

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 10 20 18

6:30 EXECUTIVE SESSION: Mrs. Keller motioned to enter into executive session at 6:35 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 6:57 p.m., it was moved by Vice-Mayor Shafer that Council move into Open session, seconded by Mr. Jones and approved by a 7-0 vote.

The regular meeting of Council held December 10, 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 Father Michael Watson with St. Mary Catholic Church, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Lee Yoakum, Community Affairs Coordinator, Blake Jordan, Public Utilities Director, Dean Stelzer, Finance 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 November 26, 2018, as recorded and transcribed.

APPROVAL of the Motion Summary of the Budget Work Session Meeting held on December 3, 2018, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held November 26, 2018, as recorded and transcribed, seconded by Mr. Browning. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held December 3, 2018, as recorded and transcribed, seconded by Mr. Browning. Motion approved by a 6-0-1 (Rohrer) vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Historic Preservation Commission meeting held on September 26, 2018, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Shade Tree Commission meeting held on October 23, 2018, as recorded and transcribed.
- C. Acceptance of the Motion Summary of the Planning Commission meeting held on November 7, 2018, as recorded and transcribed.
- D. Establish January 14, 2019 at 7:20 p.m. as a date and time for a public hearing and third reading of Ordinance No. 18-119, an

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ordinance for Fahey Bank Company approving a Conditional Use Permit for Fahey Bank on approximately 0.81 acres on property zoned B-3 (Community Business District) and located at 75 West William Street.

- E. Establish January 14, 2019 at 7:30 p.m. as a date and time for a public hearing and third reading of Ordinance No. 18-120, an ordinance for Nutter Company LLC., approving a Conditional Use Permit for Blue Sky Car Wash on approximately 1.28 acres on property zoned A-1 PMU (Agricultural District with a Planned Mixed Use Overlay District) and located on Lot 2 of the Coughlin's Crossing Development.

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

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

ITEM 7: COMMITTEE REPORT

ITEM 8: ORDINANCE NO. 18-114 [Public Hearing and Second Reading]
AN ORDINANCE AMENDING THE SCHEDULE OF FEES AND SERVICE CHARGES.

The Clerk read the ordinance for the second time. Council to take Ordinance No. 18-114 to a third reading.

PUBLIC PARTICIPATION:

John Melchi
Executive Director
445 Hutchinson Avenue
Columbus, Ohio

Mr. Melchi voiced the support of the BIA to Ordinance No. 18-114.

ITEM 9: ORDINANCE NO. 18-109 [Public Hearing and Second Reading]
AN ORDINANCE MAKING APPROPRIATIONS FOR THE YEAR 2019 AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

There was no public participation. Councilwoman Keller voiced concerns regarding approving a budget where the expenditures are more than the revenue and the need to use the fund balance to fund staffing. Mr. Homan and Mr. Stelzer discussed the reserve fund balance and the budget stabilization fund. Mr. Stelzer discussed some potential changes including renovations to City Hall, YMCA payment and clerk compensation.

ITEM 10: RESOLUTION NO. 18-89 [Second Reading]
A RESOLUTION ESTABLISHING GUIDELINES FOR ESTABLISHING NEW COMMUNITY AUTHORITIES.

The Clerk read the resolution for the second time.

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Motion: Vice-Mayor Shafer motioned to table Resolution No. 18-89 until after the working group meets, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 11: ORDINANCE NO. 18-90 [Fifth Reading]

AN ORDINANCE FINDING THAT THE CREATION OF THE TERRA ALTA COMMUNITY AUTHORITY WILL BE CONDUCIVE TO THE PUBLIC HEALTH, SAFETY, CONVENIENCE AND WELFARE AND IS INTENDED TO RESULT IN THE DEVELOPMENT OF A NEW COMMUNITY; DECLARING THAT AUTHORITY TO BE ORGANIZED AND A BODY POLITIC AND CORPORATE; DEFINING THE BOUNDARY OF THAT AUTHORITY'S NEW COMMUNITY DISTRICT; PROVIDING THE METHOD OF APPOINTING MEMBERS TO THAT THE AUTHORITY'S BOARD OF TRUSTEES AND FIXING THE SURETY FOR THOSE TRUSTEE'S BONDS.

The Clerk read the ordinance for the fifth time. Council made aware that the applicant presented to Council an amended petition.

Motion: Vice-Mayor Shafer motioned to approve Ordinance No. 18-90, seconded by Mr. Jones. Motion approved by a 6-1 (Hellinger).

ITEM 12: ORDINANCE NO. 18-105 [Third Reading]

AN ORDINANCE APPROVING A PRELIMINARY SUBDIVISION PLAT REQUEST FOR MAKAPA LLC., FOR BELLE COMMONS FOR FOUR SINGLE FAMILY LOTS ON APPROXIMATELY 1.344 ACRES ON PROPERTY ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON THE NORTH SIDE OF BELLE AVENUE AND ON THE EAST SIDE OF LIBERTY ROAD.

The Clerk read the ordinance for the third time. Mr. Homan notified Council that representatives from Liberty Casting were invited to attend the City Council meeting and provide an update but did not respond to the invitation.

PUBLIC PARTICIPATION:

Anna Willow
56 Lobdell Drive
Delaware, Ohio

Ms. Willow voiced concerns over the location of the development to Liberty Castings and the air quality in the City of Delaware.

Motion: Vice-Mayor Shafer motioned to approve Ordinance No. 18-105, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 12: ORDINANCE NO. 18-106 [Third Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY MAKAPA LLC., FOR BELLE COMMONS FOR FOUR SINGLE FAMILY LOTS ON APPROXIMATELY 1.344 ACRES ON PROPERTY ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON THE NORTH SIDE OF BELLE AVENUE AND ON THE EAST SIDE OF LIBERTY ROAD.

The Clerk read the ordinance for the third time.

Motion: Vice-Mayor Shafer motioned to approve Ordinance No. 18-106, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

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ITEM 14: ORDINANCE NO. 18-110 [Second Reading]
AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES, AND DECLARING AND EMERGENCY.

The Clerk read the ordinance for the second time.

ITEM 15: ORDINANCE NO. 18-111 [Second Reading]
AN ORDINANCE AMENDING ORDINANCE NO. 17-78 ESTABLISHING THE PAY AND BENEFITS FOR VARIOUS PART-TIME AND INTERMITTENT/SEASONAL EMPLOYEES OF THE CITY OF DELAWARE, AND DECLARING AND EMERGENCY.

The Clerk read the ordinance for the second time.

ITEM 16: ORDINANCE NO. 18-112 [Second Reading]
AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN, AND DECLARING AND EMERGENCY.

The Clerk read the ordinance for the second time.

ITEM 17: ORDINANCE NO. 18-113 [Second Reading]
AN ORDINANCE ESTABLISHING NEW SALARY RATES FOR THE MAYOR AND MEMBERS OF CITY COUNCIL EFFECTIVE JANUARY 1, 2020 AND REPEALING ORDINANCE NO. 13-44.

The Clerk read the ordinance for the second time.

ITEM 18: ORDINANCE NO. 18-115 [First Reading]
AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY PULTE HOMES FOR HEATHERTON PHASE 8 CONSISTING OF 42 SINGLE FAMILY LOTS ON APPROXIMATELY 12.8 ACRES ZONED R-3 PRD (ONE-FAMILY RESIDENTIAL WITH A PLANNED RESIDENTIAL DISTRICT) AND LOCATED ON BOULDER DRIVE, ELBRIDGE STREET, GWINNETT STREET AND CLYMER STREET.

The Clerk read the ordinance for the first time.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 18-115, seconded by Mr. Browning. Motion approved by a 7-0 vote.

Motion: Mrs. Keller motioned to approve Ordinance No. 18-115, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 19: ORDINANCE NO. 18-116 [First Reading]
AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY PULTE HOMES FOR HEATHERTON PHASE 8 CONSISTING OF 42 SINGLE FAMILY LOTS ON APPROXIMATELY 12.8 ACRES ZONED R-3 PRD (ONE-FAMILY RESIDENTIAL WITH A PLANNED RESIDENTIAL DISTRICT) AND LOCATED ON BOULDER DRIVE, ELBRIDGE STREET, GWINNETT STREET AND CLYMER STREET.

The Clerk read the ordinance for the first time.

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Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 18-116, seconded by Mr. Browning. Motion approved by a 7-0 vote.

Motion: Mrs. Keller motioned to approve Ordinance No. 18-116, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 20: ORDINANCE NO. 18-117 [First Reading]

AN ORDINANCE FOR THE DELAWARE COUNTY FAIR BOARD APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR THE DELAWARE COUNTY 4H BUILDING LOCATED WITHIN THE DELAWARE COUNTY FAIRGROUNDS ALONG THE NORTH SIDE OF PENNSYLVANIA AVENUE ON PROPERTY ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT).

The Clerk read the ordinance for the first time. Council to take Ordinance No. 18-117 to a second reading.

APPLICANT:

Tony Eyerman
1907 River Road
Delaware, Ohio

ITEM 21: ORDINANCE NO. 18-118 [First Reading]

AN ORDINANCE FOR FAHEY BANK COMPANY APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR FAHEY BANK ON APPROXIMATELY 0.81 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) AND LOCATED AT 75 WEST WILLIAM STREET.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 18-118 to a second reading.

ITEM 22: ORDINANCE NO. 18-119 [First Reading]

AN ORDINANCE FOR FAHEY BANK COMPANY APPROVING A CONDITIONAL USE PERMIT FOR FAHEY BANK ON APPROXIMATELY 0.81 ACRES ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) AND LOCATED AT 75 WEST WILLIAM STREET.

The Clerk read the ordinance for the first time. A public hearing is scheduled for January 14, 2018 at 7:20 p.m.

ITEM 23: ORDINANCE NO. 18-120 [First Reading]

AN ORDINANCE FOR NUTTER COMPANY LLC., APPROVING A CONDITIONAL USE PERMIT FOR BLUE SKY CAR WASH ON APPROXIMATELY 1.28 ACRES ON PROPERTY ZONED A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON LOT 2 OF THE COUGHLIN'S CROSSING DEVELOPMENT.

The Clerk read the ordinance for the first time. A public hearing is scheduled for January 14, 2018 at 7:30 p.m.

ITEM 24: ORDINANCE NO. 18-121 [First Reading]

AN ORDINANCE FOR NUTTER COMPANY LLC., APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR BLUE

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SKY CAR WASH ON APPROXIMATELY 1.28 ACRES ON PROPERTY ZONED A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) AND LOCATED ON LOT 2 OF THE COUGHLIN'S CROSSING DEVELOPMENT.

The Clerk read the ordinance for the first time.

ITEM 25: ORDINANCE NO. 18-122 [First Reading]
AN ORDINANCE ESTABLISHING THE SALARY AND BENEFITS OF THE COUNCIL CLERK, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

A discussion was held if an emergency clause was required.

ITEM 26: CITY MANAGER'S REPORT

Mr. Homan provided an update on the ED411 Conference. There will be a special meeting with DKMM that he will be attending on behalf of the city. He took an impromptu tour of Fire Station 304. Chief Donahue provided a status of the fire station and plans to be operational in the first quarter of 2019.

ITEM 27: COUNCIL COMMENTS

ITEM 28: ADJOURNMENT

Motion: Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 8:30 p.m.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk