

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held April 9 20 18

6:30 EXECUTIVE SESSION: Mrs. Keller motioned to enter into executive session at 6:30 p.m. This motion was seconded by Vice-Mayor Shafer 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 6:55 p.m., it was moved by Mr. Jones that Council move into Open session, seconded by Vice-Mayor Shafer and approved by a 7-0 vote.

The regular meeting of Council held April 9, 2018 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. The invocation was given by Chaplain Jon Powers, Ohio Wesleyan University, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Dean Stelzer, Finance Director, Blake Jordan, Director of Public Utilities, Bill Ferrigno, Public Works Director/City Engineer, Dave Efland, Planning and Community Development Director, John Donahue, Fire Chief, 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 Work Session meeting of Council held on March 19, 2018, as recorded and transcribed

APPROVAL of the Motion Summary of the regular meeting of Council held on March 26, 2018, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the Work Session meeting of Council held March 19, 2018, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held March 26, 2018, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Planning Commission meeting held on March 7, 2018, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Civil Service Commission meeting held on March 7, 2018, as recorded and transcribed.
- C. Establish April 23, 2018 at 7:30 p.m. as a date and time for a public hearing and second reading for Ordinance No. 18-32, an ordinance for Zarembo Group LLC for approval of a Rezoning Amendment from B-3 (Community Business District) to B-3 PMU (Community Business District with a Planned Mixed Use Overlay District) to allow a 9.7 acre land addition (parcels 11, 12 and a portion of parcel 5) to

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the Glenwood Commons Shopping Center located on the south side of US 36/37 between Mill Run Crossing and Glenn Road, Ordinance No. 18-33, an ordinance for Zarembo Group LLC for approval of a Conditional Use Permit request allowing the placement of PMU (Planned Mixed Use Overlay District) to be established on a 9.7 acre land addition (parcels 11, 12 and a portion of parcel 5) to the Glenwood Commons Shopping Center located on the south side of US 36/37 between Mill Run Crossing and Glenn Road on property zoned B-3 (Community Business District), and Ordinance 18-35, an ordinance for Zarembo Group LLC for approval of a Comprehensive Plan Amendment on the Future Land Use Plan Map from Commercial to Mixed Use on a 9.7 acre land addition (parcels 11, 12 and a portion of parcel 5) to the Glenwood Commons Shopping Center located on the south side of US 36/37 between Mill Run Crossing and Glenn Road on property zoned B-3 PMU (Community Business District with a Planned Mixed Use Overlay District).

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

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

PUBLIC PARTICIPATION:

Roger Cullum
185 W. Winter Street
Delaware, Ohio

Mr. Cullum thanked Vice-Mayor Shafer and Mr. Efland on their response to his concerns voiced at the March 26, 2018 Council meeting.

Hong Nguyen
128 Bridgeport Way
Delaware, Ohio 43015

Ms. Nguyen voiced concerns regarding Net Neutrality.

ITEM 7: COMMITTEE REPORTS

Vice-Mayor Shafer informed Council that there is a Parking and Safety meeting scheduled for April 16, 2018.

Mayor Riggle informed Council that there is a Sister City Advisory Board Meeting scheduled for April 10, 2018.

ITEM 8: PRESENTATIONS

A. Proclamation presentation to HelpLine for Child Abuse Prevention and Sexual Assault Awareness Month.

PUBLIC PARTICIPATION:

Lauren MacDade
Sexual Assault Services Director, Helpline
11 N. Franklin Street
Delaware, Ohio 43015

Ashley Sinden
Sexual Response Network Coordinator, Helpline

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11. N. Franklin Street
Delaware, Ohio 43015

Rutherford B. Hayes Students in Attendance:
Alexander Love
Lyndsey Page
James Maddghan
Mariam Hart

B. Presentation by the Second Ward Community Initiative on the Science, Technology, Engineering, Arts, and Mathematics (STEAM) Program – Tajudeen Bakare

PRESENTORS:

Tajudeen Bakare
107 Crafton Court
Delaware, Ohio 43015

Nylah Roberts
50 Ross Street
Delaware, Ohio 43015

Debora Mbatudde
50 Ross Street
Delaware, Ohio 43015

ITEM 9: ORDINANCE NO. 18-21 [Third Reading]

AN ORDINANCE FOR MEDROCK LLC. APPROVING A ZONING TEXT AMENDMENT TO THE EXISTING WILLOWBROOK FARM TRACT PUD OVERLAY ZONING TEXT (PLANNED UNIT DEVELOPMENT) TO ALLOW A MODIFICATION TO THE MAXIMUM DWELLING UNITS AND DENSITY TO MULTI-FAMILY AREAS 3 AND 4 TO ALLOW ADDITIONAL DWELLING UNITS IN AREA 3 AND REMOVING UNITS IN AREA 4 THEREBY DECREASING THE OVERALL UNITS CURRENTLY ALLOWED IN TOTAL LOCATED ON THE EAST SIDE OF HOUK ROAD ON APPROXIMATELY 36 ACRES ON PROPERTY ZONED R-6 MULTI-FAMILY WITH A PUD OVERLAY.

The Clerk read the ordinance for the third time.

PUBLIC PARTICIPATION:

Beverly Cox
248 Harmony Drive
Delaware, Ohio 43015

Yvonne Strassmann
227 Rockmill Street
Delaware, Ohio 43015

Nancy Moorman
151 Diverston Way
Delaware, Ohio 43015

Scott Kinslow
107 Diverston Way
Delaware, Ohio 43015

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Deb Logan
102 Diverston Way
Delaware, Ohio 43015

Karen Kauffman
107 Diverston Way
Delaware, Ohio 43015

Walter Campbell
900 Canal Street
Delaware, Ohio 43105

Amanda Ashton
7593 Toweron Lane
Columbus, Ohio 43235

Ljuban Vukotic
178 Diverston Way
Delaware, Ohio 43015

Todd Shuster
700 Lehner Woods Blvd.
Delaware, Ohio 43015

Julie Martin
136 Blakemore Drive
Delaware, Ohio 43015

Pat Tedeschi
166 Blakemore Drive
Delaware, Ohio 43015

APPLICANT:
Jeffrey Lewis
Jeffrey M. Lewis Co., LPA
1650 Lake Shore Drive, Suite 150
Columbus, Ohio 43204

Ronald Sabatino
3895 Stoneridge Lane
Dublin, Ohio 43016

Mr. Lewis requested that Council remand the development cases back to the Planning Commission to allow for the developer to make some changes to the plan.

Mayor Riggle requested a break at 9:17 p.m. and reconvened the meeting at 9:28 p.m.

Motion: Mr. Browning motioned to remand Ordinance No. 18-21 and Ordinance 18-22 back to the Planning Commission, seconded by Mr. Rohrer. Motion approved by a 7-0 vote.

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ITEM 10: ORDINANCE NO. 18-22 [Third Reading]
AN ORDINANCE FOR MEDROCK LLC. APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR MULTI-FAMILY AREA 3 OF THE WILLOWBROOK FARM TRACT FOR A 180 UNIT APARTMENT COMPLEX ON APPROXIMATELY 15.506 ACRES LOCATED ON THE NORTHEAST CORNER OF HOUK ROAD AND DIGENOVA WAY ON PROPERTY ZONED R-6 PUD (MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT DISTRICT).

The Clerk read the ordinance for the third time.

Motion: Mr. Browning motioned to remand Ordinance No. 18-21 and Ordinance 18-22 back to the Planning Commission, seconded by Mr. Rohrer. Motion approved by a 7-0 vote.

ITEM 11: ORDINANCE NO. 18-23 [Second Reading]
AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES.

The Clerk read the ordinance for the second time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-23, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-23, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 12: RESOLUTION NO. 18-21 [Second Reading]
A RESOLUTION AUTHORIZING THE PAYMENT OF TUITION LEAVE UNDER THE 2018 MANAGEMENT PAY PLAN.

The Clerk read the resolution for the second time.

Motion: Mr. Jones motioned to adopt Resolution No. 18-21, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 13: RESOLUTION NO. 18-22 [First Reading]
A RESOLUTION ENCOURAGING THE DELAWARE COUNTY AGRICULTURAL SOCIETY BOARD OF DIRECTORS TO REQUIRE BACKGROUND CHECKS FOR ALL FIREARM PURCHASES COMPLETED ON THE PREMISES.

The Clerk read the resolution for the first time.

Public Participation:
Jordyn Love
276 Downing Road
Delaware, Ohio 43015

Haleigh Oliver
50 Prospect Street
Delaware, Ohio 43015

Alex West
633 Church View Court

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Ray West
633 Church View Court
Delaware, Ohio 43015

Motion: Vice-Mayor Shafer motioned to adopt Resolution No. 18-22, seconded by Mr. Jones. Motion approved by a 5-1 (Rohrer)-1 (Hellinger) vote.

ITEM 14: RESOLUTION NO. 18-23 [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.

The Clerk read the resolution for the first time.

Motion: Vice-Mayor Shafer motioned to adopt Resolution No. 18-23, seconded by Mr. Rohrer. Motion approved by a 7-0 vote.

ITEM 15: ORDINANCE NO. 18-25 [First Reading]

AN ORDINANCE SUPPLEMENTING THE 2018 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR THE AIRPORT STRATEGIC BUSINESS PLAN.

The Clerk read the ordinance for the first time.

Council to take Ordinance No. 18-25 to a second reading.

ITEM 16: ORDINANCE NO. 18-26 [First Reading]

AN ORDINANCE SUPPLEMENTING THE 2018 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR THE RENOVATION OF THE CITY HALL ANNEX.

The Clerk read the ordinance for the first time.

Council to take Ordinance No. 18-26 to a second reading.

ITEM 17: ORDINANCE NO. 18-27 [First Reading]

AN ORDINANCE GRANTING AN APPEAL OF A TECHNICAL DENIAL OF A CERTIFICATE OF APPROPRIATENESS (COA) FOR 12 WEST RESTAURANT FOR THE EXISTING TEMPORARY SIDEWALK VESTIBULE TO REMAIN IN PLACE IN THE PUBLIC RIGHT-OF-WAY FROM OCTOBER 1 THROUGH SEPTEMBER 30 OF EACH CALENDAR YEAR FOR 12 WEST WILLIAM STREET, WHICH IS ZONED B-2 (CENTRAL BUSINESS DISTRICT) AND LOCATED IN THE TRANSITIONAL SUB-DISTRICT OF THE DOWNTOWN HISTORIC DISTRICT OVERLAY, WITH CONDITIONS.

The Clerk read the ordinance for the first time.

APPLICANT:

David DiStefano
12 West William Street
Delaware, Ohio 43015

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Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-27, seconded by Vice-Mayor Shafer. Motion approved by a 5-2 (Keller, Hellinger) vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-27, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 18: ORDINANCE NO. 18-28 [First Reading]

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR OHIO WESLEYAN UNIVERSITY FOR THE HOUSE OF BLACK CULTURE AT 65 OAK HILL AVENUE ON PROPERTY ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT).

The Clerk read the ordinance for the first time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-28, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-28, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 19: ORDINANCE NO. 18-29 [First Reading]

AN ORDINANCE FOR VINCENT ROMANELLI APPROVING AN AMENDED PRELIMINARY DEVELOPMENT PLAN TO INCLUDE A POOL WITH A POOL BUILDING AND PARKING LOT TO THE CENTRAL PARK OF THE GLENROSS NORTH SUBDIVISION ON APPROXIMATELY 100 ACRES LOCATED JUST EAST OF GLENN PARKWAY AND NORTH OF THE GLENROSS GOLF CLUB ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-29, seconded by Vice-Mayor Shafer. Motion approved by a 5-2 (Keller, Hellinger) vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-29, seconded by Vice-Mayor Shafer. Motion approved by a 6-1 (Hellinger) vote.

ITEM 20: ORDINANCE NO. 18-30 [First Reading]

AN ORDINANCE FOR PULTE HOMES APPROVING A FINAL DEVELOPMENT PLAN FOR THE COMMUNITIES AT GLENROSS SECTION 15 FOR 52 SINGLE FAMILY LOTS ON 23.835 ACRES ON PROPERTY ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED SOUTH OF CHESHIRE ROAD AND EAST OF WINTERBOURNE DRIVE ON MARBLE SLAB ROAD, WINTER SHADOW LOOP AND BALD EAGLE DRIVE.

The Clerk read the ordinance for the first time.

Council to take Ordinance No. 18-30 to a second reading.

ITEM 21: ORDINANCE NO. 18-31 [First Reading]

AN ORDINANCE FOR PULTE HOMES APPROVING A FINAL SUBDIVISION PLAT FOR THE COMMUNITIES AT GLENROSS SECTION 15 FOR 52

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SINGLE FAMILY LOTS ON 23.835 ACRES ON PROPERTY ZONED R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED SOUTH OF CHESHIRE ROAD AND EAST OF WINTERBOURNE DRIVE ON MARBLE SLAB ROAD, WINTER SHADOW LOOP AND BALD EAGLE DRIVE.

The Clerk read the ordinance for the first time.

Council to take Ordinance No. 18-31 to a second reading.

ITEM 22: ORDINANCE NO. 18-32 [First Reading]

AN ORDINANCE FOR ZAREMBA GROUP LLC FOR APPROVAL OF A REZONING AMENDMENT FROM B-3 (COMMUNITY BUSINESS DISTRICT) TO B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) TO ALLOW A 9.7 ACRE LAND ADDITION (PARCELS 11, 12 AND A PORTION OF PARCEL 5) TO THE GLENWOOD COMMONS SHOPPING CENTER LOCATED ON THE SOUTH SIDE OF US 36/37 BETWEEN MILL RUN CROSSING AND GLENN ROAD.

The Clerk read the ordinance for the first time.

Council to take Ordinance No. 18-32 to a second reading.

ITEM 23: ORDINANCE NO. 18-33 [First Reading]

AN ORDINANCE FOR ZAREMBA GROUP LLC FOR APPROVAL OF A CONDITIONAL USE PERMIT REQUEST ALLOWING THE PLACEMENT OF PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED ON A 9.7 ACRE LAND ADDITION (PARCELS 11, 12 AND A PORTION OF PARCEL 5) TO THE GLENWOOD COMMONS SHOPPING CENTER LOCATED ON THE SOUTH SIDE OF US 36/37 BETWEEN MILL RUN CROSSING AND GLENN ROAD ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT).

The Clerk read the ordinance for the first time.

Council to take Ordinance No. 18-33 to a second reading.

ITEM 24: ORDINANCE NO. 18-34 [First Reading]

AN ORDINANCE FOR ZAREMBA GROUP LLC FOR APPROVAL OF AN AMENDED PRELIMINARY DEVELOPMENT PLAN FOR GLENWOOD COMMONS SHOPPING CENTER ON APPROXIMATELY 82.9 ACRES LOCATED ON THE SOUTH SIDE OF US 36/37 BETWEEN MILL RUN CROSSING AND GLENN ROAD ON PROPERTY ZONED B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

Council to take Ordinance No. 18-34 to a second reading.

ITEM 25: ORDINANCE NO. 18-35 [First Reading]

AN ORDINANCE FOR ZAREMBA GROUP LLC FOR APPROVAL OF A COMPREHENSIVE PLAN AMENDMENT ON THE FUTURE LAND USE PLAN MAP FROM COMMERCIAL TO MIXED USE ON A 9.7 ACRE LAND ADDITION (PARCELS 11, 12 AND A PORTION OF PARCEL 5) TO THE GLENWOOD COMMONS SHOPPING CENTER LOCATED ON THE SOUTH

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SIDE OF US 36/37 BETWEEN MILL RUN CROSSING AND GLENN ROAD ON PROPERTY ZONED B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

Council to take Ordinance No. 18-35 to a second reading.

ITEM 26: CITY MANAGER'S REPORT

ITEM 27: COUNCIL COMMENTS

Mr. Jones voiced a concerns regarding the sandwich boards that are placed on the sidewalks through the downtown area.

Mayor Riggle informed Council that she will be out of town from April 14 until April 18.

ITEM 28: ADJOURNMENT

Motion: Mayor Riggle motioned to adjourn the meeting. The meeting adjourned at 10:30 p.m.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk