote.

**Motion:** Mr. Hellinger moved to adopt Ordinance No. 17-33, seconded by Mr. Browning. Motion approved by a 7-0 vote.

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**ITEM 13: ORDINANCE NO. 17-34** [Second Reading]  
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR COUGHLIN'S CROSSING ENCOMPASSING APPROXIMATELY 77.102 ACRES ZONED A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED EAST OF US 23, WEST OF STRATFORD ROAD AND NORTH OF MEEKER WAY.

The Clerk read the ordinance for the second time.

**Motion:** Mr. Hellinger moved to suspend the rules for Ordinance No. 17-34, seconded by Mr. Browning. Motion approved by a 7-0 vote.

**Motion:** Mr. Hellinger moved to adopt Ordinance No. 17-34, seconded by Mr. Browning. Motion approved by a 7-0 vote.

**ITEM 14: ORDINANCE NO. 17-35** [Second Reading]  
AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR COUGHLIN'S CROSSING PHASE 1 (INFRASTRUCTURE) ENCOMPASSING APPROXIMATELY 77.102 ACRES ZONED A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED EAST OF US 23, WEST OF STRATFORD ROAD AND NORTH OF MEEKER WAY.

The Clerk read the ordinance for the second time.

**Motion:** Mr. Hellinger moved to suspend the rules for Ordinance No. 17-35, seconded by Mr. Browning. Motion approved by a 7-0 vote.

**Motion:** Mr. Hellinger moved to adopt Ordinance No. 17-35, seconded by Mr. Browning. Motion approved by a 7-0 vote.

**ITEM 15: RESOLUTION NO. 17-20** [Fifth Reading]  
A RESOLUTION ACCEPTING THE CITY OF DELAWARE'S BIKE MASTER PLAN 2025.

The Clerk read the resolution for the fifth time.

PUBLIC COMMENT:

Angie Clark  
2218 Johnston Road  
Raymond, Ohio

Ms. Clark voiced a safety concern regarding her Grandmother's property that is located at 1706 Marysville Road with the multi-use trail at the Delaware Run.

Susan McGrail  
268 Sylvan Drive  
Delaware, Ohio

Ms. McGrail requested a connection of a trail from the Speedway to the Bruce Road Path.

Wendell Patton  
86 Delaware Crossing  
Delaware, Ohio

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Mr. Patton voiced opposition to the trail at the Delaware Run and concerns of accessibility to the City to access the trail. Mr. Patton voiced concerns regarding the affects to the wildlife in the area.

Brian Horner  
431 West 8<sup>th</sup> Street  
Marysville, Ohio

Mr. Horner voiced opposition to the trail at the Delaware Run and concerns over his Grandmothers property.

**Motion:** Mr. Hellinger moved to adopt Resolution No. 17-20, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 16: RESOLUTION NO. 17-32** [First Reading]  
A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT OVERTIME REIMBURSEMENT THROUGH THE FFY 2018 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP)/IMPAIRED DRIVING ENFORCEMENT PROGRAM (IDEP) GRANT.

The Clerk read the resolution for the first time.

**Motion:** Mr. Rohrer moved to adopt Resolution No. 17-32, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 17: RESOLUTION NO. 17-33** [First Reading]  
A RESOLUTION AMENDING THE 2017-2021 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM.

The Clerk read the resolution for the first time.

**Motion:** Vice-Mayor Shafer moved to adopt Resolution No. 17-33, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

**ITEM 18: ORDINANCE NO. 17-37** [First Reading]  
AN ORDINANCE AMENDING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR PROFESSIONAL SERVICES TO COMPLETE AN UPDATE TO THE CITY'S CURRENT COMPREHENSIVE PLAN.

The Clerk read the ordinance for the first time.

Council in agreement to go to a second reading for Ordinance 17-37.

**ITEM 19: FINANCE DIRECTOR'S REPORT**

**ITEM 20: CITY MANAGER'S REPORT**

Mr. Homan discussed the input that was received regarding the Art's Festival that was held the weekend of May 21 and May 22.

Mr. Homan provided information to Council of the opening of the Spray and Play and Jack Florence Pool.

Information was provided to Council on the upcoming New Moon Marathon.

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**ITEM 21: COUNCIL COMMENTS**

Vice-Mayor Shafer requested information on permitting a designated outdoor refreshment area in the downtown area.

Mr. Jones requested an update on negotiations regarding a new JEDD.

**ITEM 22: ADJOURNMENT**

**Motion:** Vice-Mayor Shafer moved to adjourn the meeting, seconded by Mayor Riggle. The meeting adjourned at 8:26 p.m.

  
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Mayor Carolyn Kay Riggle

  
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Elaine McCloskey, Council Clerk