

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held April 23 20 18

**6:30 EXECUTIVE SESSION:** Mr. Rohrer 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 6:52 p.m., it was moved by Mr. Rohrer 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 23, 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 Pastor Scott Tiede of Delaware Bible Church, followed by the Pledge of Allegiance.

Staff Present: Kelsey Scott, Economic Development Specialist, Christopher Ballard, Assistant City Prosecutor, Dean Stelzer, Finance Director, Blake Jordan, Director of Public Utilities, Bill Ferrigno, Public Works Director/City Engineer, Lance Schultz, Zoning Administrator, 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 regular meeting of Council held on April 9, 2018, as recorded and transcribed.

**Motion:** Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held April 9, 2018, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

## **ITEM 5: CONSENT AGENDA**

- A. Acceptance of the Motion Summary of the Parking and Safety meeting held on February 19, 2018, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Parks and Recreation Advisory Board meeting held on February 20, 2018, as recorded and transcribed.
- C. Acceptance of the Motion Summary of the Sister City Advisory Board meeting held on January 9, 2018, as recorded and transcribed.
- D. Resolution No. 18-24, a resolution authorizing the City Manager to submit a 2019 grant application to the Federal Aviation Administration and the Ohio Department of Transportation, and to enter into required agreements for the resurfacing of asphalt areas surrounding T-Hangars A thru F.

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

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

**ITEM 7: COMMITTEE REPORTS**

Mr. Browning informed Council that the Parks and Recreation Advisory Board was discussing a tobacco free policy in the parks and requested any input from Council on the issue.

Mr. Hellinger informed Council that the Finance Committee meeting will meet Wednesday, April 25, at 3 p.m.

**ITEM 8: PRESENTATIONS**

- A. Arbor Day Proclamation Presentation
- B. Shade Tree Commission 2017 Annual Report – Susan Wright, Vice-Chairwoman and Dave Carey, Commission Member

**PRESENTOR:**

Dave Carey  
251 Crystal Petal Drive  
Delaware, Ohio 43015

- C. Ford Tri Motor Fly-In Event Hosted by Experimental Aircraft Association (EAA) Chapter 1600 at the Delaware Municipal Airport – George Mellen, EAA President and Bernie Rifkin, EAA Vice-President

**PRESENTORS:**

Bernie Rifkin  
364 Whitaker Avenue S.  
Powell, Ohio

George Mellen  
8835 Filiz Ln.  
Powell, Ohio

- D. Delaware Parking Advocacy Committee Update – Kelsey Scott, Economic Development Specialist and Abby Trimble, Community Health Specialist Supervisor, Delaware General Health District

**PRESENTORS:**

Kelsey Scott  
Economic Development Specialist  
1 S. Sandusky Street  
Delaware, Ohio

Abby Trimble  
Community Health Specialist Supervisor  
Delaware General Health District  
13 W. Winter Street  
Delaware, Ohio

Mayor Riggle requested a break at 7:34 p.m. due to computer issues and reconvened the meeting at 7:40 p.m.

**ITEM 9: ORDINANCE NO. 18-32**  
Reading]

[Public Hearing and Second

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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 second time.

There was no public participation.

APPLICANT:

Chris Herzner
14600 Detroit Road
Lakewood, Ohio

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-32, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-32, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

ITEM 10: ORDINANCE NO. 18-33 [Public Hearing and Second 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 second time.

There was no public participation.

APPLICANT:

Chris Herzner
14600 Detroit Road
Lakewood, Ohio

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-33, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-33, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

ITEM 11: ORDINANCE NO. 18-34 [Second 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

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(COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT).

The Clerk read the ordinance for the second time.

APPLICANT:

Chris Herzner
14600 Detroit Road
Lakewood, Ohio

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-34, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-34, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

ITEM 12: ORDINANCE NO. 18-35 [Public Hearing and Second 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 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 second time.

APPLICANT:

Chris Herzner
14600 Detroit Road
Lakewood, Ohio

There was no public participation.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-35, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-35, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

ITEM 13: ORDINANCE NO. 18-30 [Second 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 second time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-30, seconded by Mr. Jones. Motion approved with a 6-1 (Hellinger) vote.

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Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-30, seconded by Mrs. Jones. Motion approved with a 7-0 vote.

ITEM 14: ORDINANCE NO. 18-31 [Second Reading] AN ORDINANCE FOR PULTE HOMES APPROVING A FINAL SUBDIVISION PLAT 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 second time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-30, seconded by Mr. Jones. Motion approved with a 6-1 (Hellinger) vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-30, seconded by Mrs. Jones. Motion approved with a 7-0 vote.

ITEM 15: ORDINANCE NO. 18-25 [Second 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 second time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-25, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-25, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

ITEM 16: ORDINANCE NO. 18-26 [Second Reading] AN ORDINANCE SUPPLEMENTING THE 2018 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR THE RENOVATION OF THE CITY HALL ANNEX, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-26, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 18-26, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-26, seconded by Mrs. Keller. Motion approved with a 7-0 vote.

ITEM 17: ORDINANCE NO. 18-36 [First Reading] AN ORDINANCE APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH DELAWARE COMMUNITY SPACES, LLC, DBA COHATCH, DELAWARE

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CITY SCHOOLS, DELAWARE AREA CAREER CENTER AND THE CITY OF DELAWARE FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON A BUILDING AT 18 EAST WILLIAM STREET, 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. 18-36, seconded by Mr. Jones. Motion approved with a 7-0 vote.

**Motion:** Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 18-36, seconded by Mr. Jones. Motion approved with a 7-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 18-36, seconded by Mr. Jones. Motion approved with a 7-0 vote.

**ITEM 18: ORDINANCE NO. 18-37** [First Reading]

AN ORDINANCE ACCEPTING THE ANNEXATION OF 89.618 ± ACRES OF LAND MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS "A" AND "B" FOR THE ANNEXATION KNOWN AS THE WILGUS ANNEXATION BY ANDREW P. WECKER, AGENT FOR THE PETITIONERS.

The Clerk read the ordinance for the first time.

**APPLICANT:**

Jack Brickner  
2715 Brighton Drive  
Liberty Township, Ohio

Council to take Ordinance No. 18-37 to a second reading.

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

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

Mr. Homan provided an update on the plans to remove the gateway signage and eventually replace it with branded signage. He informed Council that he will be meeting with Sims Recycling. Information was provided on the Access Delaware, and on a potential annexation on S.R. 521. Mr. Homan also informed the Recreation Levy Sub-Committee that a meeting will need to be scheduled in the future to discuss the available balance the funds. Mr. Homan informed Council that the Climate Coalition will be presenting before the May 14 City Council meeting, beginning at 6:30 p.m. Mr. Homan provided information on the May 21 Work Session and Council was in agreement to begin the session at 6:30 p.m.

**ITEM 21: COUNCIL COMMENTS**

Vice-Mayor Shafer provided an update on the recent participation at the Parking and Safety Committee meeting from downtown merchants regarding parking issues and recommendations. He requested Council inform him of any discussion items that they would like to focus on at the upcoming Work Session.

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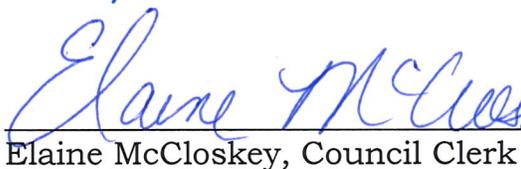
Held April 23 2018

Mayor Riggle provided an update on the Eyes of Freedom exhibit. She also informed Council that she will be participating in an Honor Flight the weekend of April 28.

## **ITEM 22: ADJOURNMENT**

**Motion:** Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 8:27 p.m.

  
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Mayor Carolyn Kay Riggle

  
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Elaine McCloskey, Council Clerk