

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 12 20 18

**6:30 EXECUTIVE SESSION:** Vice-Mayor Shafer motioned to enter into executive session at 6:30 p.m. This motion was seconded by Mr. Browning 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 7:01 p.m., it was moved by Vice-Mayor Shafer that Council move into Open session, seconded by Mr. Rohrer and approved by a 7-0 vote.

The regular meeting of Council held February 12, 2018 was called to order at 7:03 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. The invocation was given by Reverend Donnie Akers, East Side Mission Church, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney; Dean Stelzer, Finance Director, Ted Miller, Parks and Natural Resource Director, Blake Jordan, Director of Public Utilities, John Donahue, Fire Chief, Dave Efland, Planning and Community Development Director, Sean Hughes, Economic Development Director, Bruce Pijanowski, Police Chief, 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 on January 22, 2018, as recorded and transcribed.

**Motion:** Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held January 8, 2018, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

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

- A. Acceptance of the Motion Summary of the Planning Commission meeting that was held on January 17, 2018.
- B. Acceptance of the Motion Summary of the Planning Commission Work Session meeting that was held on January 29, 2018.
- C. Acceptance of the Motion Summary of the Shade Tree Commission meeting that was held on November 28, 2017.
- D. Acceptance of the Motion Summary of the Historic Preservation Commission meeting that was held on November 29, 2017.
- E. Acceptance of the Motion Summary of the Public Works/Public Utilities Committee meeting held on April 4, 2017.
- F. Establish February 26, 2018 at 7:30 p.m. as a date and time for a public hearing and second readings for Ordinance No. 18-11, an ordinance approving a Rezoning Amendment to allow a PMU (Planned Mixed Use Overlay District) at 250 Curtis Street on the north side of Firestone Drive on approximately 3.64 acres on property zoned PO/I (Planned Office/Institutional District) for an

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actively owned and managed 40 dwelling unit low and moderate income affordable housing development and Ordinance No. 18-12, an ordinance for Del-Mor Dwellings Corporation approving a Conditional Use Permit allowing the placement of a PMU (Planned Mixed Use Overlay District) to be established at 250 Curtis Street on the north side of Firestone Drive on approximately 3.64 acres on property zoned PO/I (Planned Office/Institutional District) for an actively owned and managed 40 dwelling unit low and moderate income affordable housing development, and Ordinance No. 18-14, an ordinance for Del-Mor Dwellings Corporation approving a Comprehensive Plan Amendment on the Future Land Use Map from Medium Density Single Family to Mixed Use at 250 Curtis Street on the north side of Firestone Drive on approximately 3.64 acres on property zoned PO/I PMU (Planned Office/Institutional District with a Planned Mixed Use Overlay District) for an actively owned and managed 40 dwelling unit low and moderate income affordable housing development.

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

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

A. Erin Fletcher, Executive Director, Richard Ross Museum of Art

### PRESENTOR:

Erin Fletcher  
Executive Director  
Richard Ross Museum of Art  
60 South Sandusky Street  
Delaware, Ohio 43015

Ms. Fletcher discussed the desire to start an outside art project with murals on buildings in the downtown area. She discussed receiving community input to choose the murals.

### PUBLIC PARTICIPATION:

Tom Wolber  
272 Hearthstone Drive  
Delaware, Ohio 43015

Mr. Wolber voiced concern over the lack of recycling options for multi-family residences.

Craig Campbell  
183 Curtis Street  
Delaware, Ohio 43015

Mr. Campbell voiced concerns over the need for sidewalks for safety if the Del-Mor Development moves forward.

## **ITEM 7: COMMITTEE REPORTS**

Mr. Jones informed Council that the Public Works/Public Utilities Committee recently met.

Mr. Shafer informed Council that there will be a Parking and Safety Meeting held on February 19, 2018.

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**ITEM 8: RESOLUTION NO. 18-09** [Second Reading]  
A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A JOINT VENTURE AGREEMENT FOR THE DELAWARE ENTREPRENEURIAL CENTER.

The Clerk read the resolution for the second time.

**PRESENTORS:**

Megan Ellis  
Administrative Director of the Woltemade Center of Economics  
Ohio Wesleyan University  
61 S. Sandusky Street  
Delaware, Ohio 43015

**Motion:** Mr. Browning motioned to adopt Resolution No. 18-09, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 9: ORDINANCE NO. 18-02** [Second Reading]  
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE WITH COHATCH DBA DELAWARE COMMUNITY SPACE, LLC, FOR A HIGH-END CO-WORKING SPACE IN THE CITY HALL ANNEX, LOCATED AT 18 EAST WILLIAM STREET.

The Clerk read the ordinance for the second time.

**APPLICANT:**

Matt Davis  
4620 Hickory Rock Drive  
Powell, Ohio 43065

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-02, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Vice-mayor Shafer motioned to adopt Ordinance No. 18-02, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**ITEM 10: ORDINANCE NO. 18-04** [Public Hearing and Second Reading]  
AN ORDINANCE REPEALING AND REPLACING SECTION 108.02 AND SECTION 108.04 OF THE CITY OF DELAWARE ADMINISTRATIVE CODE ESTABLISHING GENERAL RULES AND REGULATIONS FOR THE DISPOSITION OF PERSONAL PROPERTY.

The Clerk read the ordinance for the second time.

There was no public participation.

Mr. Shulman discussed potential amendment to Ordinance No. 18-04.

**Motion:** Vice-Mayor Shafer motioned to adopt amendments for Ordinance No. 18-04, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-04, as amended, seconded by Mrs. Keller. Motion approved by a

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7-0 vote.

Motion: Vice-mayor Shafer motioned to adopt Ordinance No. 18-04, as amended, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 11: ORDINANCE NO. 18-05 [Public Hearing and Second Reading]

AN ORDINANCE FOR FISCHER HOMES FOR APPROVAL OF A TEMPORARY SALES TRAILER AT THE RAVINES AT OLENTANGY LOCATED ON THE NORTH SIDE OF CURVE ROAD JUST EAST OF ARMSTRONG ROAD ON PROPERTY ZONED R-3 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY).

The Clerk read the ordinance for the second time.

There was no public participation.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-05, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-05, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 12: RESOLUTION NO. 18-10 [First Reading]

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE-YEAR CONTRACT AGREEMENT (PLUS TWO OPTIONAL ONE-YEAR EXTENSIONS) WITH THE YMCA OF CENTRAL OHIO TO CONTINUE TO PROVIDE RECREATION MANAGEMENT SERVICES.

The Clerk read the resolution from the first time.

APPLICANTS:

Matthew Bruns
316 Sea Train Drive
Delaware, Ohio 43015

Jeremy Byers
37 Carriage Drive
Delaware, Ohio 43015

Council to take Resolution No. 18-10 to a second reading.

ITEM 13: ORDINANCE NO. 18-06 [First Reading]

AN ORDINANCE APPROVING A PERFORMANCE BASED ECONOMIC INCENTIVE GRANT AGREEMENT WITH CAMS, INC. FOR ELECTRICAL UPGRADES TO A BUILDING AT 105 INNOVATION COURT, 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. 18-06, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 18-06, seconded by Mr. Jones. Motion approved by a 7-0 vote.

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**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 18-06, seconded by Mr. Jones. Motion approved by a 7-0 vote.

**ITEM 14: ORDINANCE NO. 18-07** [First Reading]

AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH MIDWEST ACOUST-A-FIBER AND METAL STARS II, LLC., DELAWARE CITY SCHOOLS AND DELAWARE AREA CAREER CENTER FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON THEIR BUILDING AND PARCEL AT 759 PITTSBURGH DRIVE, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

APPLICANT:

Patrick Bye  
759 Pittsburgh Drive  
Delaware, Ohio 43015

**Motion:** Mrs. Keller motioned to suspend the rules for Ordinance No. 18-07, seconded by Mr. Browning. Motion approved by a 7-0 vote.

**Motion:** Mrs. Keller motioned to enact the emergency clause for Ordinance No. 18-07, seconded by Mr. Browning. Motion approved by a 7-0 vote.

**Motion:** Mrs. Keller motioned to adopt Ordinance No. 18-07, seconded by Mr. Browning. Motion approved by a 7-0 vote.

**ITEM 15: ORDINANCE NO. 18-08** [First Reading]

AN ORDINANCE ADOPTING SECTIONS 718.80 THROUGH 718.95 OF THE OHIO REVISED CODE.

The Clerk read the ordinance for the first time.

Council to take Ordinance No. 18-08 to a second reading.

**ITEM 16: ORDINANCE NO. 18-09** [First Reading]

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$10,265,000 IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS PUBLIC INFRASTRUCTURE IMPROVEMENTS, TOGETHER WITH ALL RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Council was in agreement to not enact the emergency clause.

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-09, seconded by Mr. Jones. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 18-09, seconded by Mr. Jones. Motion approved by a 7-0 vote.

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**ITEM 17: ORDINANCE NO. 18-10** [First Reading]  
AN ORDINANCE SUPPLEMENTING THE 2018 APPROPRIATIONS ORDINANCE TO MAKE VARIOUS CORRECTIONS TO THE ORIGINAL ORDINANCE ADOPTED, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Council was in agreement to not enact the emergency clause.

**Motion:** Mr. Jones motioned to suspend the rules for Ordinance No. 18-10, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones motioned to adopt Ordinance No. 18-10, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 18: ORDINANCE NO. 18-11** [First Reading]  
AN ORDINANCE FOR DEL-MOR DWELLINGS CORPORATION APPROVING A REZONING AMENDMENT TO ALLOW A PMU (PLANNED MIXED USE OVERLAY DISTRICT) AT 250 CURTIS STREET ON THE NORTH SIDE OF FIRESTONE DRIVE ON APPROXIMATELY 3.64 ACRES ON PROPERTY ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT) FOR AN ACTIVELY OWNED AND MANAGED 40 DWELLING UNIT LOW AND MODERATE INCOME AFFORDABLE HOUSING DEVELOPMENT.

The Clerk read the ordinance for the first time.

A public hearing and second reading has been scheduled for February 26, 2018 at 7:30 p.m.

**ITEM 19: ORDINANCE NO. 18-12** [First Reading]  
AN ORDINANCE FOR DEL-MOR DWELLINGS CORPORATION APPROVING A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED AT 250 CURTIS STREET ON THE NORTH SIDE OF FIRESTONE DRIVE ON APPROXIMATELY 3.64 ACRES ON PROPERTY ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT) FOR AN ACTIVELY OWNED AND MANAGED 40 DWELLING UNIT LOW AND MODERATE INCOME AFFORDABLE HOUSING DEVELOPMENT.

The Clerk read the ordinance for the first time.

A public hearing and second reading has been scheduled for February 26, 2018 at 7:30 p.m.

**ITEM 20: ORDINANCE NO. 18-13** [First Reading]  
AN ORDINANCE FOR DEL-MOR DWELLINGS CORPORATION APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR AN ACTIVELY OWNED AND MANAGED 40 DWELLING UNIT LOW AND MODERATE INCOME AFFORDABLE HOUSING DEVELOPMENT AT 250 CURTIS STREET ON THE NORTH SIDE OF FIRESTONE DRIVE ON APPROXIMATELY 3.64 ACRES ON PROPERTY ZONED PO/I PMU (PLANNED OFFICE/INSTITUTIONAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

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**ITEM 21: ORDINANCE NO. 18-14**

[First Reading]

AN ORDINANCE FOR DEL-MOR DWELLINGS CORPORATION APPROVING A COMPREHENSIVE PLAN AMENDMENT ON THE FUTURE LAND USE MAP FROM MEDIUM DENSITY SINGLE FAMILY TO MIXED USE AT 250 CURTIS STREET ON THE NORTH SIDE OF FIRESTONE DRIVE ON APPROXIMATELY 3.64 ACRES ON PROPERTY ZONED PO/I PMU (PLANNED OFFICE/INSTITUTIONAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR AN ACTIVELY OWNED AND MANAGED 40 DWELLING UNIT LOW AND MODERATE INCOME AFFORDABLE HOUSING DEVELOPMENT.

The Clerk read the ordinance for the first time.

A public hearing and second reading has been scheduled for February 26, 2018 at 7:30 p.m.

**ITEM 22: ORDINANCE NO. 18-15**

[First Reading]

AN ORDINANCE FOR FED ONE DUBLIN, LLC., APPROVING A FINAL DEVELOPMENT PLAN FOR MIDWEST ACOUST-A-FIBER FOR A BUILDING ADDITION ON APPROXIMATELY 14.70 ACRES AT 759 PITTSBURGH DRIVE ON PROPERTY ZONED M-2 (GENERAL MANUFACTURING DISTRICT).

The Clerk read the ordinance for the first time.

**APPLICANT:**

Patrick Bye  
759 Pittsburgh Drive  
Delaware, Ohio 43015

**Motion:** Mrs. Keller motioned to suspend the rules for Ordinance No. 18-15, seconded by Mr. Browning. Motion approved by a 7-0 vote.

**Motion:** Mrs. Keller motioned to adopt Ordinance No. 18-15, seconded by Mr. Browning. Motion approved by a 7-0 vote.

**ITEM 23: ORDINANCE NO. 18-16**

[First Reading]

AN ORDINANCE FOR CARNEY RANKER ARCHITECTS APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR WOLFRUM ROOFING FOR A BUILDING ADDITION ON APPROXIMATELY 1.8 ACRES LOCATED AT 132 JOHNSON DRIVE ON PROPERTY ZONED M-2 (GENERAL MANUFACTURING DISTRICT).

The Clerk read the ordinance for the first time.

**Motion:** Mr. Jones motioned to suspend the rules for Ordinance No. 18-16, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones motioned to adopt Ordinance No. 18-16, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 24: ORDINANCE NO. 18-17**

[First Reading]

AN ORDINANCE FOR DEVELOPMENT MANAGEMENT GROUP APPROVING A FINAL DEVELOPMENT PLAN FOR AN OUT LOT BUILDING INCLUDING MATTRESS FIRM ON APPROXIMATELY 1.29 ACRES ON PROPERTY ZONED B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A

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PLANNED MIXED USE OVERLAY DISTRICT) LOCATED ON THE SOUTH SIDE OF SR 36/37 JUST WEST OF THE MEIJER GAS STATION WITHIN THE GLENWOOD COMMONS SHOPPING CENTER.

The Clerk read the ordinance for the first time.

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-17, seconded by Mr. Jones. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 18-17, seconded by Mr. Jones. Motion approved by a 7-0 vote.

### **ITEM 25: CITY MANAGER'S REPORT**

Mr. Homan discussed the requested notification to the FAA in reference to the Gypsy Moths.

Mr. Homan informed Council of the notification received from Del-Mor Dwellings regarding their application for tax credits.

Mr. Homan discussed the agenda for the joint meeting with Delaware County Commissioners and Delaware City Council.

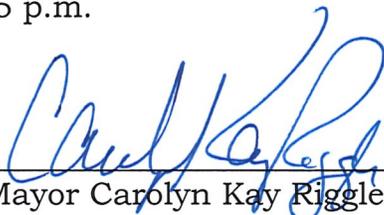
### **ITEM 26: COUNCIL COMMENTS**

Mr. Jones reminded Council that he will be unable to attend the joint meeting with the County due to a work conflict.

Mrs. Keller discussed a work conflict during the joint meeting with the County, and was attempting to adjust her schedule.

### **ITEM 27: ADJOURNMENT**

**Motion:** Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 9:05 p.m.

  
\_\_\_\_\_  
Mayor Carolyn Kay Riggle

  
\_\_\_\_\_  
Elaine McCloskey, Council Clerk