

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 27 20 18

6:30 EXECUTIVE SESSION: Vice-Mayor Shafer motioned to enter into executive session at 6:33 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 6:58 p.m., it was moved by Mr. Rohrer that Council move into Open session, seconded by Mr. Jones and approved by a 7-0 vote.

The regular meeting of Council held August 27, 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 Minister Leslie Joiner, Agape International Cathedral, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Ted Miller, Parks and Natural Resource Director, Dean Stelzer, Finance Director, Sean Hughes, Economic Development Director, 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 regular meeting of Council held on August 13, 2018, as recorded and transcribed.

Motion: Mrs. Keller motioned to approve the Motion Summary of the regular meeting of Council held August 13, 2018, as recorded and transcribed, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Parking and Safety Committee meeting held on April 16, 2018, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Historic Preservation Commission meeting held on July 25, 2018, as recorded and transcribed.
- C. Resolution No. 18-47, a resolution authorizing the modification of certain traffic control signage to extend the No Parking Here to Corner Zone on the north side of Diverston Way from South Houk Road to the driveway of 280 Diverston Way.
- D. Resolution No. 18-48, a resolution authorizing the installation of a No Parking Anytime Zone on the west and north sides of Richardson Street and Vine Street from Hayes Street to the north-south alley between Vine Street and Hayes Street.

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 27 20 18

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

There was no public comment.

ITEM 7: COMMITTEE REPORT

Mr. Browning requested direction and input from Council regarding the smoking ban at city parks recommended by the Parks and Recreation Advisory Boards. Vice-Mayor Shafer recommended that Council consider a less restrictive ban which would include 25 feet from playgrounds and ball fields. Mrs. Keller and Mr. Jones were in agreement for a less restrictive ban. Mr. Hellinger recommended a full ban at all parks to encourage a healthy lifestyle. Council requested that Parks and Natural Resource Director Ted Miller provide some sample wording regarding smoking restrictions.

ITEM 8: CONSIDERATION OF LIQUOR PERMIT TREX

A. Neal Kruse, DBA, Old Dog Ale House, 13 W. William Street, Delaware, Ohio 43015. Permit Class: D1, D2, D2X, D3

Mr. Hughes provided information regarding the Economic Development TREX. Chief Pijanowski discussed the background check.

APPLICANT:

Neal Kruse
8726 Birkdale Drive
Sunbury, Ohio

Jessica Spann
4910 Condit Road
Sunbury, Ohio

Motion: Mrs. Keller motioned to approve the TREX and not request a hearing before the Liquor Commission, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 9: ORDINANCE NO. 18-69

[Public Hearing and Second Reading]

AN ORDINANCE APPROVING A REZONING AMENDMENT REQUEST BY JOSHUA MORGAN CONSTRUCTION LLC, AT 1354 SR521 (PARCELS 519-441-02-002-000, 519-441-02-003-000 & 519-441-02-004-000) FROM A-1 (AGRICULTURAL DISTRICT) TO R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) ON APPROXIMATELY 2.091 ACRES.

The Clerk read the ordinance for the second time.

APPLICANT:

Andrew Wecker
50 North Sandusky Street
Delaware, Ohio

PUBLIC PARTICIPATION:

George Piacentino
1780 Bowtown Road
Delaware, Ohio

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 27 20 18

Mr. Piacentino requested more information on the location of the proposed development.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 18-69, seconded by Mr. Browning. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-69, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 10: ORDINANCE NO. 18-70 [Public Hearing and Second Reading]

AN ORDINANCE FOR METRO DEVELOPMENT LLC, FOR APPROVAL OF A REZONING AMENDMENT FOR THE SEATTLE HOUSE APARTMENTS (240 UNITS) ON APPROXIMATELY 24.212 ACRES (PARCEL 519-444-01-001-001) FROM R-6 (MULTI-FAMILY RESIDENTIAL DISTRICT) AND B-3 COMMUNITY BUSINESS DISTRICT) TO R-6 AND B-3 PMU (PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON THE NORTH SIDE OF US 36/37 AND THE SOUTH SIDE OF BOWTOWN ROAD JUST EAST OF THE CHESROWN AUTO STORAGE LOT.

The Clerk read the ordinance for the second time. Ordinance No. 18-70 will be taken to a third reading.

APPLICANT:
Steve Cuckler
94 North Sandusky Street
Delaware, Ohio

Joe Thomas
Metro Development
470 Olde Worthington Road
Westerville, Ohio

Mr. Cuckler discussed the benefits to the community with the proposed development. He discussed the proposed road connection, potential increase in commercial development, increase in income tax collections, and the development satisfies the need for housing. Mr. Thomas discussed that the three story building allows for more open space and amenities. He discussed market research that they received regarding the overall size of individual units. He discussed additional amenities options for first floor units to assist individuals with disabilities. He provided locations of similar development in surrounding area.

PUBLIC PARTICIPATION:
Scott Cubberly
6800 Harriott Road
Powell, Ohio

Mr. Cubberly voiced his support for the project and discussed that the development will attract young professionals.

Holly Quaine
Delaware Area Chamber of Commerce, President
32 South Sandusky Street

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 27 20 18

Ms. Quaine spoke about the responsibility of the Chamber to promote economic growth and that one issue identified by the Chamber is the lack of housing options. She discussed the needs of business owners to have housing for their workforce. She discussed the housing trend by young professionals.

Scott Pierce
569 Bowtown Road
Delaware, Ohio

Mr. Pierce voiced concerns over the current traffic conditions and the potential increase in congestion with the proposed development.

Jim Gill
7745 Seminary Ridge
Worthington, Ohio

Mr. Gill voiced his support for the development and the impact it will have on future development with the road access and providing housing for his work force.

George Piacentino
1780 Bowtown Road
Delaware, Ohio

Mr. Piacentino voiced a concern over the size of the units.

Vice-Mayor Shafer discussed that the developers have done market research to identify current housing trends and to help set the price for rental. Mr. Jones voiced a concern over the potential increase to traffic. Mrs. Keller recommended that the development be built to current standards and staff should address if the standards are no longer appropriate. Mayor Riggle discussed concerns voiced at the Planning Commission regarding drainage on the property.

ITEM 11: ORDINANCE NO. 18-71 [Public Hearing and Second Reading]

AN ORDINANCE FOR METRO DEVELOPMENT LLC, FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED FOR THE SEATTLE HOUSE APARTMENTS (240 UNITS) ON APPROXIMATELY 24.212 ACRES (PARCELS 519-444-01-001-001) AND LOCATED ON THE NORTH SIDE OF US 36/37 AND THE SOUTH SIDE OF BOWTOWN ROAD JUST EAST OF THE CHESROWN AUTO STORAGE LOT.

The Clerk read the ordinance for the second time. Ordinance No. 18-71 will be taken to a third reading.

ITEM 12: ORDINANCE NO. 18-72 [Second Reading]

AN ORDINANCE FOR METRO DEVELOPMENT LLC, FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE SEATTLE HOUSE APARTMENTS (9240 UNITS) ON APPROXIMATELY 24.212 ACRES (PARCEL 519-444-01-001-001) ZONED R-6 AND B-3 PMU (MULTI-FAMILY RESIDENTIAL DISTRICT AND COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 27 2018

THE NORTH SIDE OF US 36/37 AND THE SOUTH SIDE OF BOWTOWN ROAD JUST EAST OF THE CHESROWN AUTO STORAGE LOT.

The Clerk read the ordinance for the second time. Ordinance No. 18-72 will be taken to a third reading.

ITEM 13: ORDINANCE NO. 18-73 [Public Hearing and Second Reading]

AN ORDINANCE FOR METRO DEVELOPMENT LLC, FOR APPROVAL OF A REZONING AMENDMENT FOR THE HIGHPOINT PLACE APARTMENTS (160 UNITS) ON APPROXIMATELY 16.70 ACRES (PARCELS 519-442-10-020-000 AND 519-442-10-021-000) FROM R-6 (MULTI-FAMILY RESIDENTIAL DISTRICT) TO R-6 PMU (MULTI-FAMILY RESIDENTIAL WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON THE NORTH SIDE OF BOWTOWN ROAD JUST WEST OF VILLAGE GATE APARTMENTS.

The Clerk read the ordinance for the second time. Ordinance No. 18-73 will be taken to a third reading.

APPLICANT:

Steve Cuckler
94 North Sandusky Street
Delaware, Ohio

Joe Thomas
Metro Development
470 Olde Worthington Road
Westerville, Ohio

PUBLIC PARTICIPATION:

Holly Quaine
Delaware Area Chamber of Commerce, President
32 South Sandusky Street

David Gordon
82 North Franklin St.
Delaware, Ohio

Ed Snodgrass
100 West Delaware Run
Delaware, Ohio

Mr. Gordon voiced concerns regarding the rezoning and prefers for the development to remain at R-6. He voiced concerns over the current road conditions of Bowtown Road. Mr. Snodgrass voiced concerns that, as business owners, they will be expected to pay for Bowtown Road improvements in the future.

Eddie Ambrose
527 Bowtown Road
Delaware, Ohio

Mr. Ambrose voiced a concern over the future extension of Ferguson going through his property and the future plans for road connection. He voiced

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 27 2018

concerns if the area has appropriate infrastructure to handle the additional development, and drainage concerns.

Mr. Efland discussed future road connections and Mr. Ferrigno addressed the traffic and road condition concerns. Mr. Jordan discussed the sewer mains that are located in the area.

ITEM 14: ORDINANCE NO. 18-74 [Public Hearing and Second Reading]

AN ORDINANCE FOR METRO DEVELOPMENT LLC, FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED FOR THE HIGHPOINT PLACE APARTMENTS (160 UNITS) ON APPROXIMATELY 16.70 ACRES (PARCELS 519-442-10-020-000 AND 519-442-10-021-000) AND LOCATED ON THE NORTH SIDE OF BOWTOWN ROAD JUST WEST OF VILLAGE GATE APARTMENTS.

The Clerk read the ordinance for the second time. Ordinance No. 18-74 will be taken to a third reading.

ITEM 15: ORDINANCE NO. 18-75 [Second Reading]

AN ORDINANCE FOR METRO DEVELOPMENT LLC, FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE HIGHPOINT PLACE APARTMENTS (160 UNITS) ON APPROXIMATELY 16.70 ACRES (PARCELS 519-442-10-020-000 AND 519-442-10-021-000) ZONED R-6 PMU (MULTI-FAMILY RESIDENTIAL WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON THE NORTH SIDE OF BOWTOWN ROAD JUST WEST OF VILLAGE GATE APARTMENTS.

The Clerk read the ordinance for the second time. Ordinance No. 18-75 will be taken to a third reading.

ITEM 16: ORDINANCE NO. 18-76 [Second Reading]

AN ORDINANCE SUPPLEMENTING THE 2018 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR THE RENOVATION OF CITY HALL AND THE CITY HALL ANNEX AND TO MAKE IMPROVEMENTS TO THE PARKING LOT EAST OF THE CITY HALL ANNEX BUILDING.

The Clerk read the ordinance for the second time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-76, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-76, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 17: ORDINANCE NO. 18-77 [Second Reading]

AN ORDINANCE DETERMINING THAT THE PETITION FOR THE ESTABLISHMENT OF THE TERRA ALTA COMMUNITY AUTHORITY COMPLIES AS TO FORM AND SUBSTANCE WITH THE REQUIREMENTS OF SECTION 349.03 OF THE OHIO REVISED CODE AND TO FIX A DATE AND PLACE FOR A PUBLIC HEARING ON THAT PETITION, AND DECLARING AN EMERGENCY.

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 27 20 18

The Clerk read the ordinance for the second time. A public hearing and third reading of Ordinance No. 18-77 has been scheduled for September 10, 2018 at 7:20 p.m.

ITEM 18: RESOLUTION NO. 18-49 [First Reading]

A RESOLUTION DECLARING THE INTENT OF THE CITY OF DELAWARE TO APPROPRIATE A FEE SIMPLE INTEREST IN A TEMPORARY CONSTRUCTION EASEMENT IN AND TO A PORTION OF THE PARCEL OF REAL ESTATE LOCATED AT 250 EAST WILLIAM STREET IN THE CITY OF DELAWARE AND A TEMPORARY CONSTRUCTION EASEMENT IN AND TO A PARCEL OF REAL ESTATE LOCATED AT 241 EAST WILLIAM STREET IN THE CITY OF DELAWARE.

The Clerk read the resolution for the first time.

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

ITEM 19: RESOLUTION NO. 18-50 [First Reading]

A RESOLUTION ADOPTING THE 2019-2023 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP).

The Clerk read the resolution for the first time.

ITEM 20: ORDINANCE NO. 18-79 [First Reading]

AN ORDINANCE SUPPLEMENTING THE 2018 APPROPRIATIONS ORDINANCE TO INCREASE FUNDING FOR THE PURCHASE OF FUEL, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 18-79, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-79, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 21: FINANCE DIRECTOR'S REPORT

ITEM 22: CITY MANAGER'S REPORT

Mr. Homan provided information on an AEP Grant Program for electrical vehicle charging stations. He discussed upcoming public meetings for the Comprehensive Plan Steering Committee. He provided information on a dedication for an art sculpture. Mr. Homan informed Council that he will be out of town for the September 24th City Council meeting.

ITEM 23: COUNCIL COMMENTS

Mayor Riggle discussed the need to have some additional work sessions.

ITEM 24: ADJOURNMENT

Motion: Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 9:36 p.m.

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held August 27 2018



Vice mayor
Kent Shafer

Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk