

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 28 20 17

6:30 EXECUTIVE SESSION: Mrs. Keller motioned to enter into executive session at 6:30 p.m. This motion was seconded by Mr. Rohrer and approved by a 7-0 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, Third Ward Jim Browning, Fourth Ward Kyle Rohrer, At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Carolyn Kay Riggle. Following the discussion at 7:00 p.m., it was moved by Mr. Hellinger that Council move into Open session, seconded by Mr. Rohrer and approved by a 7-0 vote.

The regular meeting of Council held August 28, 2017 was called to order at 7:02 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 (exited at 7:55 p.m.) who presided. The invocation was given by Reverend Terry Highland, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Christopher Ballard, Assistant City Prosecutor, Dean Stelzer, Finance Director, Brad Stanton, Public Utilities Director, Bill Ferrigno, Public Works Director/City Engineer, Sean Hughes, Economic Development 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 August 14, 2017, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held August 14, 2017, as recorded and transcribed, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary for the Parks and Recreation Advisory Committee meeting held June 20, 2017.
- B. Acceptance of the Motion Summary for the Finance Committee meeting held April 11, 2017.
- C. Acceptance of the Motion Summary for the Parking and Safety Committee held on February 20, 2017.
- D. Resolution No. 17-51, a resolution authorizing the installation of a No Parking Anytime Zone on the east side of Ashburn Drive from Ferguson Avenue to 115 feet south of Ferguson Avenue.
- E. Resolution No. 17-52, a resolution replacing Resolution No. 17-43 and authorizing the City Manager to prepare and submit an application to participate in the Ohio Public Works Commission (OPWC) Local transportation Improvement (LTIP) Grant Program (Round 32), and to execute contracts as required for pavement resurfacing and rehabilitation of Winter Street and Heffner Street and repairs to the Winter Street Bridge.

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 28 20 17

F. Resolution No. 17-53, a resolution replacing Resolution No. 17-44 and authorizing the City Manager to enter into a Cooperation Agreement with Delaware County for an application to the Ohio Public Works Commission (OPWC) for the pavement resurfacing and rehabilitation of Winter Street and Heffner Street and repairs to the Winter Street Bridge (Round 32 Application).

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

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

There was no public participation.

ITEM 7: COMMITTEE REPORTS

Mrs. Keller informed Council that the Parking and Safety Committee had met on Monday, August 21st. Mayor Riggle informed Council that she had received a complaint from a resident that has a handicap parking spot designated in front of his home and that during a recent event at the school another handicapped vehicle parked in the spot. Mr. Shulman stated that he would research if there was legislation to only allow access to that spot for that resident.

ITEM 8: PRESENTATION

A. Preservation Parks of Delaware County – Tom Curtin, Executive Director

ITEM 9: RESOLUTION NO. 17-54 [First Reading]

A RESOLUTION ADOPTING THE 2018-2022 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP).

Mayor Riggle read the resolution for the first time.

Mr. Homan informed Council that a Work Session to review the CIP was scheduled for Monday, October 2nd. Mr. Homan also requested to schedule, Tuesday, October 3rd as an additional Work Session, if needed. Council was in agreement for both sessions to begin at 6:00 p.m.

ITEM 10: ORDINANCE NO. 17-59 [First Reading]

AN ORDINANCE SUPPLEMENTING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR THE TAXIWAY DESIGN AND RECONSTRUCTION GRANT, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 17-59, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 17-59, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 17-59, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

ITEM 11: ORDINANCE NO. 17-60 [First Reading]

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 28 20 17

AN ORDINANCE SUPPLEMENTING THE 2017 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR AN AGREEMENT WITH MEDROCK, LLC, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 17-60, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 17-60, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 17-60, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 12: PRESENTATION AND DISCUSSION REGARDING DRAFT ORDINANCE AMENDING NEGLECT OF COMPANION ANIMALS (TETHERING).

Mr. Ballard reviewed the current City Ordinance on neglected animals and looked at amending the current ordinances and reviewed House Bill 94 as well as Michigan State Laws. Mr. Ballard informed Council that 21 States have tethering laws. Mr. Ballard discussed the draft amendment presented to Council. Mr. Ballard discussed other states that have time restrictions on being tethered and voiced concerns on how this would be enforceable. Mr. Shulman discussed restrictions in other areas that restrict time limit to be tethered, as well as, certain time restrictions through the day. Mr. Ballard discussed length of tether that is stipulated in different communities. Mr. Shulman informed Council that draft ordinance does not have any length requirements, but that appropriate factors would be based on does the animal have access to shelter, water, and away from own feces.

Mr. Jones informed Council of input that he has recently received from the community. Mr. Jones discussed the original concern was over animal neglect. Mr. Jones discussed the City of Cleveland tethering laws. Mr. Jones recommends a time period in proposed legislation.

Mr. Rohrer voiced concerns about violating a time restriction by allowing an animal outside at night to relieve themselves. Mr. Hellinger recommended looking at legislation directed towards neglect, safety, and nuisance issues for domesticated animals. Council plans to provide recommendations and comments to staff.

Mayor Riggle exited the meeting at 7:55 p.m.

ITEM 13: FINANCE DIRECTOR'S REPORT

ITEM 14: CITY MANAGER'S REPORT

Mr. Homan discussed the upcoming negotiations for the YMCA Recreation Service Agreement. Mr. Hellinger and Mrs. Keller voiced an interest on being part of the Advisory Committee.

Mr. Homan informed Council that there will be a Skype call with Officials at Sakata to discuss the next phase of the Sister City relationship.

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Mr. Homan discussed the recent car show success and thanked staff for their efforts.

Mr. Homan provided information on the Georgetown Senior Apartments reopening celebration.

ITEM 15: COUNCIL COMMENTS

Mrs. Keller requested that Council consider further discussion regarding medical marijuana.

Mrs. Keller voiced concerns received regarding some disturbances at The Village at Willowbrook Farms.

Vice-Mayor Shafer reminded Council that the next meeting for Council will be on September 11th, Patriots Day.

Mrs. Keller requested a break before entering Executive Session at 8:05 p.m.

Mrs. Keller moved to enter into Executive Session at 8:11 p.m. This motion was seconded by Mr. Browning 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 by State statute, and 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 Jim Browning, At Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Carolyn Kay Riggle (arrived at 8:44 p.m.) Following the discussion at 8:55 p.m., it was moved by Mr. Jones that Council move into Open Session, seconded by Vice-Mayor Shafer and approved by 7-0 vote.

ITEM 16: ADJOURNMENT

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



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk