

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held June 25 20 18

6:30 EXECUTIVE SESSION: Mrs. Keller 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 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 June 25, 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 Pastor Jake King of New Beginnings United Methodist Church, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Ted Miller, Parks and Natural Resource Director, 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, Kelsey Scott, Economic Development Specialist, 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 June 11, 2018, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held June 11, 2018, as recorded and transcribed, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Board of Zoning Appeals meeting held on March 8, 2017, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Parks and Recreation Advisory Board meeting held on May 15, 2018, as recorded and transcribed.
- C. Resolution No. 18-37, a resolution appointing/reappointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointment.
- D. Resolution No. 18-38, a resolution authorizing the installation of traffic controlling devices, being that of a handicap parking space in front of 150 N. Sandusky Street on the east side of North Sandusky Street. This handicap space will remain until the requesting party no longer requires the need for such space and will be removed upon such request.

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- E. Resolution No. 18-39, a resolution authorizing the City Manager to sign a Memorandum of Understanding between the Ohio Department of Public Safety and the City of Delaware for the acquisition of a Trimble S5 Total Station.
- F. Establish July 9, 2018 at 7:20 p.m. as a date and time for public comment and a second reading of Resolution No. 18-40, a resolution authorizing the restriction of on street parking on the north side of West Fountain Avenue between Forest Avenue and Euclid Avenue between the hours of 7:30 am and 3:45 pm on school days.

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

- A. Enclosed Letter from Deborah Guebert regarding Carbon Fee & Dividend

ITEM 7: COMMITTEE REPORTS

ITEM 8: PRESENTATIONS

- A. Request for Terra Alta New Community Authority (NCA) - David Fisher, Principal, Kephart Fisher, LLC and et al.

PRESENTORS:

David Fisher
Kephart and Fisher
270 N 4th Street
Columbus, Ohio

Jim Ohlin
Romanelli & Hughes
148 West Schrock Road
Westerville, Ohio

ITEM 9: RESOLUTION NO. 18-29 [Public Hearing and Third Reading]

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD) CONTRACT WITH BERKSHIRE TOWNSHIP.

The Clerk read the resolution for the third time.

PRESENTOR:

Bill Holtry
Berkshire Township Trustee
8205 Dustin Road
Galena, Ohio

Mr. Shulman discussed the changes to all residential areas in a JEDD district. Council held a discussion of there is an option to not tax residential areas that reside in the JEDD. Mr. Holtry discussed the need for Council to vote on the amendment which will allow for the township to prepare the petition that would go to the property owners which would indicate that they are proposed to be part of the JEDD District. This would allow the property owners the option to object.

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There was no public comment.

Motion: Vice- Mayor Shafer motioned to revise the JEDD Tax Collection Schedule to be in conformity with the JEDD Contract and the Economic Development Plan and approve to adopt the amended JEDD Tax Collection Schedule now on file with the City Clerk, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 10: ORDINANCE NO. 18-47 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT REQUEST BY DELAWARE BIBLE CHURCH FOR A TEMPORARY TRAILER (MODULAR CLASSROOM) ON APPROXIMATELY 7.53 ACRES ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED AT 45 BELLE AVENUE.

The Clerk read the ordinance for the second time.

APPLICANT:
Pastor Scott Tiede
45 Belle Avenue
Delaware, Ohio

There was no public comment.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 18-47, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

Motion: Mrs. Keller motioned to adopt Ordinance No. 18-47, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 11: ORDINANCE NO. 18-48 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A REZONING AMENDMENT REQUEST BY PLANNED COMMUNITIES INC. FOR PROPERTY OWNED BY FRANCIS AND MARY LOU WILGUS ON APPROXIMATELY 89.618 ACRES (PARCELS 419-220-02-005-000 AND 419-220-02-007-000) FROM A-1 (AGRICULTURAL DISTRICT) TO M-1 PMU (LIGHT MANUFACTURING WITH A PLANNED MIXED USE OVERLAY DISTRICT) AT 2781 AIRPORT ROAD LOCATED AT THE WESTERN TERMINUS OF SAWMILL PARKWAY, EAST OF SECTION LINE ROAD, SOUTH OF AIRPORT ROAD AND NORTH OF THE FUTURE EXTENDED SAWMILL PARKWAY.

The Clerk read the ordinance for the second time.

APPLICANT:
Jack Brickner
110 North Wood Blvd.
Columbus, Ohio

There was no public comment.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-48, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

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Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-48, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

ITEM 12: ORDINANCE NO. 18-49 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT REQUEST BY PLANNED COMMUNITIES INC. ALLOWING THE PLACEMENT OF PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED FOR PROPERTY OWNED BY FRANCIS AND MARY LOU WILGUS ON APPROXIMATELY 89.618 ACRES (PARCELS 419-220-02-005-000 AND 419-220-02-007-000) AT 2781 AIRPORT ROAD LOCATED AT THE WESTERN TERMINUS OF SAWMILL PARKWAY, EAST OF SECTION LINE ROAD, SOUTH OF AIRPORT ROAD AND NORTH OF THE FUTURE EXTENDED SAWMILL PARKWAY.

The Clerk read the ordinance for the second time.

APPLICANT:
Jack Brickner
110 North Wood Blvd.
Columbus, Ohio

There was no public comment.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-49, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-49, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

ITEM 13: ORDINANCE NO. 18-50 [Public Comment and Second READING]

AN ORDINANCE FOR MANOS PROPERTIES FOR APPROVAL OF A REZONING AMENDMENT FOR THE WESLEYAN INN ON APPROXIMATELY 1.09 ACRES (PARCELS 519-433-04-005-000 AND 519-433-04-002) FROM PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT) AND R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) TO PO/I AND R-3 PMU (PLANNED MIXED USE OVERLAY DISTRICT) AT 235 AND 239 WEST WILLIAM STREET.

The Clerk read the ordinance for the second time.

APPLICANT:
Jim Manos
5973 Macewen Ct.
Dublin, Ohio

Joe Clase
Plan4Land.LLC
10 W. North St.
Ostrander, Ohio

Pat Manly
4405 Olentangy Blvd.
Columbus, Ohio

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PUBLIC COMMENT:

Tom Macklin
12 Montrose Avenue
Delaware, Ohio

Mr. Macklin voiced concerns over the lack of notification on the hearing and traffic and parking concerns.

Roger Koch
125 North Liberty Street
Delaware, Ohio

Mr. Koch voiced his support for the project for historic preservation of the building.

Lori Flaglor
35 Montrose Avenue
Delaware, Ohio

Ms. Flaglor voiced opposition to the development. She discussed her concerns over property values decreasing, traffic, and the effects that the development will have on the neighborhood.

Tom Tobin
253 West William Street
Delaware, Ohio

Mr. Tobin voiced opposition to the development. He voiced concerns regarding traffic. He voiced concerns over being next to the property that would become a rental.

Cat Wimer
250 West Williams Street
Delaware, Ohio

Ms. Wimer voiced concerns over the need for the turn lane to the development and the proximately to the light at Elizabeth Street. She discussed how close the properties are currently to the street and that the bump in for on street parking will make it even closer.

Cathy Tobin
253 West William Street
Delaware, Ohio

Ms. Tobin voiced her opposition to the property and concerns over the lack of privacy to her house due to the three story inn.

Roger Hashman
262 West William Street
Delaware, Ohio

Mr. Hashman voiced his opposition to the development. He discussed concerns over changing the rezoning.

Cheryl Hutchinson
256 West William Street
Delaware, Ohio

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Ms. Hutchinson voiced her opposition to the development. She voiced concerns over the bump in and that the houses are too close to the street.

Mayor Riggle requested a break at 9:17 p.m. and reconvened the meeting at 9:25 p.m.

Mr. Manos discussed the different options to place the parking lot in a different area. He informed Council that he purchased the property from Ohio Wesleyan Inn and the expected price to rent a room. He states he selected the property due to the close proximity to the campus and the downtown area. He discussed his efforts to improve multiple other sites throughout Delaware.

Council was in agreement to take Ordinance No. 18-50, 51, and 52 to a third reading. Mrs. Keller informed Council that she will be out of town for the July 9th City Council meeting. She informed them that she is currently not in favor of rezoning if Council decides to vote at the July 9th meeting. Councilman Hellinger informed Council that he will not be available at the July 23 Council meeting.

ITEM 14: ORDINANCE NO. 18-51 [Public Hearing and Second Reading]

AN ORDINANCE FOR MANOS PROPERTIES FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED FOR THE WESLEYAN INN ON APPROXIMATELY 1.09 ACRES (PARCELS 519-433-04-005-000 AND 519-433-04-002) AT 235 AND 239 WEST WILLIAM STREET.

The Clerk read the ordinance for the second time. Council to take Ordinance NO. 18-51 to a third reading.

ITEM 15: ORDINANCE NO. 18-52 [Second Reading]

AN ORDINANCE FOR MANOS PROPERTIES FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE WESLEYAN INN ON APPROXIMATELY 1.09 ACRES (PARCELS 519-433-04-005-000 AND 519-433-04-002) ON PROPERTY ZONED PO/I AND R-3 PMU (PLANNED MIXED USE OVERLAY DISTRICT) AT 235 AND 239 WEST WILLIAM STREET.

The Clerk read the ordinance for the second time. Council to take Ordinance NO. 18-52 to a third reading.

ITEM 16: ORDINANCE NO. 18-45 [Second Reading]

AN ORDINANCE SUPPLEMENTING THE 2018 APPROPRIATIONS ORDINANCE TO ESTABLISH ADDITIONAL FUNDING FOR THE PURCHASE OF ROAD SALT, BRINE APPLICATION EQUIPMENT AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 18-45, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

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Motion: Mrs. Keller motioned to enact the emergency clause for Ordinance No. 18-45, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

Motion: Mrs. Keller motioned to adopt Ordinance No. 18-45, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 17: RESOLUTION NO. 18-40 [First Reading]

A RESOLUTION AUTHORIZING THE RESTRICTION OF ON STREET PARKING ON THE NORTH SIDE OF WEST FOUNTAIN AVENUE BETWEEN FOREST AVENUE AND EUCLID AVENUE BETWEEN THE HOURS OF 7:30 AM AND 3:45 PM ON SCHOOL DAYS.

The Clerk read the resolution for the first time. Council to receive public comment at the July 9, 2018 City Council meeting.

ITEM 18: RESOLUTION NO. 18-41 [First Reading]

A RESOLUTION ACCEPTING NEGOTIATED CHANGES TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF), LOCAL 606 AND THE CITY OF DELAWARE.

The Clerk read the resolution for the first time. Council to take Resolution No. 18-41 to a second reading.

ITEM 19: RESOLUTION NO. 18-42 [First Reading]

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A REVISED COMMUNITY REINVESTMENT AREA AGREEMENT WITH AMERICAN ELECTRIC POWER/OHIO POWER COMPANY FOR INVESTMENT IN REAL PROPERTY IMPROVEMENTS ON A NEW BUILD ON SLACK ROAD AS PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 18-40.

The Clerk read the resolution for the first time.

Motion: Mrs. Keller motioned to adopt Resolution No. 18-42, seconded by Mr. Rohrer. Motion approved by a 7-0 vote.

ITEM 20: FINANCE DIRECTOR'S REPORT

ITEM 21: CITY MANAGER'S REPORT

Mr. Homan requested direction from Council regarding continued discussion on the NCA. Council requested that further discussion occur at the next City Council meeting. Mrs. Keller voiced her concerns regarding the NCA since she will not be present at the July 9th City Council meeting.

Mr. Homan informed Council that he will be attending the Shade Tree Commission Meeting to discuss their request for representation at future BIA meetings.

ITEM 22: COUNCIL COMMENTS

Mrs. Keller informed Council that the IT department was assisting her with a problem in retrieving emails that go to the spam file.

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Mr. Browning requested to meet with the Finance Committee at an upcoming meeting to discuss the City Tax Credit.

Mayor Riggle provided information on Fourth of July upcoming events and an upcoming Make A Wish event.

ITEM 23: ADJOURNMENT

Motion: Mr. Jones motioned to adjourn the meeting. The meeting adjourned at 10:07 p.m.



Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk