

**CITY OF DELAWARE  
CITY COUNCIL  
CITY COUNCIL CHAMBERS  
1 SOUTH SANDUSKY STREET  
7:00 P.M. YEAR-END MEETING**

**AGENDA**

**6:30 P.M. 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.

7:00 P.M. YEAR-END MEETING

December 20, 2018

1. ROLL CALL
2. INVOCATION – Pastor Mike Cheek, High Point Nazarene Church
3. PLEDGE OF ALLEGIANCE
4. APPROVAL of the Motion Summary of the Regular Meeting of Council held on December 10, 2018, as recorded and transcribed.
5. CONSENT AGENDA
  - A. Resolution No. 18-67, a resolution establishing meeting times and dates for citizen committees, commissions and boards.
6. LETTERS, PETITIONS, AND PUBLIC COMMENTS
7. COMMITTEE REPORTS
8. THIRD READING of Ordinance No. 18-109 AMENDED, an ordinance making appropriations for the Year 2019 and declaring an emergency.
9. THIRD READING of Ordinance No. 18-110, an ordinance amending the Delaware Municipal Court and Clerk of Court Employee Benefits and Leave Policies, and declaring an emergency.
10. THIRD READING of Ordinance No. 18-111, 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.

11. THIRD READING of Ordinance No. 18-112, an ordinance amending the Management, Professional, Technical, Confidential, and Supervisory Employees Pay Plan, and declaring and emergency.
12. THIRD READING of Ordinance No. 18-113, an ordinance establishing new salary rates for the Mayor and members of City Council effective January 1, 2020 and repealing Ordinance No. 13-44.
13. THIRD READING of Ordinance No. 18-114, an ordinance amending the Schedule of Fees and Service Charges.
14. SECOND READING of Ordinance No. 18-117, 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).
15. SECOND READING of Ordinance No. 18-118, 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.
16. SECOND READING of Ordinance No. 18-119, 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.
17. SECOND 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.
18. SECOND READING of Ordinance No. 18-121, an ordinance for Nutter Company LLC., approving a Combined Preliminary and Final Development Plan 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.

19. SECOND READING of Ordinance No. 18-122, an ordinance establishing the salary and benefits of the Council Clerk, and declaring an emergency.
20. CONSIDERATION of Ordinance No. 18-123, an ordinance supplementing the 2018 Appropriations Ordinance, and declaring an emergency.
21. CITY MANAGER'S REPORT
22. COUNCIL COMMENTS
23. ADJOURNMENT

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**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 CONDUCTIVE 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



## FACT SHEET

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AGENDA ITEM NO: CONSENT ITEM A      DATE: 12/20/2018  
ORDINANCE NO:                                      RESOLUTION NO: 18-67  
READING: FIRST                                      PUBLIC HEARING: NO

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TO:                      Mayor and Members of City Council  
FROM:                 R. Thomas Homan, City Manager  
VIA:

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

A RESOLUTION ESTABLISHING MEETING TIMES AND DATES FOR CITIZEN COMMITTEES, COMMISSIONS AND BOARDS.

**BACKGROUND:**

A survey was presented to all Boards, Commission and Committee members this July to determine what time members would prefer meetings to begin. The survey results indicated that there was a preference to begin the meetings earlier. Additional meetings and times can be established at the discretion of the members, provided the open meetings requirements are met.

**REASON WHY LEGISLATION IS NEEDED:**

This resolution establishes the anticipated meeting times and dates beginning in 2019.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Mayor Carolyn Kay Riggle

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

RESOLUTION NO. 18-67

A RESOLUTION ESTABLISHING MEETING TIMES AND DATES FOR CITIZEN COMMITTEES, COMMISSIONS AND BOARDS.

WHEREAS, a survey to determine meeting time preferences was sent out to all members of boards and commissions; and

WHEREAS, based on the survey results the meeting times listed below are recommended unless other meeting times are adopted by boards and commissions.

NOW, THEREFORE, BE IT RESOLVED: by the Council of the City of Delaware that:

SECTION 1. The regular meeting schedules for Planning Commission, Board of Zoning Appeals, Airport Commission, Public Works/Public Utilities Committee, Parks and Recreation Advisory Board, Historic Preservation Commission, Parking and Safety Committee, Civil Service Commission, and Finance Committee shall be:

1. Planning Commission – First and Third Wednesday (if necessary) of the month at 6:30 p.m.
2. Board of Zoning Appeals – Second Wednesday of the month at 6:30 p.m.
3. Airport Commission – January, April, July, and October (Third Thursday of the month at 6:30 p.m.)
4. Public Works/Public Utilities Committee – February, May, August, and November (First Tuesday of the month at 6:00 p.m.)
5. Parking and Safety Committee – February, April, June, August, October and December (Third Monday of the month at 6:00 p.m.)
6. Historic Preservation Commission – Fourth Wednesday of the month at 6:30 p.m.
7. Shade Tree Commission – February, April, June, August, October December (Fourth Tuesday of the month at 6:30 p.m.)
8. Parks and Recreation Advisory Board – January, March, May, July, September, November (Third Tuesday of the month at 6:30 p.m.)
9. Civil Service Commission – First Wednesday of the month at 3:00 p.m.
10. Sister City Advisory Board – January, April, July, and October (Second Tuesday of the month at 6:00 p.m.)
11. Finance Committee – As Necessary





## FACT SHEET

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AGENDA ITEM NO: 8

DATE: 12/20/2018

ORDINANCE NO: 18-109 AMENDED

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: YES

November 26, 2018 at 7:30 p.m.

December 10, 2018 at 7:30 p.m.

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: --

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE MAKING APPROPRIATIONS FOR THE YEAR 2019, AND DECLARING AN EMERGENCY.

**BACKGROUND:**

The first reading and first public hearing of the budget was held at the November 26 Council meeting. A Budget Work Session was held on December 3.

This is the second reading and second public hearing for Ordinance No. 18-109. The budget is required to be adopted by Council pursuant to Section 78 of the City Charter.

**REASON WHY LEGISLATION IS NEEDED:**

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

R. Thomas Homan, City Manager  
Dean Stelzer, Finance Director

**RECOMMENDATION:**

Approval at third reading

**ATTACHMENT(S)**

See Budget Changes Memo

ORDINANCE NO. 18-109 **Amended**

AN ORDINANCE MAKING APPROPRIATIONS FOR THE  
YEAR 2019 AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That from and out of the balances in the various funds of the City of Delaware, and from money anticipated to be received into said funds, there are hereby appropriated the following sums for use by the various departments of the City in performance of their functions and activities during the year ending December 31, 2019.

**GENERAL FUND**

CITY COUNCIL		
Personnel		149,847
Other		34,500
CITY MANAGER		
Personnel		726,421
Other		97,290
ADMINISTRATIVE SERVICES		
Personnel		232,744
Other		125,948
ECONOMIC DEVELOPMENT		
Personnel		215,906
Other		258,231
LEGAL AFFAIRS/PROSECUTOR		
Personnel		774,298
Other		68,045
FINANCE		
Personnel		1,185,250
Other		750,433
GENERAL ADMINISTRATION		
Other		6,090,255
RISK MANAGEMENT		
Other		349,100
POLICE		
Personnel		8,185,715
Other		919,642
PLANNING		
Personnel		1,097,492
Other		171,020
ENGINEERING		
Personnel		1,026,462
Other		962,425
MUNICIPAL BUILDINGS		
Personnel		155,997
Other		398,961
<b>TOTAL GENERAL FUND</b>		<b>23,975,982</b>
<b>STREET MAINTENANCE &amp; REPAIR</b>		
Administration		
Personnel		705,935
Other		215,814
Street Maintenance		
Personnel		699,840
Other		919,237
Traffic Division		
Personnel		391,690
Other		380,819
<b>TOTAL STREET MAINTENANCE</b>		<b>3,313,335</b>

<b>STATE HIGHWAY IMPROVEMENT</b>		<b>300,000</b>
<b>LICENSE FEE FUND</b>		<b>557,750</b>
<b>STORM SEWER FUND</b>		
Operations		
Personnel	244,471	
Other	295,993	
Projects		
Other	840,000	
<b>TOTAL STORM SEWER</b>		<b>1,380,464</b>
<b>PARKS &amp; RECREATION FUND</b>		
Park Maintenance		
Personnel	944,580	
Other	297,550	
Recreation		
Other	203,772	
Urban Forestry		
Personnel	84,080	
Other	62,550	
<b>TOTAL PARKS &amp; RECREATION</b>		<b>1,592,532</b>
<b>CEMETERY FUND</b>		
Personnel	197,501	
Other	117,612	
<b>TOTAL CEMETERY FUND</b>		<b>315,113</b>
<b>TREE FUND</b>		<b>65,000</b>
<b>AIRPORT OPERATIONS FUND</b>		
Personnel	199,847	
Other	774,379	
<b>TOTAL AIRPORT OPERATIONS FUND</b>		<b>974,226</b>
<b>AIRPORT 2000 T-HANGAR FUND</b>		<b>94,213</b>
<b>FIRE/EMS OPERATIONS FUND</b>		
Personnel	8,574,258	
Other	2,607,821	
<b>TOTAL FIRE/EMS OPERATIONS FUND</b>		<b>11,182,079</b>
<b>MUNICIPAL COURT</b>		
Judicial		
Personnel	1,423,083	
Other	71,000	
Mission Court		
Personnel	20,873	
Clerk of Courts		
Personnel	1,240,751	
Other	84,900	
<b>TOTAL MUNICIPAL COURT</b>		<b>2,840,607</b>
<b>RECREATION CENTER INCOME TAX</b>		<b>1,787,256</b>
<b>SKY CLIMBER/V&amp;P HYDRAULICS TIF FUND</b>		<b>70,000</b>
<b>MILL RUN TIF FUND</b>		<b>170,000</b>
<b>IDIAM FUND</b>		<b>60,000</b>
<b>DRUG ENFORCEMENT FUND</b>		<b>50,000</b>
<b>INDIGENT ALCOHOL TREATMENT FUND</b>		<b>100,000</b>

OMVI ENFORCEMENT & EDUCATION FUND		2,759
POLICE JUDGMENT FUND		110,000
PARKS EXACTION FEE FUND		143,000
COMPUTER LEGAL RESEARCH FUND		307,246
COURT SPECIAL PROJECTS FUND		367,618
COURT PROBATION SERVICES FUND		343,350
POLICE DISABILITY PENSION FUND		253,000
FIRE DISABILITY PENSION FUND		253,000
COMMUNITY PROMOTION FUND		114,000
COMMUNITY DEVELOPMENT BLOCK GRANT FUND		139,000
REVOLVING LOAN FUND		200,000
GENERAL BOND RETIREMENT FUND		2,034,964
PARK IMPROVEMENT BOND FUND		1,320,402
SE HIGHLAND SEWER BOND FUND		996,609
CAPITAL IMPROVEMENTS FUND		7,667,331
POINT PROJECT CAPITAL FUND		2,333,333
FAA AIRPORT AIP GRANT FUND		333,000
EQUIPMENT REPLACEMENT FUND		646,323
PARK IMPACT FEE FUND		250,000
POLICE IMPACT FEE FUND		59,565
FIRE IMPACT FEE FUND		100,000
MUNICIPAL IMPACT FEE IMPROVEMENT FUND		346,660
GLENN ROAD SOUTH CONSTRUCTION FUND		10,138,632
GLENN ROAD NORTH CONSTRUCTION FUND		134,195
GLENN ROAD TIF FUND		1,917,482
GOLF COURSE FUND		
	Personnel	68,451
	Other	114,950
<b>TOTAL GOLF COURSE FUND</b>		<b>183,401</b>
PARKING LOT FUND		55,120
WATER FUND		
	Administration	
	Personnel	266,524
	Other	2,889,559
	Treatment	
	Personnel	908,902
	Other	1,268,864
	Distribution	
	Personnel	574,314
	Other	428,050
<b>TOTAL WATER FUND</b>		<b>6,336,213</b>

<b>WATER CONSTRUCTION FUND</b>		<b>2,585,728</b>
<b>WATER CAPACITY FEE FUND</b>		<b>2,968,798</b>
<b>WATER CUSTOMER DEPOSIT FUND</b>		<b>32,000</b>
<b>SEWER FUND</b>		
Administration		
Personnel	209,721	
Other	4,123,163	
Treatment		
Personnel	908,902	
Other	1,076,600	
Maintenance		
Personnel	404,331	
Other	352,330	
<b>TOTAL SEWER FUND</b>		<b>7,075,047</b>
<b>SEWER CONSTRUCTION FUND</b>		<b>1,442,697</b>
<b>SEWER CAPACITY FEE FUND</b>		<b>4,222,381</b>
<b>SE HIGHLAND SEWER FUND</b>		<b>975,501</b>
<b>REFUSE FUND</b>		
Administration		
Other	439,900	
Refuse Collection		
Personnel	741,225	
Other	1,601,352	
Recycling Collection		
Personnel	462,539	
Other	568,200	
<b>TOTAL REFUSE FUND</b>		<b>3,813,216</b>
<b>GARAGE ROTARY FUND</b>		
Personnel	344,759	
Other	363,230	
<b>TOTAL GARAGE ROTARY FUND</b>		<b>707,989</b>
<b>INFORMATION TECHNOLOGY ROTARY FUND</b>		
Staff Support		
Personnel	508,598	
Other	32,767	
System Support		
Other	703,207	
GIS Operations		
Personnel	80,538	
Other	59,056	
<b>TOTAL IT ROTARY FUND</b>		<b>1,384,166</b>
<b>SELF INSURANCE FUND</b>		<b>6,472,000</b>
<b>WORKERS COMPENSATION RESERVE FUND</b>		<b>560,000</b>
<b>FIRE DONATION FUND</b>		<b>6,000</b>
<b>PARKS DONATION FUND</b>		<b>6,315</b>
<b>POLICE DONATION FUND</b>		<b>8,000</b>
<b>MAYOR'S DONATION FUND</b>		<b>2,800</b>
<b>PROJECT TRUST FUND</b>		<b>47,000</b>
<b>UNCLAIMED FUNDS TRUST FUND</b>		<b>8,000</b>
<b>UNCLAIMED FUNDS COURT FUND</b>		<b>2,500</b>





## MEMORANDUM

TO: City Council  
FROM: R. Thomas Homan  
DATE: 12/18/18  
RE: 2019 Proposed Budget Changes

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Below is a summary of the proposed 2019 administrative budget changes. I will add to the list below any other changes to be made. The changes are reflected on the amended ordinance shaded in gray.

**Increase City Council Wages:** Pursuant to change in Clerk compensation +\$4,100.

**YMCA Payment:** The 2019 Budget currently includes \$200,000 for payments to the YMCA for recreation services. The contracted amount with the Y will actually be \$203,772 in 2019. I need to increase the appropriation amount by the \$3,772 difference.

**Increase Capital Improvement Fund Other:** Carryover appropriation for Police and Finance software acquisitions. +\$536,000.



## FACT SHEET

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AGENDA ITEM NO: 9

DATE: 12/20/2018

ORDINANCE NO: 18-110

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Judge David Sunderman, Judge Marianne Hemmeter and Clerk  
Cindy Dinovo

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES, AND DECLARING AN EMERGENCY.

**BACKGROUND:**

The Municipal Court and Clerk of Court's 2019 Employee Benefits and Leave Policies are attached.

**REASON WHY LEGISLATION IS NEEDED:**

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Judge Marianne Hemmeter and Clerk Cindy Dinovo

**RECOMMENDATION:**

Approval at third reading

**ATTACHMENT(S)**

2019 Pay Plan

ORDINANCE NO. 18-110

AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Delaware Municipal Court and Clerk of Court Employee Benefits and Leave Policies shall be amended to reflect the noted changes (attached hereto).

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 3. EMERGENCY CLAUSE. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City. The emergency clause is required to enact the changes effective on December 26, 2018. Therefore this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON EMERGENCY CLAUSE:

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2018

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

# Delaware Municipal Court and Clerk of Court

## Employee Benefits And Leave Policies

Effective December 26, 2018

Delaware Municipal Court  
and  
Clerk of Court  
70 North Union Street  
Delaware, Ohio 43015

## SECTION IV. EMPLOYEE BENEFITS AND LEAVE

### **Policy 23. Holiday Pay and Personal Leave**

**Section 1.** The following are designated as paid holidays for the Municipal Court and the Clerk of Court employees:

New Year's Day, January 1  
Martin Luther King Day, 3rd Monday in January  
Memorial Day, last Monday in May  
Independence Day, July 4th  
Labor Day, 1st Monday in September  
Little Brown Jug Day, 1/2 day - 3rd Thursday after Labor Day  
Thanksgiving Day, 4th Thursday in November  
Day after Thanksgiving  
Day before Christmas, December 24, 1/2 day  
Christmas Day, December 25  
Day before New Year's, December 31, 1/2 day

**Holidays that fall on Saturday will be observed on Friday, and holidays that fall on Sunday will be observed on the following Monday.**

**Section 2.** If one of the holidays set forth above occurs while an employee is on vacation leave, that day will not be charged against his/her vacation.

**Section 3.** Employees will be credited with 32 hours of personal leave a year. Use of personal days will be at the employee's discretion with approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.

**Section 4.** Employees are permitted to accumulate two years' worth of personal days.

**Section 5.** At the time of separation, an employee will be compensated for all accrued but unused personal days.

### **Policy 24. Vacation Leave**

**Section 1.** The vacation year for employees will end at the close of business on the last pay period that ends in the month of December.

**Section 2.** Each full-time employee will accrue vacation leave by pay period at the annual rate of work hours based on years of full-time total service which is established in the schedules contained in Section 3 of this article. Years of total full-time service is defined to be the total of all periods of full-time employment for the Delaware Municipal Court or Clerk of Court or as defined in Section 6. Any period of interruption of service due to resignation, layoff, disciplinary suspension, or discharge for cause, will

not be included in the computation of total service. Time not in paid status, excepting military leave, will also be excluded in computing total service. In computing years of service, the higher rate of accrual will be on the first day of the first pay period in which a year of service is completed.

If an employee of the Court or of the Clerk’s office has received or is receiving retirement benefits from any of the state retirement funds – the Ohio Public Employees Retirement System, the Police and Fire Pension Fund, the State Teachers Retirement System, the Public School Employees Retirement System, or the Highway Patrol Retirement System – the years of public service for which the employee has received or is receiving those retirement benefits will not be included in any computation of service time for vacation-leave accrual while the employee is working for the Court or for the Clerk.

Notwithstanding the above provisions, the position of Chief Bailiff may accrue vacation time based on years of service with an Ohio public agency, as defined by State law.

**Section 3.** For employees hired before December 31, 2013, vacation leave will accrue as follows:

<b>Years of Total Service</b>	<b>Vacation Hours/Year</b>	<b>Vacation Hours/Pay</b>
Start through 5 years	80.6	3.1
6 through 10 years	119.6	4.6
11 through 15 years	161.2	6.2
16 or more years	200.2	7.7

For employees hired after December 31, 2013, vacation leave will accrue as follows:

<b>Years of Total Service</b>	<b>Vacation Hours/Year</b>	<b>Vacation Hours/Pay</b>
Start through 5 years	80.6	3.1
6 through 15 years	119.6	4.6
16 or more years	161.2	6.2

**Section 4.** Any vacation balance in excess of the maximum number of work hours established in the following paragraph will become void as of the close of

business on the last day of the last pay period that ends in the month of December.

<b>Years of Total Service</b>	<b>Maximum Accrual of Vacation Hours</b>
Start through 5 years	161.2
6 through 10 years	239.2
11 through 15 years	322.4
16 or more years	400.4

The only exception to that chart will apply to any employee who – on the last day of the last pay period in December 2013 – has a vacation-leave balance of more than 500 hours. The vacation-leave-accrual cap for any such employee will be 600.6 hours, and any vacation-leave hours that such an employee has accrued but not used in excess of 600.6 hours on the last day of the last pay period of 2013 – and on that same last-pay-period day in each succeeding year – will be void.

**Section 5.**

- A.** To be eligible for bi-weekly (pay period) vacation accumulation, an employee must be in paid status for a minimum of 72 hours within that pay period; except that when an employee is required to report for work and does so report and is denied work because of circumstances beyond his/her control, absence from work for the balance of that day will not be construed as unpaid work status.
- B.** An employee in full-time status who is to be separated from the Delaware Municipal Court or Clerk of Court service through discharge, resignation, retirement or layoff, and who has unused vacation leave to his/her credit, will be paid in a lump sum for such unused vacation leave in lieu of granting a vacation leave after his/her last day of active service with the Delaware Municipal Court or Clerk of Court. That payment will be paid at the employee's hourly rate of pay at the time of separation.
- C.** When an employee dies while in paid status in the Delaware Municipal Court or Clerk of Court, any unused vacation leave to his/her credit will be paid in a lump sum to the surviving spouse, or other person the employee may have designated in writing.

**Section 6.** To be eligible to transfer years of service for determination of vacation benefits to the City of Delaware (Delaware Municipal Court or Clerk of Court) from prior employment inside the State of Ohio:

- A. Employees are eligible to transfer prior years of service completed as employees of this Court, the Clerk of this Court, or the City of Delaware.
- B. The amount of years of service that can be transferred is unlimited.
- C. Prior employment must be in full-time status.

**Section 7.** An employee may elect to convert up to two weeks of accrued and unused vacation time to cash during any calendar year. An employee must inform the Administrative Judge or the Clerk of Court prior to August 1 of the year preceding the calendar year in which the employee intends to convert the unused vacation leave to cash, and the employee must maintain at least 40 hours of accrued and unused vacation leave in the employee's account after that conversion takes place.

**Policy 25. Funeral Leave**

**Section 1.** Each regular full-time employee is entitled to funeral leave with pay as follows:

<u>Leave for Death of:</u>	<u>Days/Hours of Leave</u>
Immediate Family Member	1 - 3 days
Other Relative	4 - 8 hours

\* One work day/shift is automatic for the day of the funeral, but additional time up to the maximum will be given only with approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.

\*\* All leave time with approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.

**Section 2.** For the purposes of this section, Immediate Family Member means spouse, child, brother, sister, parents, step-child, step-brother, step-sister, step-parents, grandparents, grandchildren, sister-in-law, brother-in-law, and parents-in-law.

**Section 3.** Funeral Leave time does not include an employee's regularly scheduled day off to which the employee is already entitled.

**Policy 26. Sick Leave**

The Court and the Clerk of Court may from time to time supplement these sick leave policies with additional terms that apply to their employees only. For a full understanding of the use of sick leave, employees should consult not only this benefit manual but also the office policies promulgated by the particular officeholder – whether the Administrative Judge or the Clerk of Court – for whom the employee works.

**Section 1.** Each employee is entitled to sick leave with pay of 4.6 hours for each completed 80 hours of service.

An employee may use sick leave upon approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee for the following reasons:

- A.** Illness or injury of the employee or his/her immediate family.
- B.** Medical, dental, or optical examinations or treatment of an employee or his/her immediate family that requires the employee's attendance.
- C.** If a member of the immediate family is afflicted with a contagious disease, or when, through exposure to a contagious disease, the presence of the employee at his/her job will jeopardize the health of others.
- D.** Pregnancy and/or childbirth and other conditions related thereto inclusive of leave for male employees for the care of the employee's wife and family during postnatal period.

For purposes of this section, the definition of immediate family is: grandparents, mother, mother-in-law, father, father-in-law, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, spouse, child, stepchild, grandchild, legal guardian, or other person who stands in the place of a parent (in loco parentis).

Employees are required to report their intent to use sick leave prior to the start of each workday, unless the employee has made other reporting arrangements with the Administrative Judge or his/her designee or the Clerk of Court or his/her designee. The employee must make this phone call unless medically detained by a physician at the time. The Administrative Judge, or his/her designee or the Clerk of Court or his/her designee, may contact the employee sometime during the day to discuss the reasons for the absence.

**Section 2.** Sick leave must be taken in half-hour increments.

**Section 3.** If an employee used zero hours of sick leave in any calendar year, that employee will be credited with an additional three vacation days the following year. If an employee uses between one and eight hours of sick leave in any one calendar year, that employee will be credited with an additional two vacation days the following year. If an employee uses between nine and 16 hours of sick leave in any one calendar year, that employee will be credited with one additional vacation day the following year. At the employee's option, any additional vacation days earned can be taken in the form of vacation leave or compensation in cash.

**Section 4.** Any employee who has accumulated at least 800 hours of sick leave credit may, during any calendar year, convert up to 80 hours of sick leave to vacation on the basis of two hours of sick leave for one hour vacation leave.

If an employee has earned sick leave in another public-sector job and then has transferred unused sick leave to the Court or Clerk of Court's office at the start of the employee's current period of employment with the Court or Clerk of Court that transferred sick leave cannot be converted to vacation leave under this section.

All sick leave accumulated by the employee during the employee's current period of employment with the Court or the Clerk of Court must be exhausted by the employee or converted to vacation leave before the employee may use any sick leave that has been added to the employee's sick-leave balance in accordance with Section 5 of this sick-leave policy.

**Section 5.** To be eligible to transfer sick leave to the City of Delaware from prior public employment in the State of Ohio:

- A.** Employees will only be eligible to transfer sick leave from a public agency as defined by the State of Ohio.
- B.** Employment with the City of Delaware must take place within 10 years of termination from their previous employer.
- C.** The maximum amount of sick leave hours that can be transferred is unlimited.

**Section 6.** Any employee who separates from the Delaware Municipal Court or Clerk of Court employment for other than just cause will be paid for all accumulated and unused sick leave on the basis of one hour of pay for every three hours of unused sick leave. Total sick leave payout cannot exceed 12 weeks' pay.

**Section 7.** An employee must complete and sign a request for leave form provided by the City to justify the use of sick leave. Payment for sick leave is subject to final approval by the Administrative Judge or his/her designee or the Clerk of Court or his/her designee. The City, Delaware Municipal Court, or Clerk of Court may require the employee to furnish a statement from a licensed medical practitioner if medical attention was sought or for any absence in excess of three consecutive days whether for the employee or his/her immediate family. Such statement must include the nature of the illness or injury, the inability to perform his/her duties, the prognosis, and the estimated date when the employee can be expected to return to work. Failure of the employee to provide such statement and request for leave form when requested may result in the denial of sick leave pay.

**Section 8.** Falsification of a request for leave form or a medical practitioner's statement may be grounds for disciplinary action. The City, Delaware Municipal Court, or Clerk of Court maintains the right to have any employee examined by a licensed medical practitioner selected and paid by the City. Alternatively, the employee required to see a physician may see a physician of his/her own choosing, but in that event will not be reimbursed for the costs incurred.

The City, Delaware Municipal Court, or Clerk of Court may deny the payment of sick leave if the investigation indicates that the absence was not within the provisions of this article. Denial of sick-leave payment will not preclude the Delaware Municipal Court or Clerk of Court from implementing any disciplinary action.

**Section 9. Sick Leave Abuse**

It is the mutual interest of the employee and the Delaware Municipal Court or Clerk of Court to prevent the abuse or misuse of sick leave. The acceptable usage of sick leave is explained in this policy.

Employees must not abuse or demonstrate a pattern of sick-leave and/or leave-without-pay usage. The abuse of sick leave or the patterned use of sick leave will be just and sufficient cause for discipline. A request of sick leave will be denied if the employee fails to comply with the procedures for proper sick leave usage, fails to present a required physician's statement, or if an investigation of a request for sick leave discloses facts inconsistent with the proper use of sick leave. Falsification of applications for sick leave or the filing of sick leave applications and documentation with intent to defraud may result in the disapproval of sick leave and may be grounds for disciplinary action, up to and including discharge.

Any employee who is hospitalized will not have such period of leave considered in determining whether the employee is abusing sick-leave benefits.

The implementation of this section does not preclude the right of the Delaware Municipal Court or Clerk of Court to discipline an employee for the abuse of sick leave, to require a statement from the employee's physician, or to have the employee examined by a physician. Any employee who has been disciplined for abuse of sick leave may be required to furnish a statement from the employee's physician for each use of sick leave up to six months in duration. The City, Delaware Municipal Court, or Clerk of Court may, with mutual agreement of both parties, extend the need for sick leave verification for an additional six month period. The City, Delaware Municipal Court, or Clerk of Court also maintains the right to investigate all absences.

## **Policy 27. Injury Leave**

- Section 1.** All regular full-time employees are entitled to injury leave with pay, less any Worker's Compensation weekly salary benefits that they may be awarded by the Industrial Commission of Ohio (ICO), for a period not to exceed 120 consecutive working days for employees working a 40 hour work week for each injury incurred in the performance of employment duties with the Delaware Municipal Court or Clerk of Court, provided that the following procedures are followed:
- A.** In all cases of personal injury to any full-time Delaware Municipal Court or Clerk of Court employee as a result of the performance of employment duties, the employee must immediately complete an accident/injury investigation form and report the accident/injury to the Administrative Judge or his/her designee or the Clerk of Court or his/her designee, who must immediately report said accident/injury to the Department of Administrative Services and ensure that a claim is filed with ICO.
  - B.** In the event that time off from work is required by the injured employee, he/she will be granted injury leave from the first day of injury, if the proper documentation is submitted to the City of Delaware. This documentation will include, but not be limited to, a statement from the employee's physician, an Agreement covering Compensation Reimbursement, any necessary ICO forms and other documents as may be required by the City. In the event that the ICO determines that the injury is NOT employment related, any time the employee is, or has been, absent from work will be deducted first, from any accrued sick leave, then accrued vacation, or accrued compensation time off, other than compensatory time for overtime worked.
  - C.** During the period of time an injured employee is being paid under this policy, all normal benefits given to regular full-time employees will remain in force with no deductions to earned sick leave and/or vacation time.
  - D.** In all cases where an injury leave of more than 120 consecutive working days is requested by an employee working a 40 hour work week, the Administrative Judge or his/her designee or Clerk of Court or his/her designee may extend such leave by an additional 120 consecutive working days if such necessity is determined to his/her satisfaction. Each employee requesting such an extension under this policy may be required to furnish a current affidavit from a licensed physician setting forth the need for the extension.

**Policy 28. Insurance**

**Section 1. Hospitalization, Surgical, and Major Medical.** The City will continue to provide comprehensive hospitalization, surgical, and major medical coverage for all full-time members and their dependents. Beginning January 1, 1999, or at some date thereafter, the City may implement a Preferred Provider Organization (PPO). The Plan if implemented will provide for the following deductibles and co-payments as follows:

	<b>NETWORK PROVIDERS</b>	<b>NON-NETWORK PROVIDERS</b>
Annual Deductible Single Family	None None	\$ 500.00 \$1,000.00
Office Visit Co-Pay	\$10.00	N/A
ER Visit  Co-Pay	\$50.00 unless admitted into the hospital, otherwise co-insurance will apply in excess of the deductible.	N/A
Co-Insurance Single  Family	90/10% of first \$1,000 80/20% of next \$3,000  90/10% of first \$2,000 80/20% of next \$5,000	50/50% of first \$5,000  50/50% of first \$10,000

Contributions will be deducted from the member’s gross income prior to taxes, subject to compliance with all applicable tax regulations.

Employees will contribute to the cost of the health benefit plan in an amount determined annually by the City of Delaware. Annual changes to the calculated COBRA rate will be applied to the monthly employee contributions on the first full pay-period in April of each year. Contributions will be deducted from all members in a paid status based on twelve months times the monthly rate, divided by the number of pay periods per year. An example would be \$56.95/mo. x 12 = \$683.40, \$683.40/26 pay periods = \$26.28 per pay period. In the event federal tax regulations are changed so that medical benefit plans are no longer tax exempt, the City will not be responsible to pick up the member’s tax burden.

The City will permit employees who have alternate health plan options through a spouse to opt out of the City plan in return for a payment of \$100.00 per month. Families who have both spouses employed full time by the City of Delaware will not be eligible to opt out of the plan. Likewise, these employees will not be subject to monthly payroll contributions. The employee will provide proof that they do in fact have other

coverage before the City will drop that employee's current coverage. The City will continue to provide dental coverage if it is not provided under the employee's spouse's insurance. A member may elect to return to coverage under the City's insurance plan by notifying the City in writing of any substantial changes in their qualifying family circumstances. The member must give thirty days notice of his or her election to return to the City's plan, except in the case of an emergency, such as sudden loss of spouse's coverage, divorce or other change in family status. The plan will comply with Internal Revenue Code Section 125 which governs this matter.

Employees who opt out of the health insurance program will be compensated as follows:

No Coverage	\$100 per month
Maintain Prescription Only	\$ 60 per month
Maintain Dental Only	\$ 65 per month
Maintain Prescription and Dental	\$ 55 per month

\* An employee may not elect to have medical coverage only.

Payments will begin on the first pay period of the month following 30 days notice of an employee's desire to drop coverage. A form will be provided which will contain all information necessary to discontinue coverage under the plan. The form must be signed and returned to the Department of Administrative Services. Until such time that an employee is effectively dropped from City coverage, they will be subject to any payroll contributions.

All payments made in lieu of insurance coverage will be included as other pay on employee's paycheck. This income will not be included in income subject to PERS contributions but will be subject to all applicable taxes.

### **A. Prescription Plan**

The City will provide a prescription card plan for members and their dependents.

The retail benefits will be the following with the City paying the higher amount and the employee paying the lesser amount of prescription coinsurance:

- 80/20% for generic drugs
- 50/50% name brand drugs with a \$25.00 co-pay for each disbursement

The mail order benefits will be the following:

- 90/10% for generic drugs and
- 75/25% for name brand drugs with no \$25.00 co-pay.

The maximum expense an employee will pay for coinsurance is \$250.00 annually for single coverage and \$500.00 for family annually for prescription

benefits, however, the \$25.00 co-pay for retail name brand drugs will not count towards the calculation of the \$250.00 or the \$500.00 coinsurance maximum and will always apply even after an employee reaches the coinsurance maximum expenditure.

**B. Dental Care Plan**

The City will maintain the current dental coverage for all members. Please contact Department of Administrative Services if you have questions.

**C. Vision Care Plan**

The City will contribute \$6 a month towards vision coverage. The employee will be responsible for the balance of the monthly cost of the selected coverage. The City may cease to make this contribution if the City no longer offers vision coverage. Please contact the Department of Administrative Services if you have questions.

**Section 2. Life Insurance**

The City will provide the following amount of life insurance:

Clerk of Court	\$ 100,000.00
Magistrate	\$ 45,000.00
Clerk's Chief Deputy	\$ 30,000.00
Court IT Director	\$ 30,000.00
All other full time employees	\$ 20,000.00

**Section 3. Certificate of Coverage**

The City will provide a certificate of coverage for each Court employee. Such certificate will be for the employee's family situation.

**Policy 29. Overtime Compensation**

**Section 1. Overtime Pay and Compensatory Time - Nonexempt Employees**

Employees who are entitled to overtime pay or compensatory time off under the provisions of the Fair Labor Standard Act are entitled to overtime pay or compensatory time as described below:

- & Employees must receive prior approval from the Administrative Judge or his/her designee or Clerk of Court or his/her designee.
  
- & Employees will be compensated at straight-time rates for all hours in active pay status, except that all hours in paid status in excess of 40 hours in any work week will be compensated at a rate of time and one-half. Payment in cash will be made for any overtime due at the time of separation from City service.

- & In lieu of cash payment, the employee may request to be compensated for overtime by compensatory time off in accordance with the law. Such compensatory time off will be equal to 1.5 hours for each hour overtime compensation to which the employee is entitled. All requests for compensatory time are subject to approval of the department head. Any compensatory time that is used by an employee must be taken at a time mutually agreeable to the supervisor and the employee.
- & Employees can accumulate up to 80 hours of compensatory time. When an employee has 80 hours of accumulated compensatory time, all further overtime will be paid in cash.
- & Compensatory time will be submitted on the regular payroll sheet detailing the time earned and taken.

## **Section 2. Overtime Pay and Compensatory Time - Exempt Employees**

Employees exempt under the Fair Labor Standard Act are not entitled to overtime pay but are entitled to compensatory time as described below:

- & Employees must receive prior approval from the Administrative Judge or his/her designee or Clerk of Court or his/her designee.
- & Compensatory time will be earned for approved work that exceeds the 40 hour work week and such employees may receive said compensatory time at the rate of one hour for each hour worked in excess of 40 hours per week.
- & The maximum accrual of compensatory time is 80 hours.
- & Compensatory time must be used in minimum increments of one hour and maximum increments of 16 hours.
- & At no time will compensatory time be converted to any other form of leave or compensation.
- & Compensatory time must be listed on the regular payroll sheet detailing the time earned and taken.

## **Policy 30. Special Leave**

The Administrative Judge or his/her designee or the Clerk of Court or his/her designee, may authorize special leave of absence, with or without pay, for purposes beneficial to the employee and/or the Court or Clerk of Court.

### **A. Jury Service Leave**

An employee, while serving on a jury in any court of record in Delaware County, the State of Ohio, or any adjoining county, will be paid his/her regular salary for each

workday during the period of time so served. Time so served will be deemed active and continued service for all purposes. All jury fees received from the court where the jury was seated will be assigned to the City of Delaware and submitted to the Administrative Judge or his/her designee or the Clerk of Court or his/her designee, to be forwarded to the City Finance Director.

## **B. Court Leave**

Time off with pay will be allowed for work-related incidents where an employee is subpoenaed as a witness in civil matters in any court of record in Delaware County, State of Ohio, or any adjoining county. All witness fees will be assigned to the City of Delaware and submitted to the Administrative Judge or his/her designee or the Clerk of Court or his/her designee, to be forwarded to the City Finance Director.

## **Policy 31. Family and Medical Leave Act**

The Family and Medical Leave Act policies in the City of Delaware's Employment Handbook apply to the employees of both the Court and the Clerk of Court.

## **Policy 32. Parks and Recreation Credit**

The City will provide each employee with a credit to be applied to a City Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit is \$60.00. This membership is defined and regulated by the Recreation Services Department and employees must abide by the stipulations set forth by the department both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. In addition, the City will provide to each member a 20% discount on all individual registrations for City recreation programs.

## **Policy 33. On-Call Compensation**

Both exempt and non-exempt employees of the Clerk of Court will be eligible for on-call compensation for weekly periods when assigned the responsibility of responding to law-enforcement requests during non-scheduled work periods. Employees assigned to this on-call status will serve in this posture for weekly time periods as authorized by the Clerk or by the Clerk's designee. Employees assigned to on-call status will be compensated at a weekly rate of between \$25 and \$50 as determined by the Clerk of Court. On-call compensation will be added to regular and overtime wages earned during the pay period and will be paid as taxable income through the bi-weekly payroll process.

## **Policy 34. Salary Ranges**

Each employee is required to pay all required employee contributions to the Ohio Public Employees Retirement System (OPERS).

**SALARY RANGES - MUNICIPAL COURT:**

JOB TITLE	HOURLY WAGE		ANNUAL SALARY	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
OFFICE ASSISTANT	\$12.37	\$20	\$25,730	\$41,600
ADMINISTRATIVE ASSISTANT	\$14.53	\$20	\$30,222	\$41,600
BAILIFF/SECURITY OFFICER	\$16.28	\$27	\$33,662	\$56,160
COMMUNITY CONTROL OFFICER	\$16.35	\$28	\$34,000	\$58,240
OVI DOCKET COORDINATOR/ COMMUNITY CONTROL OFFICER	\$16.35	\$28	\$34,000	\$58,240
MISSION DOCKET COORDINATOR/ COMMUNITY CONTROL OFFICER*	\$16.35	\$28	\$34,000	\$58,240
VETERAN MENTOR COORDINATOR	\$16	\$24	\$33,280	\$49,920
ASSIGNMENT ADMINISTRATOR	\$18.81	\$28	\$39,125	\$58,240
ASSIGNMENT COMMISSIONER/JURY COMMISSIONER	\$18.81	\$28	\$39,125	\$58,240
ADMIN. ASSISTANT/JURY COMMISSIONER	\$18.81	\$28	\$39,125	\$58,240
CHIEF COMMUNITY CONTROL OFFICER	\$20.74	\$32	\$43,139	\$66,560
DEPUTY CHIEF COMMUNITY CONTROL OFFICER	\$20.74	\$32	\$43,139	\$66,560
MAGISTRATE	\$34.67	\$52	\$72,114	\$108,160

**SALARY RANGES - CLERK OF COURT:**

1901.31(H) Deputy Clerks of a municipal court other than the Carroll County Municipal Court may be appointed by the Clerk and shall receive the compensation, payable in either biweekly instalments or semi-monthly instalments, as determined by the payroll administrator, out of the City Treasury, that the Clerk may prescribe, except that the compensation of any Deputy Clerk of a county-operated municipal court shall be paid out of the treasury of the county in which the Court is located. The Judge of the Carroll County Municipal Court may appoint Deputy Clerks for the Court, and the Deputy Clerks shall receive the compensation, payable in biweekly instalments out of the county treasury, that the Judge may prescribe. Each Deputy Clerk shall take an oath of office before entering upon the duties of the Deputy Clerk's office and, when so qualified, may perform the duties appertaining to the office of the Clerk. The Clerk may require any of the Deputy Clerks to give bond of not less than three thousand dollars, conditioned for the faithful performance of the Deputy Clerk's duties.

**Policy 35. Permanent Part-Time Employees**

Permanent part-time employees will receive the following wages and benefits:

## **Section 1. Wages**

Permanent part-time employees will be paid on an hourly basis in accordance with the table in Policy 34 above.

## **Section 2. Benefits**

- A.** Permanent part-time employees will accrue Universal Leave on a prorated basis of 4.6 hours for every eighty hours worked in a pay period.
- B.** Permanent part-time employees are eligible for holiday pay if they work a major holiday, which includes the following: Memorial Day, July 4, Labor Day, Thanksgiving, Christmas, and New Year's Day. Holiday Pay is defined as one and one-half times the permanent part-time employee's regular hourly rate.
- C.** Overtime will be compensated at straight time rates for all hours in paid status, except that all hours in paid status in excess of 40 hours in any work week will be compensated for a rate of time and one-half.
- D.** The permanent part-time employee is responsible for payment of the employee contribution for the State of Ohio Retirement System.
- E.** Upon termination of employment with the Court or Clerk of Court, permanent part-time employees will not receive pay-out for any leave accumulated.
- F.** If a permanent part-time employee becomes full time with the Court or Clerk of Court, any accumulated Universal Leave will be added to the permanent part-time employee's sick leave balance.

## **Policy 37. Intermittent Part-Time/Seasonal Employees**

Intermittent part-time and seasonal employees will receive the following wages and benefits:

### **Section 1. Wages**

Intermittent part-time and seasonal employees will be paid on an hourly basis in accordance with the table in Policy 35 above.

### **Section 2. Benefits**

Intermittent part-time and seasonal employees are not eligible for benefits, but the intermittent part-time, and/or seasonal employee is responsible for payment of the employee contribution for the State of Ohio Retirement System.

## Receipt and Acknowledgment Form

The employee policy manual and employee benefits manual include important information about employment at the Delaware Municipal Court and the Clerk of Court's office, and I understand that I should consult my immediate supervisor regarding any questions that are not answered in those documents. If my supervisor cannot answer my question, I should consult with the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.

I have entered into my employment relationship with the Delaware Municipal Court or the Clerk of Court voluntarily and I acknowledge that there is no specified length of employment. Accordingly, the Delaware Municipal Court, the Clerk of Court, or I may terminate the relationship at will, with or without cause, at any time.

Because the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the administrative policy manual and the employee-benefits manual may occur, though I also understand that my position is and will remain an employment-at-will position. Any changes in the manuals will be communicated through official notices, and I understand that that revised information may supersede, modify, or eliminate existing policies. Only the Administrative Judge or Clerk of Court of the Delaware Municipal Court has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the administrative policy manual and the employee-benefits manual, and I understand that it is my responsibility to read and to comply with the policies contained in these documents as well as any revisions made to them later.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee's Name (Please Print)



## FACT SHEET

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AGENDA ITEM NO: 10

DATE: 12/20/2018

ORDINANCE NO: 18-111

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Jackie Walker, Assistant City Manager

---

**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

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 AN EMERGENCY.

**BACKGROUND:**

The proposed 2019 budget reflects an increase in wages by 2% for all permanent part-time positions. As a result of conducting an external seasonal pay-rate comparison in response to difficulty staffing seasonal laborer positions during the 2018 season, the intermittent part-time/seasonal wage table has been adjusted. This change will increase our ability to recruit qualified individuals for these positions, reduce the time to fill these positions, provide internal and external pay equity as municipal pay rate comparisons have increased, incentivize past employees to return and condense the number of seasonal pay grades.

**REASON WHY LEGISLATION IS NEEDED:**

Legislation is necessary in order to process payroll changes.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

2 percent increase for all permanent part-time positions. Wage table adjustment for intermittent part-time/seasonal positions, as reflected in the proposed 2019 budget.

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Jackie Walker, Assistant City Manager

**RECOMMENDATION:**

Approval at 3<sup>rd</sup> Reading

**ATTACHMENT(S)**

N/A

ORDINANCE NO. 18-111

AN ORDINANCE AMENDING ORDINANCE NO. 17-78 ESTABLISHING THE PAY AND BENEFITS FOR VARIOUS PART-TIME AND INTERMITTENT, AND SEASONAL EMPLOYEES OF THE CITY OF DELAWARE AND DECLARING AN EMERGENCY.

WHEREAS, the City hires various part-time, intermittent/seasonal employees that can be divided into two classifications, to wit: permanent part-time and intermittent seasonal, and

WHEREAS, Section 155.09, Appointment Status, of the Codified Ordinances of the City of Delaware defines part-time employment, and Ordinance No. 15-115 established pay and benefits for various part-time employees of the City, and

WHEREAS, it is necessary to clarify the wages and benefits for each classification of part-time and intermittent/seasonal employees.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. Ordinance No. 17-78 is hereby amended to read as follows:

A. Effective **DECEMBER 26, 2018** permanent part-time employees shall receive the following wages and benefits:

1. Wages. Permanent part-time employees shall be paid on an hourly basis in accordance with the following table:

<b>Pay Grade</b>	<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>	<b>STEP 4</b>	<b>STEP 5</b>
<b>PT 1</b>	9.24	9.58	9.98	10.19	10.39
<b>PT 2</b>	13.94	14.48	15.08	15.69	16.29
<b>PT 3</b>	14.66	15.24	15.81	16.49	17.15
<b>PT 4</b>	16.88	17.56	18.27	19.00	19.76
<b>PT 5</b>	19.56	20.17	20.79	21.44	22.07
<b>PT 6</b>	22.34	23.00	23.61	24.33	25.05

PAY GRADE

POSITION

PT 1..... Facility Maintenance Technician I  
 PT 2..... Support Services Aide, Parking Control Officer  
 PT 3..... Facility Maintenance Technician II  
 Clerical Specialist, Records Clerk,  
**RECORDS ANALYST, Laborer**, Front Counter Clerk, Help-Desk Technician

PT 4.....	<b><u>COMMUNICATIONS SPECIALIST,</u></b> <b><u>PARALEGAL, LABORER</u></b>
PT 5.....	Investigator/Diversion Manager, Code Enforcement Officer
PT 6.....	Human Resource Coordinator

2. Benefits. Benefits for permanent part-time are as follows:
  - (a) Employees will accrue Universal Leave on a prorated basis of 4.6 hours for every eighty hours worked in a pay period.
  - (b) Employees are eligible for holiday pay if they work a major holiday which includes the following: Christmas, Labor Day, Memorial Day, July 4, New Year's Day and Thanksgiving. Holiday Pay is defined as one and one half times the employee's regular hourly rate.
  - (c) Overtime shall be compensated at straight time rates for all hours in paid status, except that all hours in paid status in excess of 40 hours in any work week shall be compensated for a rate of time and one half.
  - (d) The employee shall be responsible for payment of the employee contribution for the State of Ohio Retirement System.
  - (e) Upon termination of employment with the City employees will not receive pay-out for any leave accumulated.
  - (f) If an employee becomes full time with the City, any accumulated Universal Leave will be added to the employee's sick leave balance.
  - (g) Employees shall receive a Parks and Recreation Credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hillborn Room). The amount of the credit shall be \$60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. Employees will also receive a 20% discount on all individual registrations for City recreation programs. Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-issued if lost or stolen and must be surrendered at the time of registration/purchase. Credits are non-transferrable.

B. Effective **December 26, 2018** permanent part-time firefighters shall be paid on an hourly basis in accordance with the following table:

PAY GRADE	POSITION	WAGE
PTFF1	Firefighter/EMT	<b>13.26/hour</b>
PTFF2	Firefighter/Paramedic	<b>15.30/hour</b>

1. Benefits. Benefits for permanent part-time firefighters are as follows:

- (a) The City will provide \$10,000 of life insurance.
- (b) Overtime shall be compensated at straight time rates for all hours in paid status, except that all hours in paid status in excess of 2 1/2 hours in any 28 day pay cycle shall be compensated for a rate of time and one half.
- (c) The employee will be responsible for payment of the employee contribution to their pension system.
- (d) Employees are eligible for holiday pay if they work a major holiday which includes the following: Christmas, Labor Day, Memorial Day, July 4, New Year's Day and Thanksgiving. Holiday pay is defined as one and one half times the employee's regular hourly rate.
- (e) Permanent part-time firefighters may not exceed 1500 hours worked in a calendar year.
- (g) Employees shall receive a Parks and Recreation Credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit shall be \$60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. Employees will also receive a 20% discount on all individual registrations for City recreation programs. Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-issued if lost or stolen and must be surrendered at the time of registration/purchase. Credits are non-transferrable.

C. Effective **DECEMBER 26, 2018** intermittent part-time/seasonal employees shall receive the following wages and benefits:

- 1. Wages. Intermittent part-time/seasonal employees shall be paid on an hourly basis in accordance with the following table:

<b>Pay Grade</b>	<b>Position</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>
<b>SL1</b>	Cashier	\$10.00	\$10.50	\$11.00
<b>SL2</b>	Laborer	\$11.50	\$12.50	\$13.50
<b>SL3</b>	Intern	\$11.50	\$13.50	\$15.50
<b>SL4</b>	Clubhouse Manager	\$14.00	\$15.00	\$16.00

For intermittent/seasonal positions not listed above, the wages shall be the entry-level pay rate reflected in the applicable pay plan for the equivalent permanent full-time position or a pay rate established by the City Manager.

2. Benefits. Intermittent /seasonal employees are not eligible for benefits, except the following:
  - (a) The employee shall be responsible for payment of the employee contribution for the State of Ohio Retirement System.

SECTION 2. Existing Ordinance No. 17-78 is hereby repealed.

SECTION 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 4. EMERGENCY CLAUSE. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City. The emergency clause is required to enact the changes effective on DECEMBER 26, 2018. Therefore this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON EMERGENCY CLAUSE:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_  
 ABSTAIN \_\_\_\_\_

PASSED: \_\_\_\_\_, 2018

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_  
 ABSTAIN \_\_\_\_\_

ATTEST: \_\_\_\_\_  
 CITY CLERK

\_\_\_\_\_  
 MAYOR



## FACT SHEET

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AGENDA ITEM NO: 11

DATE: 12/20/2018

ORDINANCE NO: 18-112

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: NO

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Jackie Walker, Assistant City Manager

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN, AND DECLARING AN EMERGENCY.

**BACKGROUND:**

The proposed 2018 budget reflects an increase in wages by 2% for the non-union employee pay plan and 2.5% for the department head pay plan ranges.

Other notable additions/changes include establishing a calendar year maximum reimbursement (\$3,500) for tuition reimbursement, subject to available appropriations.

In addition, the ordinance includes a section authorizing the Finance Director to sign an annual OPERS earned time off conversion document.

**REASON WHY LEGISLATION IS NEEDED:**

Legislation is necessary in order to process payroll changes.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

A 2 percent increase for all non-union pay plan positions and 2.5 percent increase to the department head pay plan ranges, as reflected in the proposed 2019 budget.

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Jackie Walker, Assistant City Manager

**RECOMMENDATION:**

Approval at Third Reading

**ATTACHMENT(S)**

Amended Pay Plan

ORDINANCE NO. 18-112

AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the attached Management, Professional, Technical, Confidential and Supervisory Pay Plan shall be amended to reflect the noted changes.

SECTION 2. That the Finance Director is hereby authorized to execute and submit the annual OPERS earned time conversion document on behalf of the City.

SECTION 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 4. EMERGENCY CLAUSE. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City. The emergency clause is required to enact the changes effective on December 26, 2018 which coincides with the new calendar year. Therefore this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON EMERGENCY CLAUSE:

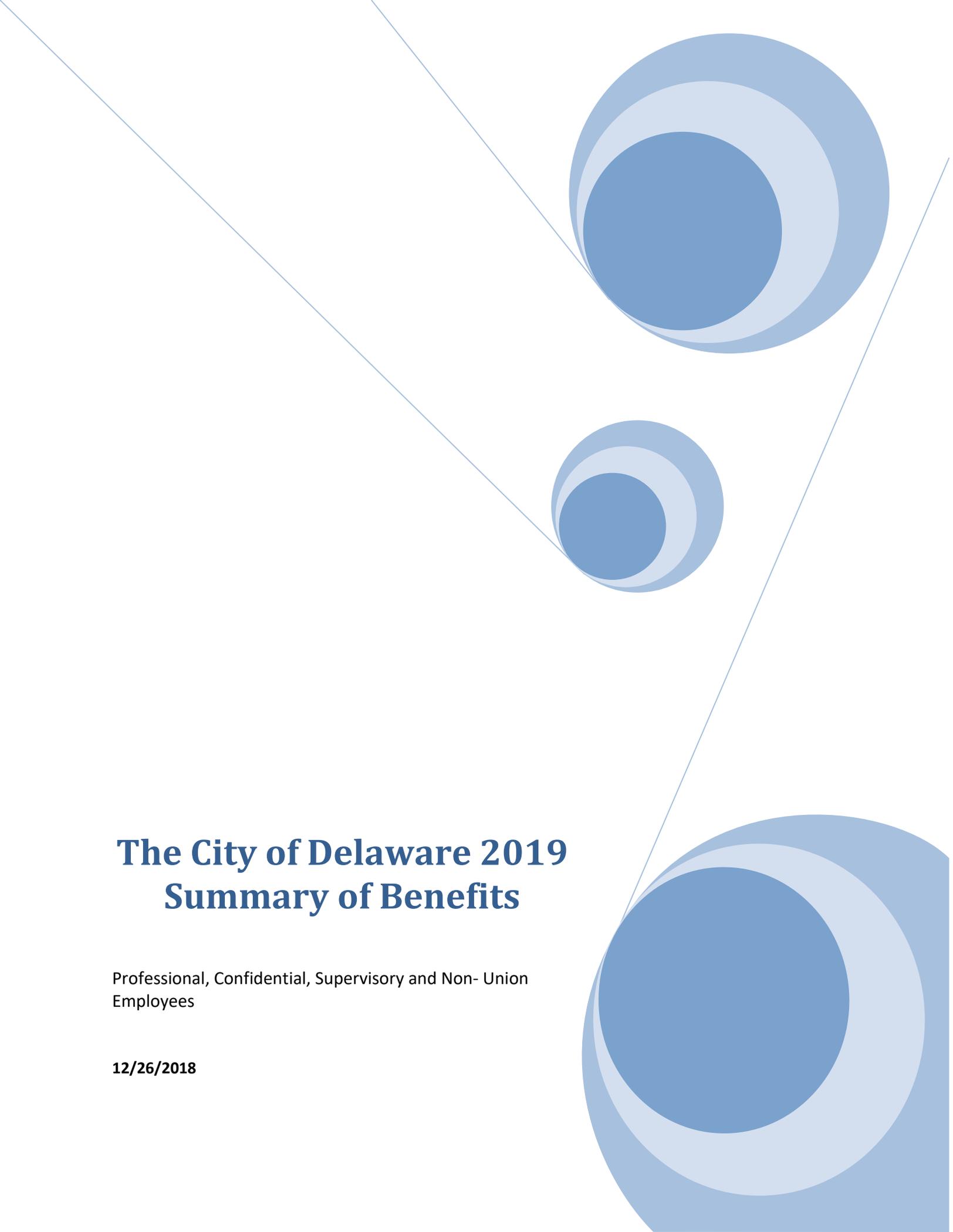
YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2018

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



# **The City of Delaware 2019 Summary of Benefits**

Professional, Confidential, Supervisory and Non- Union  
Employees

**12/26/2018**

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# SECTION I WAGES AND PAY PLAN

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## A. Non-Union Employee Pay Plan

The following pay schedule is to be effective **DECEMBER 26, 2018** and the table below reflects a **2%** increase for each step. Step increases shall take effect the first full pay period following the employee's anniversary date.

<u>PAY GRADE</u>	<u>POSITION</u>
M1	Administrative Assistant, Police Administrative Aide, Desktop Technician, Clerk of Council
M2	Airport Technician, Watershed Coordinator, Police Assistant,
M3	Economic Development Communications Specialist
M4	Cemetery Manager, Financial Specialist I, Arborist
M5	GIS/CMMS Technician, Administrative Services Specialist, Right-of-Way Inspector, Zoning Technician
M6	Police Technician
M7	Code Enforcement Officer I, Customer Service Liaison, Facility Maintenance Supervisor
M8	Engineering Technician, Airport Operations Supervisor, Division Supervisor, Financial Specialist II, Executive Assistant, Code Enforcement Officer II, Golf Course Superintendent, Project Manager I, Collections Manager, Construction Inspector
M9	Assistant City Attorney/Prosecutor, Building Inspector I
M10	Development Planner
M11	No Current Position
M12	GIS Coordinator, Project Manager II, Airport Manager, Construction Inspection Manager, IT Project Coordinator, Budget Analyst,
M13	Building Inspector II
M14	Information Systems & Network Administrator, Human Resource Manager, Assistant Prosecutor, Database Analyst
M15	Project Engineer I, Assistant Water Manager, Assistant Wastewater Manager, Parks Superintendent
M16	No current position
M17	Project and Maintenance Manager, Public Works Superintendent, Accountant, Zoning Administrator, Water Manager, Wastewater Manager, Community Affairs Coordinator, Project Engineer II, Income Tax Administrator
M18	Project Engineer III
M19	Deputy City Engineer
M20	No current position

<b>Pay Grade</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>
<b>M1</b>	18.86	19.59	20.28	21.21	22.04
<b>M2</b>	19.40	20.55	20.98	21.86	22.71
<b>M3</b>	20.37	21.19	22.04	22.93	23.84
<b>M4</b>	21.19	22.03	22.92	23.87	24.80
<b>M5</b>	22.28	23.25	24.63	25.55	26.32
<b>M6</b>	23.18	24.25	25.59	26.56	27.38
<b>M7</b>	24.08	25.23	26.61	27.60	28.48
<b>M8</b>	25.42	26.50	27.56	28.73	29.94
<b>M9</b>	26.46	27.54	28.67	29.88	31.14
<b>M10</b>	27.51	28.65	29.85	31.10	32.41
<b>M11</b>	28.61	29.75	31.08	32.31	33.65
<b>M12</b>	29.79	30.98	32.28	33.60	35.03
<b>M13</b>	30.96	32.21	33.58	34.97	36.44
<b>M14</b>	32.16	33.52	34.92	36.37	37.90
<b>M15</b>	33.44	34.87	36.33	37.83	39.37
<b>M16</b>	34.82	36.25	37.77	39.33	40.94
<b>M17</b>	36.21	37.68	39.33	40.89	42.62
<b>M18</b>	37.62	39.19	40.89	42.56	44.33
<b>M19</b>	39.16	40.78	42.53	44.24	46.07
<b>M20</b>	40.71	42.37	44.24	46.02	47.92

**B. Department Head Pay Plan**

The following pay schedule for the positions below is to be effective **DECEMBER 26, 2018** and reflects a **2.5%** increase to each range.

<b>DH III</b>		<b>Range</b>
	Dean Stelzer      Finance Director	\$105,386.40 to \$147,540.96
	Darren Shulman    City Attorney	
	Bruce Pijanowski    Police Chief	
	John Donahue      Fire Chief	
<b>DH II</b>		\$87,822.00 to \$122,950.08
	Bill Ferrigno      Public Works Director/City Engineer	
	David Efland      Planning Director	
	Chief Information Officer	
	Assistant Fire Chief	
	Blake Jordan      Public Utilities Director	
	Jackie Walker      Assistant City Manager	
<b>DH I</b>		\$73,185.00 to \$102,459.00
	Jerry Warner      Chief Building Official	
	Sean Hughes      Economic Development Director	
	Ted Miller        Parks & Recreation Director	
	Melissa Schiffel   City Prosecutor	

**C. Safety Forces Pay Plan**

The following pay schedule is to be effective **DECEMBER 26, 2018**. The table below reflects a **2%** increase for each step. Step increases shall take effect the first full pay period following the employee’s anniversary date.

Pay Grade	STEP 1		STEP 2		STEP 3	
	Hourly	Annual	Hourly	Annual	Hourly	Annual
SF1	48.78	\$101,454.91	50.60	\$105,252.58	52.44	\$109,071.46

**PAY GRADE**                      **POSITION**  
**SF1**                                      Police Captain

**1. Maximum Vacation Accrual**

If an employee enters into the Management Pay Plan with more than the maximum accrual of vacation hours allowed, the following will occur: 1.the employee may request a pay out to take the current level below the maximum allowed or 2. the current accrual will be “frozen” as a maximum cap for the calendar year. The last pay of each year will be the next annual cap if the accrual is lower than the previous cap. This will continue to occur until the employee reaches the maximum management accrual rate.

**2. Initial Compensatory Time**

Prior to entering the Management Pay Plan all compensatory time will be paid out according to the provision in the respective bargaining contract and the employee compensation time will be zero (0).

**3. Clothing Maintenance Allowance**

The positions of Police Chief and Police Captain shall receive an annual clothing maintenance allowance of three hundred and forty dollars (\$340) in January of each year.

**4. Uniforms Allowance**

The Management Pay Plan positions in the Police and Fire Departments will receive replacement uniform items when determined by the Chief that replacement is necessary.

Pay Grade	STEP 1		STEP 2		STEP 3	
	Hourly	Annual	Hourly	Annual	Hourly	Annual
SF2	per contract		per contract		per contract	

**PAY GRADE**

SF2

**POSITION**

Fire Captain

1. Wages and associated benefits for the 40-hour/week Management Fire Captain are identical to those provided to equivalent bargaining unit position. Position is considered overtime eligible. Additionally, incumbent will receive 5% out-of-class pay (**BASED ON BASE WAGE RATE**) when serving as Acting Chief.

**D. Overtime Pay and Compensatory Time: Non-Exempt Employees**

For employees who are entitled to overtime pay or compensatory time off under the provisions of the Fair Labor Standard Act they shall be entitled to overtime pay or compensatory time as described below:

1. Employees shall be compensated at straight-time rates for all hours in active pay status, except that all hours in paid status in excess of forty (40) hours in any workweek shall be compensated for at a rate of time and one-half. Payment in cash shall be made for any overtime due at the time of separation from City service.
2. In lieu of cash payment, the employee may request to be compensated for overtime by compensatory time off in accordance with the law. Such compensatory time off shall be equal to one and one-half (1.5) hours for each hour of overtime compensation to which the employee is entitled. All requests for use of compensatory time are subject to approval of the department head. Compensatory time shall be taken at a time mutually agreeable to the supervisor and the employee.
3. Employees can accumulate up to eighty (80) hours of compensatory time. When an employee has eighty (80) hours of accumulated compensatory time, all further overtime will be paid in cash.
4. At no time shall compensatory time be converted to any other form of leave or compensation; except when an employee separates from City service. Upon termination of employment, a non-exempt employee shall be paid for unused compensatory time provided that the time was earned after April 14, 1986 at a rate of compensation not less than:

- a.) The average regular rate (hourly rate) received by such employee during the last 3 years of the employee's employment, or
  - b.) The final regular rate (hourly rate) received by such employee, whichever is higher.
5. Compensatory time shall be submitted on the regular payroll sheet detailing the time earned and taken.

**E. Compensatory Time: Exempt Employees**

Employees exempt under the Fair Labor Standard Act shall not be entitled to overtime pay but shall be entitled to compensatory time as described below:

1. No existing compensatory time balances will be carried over from an outside position or when the employ transfers into the Management Pay Plan.
2. Compensatory time shall be earned for approved work that exceeds eight (8) hours per day and such employees may receive said compensatory time at the rate of one (1) hour for each hour worked in excess of eight (8) hours per day.
3. The maximum accrual of compensatory time shall be eighty (80) hours.
4. Compensatory time must be used in minimum increments of one (1) hour and maximum increments of twenty four (24) hours per pay period.
5. At no time shall compensatory time be converted to any other form of leave or compensation. Upon termination of employment, an exempt employee is not entitled to payment for unused compensatory time.
6. Compensatory time shall be submitted on the regular payroll sheet detailing the time earned and taken.

## SECTION II ACCRUED TIME AND VARIOUS LEAVES

### A. Vacation

1. The vacation year for employees shall end at the close of business on the last pay period that ends in the month of December.
2. Each full-time employee shall accrue vacation leave by pay period at the annual rate of work hours based on years of full time total service which is established in the schedules contained in Section 3 of this article. Years of total full time service is defined to be the total of all periods of employment for the City of Delaware. Any period of interruption of service due to resignation, layoff, disciplinary suspension, or discharge for cause, will not be included in the computation of total service. Time not in paid status, excepting military leave, shall also be excluded in computing total service. In computing years of service, the higher rate of accrual will be on the first day of the first pay period in which a year of service is completed.
3. The following vacation accrual schedules are established:

<b>Years of Total Service</b>	<b>Vacation Hrs/Year</b>	<b>Vacation Hrs/Pay</b>
Start through 5 years	80.6	3.1
6 through 10 years	119.6	4.6
11 through 15 years	161.2	6.2
16 plus years	200.2	7.7

4. Any vacation balance in excess of the maximum accrual shall become void as of the close of business on the last day of the last pay period that ends in the month of December.

<b>Years of Total Service</b>	<b>Maximum Accrual of Vacation Hours</b>
<b>Start through 5 years</b>	<b>241.8</b>
<b>6 through 10 years</b>	<b>358.8</b>
<b>11 through 15 years</b>	<b>483.6</b>
<b>16 plus years</b>	<b>600.6</b>

5. Eligibility
  - a. To be eligible for biweekly (pay period) vacation accumulation, an employee must be in paid status for a minimum of 72 hours within that pay period; except that when an employee is

required to report for work and does so report and is denied work because of circumstances beyond their control, absence from work for the balance of that day shall not be construed as unpaid work status.

- b. An employee in full-time status who is to be separated from the City service through discharge, resignation, retirement or layoff, and who has unused vacation leave to their credit, shall be paid in a lump sum for such unused vacation leave in lieu of granting a vacation leave after his last day of active service with the City. Such payment shall be paid at the employee's hourly rate of pay at time of separation.
- c. When a member dies while in paid status in the City service, any unused vacation leave to their credit shall be paid in a lump sum to the surviving spouse, or such other person the employee may have designated in writing.
- d. Requests for vacation are to be submitted and approved, in advance of the intended use, by employee's supervisor or department head.
- e. To be eligible to transfer years of service for determination of vacation benefits to the City of Delaware from prior employment inside the State of Ohio:
  - 1) Employees will only be eligible to transfer years of service from a public agency as defined by State law.
  - 2) The amount of years of service that can be transferred is unlimited.
  - 3) Prior employment must be in full-time status.
- f. To be eligible to transfer years of service for determination of vacation benefits to the City of Delaware from prior employment outside the State of Ohio:
  - 1) Employees will only be eligible to transfer years of service from their immediate previous employer.
  - 2) Said previous employer must be a public agency.
  - 3) Employment with the City of Delaware must take place within twelve months of termination from their immediate previous employer.
  - 4) The maximum amount of years of service that can be transferred is five (5) years.
  - 5) Present employees are not eligible.
  - 6) Prior employment must be in full-time status.
- g. An employee may elect to trade three (3) weeks of vacation time, or the equivalent of vacation time earned in one year, whichever is greater, for equivalent pay during the calendar year. Conversion of vacation time may occur ~~in~~ **FOR PAY PERIODS ENDING IN THE MONTHS OF** January, June, or December of each year. **FOR 2019, THESE DATES ARE AS FOLLOWS:**

<b>Pay Period Ending</b>	<b>Pay Date</b>
January 8, 2019	January 15, 2019
January 22, 2019	January 29, 2019
June 11, 2019	June 18, 2019
June 25, 2019	July 2, 2019
December 10, 2019	December 17, 2019
December 24, 2019	December 31, 2019

An employee must inform the Department Head prior to August 1 of the year preceding the calendar year in which he intends to make the trade and must maintain at least forty (40) hour of vacation time in the employee's account after said trade takes place. **EXCEPTIONS MAY BE GRANTED BY THE AUTHORITY OF THE CITY MANAGER.**

**B. Sick Leave**

1. Each City employee shall be entitled to sick leave with pay of four and six-tenths (4.6) hours for each completed eighty (80) hours of service. An employee may use sick leave, upon approval of his or her Department Head, for absence due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees, and for illness or injury of the employee's spouse, dependent children, step-children or parent. It is the option of a supervisor, with cause, to require return to work documentation from the employee.
  
2. If an employee used 0 hours of sick leave in any one calendar year, that employee shall be credited with an additional three (3) vacation days the following year. If an employee uses between one (1) and eight (8) hours of sick leave in any one calendar year that employee shall be credited with an additional two (2) vacation days the following year. If an employee uses between nine (9) and sixteen (16) hours of sick leave in any one calendar year that member shall be credited with one (1) additional vacation day the following year. To be eligible for this incentive, an employee must be active for the first pay period of the calendar year through the last pay period of the calendar year. At the employee's option, any additional vacation days earned can be converted to pay **FOR PAY PERIODS ENDING** in the months of January, June, or December of the year the additional vacation is earned. **FOR 2019, THESE DATES ARE AS FOLLOWS:**

<b>Pay Period Ending</b>	<b>Pay Date</b>
January 8, 2019	January 15, 2019
January 22, 2019	January 29, 2019
June 11, 2019	June 18, 2019
June 25, 2019	July 2, 2019
December 10, 2019	December 17, 2019
December 24, 2019	December 31, 2019

3. To be eligible to transfer sick leave to the City of Delaware from prior employment inside the State of Ohio:
  - a. Employees will only be eligible to transfer sick leave from a public agency as defined by the State of Ohio.
  - b. Employment with the City of Delaware must take place within ten (10) years of termination from their previous employer.
  - c. The maximum amount of sick leave hours that can be transferred is unlimited as long as it is accrued at a rate of no greater than 15 days per year.
  
4. To be eligible to transfer sick leave to the City of Delaware from prior employment outside the

State of Ohio:

- a. Employees will only be eligible to transfer sick leave from their immediate previous employer.
  - b. Said previous employer must be a public agency.
  - c. Employment with the City of Delaware must take place within twelve (12) months of termination from their immediate previous employer
  - d. The maximum amount of sick leave hours that can be transferred is six hundred (600).
  - e. Any sick leave time so transferred shall have been accumulated at the rate of one and one-fourth days per month of employment.
  - f. Present employees are not eligible.
5. Any City employee who has accumulated at least 100 days of sick leave credit may convert any excess thereof up to fifteen (15) days per year of sick leave to vacation leave on the basis two (2) sick leave days for one (1) day vacation leave. Such annual conversion, if made, shall occur in December for the year of conversion.
6. Any employee separated from City service for other than just cause shall be paid for all accumulated and unused sick leave on the basis of one (1) hour of pay for every two (2) hours of unused sick leave. Total sick leave pay out cannot exceed sixteen (16) weeks pay.
7. For Employees Hired After November 1, 2013

Each member hired by the City of Delaware after November 1, 2013 may transfer accrued sick leave hours from previous employment with any public agency but such sick leave hours will not be eligible for conversion or payment upon separation pursuant to section 5. In addition, sick leave usage by members who transfer in sick leave hours will first be charged to sick leave hours accumulated while employed by the City of Delaware. Members will only be eligible to utilize hours transferred in from prior public employment when they have no balance of sick leave available from sick leave accrued while employed by the City of Delaware.

**C. Holiday and Personal Days**

1. The following are designated as paid holidays for covered employees:

New Year's Day, January 1	Little Brown Jug Day, ½ day <sup>1</sup>
Martin Luther King Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Independence Day, July 4	Day before Christmas, ½ day
Labor Day	Christmas Day, December 25

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<sup>1</sup> In the event that an office remains open on a designated paid holiday all affected staff may take the corresponding time off for that holiday on another date, upon prior approval of their supervisor and/or department director.

2. If one of the holidays set forth above occurs while an employee is on vacation leave, such day shall not be charged against his/her vacation leave.
3. In the event that the Federal Government designates a specific day for any of the aforesaid holidays, then such holiday shall be observed by the City in accordance with such federal designation. When any such holiday falls on a Saturday it shall be observed on the Friday immediately preceding, and when any such holiday falls on a Sunday, it shall be observed on the Monday immediately following, provided that the employee works their last regularly scheduled work day preceding and following the holiday.
4. For each of the holidays specified in Section 1 of this article on which a FLSA non-exempt employee works, they shall be entitled to holiday compensation equal to double the employee's regular rate of pay, except that the employee shall be entitled to holiday compensation at two and one-half times the employee's regular rate of pay if they work on any of the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day. Only eight (8) hours per day will be used when computing the holiday rate. Compensation for holidays may be in the form of cash or compensatory time off.
5. Employees shall be credited with 32 hours of personal leave a year, except for new hires who shall receive a prorated amount based on hire date. Use of holiday compensatory time or personal days shall be at the employee's discretion with the approval of the employee's supervisor or department head.
6. All employees will be permitted to accumulate three (3) years' worth of holiday compensatory time and personal leave. Once an employee accumulates the maximum allowable number of personal leave/holiday compensatory time then future personal leave/holiday compensatory time will be compensated for in cash, at the time they are earned. An employee may elect to cash in up to one year's worth of personal leave each year (32 hours) **FOR PAY PERIODS ENDING** in the months of January, June, or December each year. An employee must inform his or her Department Head prior to August 1 of the year preceding the calendar year in which they intend to make the trade. **FOR 2019, THESE DATES ARE AS FOLLOWS:**

Pay Period Ending	Pay Date
January 8, 2019	January 15, 2019
January 22, 2019	January 29, 2019
June 11, 2019	June 18, 2019
June 25, 2019	July 2, 2019
December 10, 2019	December 17, 2019
December 24, 2019	December 31, 2019

#### D. Funeral Leave

Each covered employee shall be entitled to funeral leave with pay according to the following schedule:

Leave for Death of:	Days/Hours of Leave	
	Local Funeral	Other Funeral

Immediate Family Member	1 - 3 Days	1 - 5 Days
Other Relative	May Use Up To One Scheduled Work Day of Accrued Leave	May Use Between 1-3 Scheduled Work Days of Accrued Leave

- One work day/shift is automatic for the day of the funeral, but additional time up to the maximum shall be given only with approval of the Department Head.
  - All leave time with approval of the Department Head.
1. For the purposes of this section, "Immediate Family Member" means spouse, child, brother, sister, parents, step-child, step-brother, step-sister and step-parents, grandparents, grandchildren, sister-in-law, brother-in-law and parents-in-law.
  2. For the purposes of the article, "Local Funeral" means a funeral in the City of Delaware, or within fifty (50) miles thereof.

**E. Special Leave**

In addition to other leaves authorized herein, the City Manager may authorize a special leave of absence, with or without pay, for purposes beneficial to the employee and/ **or** the City.

For exempt employees who are absent, if the absence cannot be covered or paid through appropriate leave time, said employees shall be subject to a reduction in pay, unless the absence is less than one workday.

**F. Jury Duty Leave**

An employee, while serving on a jury in any court of record in Delaware County, or any adjoining county, will be paid his regular salary for each of his workdays during the period of time so served. Time so served shall be deemed active and continuous service for all purposes. All jury fees received from the court of record shall be assigned to the City of Delaware.

When an employee has been released from Jury Duty they shall report back to work if more than two (2) hours are left in the workday

**G. Court Leave**

Time off with pay shall be allowed employees who are subpoenaed to attend any court of record in Delaware County, Delaware, Ohio, or any adjoining county, as a witness in civil matters, as they pertain to City matters. All witness fees shall be assigned to the City of Delaware.

**H. Injury Leave**

All regular full-time City employees shall be entitled to injury leave with pay, less any Worker's Compensation weekly salary benefits which he/she may be awarded by the Ohio Industrial Commission (OIC), for a period not to exceed 30 consecutive working days for employees working a 40-hour workweek for each injury incurred in the performance of employment duties with the City, provided that the following procedures are followed:

1. In all cases of personal injury to any regular full-time City employee as a result of the performance of employment duties, the employee shall complete an accident/injury investigation form and in conjunction with his/her Department Head shall report such injury to the Department of Administrative Services immediately and ensure that a claim is filed with the BWC.
2. In the event that time off from work is required by the injured employee, they will be granted injury leave from the first day of injury, if the proper documentation is submitted to the City of Delaware. This documentation will include, but not be limited to, a statement from the employee's physician, an Agreement covering Compensation Reimbursement, any necessary BWC forms and other documents as may be required by the City. In the event that the BWC determines that the injury is NOT employment related, any time the employee is, or has been, absent from work shall be deducted first from any accrued sick leave, then accrued vacation, or accrued compensatory time off, other than compensatory time for overtime worked.
3. During the period of time an injured employee is being paid under this policy, all normal benefits given to regular full-time City employees shall remain in force with no deductions to earned sick leave and/or vacation time.
4. In all cases where more than 30 consecutive working days are needed for injury leave for employees working a 40-hour workweek, the City Manager may extend such leave, if such necessity is determined to his/her satisfaction. Each employee requesting such an extension under this policy may be required to furnish a current affidavit from a licensed physician setting forth the need for the extension.

### **SECTION III - INSURANCE**

#### **A. Hospitalization, Surgical and Major Medical**

The City will continue to provide comprehensive hospitalization, surgical and major medical coverage for all full-time members and their dependents. Beginning January 1, 1999, or at some date thereafter, the City may implement a Preferred Provider Organization (PPO). The Plan if implemented will provide for the following deductibles and co-payments as follows:

	<b>NETWORKS PROVIDERS</b>	<b>NON-NETWORK PROVIDERS</b>
Annual Deductible      Single Family	None None	\$ 500.00 \$1000.00
Office Visit Co-pay	\$10.00	N/A

ER Visit Co-Pay	\$50.00 unless admitted into the hospital, otherwise co-insurance will apply in excess of the deductible	N/A
Co-insurance		
Single	90/10% of first \$1,000 80/20% of next \$3,000	50/50% of first \$5,000
Family	90/10% of first \$2,000 80/20% of next \$5,000	50/50% of first \$10,000

- Contributions will be deducted from the member's gross income prior to taxes, subject to compliance with all applicable tax regulations.
- Effective January 1, 2013 employees will contribute to the cost of the health benefit plan in an amount equal to 15% of the established monthly COBRA rate utilized by the City. Annual changes to the calculated COBRA rate will be applied to the monthly employee contributions on the first full pay-period in April of each year. Contributions will be deducted from all members in a paid status based on twelve (12) months times the monthly rate, divided by the number of pay periods per year. *An example would be \$56.95/mo. x 12 = \$683.40, \$683.40/26 pay periods = \$26.28 per pay period.* In the event federal tax regulations are changed so that medical benefit plans are no longer tax exempt, the City will not be responsible to pick up the member's tax burden.

The City will permit employees who have alternate health plan options through a spouse to opt out of the City plan in return for a payment of \$100.00 per month. Families who have both spouses employed full time by the City of Delaware will not be eligible to opt out of the plan. One spouse will carry the cost of the plan minus the opt out payment. The employee will provide proof that they do in fact have other coverage before the City will drop that employee's current coverage. The City will continue to provide dental coverage if it is not provided under the employee's spouse's insurance. A member may elect to return to coverage under the City's insurance plan by notifying the City in writing of any substantial changes in their qualifying family circumstances. The member must give thirty (30) days' notice of his or her election to return to the City's plan, except in the case of an emergency, such as sudden loss of spouse's coverage, divorce or other change in family status. The plan will comply with Internal Revenue Code Section 125 which governs this matter.

- Employees who opt out of the health insurance program will be compensated as follows:

No Coverage	\$100 per month
Maintain Dental Only	\$ 65 per month

\* An employee may not elect to have medical coverage only.

- Payments will begin on the first pay period of the month following 30 days' notice of an employee's desire to drop coverage. A form will be provided which will contain all

information necessary to discontinue coverage under the plan. The form must be signed and returned to the Department of Administrative Services. Until such time that an employee is effectively dropped from City coverage, they will be subject to any payroll contributions.

5. All payments made in lieu of insurance coverage will be included as other pay on employee's paycheck. This income will not be included in income subject to OPERS contributions but will be subject to all applicable taxes.

## **B. Prescription Plan**

The City will provide a prescription card plan for members and their dependents.

The retail benefits will be the following with the City paying the higher amount and the employee paying the lesser amount of prescription coinsurance:

- 80/20% for generic drugs
- 50/50% name brand drugs with a \$25 co-pay for each disbursement

The mail order benefits will be the following:

- 90/10% for generic drugs and
- 75/25% for name brand drugs with no \$25 co-pay.

The maximum expense an employee will pay for coinsurance is \$250 annually for single coverage and \$500 for family annually for prescription benefits, however, the \$25 co-pay for retail name brand drugs will not count towards the calculation of the \$250 or the \$500 coinsurance maximum and will always apply even after an employee reaches the coinsurance maximum expenditure.

## **C. Dental Care Plan**

The City will maintain the current dental coverage for all members. Please refer to the Plan Document for specific covered services

## **D. Life Insurance**

The City will provide the following amount of life insurance:

- Department Heads = \$50,000
- Assistant Fire and Police Chiefs = \$50,000
- Pay Grades M11 through M20 = \$40,000
- Police Captain and Fire Captain = \$40,000
- Pay Grades M 1 through M10 = \$30,000

## **E. Vision Plan**

The City will provide a vision plan for members and their dependents covered by this Summary of Benefits. The City will contribute \$6.00 per month on behalf of the employee. The employee will be responsible for the balance of the monthly cost of the coverage selected.

## **SECTION IV OTHER COMPENSATION**

### **A. Longevity Compensation**

Employees shall receive, in addition to other pay called for herein, Longevity Compensation based on completed years of service according to the following table:

After five (5) years of continuous service	\$550.00 / year
After ten (10) years of continuous service	\$750.00 / year
After fifteen (15) years of continuous service	\$950.00 / year
After twenty (20) years of continuous service	\$1150.00 / year

1. Longevity compensation shall be paid, in accordance with the above schedule, in two (2) separate lump sum payments during the first pay periods in June and December of each year.
2. Upon termination of service for any reason, employees who are eligible for longevity pay under this section (or in the event of death, the surviving spouse or estate) will be paid, as part of their terminal pay, the final partial year of longevity compensation, prorated to the number of months completed during said partial year since the employee's last payment date.
3. For the purpose of this section, continuous years of service shall include approved military leave.

## **B. Automobile Expense Reimbursement**

Employees shall receive reimbursement for business use of their personal vehicle. Reimbursement will be in accordance with Internal Revenue Service (IRS) regulations for not-taxable reimbursements and shall be at the IRS per mile reimbursement rate in effect when the business use miles were incurred. Department Heads as department heads employed by the City prior to January 1, 1999 who had received a monthly automobile allowance will only be reimbursed for business use of their personal vehicle for travel outside the City limits.

## **C. Non-Uniformed Clothing Allowance**

All employees covered under this pay plan in Pay Grades M1 through M9 who are not provided with a uniform shall receive an annual clothing allowance of \$150.00. Such allowance shall be utilized to purchase necessary work related items of clothing such as, but not limited to: steel toed boots, coats, rain gear, rubber boots, gloves etc. All purchases of clothing shall be the responsibility of the employee. Upon hire the clothing allowance will be prorated based on the full months of service for that year.

## **D. Call In Pay**

Both exempt and nonexempt employees shall be eligible for "on call" compensation for weekly periods when assigned the responsibility of directing Parks, Public Works, or Utility personnel in response to service requests during non-scheduled work periods. Employees assigned to this "on call" status shall serve in this posture for weekly time periods as authorized by the respective Department Head. Said employees shall be responsible for responding to after hour service requests. Employees assigned to an "on call" status shall be compensated at a weekly rate of between \$25.00 and \$50.00 as determined by the City Manager. On call compensation shall be paid in addition to regular and overtime wages earned during the pay period. On call assignments will be posted in June and December of each year for the following six-month period. Changes to the schedule must be made in advance with approval of the Department Head.

## **E. Tuition Reimbursement**

All full-time employees with one or more years of continuous active service shall be eligible for a reimbursement of instructional fees for undergraduate or graduate courses towards a degree or certification, pre-approved by the city and voluntarily undertaken by the employee. The tuition reimbursement program shall be subject to the following conditions:

1. All courses must be taken during other than scheduled working hours. Any situation which, in the discretion of the department head, would require an employee's presence on the job shall take complete and final precedence over any time scheduled for courses. All courses are subject to approval by the department head and/or city manager. There must be a direct correlation between the employee's duties and responsibilities and the courses taken or the degree program pursued. The city manager, or his designee, has the sole and final discretion to approve or disapprove tuition reimbursement requests.
2. Any financial assistance from any government or private agency available to the employee, whether applied for and regardless of when such assistance may have been received, shall be deducted in the entire amount from the tuition reimbursement

the employee is eligible for under this section. If an employee's tuition is fully covered by another governmental or private agency, then the employee is not entitled to any payment from the city.

3. Employees seeking authorization of a tuition reimbursement must first submit to the department head for review, prior to September 30 of the year preceding when the classes are to be taken, all necessary information pertaining to the proposed course degree to be pursued, the educational institution and the employee's best estimate of course costs, dates and times. **EMPLOYEES WILL BE ELIGIBLE FOR TUITION REIMBURSEMENT FOR PROPERLY APPROVED AND COMPLETED COURSEWORK UP TO \$3,500 FOR CALENDAR YEAR (JANUARY 1 TO DECEMBER 31).** Pre-approval is subject to available appropriations. **THE EMPLOYEE WILL BE RESPONSIBLE FOR ANY TUITION IN EXCESS OF THE ABOVE MENTIONED AMOUNTS. AN APPLICATION FOR TUITION REIMBURSEMENT MUST BE COMPLETED BY THE EMPLOYEE PRIOR TO ENROLLING IN THE CLASS WORK FOR WHICH REIMBURSEMENT IS REQUESTED.**
4. Courses must be taken at accredited colleges, universities, technical and business institutes or at their established extension centers and these must be first approved by the city. Seminars, conferences and workshops are not included.
5. Reimbursement for tuition will be made when the employee satisfactorily completes (attains at least a grade of "C" or its equivalent for undergraduate work and a grade of at least "B" or its equivalent for graduate work) a course and presents an official certificate or its equivalent and a receipt of payment or a copy of the unpaid bill from the institution confirming completion of the approved course.
6. No reimbursement will be granted for books, paper, supplies of whatever nature, transportation, meals, or any other expense connected with any course, except the cost of tuition fees outlined above.
7. Any employee participating in the tuition reimbursement program who resigns (except resignation due to disability), retires (except retirement due to disability), or is discharged for cause must repay the tuition reimbursement paid by the city for courses taken less than two years prior to the date of termination or discharge. If necessary, this amount will be deducted from the employee's terminal leave pay or final paycheck.

## **SECTION V MISCELLANEOUS**

### **A. Personnel Files**

The official personnel files of all employees shall be maintained in the Department of Administrative Services (DAS). All employee personnel records shall include but not limited to, applications, performance evaluations, promotions, ~~acts of reward and recognition~~, disciplinary actions and any other pertinent information pertaining to the job performance of the individual employee. Copies therein shall be available to the employee.

DAS shall be responsible for the care and maintenance of all personnel files and records. Department heads shall be responsible for promptly forwarding all pertinent personnel information and documentation to DAS. Employees may, during normal office hours, review their official personnel files.

### **B. Parks and Recreation Credit**

The City shall provide each employee with a credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit shall be \$60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. In addition, the City will provide to each member a 20% discount on all individual registrations for City recreation programs.

Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-issued if lost or stolen and must be surrendered at the time of registration/ purchase. Credits are non-transferrable.



## FACT SHEET

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AGENDA ITEM NO: 12

DATE: 12/20/2018

ORDINANCE NO: 18-113

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE ESTABLISHING NEW SALARY RATES FOR THE MAYOR AND MEMBERS OF CITY COUNCIL EFFECTIVE JANUARY 1, 2020 AND REPEALING ORDINANCE NO. 13-44.

**BACKGROUND:**

The salaries for Delaware City Council members were last increased effective January 1, 2016 pursuant to Ordinance 13-44. Ordinance 13-44 requires even numbered year, as part of the City's budget, Council vote to adjust or maintain the salary of the mayor and council. According to the 2018 MORPC salary survey, City of Delaware pays its council members less than average salary paid to City Council members in similar cities. City Council members are called upon to attend many meetings and devote hours of time to meet their responsibilities.

**REASON WHY LEGISLATION IS NEEDED:**

Salary adjustments for City Council may only be made through legislation and made as part of the budget process established by Ord. 13-44. Such changes shall take effect the January of the next even numbered year, which complies with Section 15 of the Charter of the City of Delaware.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Mayor Carolyn Kay Riggle

**RECOMMENDATION:**

Approval.

**ATTACHMENT(S)**

ORDINANCE NO. 18-113

AN ORDINANCE ESTABLISHING NEW SALARY RATES  
FOR THE MAYOR AND MEMBERS OF CITY COUNCIL  
EFFECTIVE JANUARY 1, 2020 AND REPEALING  
ORDINANCE NO. 13-44.

WHEREAS, the salaries for City Council members were last increased effective January 1, 2016 pursuant to Ordinance 13-44; and

WHEREAS, Ordinance 13-44 requires even numbered year, as part of the City's budget, Council vote to adjust or maintain the salary of the mayor and council; and

WHEREAS, according to the 2018 MORPC salary survey, City of Delaware pays its council members less than average salary paid to City Council members in similar cities; and

WHEREAS, City Council members are called upon to attend many meetings and devote hours of time to meet their responsibilities; and

WHEREAS, Salary adjustments made as part of the budget process established in Ord. 13-44 shall take effect the January of the next even numbered year, which complies with Section 15 of the Charter of the City of Delaware.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That effective January 1, 2020 the salary of the Mayor shall be eleven thousand five hundred dollars (\$11,500) per year and the salary for each member of City Council, except the Mayor, shall be ten thousand dollars (\$10,000) per year.

SECTION 2. That the salary of Mayor and the salary of each member of City Council shall continue to be paid in biweekly installments equal to one twenty sixth of their annual salary as established.

SECTION 3. That Ordinance No. 13-44 is hereby repealed effective January 1, 2020.

SECTION 4. Each even numbered year, as part of the City's budget, Council shall vote to adjust or maintain the salary of the mayor and council. Salary adjustments made as part of this budget process shall take effect the January of the next even numbered year.





## FACT SHEET

---

AGENDA ITEM NO: 13

DATE: 12/20/2018

ORDINANCE NO: 18-114

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: YES  
December 10, 2018 at 7:15 p.m.

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA:

---

**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE AMENDING PORTIONS OF THE SCHEDULE OF FEES AND SERVICE CHARGES.

**BACKGROUND:**

**UPDATE 12/10/2018:** This draft reflects two additional changes to the fee schedule; a spelling correction to the Hilborn Room and \$10 increases to Mingo 3 Season/Veterans Park Spray and Play Shelters.

**11/26/2018**

Per 197.01 of the codified ordinances, the city's fees and services charges are reviewed each year with the annual budget. The adjustments in this legislation address engineering inspection fees, small cell facility charges, and impact fees. Impact fee changes come as a result of a study commissioned by the city to review the impact fees.

Regarding engineering inspection fees, the Building Industry Association (BIA) made a request of the City in 2017 to re-visit the fee structure entirely. The BIA suggested the flat fee system for inspection services be converted to a "cost-plus" system where the Developer pays the actual cost to provide the services (typically consultants for the City) plus an administrative fee to cover some costs of in-house employees. The BIA feels this would be a fair way to address the fact that some projects take far longer to complete than others.

Over the past year, engineering staff performed the task of tracking all expenses (in-house and consultants) relating to the provision of inspection services per project. Staff has analyzed the data and drawn the conclusion that a “cost-plus” system is a practical and fair way to charge for inspection services.

The Small Cell Facility Fee reflects changes included in recent changes to Ohio Revised Code 4939 and a declaratory ruling by the FCC. The Ohio Revised Code revision was the compromise legislation that resulted from a coalition of cities, including Delaware, suing the state. The limits embodied in the fee schedule include an amount that is permitted both by federal and state law covering small cell facilities, which conflict in many ways.

**REASON WHY LEGISLATION IS NEEDED:**

In order to adjust fees, the fee schedule must be amended.

**COMMITTEE RECOMMENDATION:**

**FISCAL IMPACT(S):**

Separate, but related, the impact fees adjustments will be introduced as future legislation at a subsequent meeting.

**POLICY CHANGES:**

The engineering fee change would change the method the fee is charged. Moving from a calculation based on cost of the improvements to a cost of service model.

**PRESENTER(S):**

Darren Shulman, City Attorney

**RECOMMENDATION:**

Approval at 3<sup>rd</sup> Reading

**ATTACHMENT(S)**

N/A

ORDINANCE NO. 18-114

AN ORDINANCE AMENDING THE SCHEDULE OF FEES AND SERVICE CHARGES.

WHEREAS, as part of the yearly review of the fees established in Delaware Codified Ordinance Section 197.01, it has been determined that certain rates should be amended.

NOW, THEREFORE, Be It Ordained by the Council of the City of Delaware, State of Ohio:

SECTION 1. The following portions of 197.02 are amended as follows:

**197.02 FEE SCHEDULE**

As used in this chapter, “s.f” means square foot/feet. “x” means multiplied by.

Community Development/Construction		
SOURCE OF FEE	FEE TITLE	AMOUNT
903.03	Engineering Inspection <b>FEES</b> Flat Fee	<p><b>APPLICANT INVOICED MONTHLY FOR:</b></p> <ul style="list-style-type: none"> <li>• <b>\$60 PER HOUR FOR IN-HOUSE INSPECTION SERVICES</b></li> <li>• <b>ACTUAL COST OF CONTRACT INSPECTION SERVICES</b></li> <li>• <b>10% ADMINISTRATIVE FEE FOR ALL INSPECTION FEE BILLINGS</b></li> </ul> <p><b>FINAL RECONCILIATION PERFORMED UPON COMPLETION OF ALL WORK AND RECEIPT BY CITY OF ALL OUTSTANDING CONTRACT SERVICE BILLING.</b></p> <p><del>Single Family Residential: 7.5% × Value of Public Infrastructure Improvements</del>  <del>Multi Family Residential: 7.5% × Value of Public Infrastructure Improvements PLUS 3% × Value of Private Infrastructure Improvements</del>  <del>Commercial/Industrial: 7.5% × Value of Public Infrastructure Improvements PLUS 1.5% × Value of</del></p>

		Private Infrastructure Improvements Off Site Public Improvements: 7.5% x Value of Public Infrastructure Improvements
--	--	---

LICENSES AND PERMITS		
SOURCE OF FEE	FEE TITLE	AMOUNT
<b>OHIO REVISED CODE 4939.0316, 4939.0322 NOTE: THE FEES ARE BASED ON THE LIMITS ESTABLISHED BY THE DECLARATORY RULING AND THIRD REPORT AND ORDER ADOPTED 9/26/18 BY THE FCC</b>	<b>SMALL CELL FACILITY</b>	<b>ONE TIME APPLICATION FEE: \$250 PER SITE OR \$500 FOR UP TO FIVE SITES SUBMITTED IN SAME APPLICATION RECURRING ANNUAL FEE: \$200 PER YEAR PER SMALL CELL.</b>

FACILITY RENTAL FEES		
SOURCE OF FEE	FEE TITLE	AMOUNT
	<del>Hillborn</del> <b>HILBORN</b> and Bixby Rooms	\$20.00/hr <del>Hillborn</del> <b>HILBORN</b> Kitchen: additional \$25.00/hr Set up/tear down: \$40.00/room
	Mingo 3 Season/Veterans Park Spray & Play Shelters	Weekday (Mon-Thurs) Single Block: \$40.00 All Day: \$80.00  Weekend (Fri-Sat-Sun) Single Block: <del>\$60.00</del> <b>\$70.00</b> All Day: <del>\$120.00</del> <b>\$130.00</b>  <b>INCLUDING HOLIDAYS</b>





## FACT SHEET

---

AGENDA ITEM NO: 14

DATE: 12/20/2018

ORDINANCE NO: 18-117

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: NO

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

---

**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

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).

**BACKGROUND:**

See attached report

**REASON WHY LEGISLATION IS NEEDED:**

To achieve compliance with Section 1129.05 Final Development Plan requirements of the zoning code.

**COMMITTEE RECOMMENDATION:**

Planning Commission approved this case 7-0 on December 5, 2018.

**FISCAL IMPACT(S):**

N/A

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

David Efland, Planning and Community Development Director

**RECOMMENDATION:**

Staff recommends approval as submitted with the documented conditions.

**ATTACHMENT(S)**

See attached

ORDINANCE NO. 18-117

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).

WHEREAS, the Planning Commission at its meeting on December 5, 2018 recommended approval of a Combined Preliminary and Final Development Plan for the Delaware County Fair Board 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) (PC Case 2018-2916).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Combined Preliminary and Final Development Plan for the Delaware County Fair Board 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), is hereby confirmed, approved, and accepted with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
3. The Applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.
4. The applicant shall pay \$10,700 to replace the trees removed or plant additional trees or a combination of both or account for it the planned rezoning per Chapter 1168 prior to certificate of occupancy approval of the 4H barn structure proposed herein.
5. Any street trees damaged by construction shall be replaced.

6. The applicant shall submit for a rezoning for the overall master plan for the fairgrounds which shall occur no later than June 1, 2020 to a specific planned development to adequately account for the unique uses, ensure adherence to regulations, and facilitate implementation of the Fairground's master plan. The rezoning shall include provision for the granting of easements/right-of-way that would be for the extension of a sidewalk from Euclid Avenue west to the Army Reserve Property. Additionally, the zoning shall tie the construction of said sidewalk to future development projects as they may be brought forward. Future building/structure development plan reviews shall not be approved prior to completion of the master plan rezoning as described above. Permit requests not requiring development plan review shall continue to be processed on a building and engineering permit by permit basis.
7. Per the previous agreement of August 9, 2010 between the Delaware County Agricultural Society and the City, the Delaware County Agricultural Society shall grant the City certain easements for utilities and for a bike path on the fairground property prior to the final certificate of occupancy approval of the 4H barn structure proposed herein.
8. The applicant shall submit for an alley vacation and lot consolidation for the subject building prior to certificate of occupancy approval of the 4H barn structure proposed herein.

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION:

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2018

YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CASE NUMBER: 2018-2916

REQUEST: Combined Preliminary and Final Development Plan

PROJECT: Delaware County 4H Building

MEETING DATE: December 5, 2018

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**APPLICANT/OWNER**

Delaware County Fair Board  
236 Pennsylvania Avenue  
Delaware, Ohio 43015

**REQUEST**

2018-2916 A request by The Delaware County Fair Board for approval of a Combined Preliminary and Final Development Plan for a Delaware County 4H Building located within the Delaware County Fairgrounds along Pennsylvania Avenue on property zoned R-3 (One-Family Residential District).

**PROPERTY LOCATION & DESCRIPTION**

The subject building is located along the north side of Pennsylvania Avenue between the two curb cuts into the fairgrounds from Pennsylvania Avenue. The subject site is zoned R-3 (One-Family Residential District) as are the properties to the north, south, east and west.

**BACKGROUND/PROPOSAL**

The Fair Board is proposing to replace an existing facility by demolishing the existing approximate 9,600 square foot barn structure and appurtenances at this location and constructing a new approximate 24,080 4H building for the County in the same area. The new building would be divided into an assembly area, museum and office area with supporting space. Also the development would add 30 parking spaces in this area.

---

**STAFF ANALYSIS**

- **ZONING:** As previously mentioned, the zoning for the subject site is R-3 and the subject new building is permitted because the existing buildings are grandfathered under the residential zoning district. A Final Development Plan would need to be approved by the Planning Commission and City Council. Staff has highly recommended the Board propose a rezoning to an overlay district or the like over the entire fairgrounds that would match their master plan to ensure orderly and expedited approval of any future expansions and address compliance with several development issues that has occurred over years on the subject property. It is staff's understanding that any updated master plans are currently being prepared while the Board has a need to move forward on this replacement. Therefore, staff has been willing to compromise by advancing this case with conditions of a future rezoning application. Ultimately, this will benefit the Board as well as the City enhancing predictability and accountability for this unique use while enforcing compliance with requirements.
- **GENERAL ENGINEERING:** The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
- **ROADS AND ACCESS:** The exterior access to the site from Pennsylvania Avenue would remain the same (two existing curb cuts) but internal roadway network the surrounds the proposed building would be demolished and replaced with new concrete access drive north of the building and repaved access drives to the two curbs from Pennsylvania Avenue.
- **PEDESTRIAN CONNECTIVITY:** There is an existing sidewalk on the north side of Pennsylvania Avenue from North Liberty Street to Euclid Avenue but not from Euclid Avenue west to the Army Reserve Property. Construction of such sidewalk would need to be determined with the rezoning process for the overall master plan for the fairgrounds which shall occur (by staff's conditions herein) no later than June 1, 2020. Also per a previous agreement of August 9, 2010 between the Delaware County Agricultural Society and the City (see attached), the Society is overdue to grant the City certain easements for utilities and for a bike path on the fairground property. A staff condition, therefore is that this be accomplished prior to the granting a certificate of occupancy for this building.
- **SITE CONFIGURATION:** As mentioned above, the existing 9,600 square foot barn structure and appurtenances would be razed with a new 24,080 square foot 4H building being constructed in the same area.

A new sidewalk with a patio would be constructed on the south side of the new building facing Pennsylvania Avenue while a new sidewalk would be constructed on the north side of the new building. A new 6 space parking lot would be located just west of the new building just off the entrance drive from Pennsylvania Avenue while a new 24 space parking lot would be constructed north of the proposed building. The access drive to the north would be replaced with a concrete access drive while the entrance drives to Pennsylvania Avenue would be repaved. A detention basin would be located near the western most entrance from Pennsylvania Avenue.

- **BUILDING DESIGN:** The proposed barn like structure is a very well designed and aesthetically pleasing structure. The 40.50 foot high building would have a Dutch quality cast stone water table (Great Lakes limestone or equivalent) with white pac-clad, hickman or equivalent facias and copings with casement windows throughout the building. The building would be capped off with a forest green standing seam pitched metal roof with five cupolas. All building appurtenances (coping, downspouts, etc.) should be painted to match the adjacent building color. The proposed building would be a significant upgrade to the existing building there now. Also, staff would require submittal of each building material with color samples to ensure compliance is achieved at building permit approval.
- **LANDSCAPING & SCREENING:** The applicant is proposing a landscape package that includes deciduous trees, evergreen tree and shrubs. Thirty three deciduous trees and 10 pine trees would be planted along with 26 shrubs to buffer the proposed parking lot. The Shade Tree Commission approved the landscaping plans on November 27, 2018.
- **TREE REMOVAL & REPLACEMENT:** The site has several tree scattered throughout but the applicant is removing 5 qualifying trees (6 caliper inches and larger) that total 159 caliper inches because of the larger building foot print, additional parking spaces and new sidewalks. In addition, they removed two trees that equal an estimated 54 caliper inches within the last year. Therefore, the total caliper inches removed in this area equals 213 caliper inches. However, they are preserving 10 qualifying trees that total 412 caliper inches. The landscape plan identifies 33 deciduous trees which would be a total of 66 caliper inches and 10 evergreen trees a minimum 8 foot high at planting which would be a total of 40 caliper inches for a total credit of 106 caliper inches. Therefore the applicant would need to replace 107 caliper inches (213 inches removed – 106 inches proposed) to achieve compliance with Chapter 1168 Tree Preservation Regulations. Therefore they would owe \$10,700 prior to final occupancy approval of the proposed building or equivalent additional plantings to satisfy the balance.
- **LIGHTING:** The applicant is not proposing any lighting per the submitted plans
- **MISC:** Currently an alley right-of-way bisects this portion of the fairgrounds in a north/south and east/west orientation and they should be vacated and a lot consolidation of fairground property should be completed to achieve compliance with development requirements (building and zoning setbacks, etc.). In conclusion, staff recommends the applicant submit for an alley vacation (public process) and lot consolidation (staff administrative process) and the above discussed rezoning to an overlay district or the like of the fairgrounds prior to June 1, 2020 to ensure the site achieves compliance and is accountable for the unique uses, regulations and future plans.

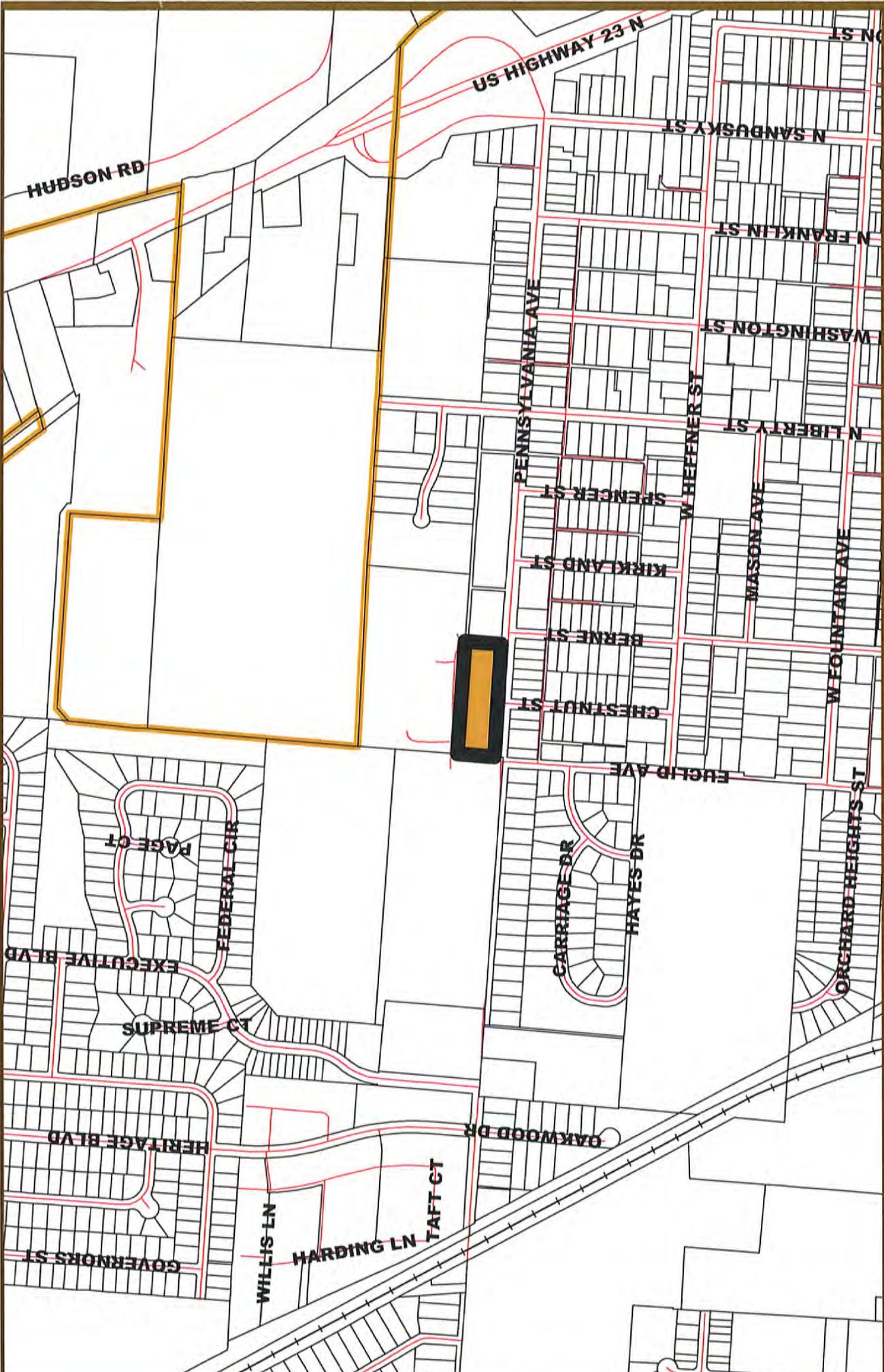
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**STAFF RECOMMENDATION (2018-2916– COMBINED PRELIMINAY AND FINAL DEVELOPMENT PLAN)**

Staff recommends approval of a request by The Delaware County Fair Board for a Combined Preliminary and Final Development Plan for a Delaware County 4H Building located within the Delaware County Fairgrounds along Pennsylvania Avenue on property zoned R-3 (One-Family Residential District), with the following conditions that:

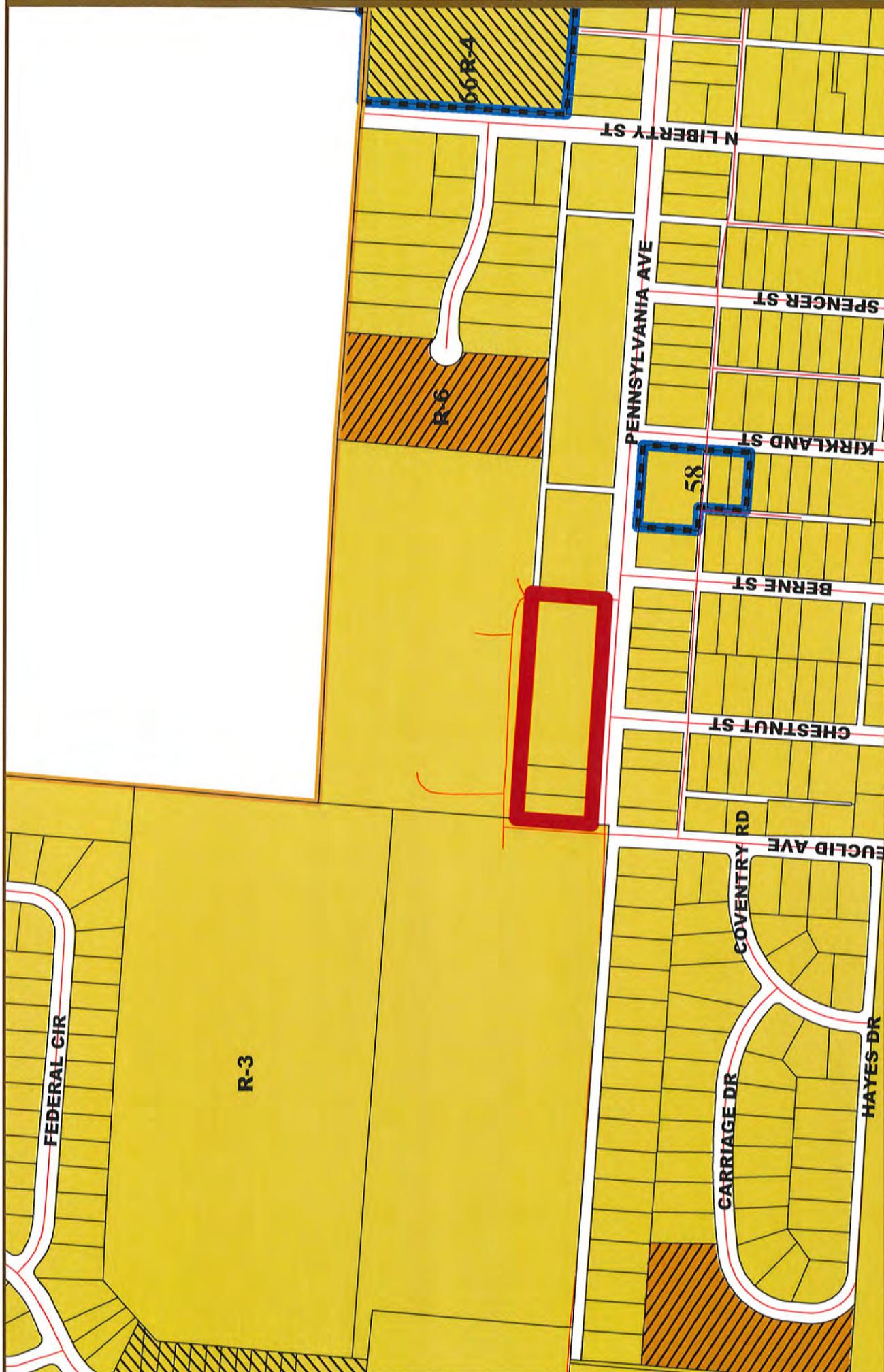
1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.





2018-2916  
Combined Preliminary and Final Development Plan  
Delaware County 4H Building - Delaware County Fairgrounds  
Location Map





2018-2916  
 Combined Preliminary and Final Development Plan  
 Delaware County 4H Building - Delaware County Fairgrounds  
 Zoning Map

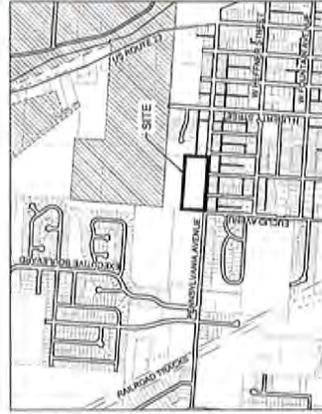




2018-2916  
Combined Preliminary and Final Development Plan  
Delaware County 4H Building - Delaware County Fairgrounds  
Aerial (2016) Map



# FINAL DEVELOPMENT PLAN FOR: DELAWARE COUNTY FAIRGROUNDS CITY OF DELAWARE, DELAWARE COUNTY, OHIO



VICINITY MAP  
1" = 1,000'

THE PROPOSED PROJECT WILL CONSIST OF A NEW JUNIOR FAIR BUILDING INCLUDING ALL ASSOCIATED SITE UTILITIES, RESTROOMS, AND NEW PARKING LOTS.

### PROJECT BENCHMARKS

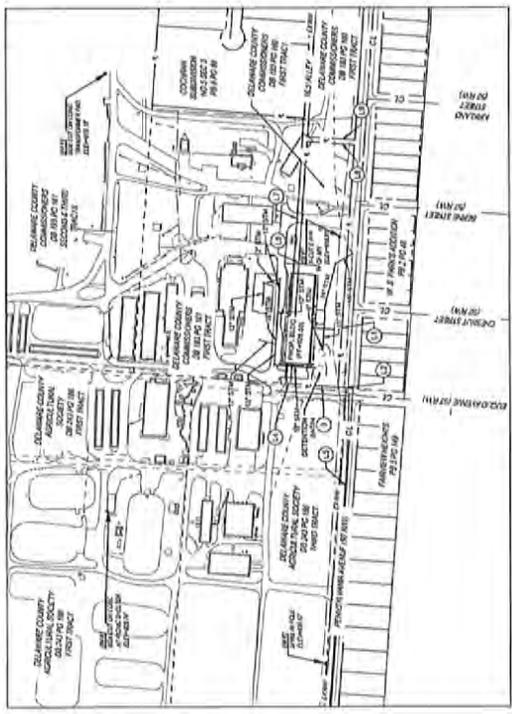
- ALL BENCHMARKS AND ELEVATIONS SHOWN ON THIS PLAN ARE BASED ON THE NORTH "COMMON" VERTICAL DATUM (1988) (BASED ON SOURCE BENCHMARK CORRS SYSTEM)
- BENCHMARK SET ON NORTH SIDE OF PENNSYLVANIA AVENUE BETWEEN CHESTNUT STREET AND BEANE STREET.
- ELEVATION: 80
- BENCHMARK SET ON ELECTRIC POLE ON PENNSYLVANIA AVENUE WEST OF BUCKLE AVENUE.
- ELEVATION: 74
- BENCHMARK SET ON CONCRETE TRANSFORMER PAD.
- ELEVATION: 73

### FLOOD DESCRIPTION

PROPOSED SITE IS LOCATED IN ZONING ON ITM# MAP NUMBER 286-10104-DATED FEBRUARY 11, 2016.

### SITE DATA

SEE AREA	2.54 ACRES
DEVELOPABLE AREA	2.54 ACRES
PAVEMENT/BIKEWAY	1.00 ACRES
OPEN/SPARSE	1.54 ACRES
BUILDING INFORMATION	
HEIGHT	ONE-STORY
BUILDING AREA	24,000 SF
SOLAR TISSUE	
USE	CLAYTON/BLANCKLAND COMPLEX, INCLUDING 0.50% SET BACK, 0.50% SIDEWALK, 2 TO 8 PERCENT SLOPES
PRE-DEVELOPED PARCEL CURVE NUMBER	ON-88
POST-DEVELOPED PARCEL CURVE NUMBER	ON-88



INDEX MAP  
1" = 200'

### SHEET INDEX

- 1- FINAL DEVELOPMENT PLAN TITLE SHEET
- 2- FINAL DEVELOPMENT PLAN DRAINAGE PLAN
- 3- FINAL DEVELOPMENT PLAN GRADING PLAN
- 4- FINAL DEVELOPMENT PLAN LANDSCAPE PLAN
- 5- FINAL DEVELOPMENT PLAN UTILITIES PLAN
- 6- FINAL DEVELOPMENT PLAN LANDSCAPE NOTES & DETAILS

**OWNER**  
DELAWARE COUNTY COMMISSIONERS  
101 N. SANDUSKY ST.  
DELAWARE, OHIO 43015  
PHONE: (614) 286-1000  
CONTACT: JAY KIRK

**ENGINEER**  
THE KLEINGERS GROUP  
300 WORTHINGTON ROAD, SUITE 102  
DELAWARE, OHIO 43015  
PHONE: (614) 282-4311  
CONTACT: BRENDAN FLEMING  
EMAIL: BRENDAN@KLEINGERSGROUP.COM

### BOUNDARY DATA

LINE #	BEARING	DISTANCE
1	N85°31'07"W	811.88'
2	S04°12'37"W	59.81'
3	S84°12'37"W	103.30'
4	S04°12'37"W	15.50'
5	N82°17'10"W	512.42'
6	S85°37'07"E	811.43'
7	N85°37'07"W	867.28'
8	S84°12'37"W	183.20'
9	N84°12'37"E	183.20'

EST. 1808  
**CITY OF DELAWARE**  
OHIO

DAVID A. BLAIR, ACP  
DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

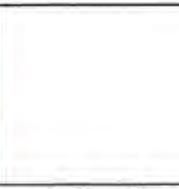
WILLIAM L. FRANKLIN, P.E.  
PUBLIC UTILITIES DIRECTOR  
OHIO REGISTERED PROFESSIONAL ENGINEER NO. 33943

MATTHEW B. WEBER, P.E.  
OHIO REGISTERED PROFESSIONAL ENGINEER NO. 6395

BLAKE JOHNSON, P.E.  
PUBLIC UTILITIES DIRECTOR  
OHIO REGISTERED PROFESSIONAL ENGINEER NO. 37153

Approved if these plans show and constitute accurate to operate as intended. The engineer does not accept responsibility for the integrity of the plan.

**THE KLEINGERS GROUP**  
CIVIL ENGINEERING  
www.kleingers.com  
300 Worthington Road, Suite 102  
Delaware, Ohio 43015  
Phone: (614) 282-4311  
Fax: (614) 282-4311



DATE: \_\_\_\_\_  
JOB NO.: 202007000

**DELAWARE COUNTY FAIRGROUNDS**  
CITY OF DELAWARE  
DELAWARE COUNTY, OHIO

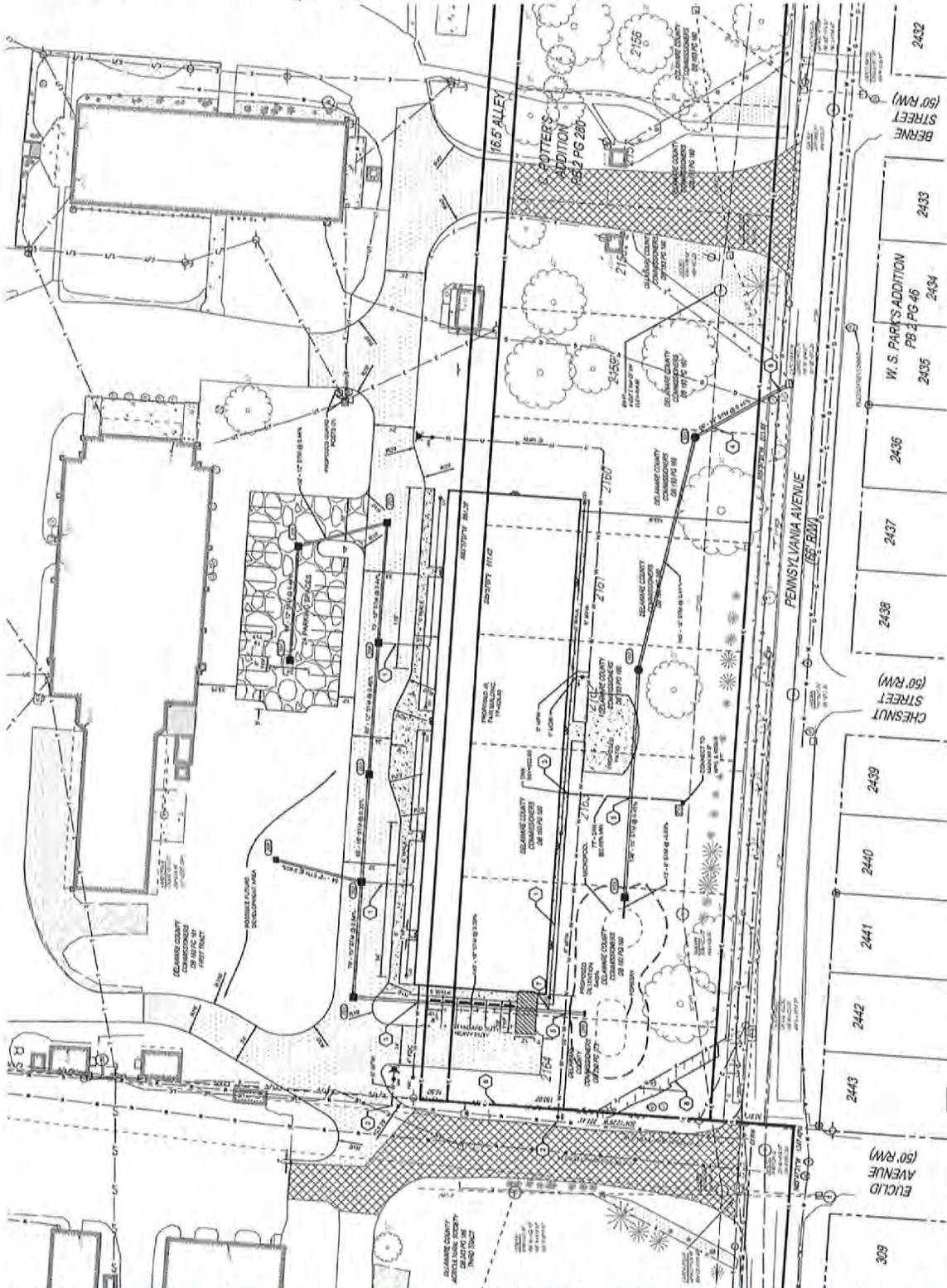
PROJECT NO.: 170000000  
DATE: 11/20/2016  
SHEET NO.: AS SHOWN

**FINAL DEVELOPMENT PLAN TITLE SHEET**

SHEET NO.: 1/6







- CODED NOTES**
1. F.P.C. & S.P. & S.P. FORMATION.
  2. CONTACT THE ENGINEER TO VERIFY THE LOCATION AND DEPTH OF THE EXISTING UTILITY BEFORE CONSTRUCTION.
  3. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.
  4. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.
  5. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.
  6. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.
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  8. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.
  9. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.
  10. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.

**NOTES**

1. CONTRACTOR TO VERIFY LOCATION AND DEPTH OF EXISTING UTILITY BEFORE CONSTRUCTION.
2. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.
3. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.
4. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.
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8. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.
9. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.
10. ALL MEASUREMENTS SHALL BE TAKEN FROM THE CORNER OF THE LOT.



**DELAWARE COUNTY FAIRGROUNDS**  
CITY OF DELAWARE  
DELAWARE COUNTY, OHIO

PROJECT NO. 171000000  
DATE 11/13/2014  
SCALE 1" = 20' (AS SHOWN)  
SHEET NO. 3/6

**FINAL DEVELOPMENT PLAN SITE PLAN**

3/6



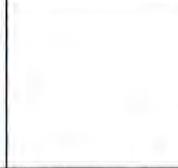


**NOTES**

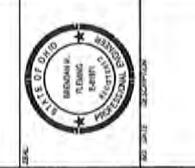
1. CONTRACTOR TO VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO EXCAVATION AND RECORD.
2. ALL FILL SHALL BE COMPACTED TO MEET THE REQUIREMENTS OF THE DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DELAWARE AND THE DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS PRIOR TO COMMENCING WORK.
4. ALL EXCAVATION SHALL BE PROTECTED BY SHIELDING AND SHORING TO PREVENT COLLAPSE AND TO PROTECT ADJACENT PROPERTIES AND UTILITIES.
5. ALL EXCAVATION SHALL BE BACKFILLED WITH COMPACTED FILL TO ORIGINAL GRADE OR BETTER.
6. ALL EXCAVATION SHALL BE PROTECTED BY SHIELDING AND SHORING TO PREVENT COLLAPSE AND TO PROTECT ADJACENT PROPERTIES AND UTILITIES.
7. ALL EXCAVATION SHALL BE BACKFILLED WITH COMPACTED FILL TO ORIGINAL GRADE OR BETTER.
8. ALL EXCAVATION SHALL BE PROTECTED BY SHIELDING AND SHORING TO PREVENT COLLAPSE AND TO PROTECT ADJACENT PROPERTIES AND UTILITIES.
9. ALL EXCAVATION SHALL BE BACKFILLED WITH COMPACTED FILL TO ORIGINAL GRADE OR BETTER.
10. ALL EXCAVATION SHALL BE PROTECTED BY SHIELDING AND SHORING TO PREVENT COLLAPSE AND TO PROTECT ADJACENT PROPERTIES AND UTILITIES.
11. ALL EXCAVATION SHALL BE BACKFILLED WITH COMPACTED FILL TO ORIGINAL GRADE OR BETTER.
12. ALL EXCAVATION SHALL BE PROTECTED BY SHIELDING AND SHORING TO PREVENT COLLAPSE AND TO PROTECT ADJACENT PROPERTIES AND UTILITIES.

**CODED NOTES**

- 1. EXISTING UTILITIES
- 2. PROPOSED UTILITIES
- 3. EXISTING CONTOURS
- 4. PROPOSED CONTOURS
- 5. EXISTING DRIVEWAYS
- 6. PROPOSED DRIVEWAYS
- 7. EXISTING SIDEWALKS
- 8. PROPOSED SIDEWALKS
- 9. EXISTING STREETS
- 10. PROPOSED STREETS
- 11. EXISTING LOT LINES
- 12. PROPOSED LOT LINES
- 13. EXISTING BUILDINGS
- 14. PROPOSED BUILDINGS
- 15. EXISTING TREES
- 16. PROPOSED TREES
- 17. EXISTING FENCES
- 18. PROPOSED FENCES
- 19. EXISTING SIGNAGE
- 20. PROPOSED SIGNAGE
- 21. EXISTING LIGHT FIXTURES
- 22. PROPOSED LIGHT FIXTURES
- 23. EXISTING ELECTRICAL
- 24. PROPOSED ELECTRICAL
- 25. EXISTING MECHANICAL
- 26. PROPOSED MECHANICAL
- 27. EXISTING PLUMBING
- 28. PROPOSED PLUMBING
- 29. EXISTING HVAC
- 30. PROPOSED HVAC
- 31. EXISTING ROOFING
- 32. PROPOSED ROOFING
- 33. EXISTING INTERIORS
- 34. PROPOSED INTERIORS
- 35. EXISTING EXTERIORS
- 36. PROPOSED EXTERIORS
- 37. EXISTING LANDSCAPE
- 38. PROPOSED LANDSCAPE
- 39. EXISTING SITEWORK
- 40. PROPOSED SITEWORK
- 41. EXISTING UTILITIES
- 42. PROPOSED UTILITIES
- 43. EXISTING CONTOURS
- 44. PROPOSED CONTOURS
- 45. EXISTING DRIVEWAYS
- 46. PROPOSED DRIVEWAYS
- 47. EXISTING SIDEWALKS
- 48. PROPOSED SIDEWALKS
- 49. EXISTING STREETS
- 50. PROPOSED STREETS
- 51. EXISTING LOT LINES
- 52. PROPOSED LOT LINES
- 53. EXISTING BUILDINGS
- 54. PROPOSED BUILDINGS
- 55. EXISTING TREES
- 56. PROPOSED TREES
- 57. EXISTING FENCES
- 58. PROPOSED FENCES
- 59. EXISTING SIGNAGE
- 60. PROPOSED SIGNAGE
- 61. EXISTING LIGHT FIXTURES
- 62. PROPOSED LIGHT FIXTURES
- 63. EXISTING ELECTRICAL
- 64. PROPOSED ELECTRICAL
- 65. EXISTING MECHANICAL
- 66. PROPOSED MECHANICAL
- 67. EXISTING PLUMBING
- 68. PROPOSED PLUMBING
- 69. EXISTING HVAC
- 70. PROPOSED HVAC
- 71. EXISTING ROOFING
- 72. PROPOSED ROOFING
- 73. EXISTING INTERIORS
- 74. PROPOSED INTERIORS
- 75. EXISTING EXTERIORS
- 76. PROPOSED EXTERIORS
- 77. EXISTING LANDSCAPE
- 78. PROPOSED LANDSCAPE
- 79. EXISTING SITEWORK
- 80. PROPOSED SITEWORK



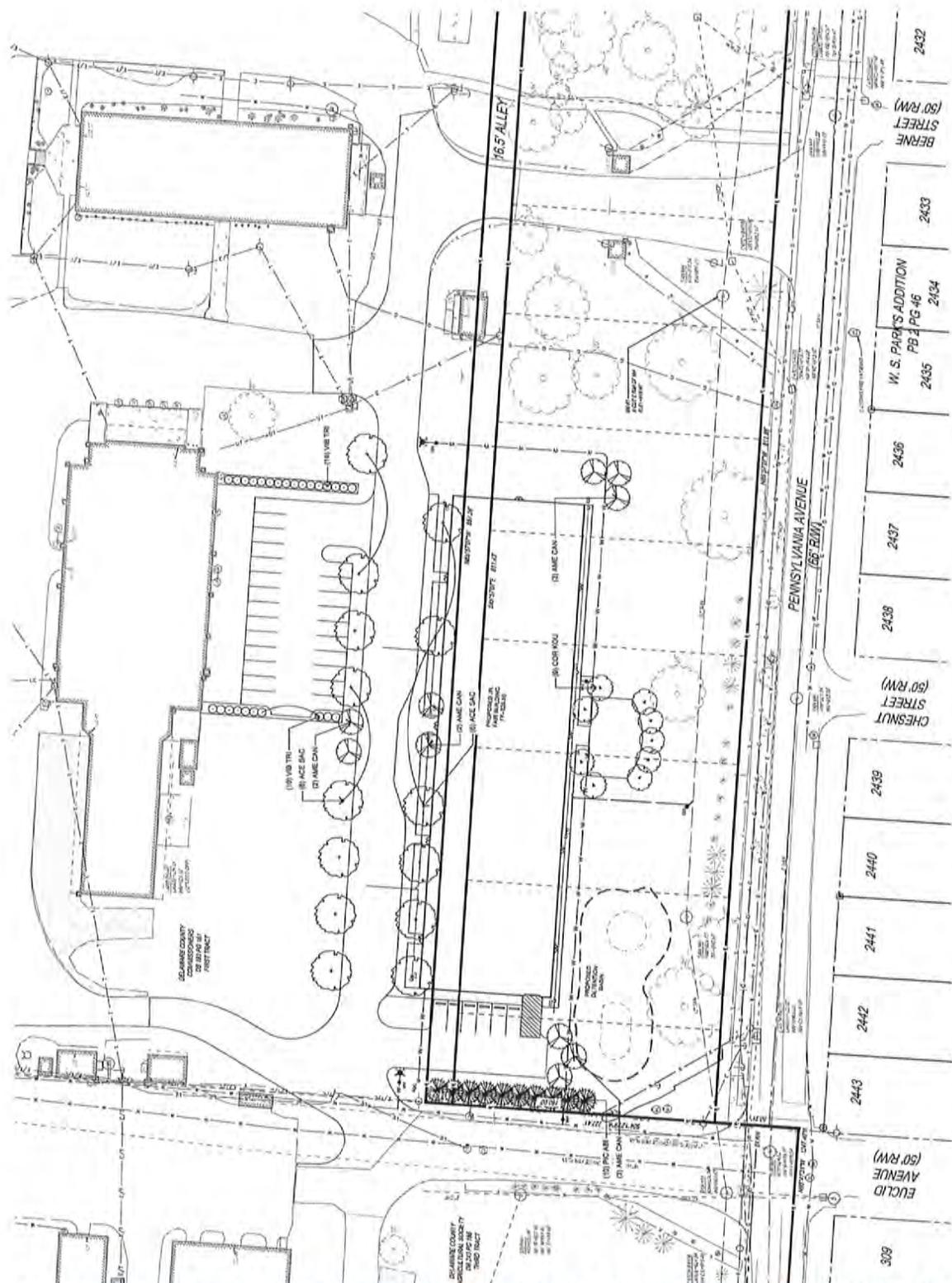
**DELAWARE COUNTY FAIRGROUNDS**  
CITY OF DELAWARE  
DELAWARE COUNTY, OHIO



**FINAL DEVELOPMENT PLAN GRADING PLAN**

**4/6**





NOTES:  
 1. REFER TO SHEET #1 FOR PLANT SCHEDULE, NOTES, AND DETAILS.



DELAWARE COUNTY FAIRGROUNDS  
 CITY OF DELAWARE  
 DELAWARE COUNTY, OHIO

PROJECT NO: 111520044  
 DATE: 11/15/2014



FINAL DEVELOPMENT PLAN LANDSCAPE PLAN

5/6



**THE KLEINGERS GROUP**  
 2011 UNIVERSITY AVENUE  
 SUITE 1000  
 LANSING, MI 48206  
 (313) 487-1100  
 WWW.KLEINGERSGROUP.COM

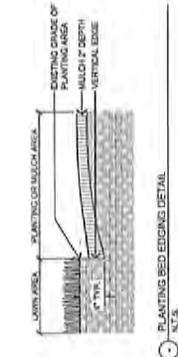
**DELAWARE COUNTY FAIRGROUNDS**  
 CITY OF DELAWARE  
 DELAWARE COUNTY, OHIO

**FINAL DEVELOPMENT PLAN LANDSCAPE NOTES & DETAILS**

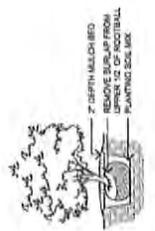
6/6

PLANT SCHEDULE	SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT BALL	REMARKS
DECIDUOUS TREES						
AZE SAC		ACER SACCHARINUM	RED BARK SUGAR MAPLE	2 1/2" CAL. MIN.	18" B.B.	
EVERGREEN TREES						
SPICE AR		PRUNUS SPICE	HORNWAY SPURGE	7 1/2" FT. MIN.	18" B.B.	
ORNA. TREES						
AME CAN		AMELANCHIER CANADENSIS	SPICE LOW BERRYBERRY	7 1/2" FT. MIN.	18" B.B.	CLIMB 3' TOWARD WIND EACH TREE
COR HO		CORNUS HOUGA-ORINENSIS	MILKY WAY CHERRY DOORWOOD	7 1/2" FT. MIN.	18" B.B.	
SHRUBS						
WIB STR		WIBURNUM TRELOBUM COMPACTUM	COMPACT AMERICAN CRANBERRYBUSH	3 GALLON	CONT.	SPACE P.C.C.
PURCHASE SPEC SEE SPECIFICATIONS						

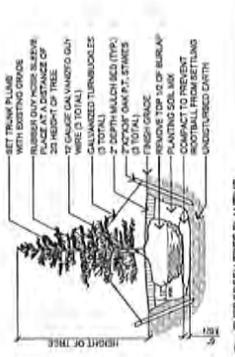
- PLANTING NOTES:**
1. EACH CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL EXISTING UTILITIES.
  2. ALL SHRUBS MUST BE INCORPORATED BY A CONTINUOUS MULCH BED TO LIMITS SHOWN AND AS SPECIFIED. MULCH BEDS TO HAVE A NEAT, EDGED APPEARANCE.
  3. ALL TREES MUST BE PLANTED WITH A MULCH BED TO LIMITS SHOWN AND AS SPECIFIED. MULCH BEDS TO HAVE A NEAT, EDGED APPEARANCE.
  4. ALL AREAS DISTURBED BY CONSTRUCTION MUST BE RESTORED TO ORIGINAL OR BETTER CONDITION. ALL AREAS TO BE RESTORED TO ORIGINAL OR BETTER CONDITION.
  5. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DELAWARE.
  6. ALL PLANT MATERIAL SHALL BE OF THE SIZE AND TYPE SPECIFIED. IF SUBSTITUTIONS ARE APPROVED BY THE OWNER'S REPRESENTATIVE, THE SIZE AND GRADING STANDARDS SHALL CONFORM TO THOSE OF THE AMERICAN ASSOCIATION OF NURSERYMEN.



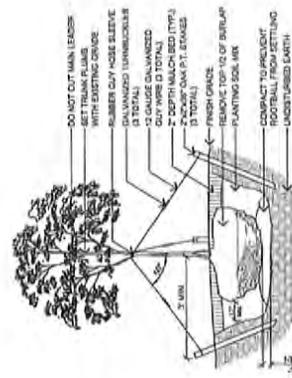
PLANTING BED EDGING DETAIL  
N.T.S.



SHRUB PLANTING  
N.T.S.



EVERGREEN TREE PLANTING  
N.T.S.



- NOTES:**
1. TOP OF ROOT BALL TO BE 2" ABOVE ADJACENT FINISHED GRADE.
  2. REMOVE ALL LABELS, TAGS OR OTHER FOREIGN MATERIALS FROM LIMBS.
  3. REMOVE GUY WIRES, TURNBUCKLES, HOSE AND STAPLES 1 YEAR AFTER PLANTING.
  4. REMOVE DEAD OR INJURED BRANCHES AND TO COMPENSATE FOR THE LOSS OF BRANCHES, BRANCHES SHALL BE CUT BACK TO HEALTHY WOOD.
  5. PLANT TREES AT SAME GRADE AS GROWN IN THE NURSERY.

DECIDUOUS TREE PLANTING  
N.T.S.



# SITE ENGINEERING PLANS FOR: DELAWARE COUNTRY FAIRGROUNDS

CITY OF DELAWARE, DELAWARE COUNTY, OHIO



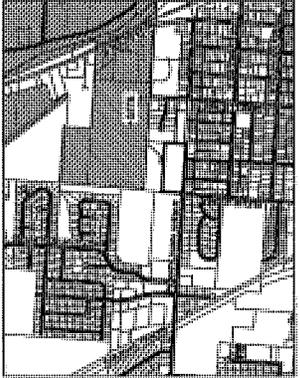
1000 WEST BROADWAY  
SUITE 1000  
ANN ARBOR, MI 48106  
TEL: 734.769.1000  
WWW.KLEINGERSGROUP.COM



**DELAWARE COUNTY FAIRGROUNDS**  
CITY OF DELAWARE  
DELAWARE COUNTY, OHIO

PROJECT NO. 17150000  
DATE: 07/17/2018  
SCALE: AS SHOWN

**TITLE SHEET**  
1/9



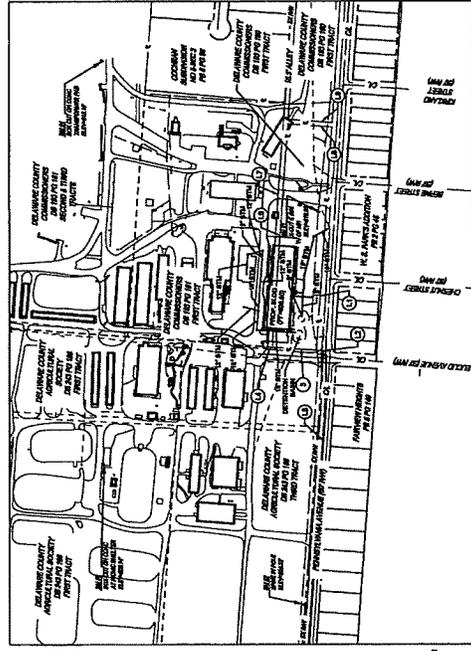
**DESCRIPTION**  
THE PROPOSED PROJECT WILL CONSIST OF A NEW AIRBOR FAIR BUILDING INCLUDING ALL ASSOCIATED SITE UTILITIES, RETENTION BASIN, AND RETAINING WALLS.

- SHEET INDEX**
- 1 - TITLE SHEET
  - 2 - GENERAL NOTES
  - 3 - GENERAL DETAILS
  - 4 - RETENTION BASIN
  - 5 - LOCATION PLAN
  - 6 - UTILITY PLAN
  - 7 - RETAINING WALL
  - 8 - GRADING AND PROVISION CONTROLS PLAN
  - 9 - EROSION CONTROL NOTES



**OWNER**  
DAVID L. BROWN, A.P.  
DIRECTOR OF PLANNING AND COMUNITY DEVELOPMENT  
CITY OF DELAWARE  
1000 WEST BROADWAY, SUITE 1000  
ANN ARBOR, MI 48106  
TEL: 734.769.1000  
WWW.CITYOFDELAWARE.ORG

**ENGINEER**  
DAVID L. BROWN, A.P.  
REGISTERED PROFESSIONAL ENGINEER NO. 48171  
STATE OF OHIO  
1000 WEST BROADWAY, SUITE 1000  
ANN ARBOR, MI 48106  
TEL: 734.769.1000  
WWW.CITYOFDELAWARE.ORG



INDEX MAP 1"=200'

**BOUNDARY DATA**

LINE	BEARING	DISTANCE
1	N89°07'00"W	811.68'
2	S61°12'29"W	80.27'
3	S61°12'29"W	103.07'
4	S61°12'29"W	118.27'
5	N89°17'17"W	1217.16'
6	S89°17'07"E	811.43'
7	N89°17'07"W	817.27'
8	S61°12'29"W	100.07'
9	N4°00'00"E	100.07'

**SITE DATA**

ITEM	VALUE
AREA	2.64 ACRES
CONCRETE AREA	0.54 ACRES
ASPHALT DRIVEWAY	0.11 ACRES
GRASSY SPACE	0.42 ACRES
HEIGHT	XXXXX'
BUILDING AREA	24,000 SF
SOILS	XXXXXX
UTILITIES	SEE PLAN FOR ALL UTILITIES INCLUDING GAS, WATER, AND SEWER
PRELIMINARY EROSION CONTROL NUMBER	CH-49
POST-CONSTRUCTION RUNOFF CONTROL NUMBER	CH-47

**OWNER**  
DELAWARE COUNTY  
101 N SANDUSKY ST  
DELAWARE, OH 43015  
CONTACT: BROWN@DELAWARE.ORG

**ENGINEER**  
DAVID L. BROWN, A.P.  
309 WASHINGTON ROAD, SUITE B  
WESTERVILLE, OHIO 43081  
CONTACT: BROWN@DELAWARE.ORG

**PROJECT BENCHMARKS**

- ALL BENCHMARKS AND ELEVATIONS SHOWN ON THIS PLAN ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM (NAVD83) BASED ON BENCH MARK CDS STATION 2011.00.
- THE LOCATION OF BENCHMARK CDS STATION 2011.00 IS LOCATED ON THE NORTH SIDE OF PENNSYLVANIA AVENUE BETWEEN CHESTER STREET AND WEST STREET.
- SEE NOTES ON ELEVATION POINT ON PENNSYLVANIA AVENUE WEST OF ECLIPSE AVENUE.
- SEE BENCH MARK CDS STATION 2011.00.

**FLOOD DESCRIPTION**

PROPOSED SITE IS LOCATED IN ZONE X ON FEMA MAP NUMBER 58041C (OHIO), DATED FEBRUARY 17, 2011.

**UTILITY COMPANIES:**

- WATER**  
DELO WATER COMPANY, INC.  
670 DEARBORN WOOD ROAD  
ANN ARBOR, MI 48106  
CONTACT: DAVID WOLF  
734.646.7878 EXT 301
- TELEPHONE**  
CITY OF DELAWARE DEPARTMENT OF PUBLIC UTILITIES  
1300 COLUMBIAN BANCORPORATION ROAD  
DELAWARE, OHIO 43015  
CONTACT: CHRIS CHERRY  
743.333.0581
- CABLE**  
OPTICUM  
PO BOX 3200  
DELAWARE, OHIO 43015  
CONTACT: JAMES W. HARRIS  
974.481.1329
- WIRE**  
WYOMING POWER  
1000 WEST BROADWAY  
ANN ARBOR, MI 48106  
CONTACT: DAN THOMPSON  
814.868.7144
- NATURAL GAS**  
COLUMBIAN GAS OF OHIO  
1000 WEST BROADWAY  
ANN ARBOR, MI 48106  
CONTACT: DAN THOMPSON  
814.868.7144
- SEWER**  
SEWERAGE AUTHORITY OF DELAWARE COUNTY  
2800 LORAIN CENTER ROAD  
ANN ARBOR, MI 48106  
CONTACT: DAN THOMPSON  
814.868.7144
- AMERICAN ELECTRIC POWER COMPANY - AEP**  
3000 WEST BROADWAY  
ANN ARBOR, MI 48106  
CONTACT: DAN THOMPSON  
814.868.7144
- CONSOLIDATED ELECTRIC COOPERATIVE, INC.**  
1000 WEST BROADWAY  
ANN ARBOR, MI 48106  
CONTACT: DAN THOMPSON  
814.868.7144

**INFRASTRUCTURE OWNERSHIP CHART**

INFRASTRUCTURE TYPE	PUBLIC	PRIVATE	OWNERSHIP	COMMENTS
WATER	X		DELO WATER COMPANY	
TELEPHONE	X		CITY OF DELAWARE	
CABLE	X		OPTICUM	
WIRE	X		WYOMING POWER	
NATURAL GAS	X		COLUMBIAN GAS OF OHIO	
SEWER	X		SEWERAGE AUTHORITY OF DELAWARE COUNTY	

**PLAN REVISION SCHEDULE**

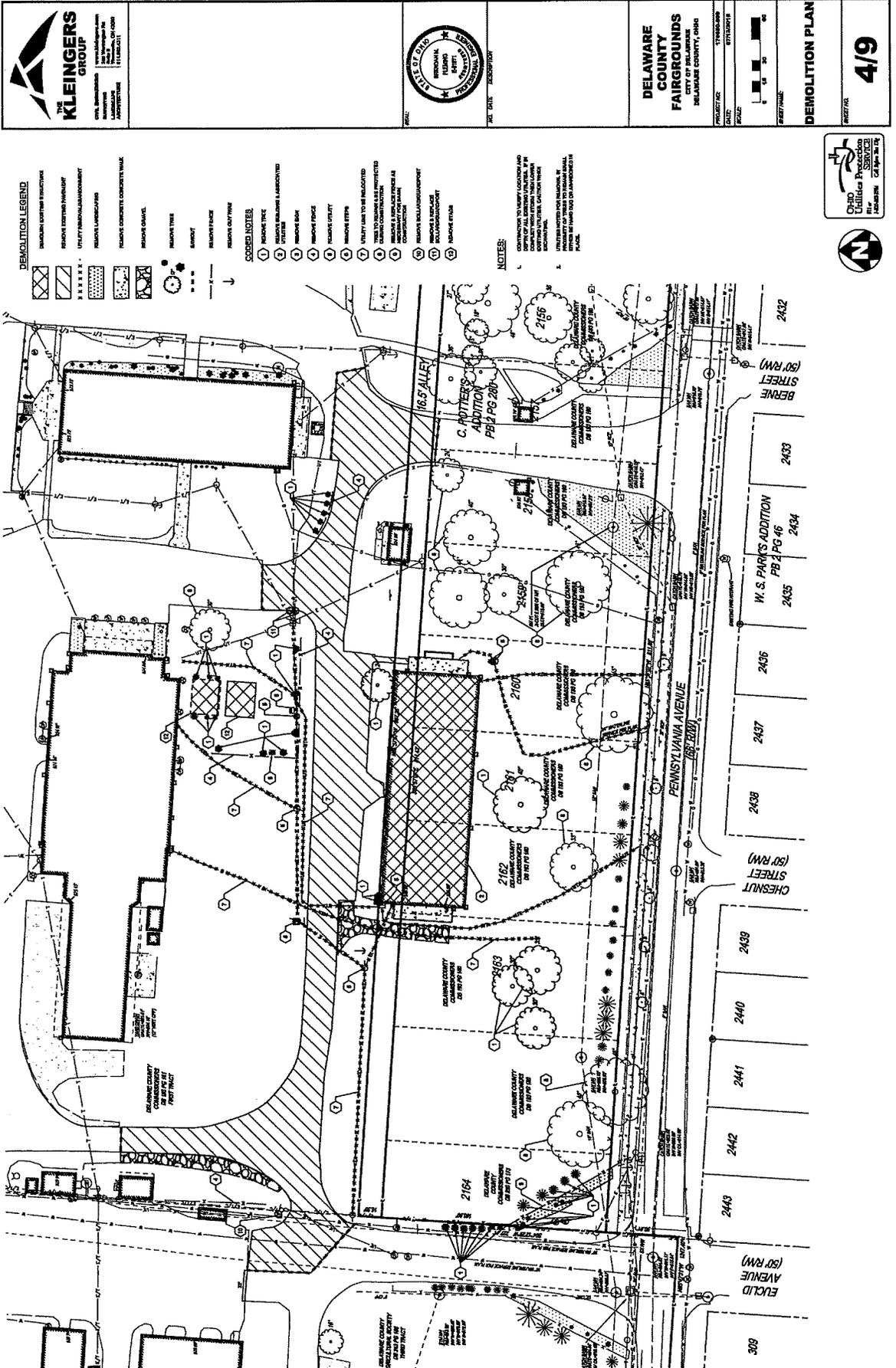
CHANGE #	PREPARED BY	DESCRIPTION OF CHANGE	DATE

THIS ABOVE LIST IS PROVIDED TO ASSIST IN CONTRACTING UTILITY COMPANIES WHICH WILL BE REQUIRED TO PROVIDE A COMPLETE REPRESENTATION OF THE UTILITIES THAT EXIST ON THE SITE.

NOTE: THE CITY RESERVES THE RIGHT TO REVISION ALL INFRASTRUCTURE IS PROPERTY OF THE UTILITY COMPANIES AND INSTALLATION, REMOVAL OR REPAIR.











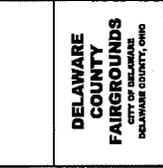


**THE KLEINGERS GROUP**  
 CIVIL ENGINEERING  
 ARCHITECTURE  
 LANDSCAPE ARCHITECTURE  
 PLANNING  
 SURVEYING  
 ENVIRONMENTAL SCIENCE  
 PROJECT MANAGEMENT



PROJECT: DELAWARE COUNTY FAIRGROUNDS  
 CITY OF DELAWARE  
 DELAWARE COUNTY, OHIO

DRAWING NO.: STORM PROFILES  
 SHEET NO.: 719



PROJECT: DELAWARE COUNTY FAIRGROUNDS  
 CITY OF DELAWARE  
 DELAWARE COUNTY, OHIO

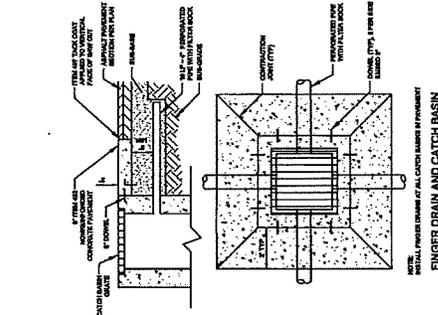
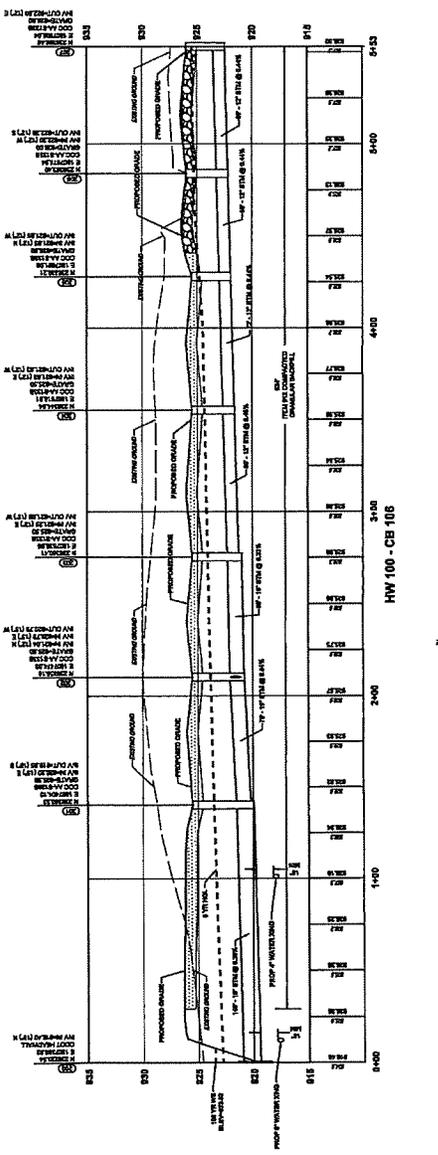
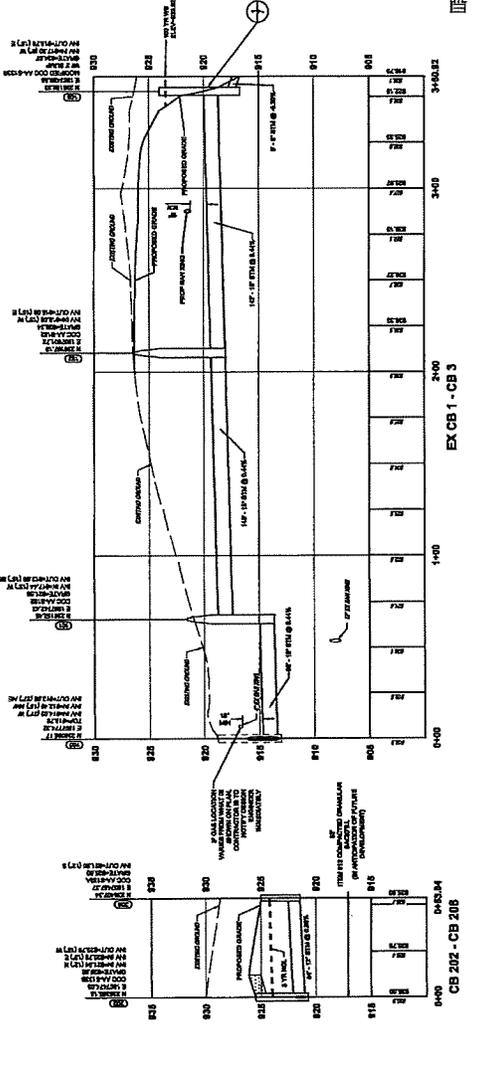


FIGURE DRAIN AND CATCH BASIN CONCRETE APRON DETAIL



HW 100 - CB 105



EX CB 1 - CB 3

CB 202 - CB 205

CB 206 - CB 209

CB 210 - CB 213

CB 214 - CB 217

CB 218 - CB 221

CB 222 - CB 225

CB 226 - CB 229

CB 230 - CB 233

CB 234 - CB 237

CB 238 - CB 241

CB 242 - CB 245

CB 246 - CB 249

CB 250 - CB 253

CB 254 - CB 257

CB 258 - CB 261

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CB 978 - CB 981

CB 982 - CB 985

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CB 998 - CB 1001

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CB 1098 - CB 1101

CB 1102 - CB 1105

CB 1106 - CB 1109

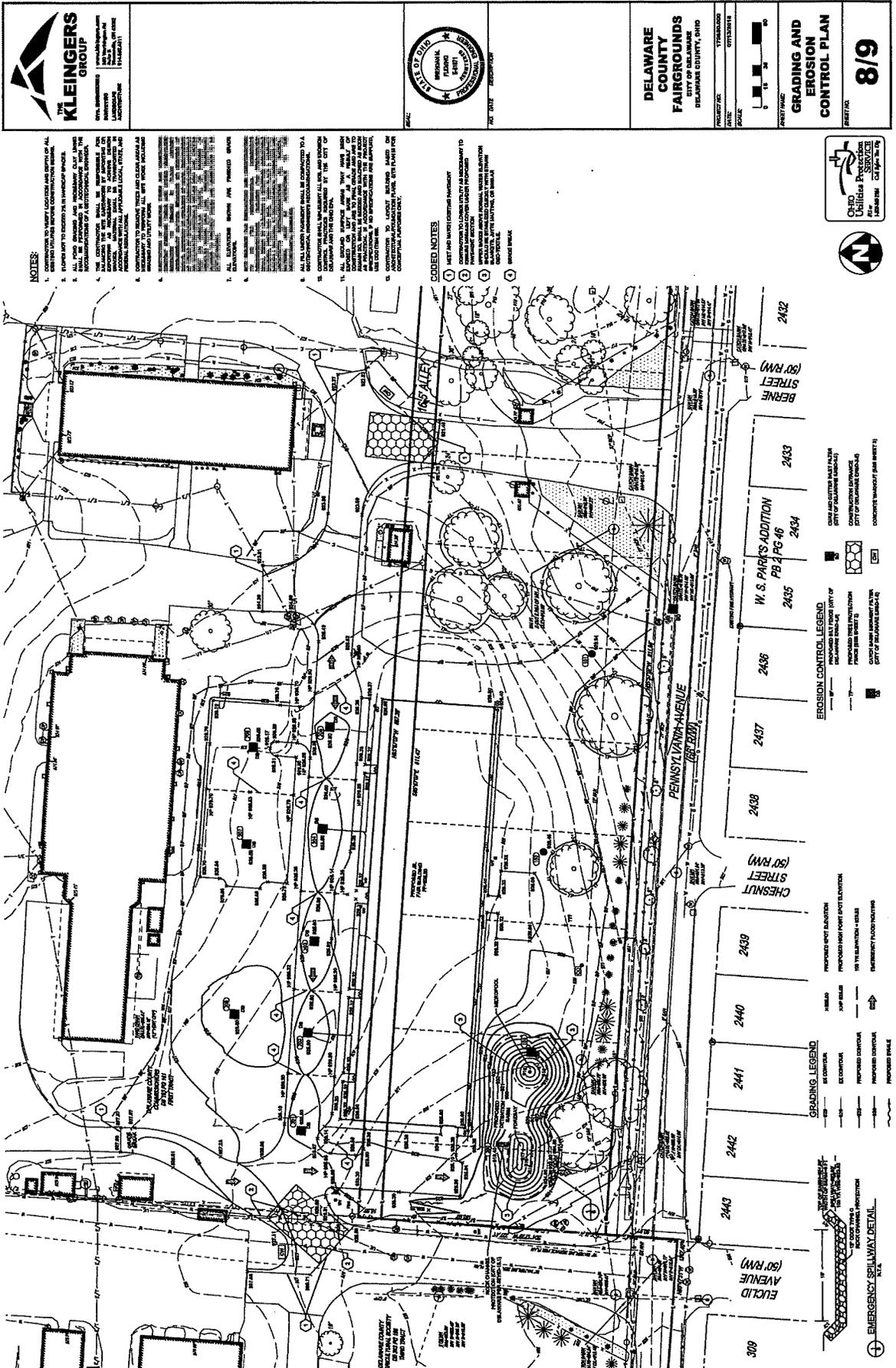
CB 1110 - CB 1113

CB 1114 - CB 1117

CB 1118 - CB 1121

CB 1122 - CB 1125

CB 1126 - CB 1129



**NOTES:**

1. CONTRACTOR TO VERIFY ALL LOCATIONS AND DEPTHS OF ALL EXISTING UTILITIES BEFORE CONSTRUCTION BEGINS.
2. EXISTING UTILITIES TO BE DELETED TO THE EXTENT SHOWN.
3. ALL NEW PAVEMENT AND SIDEWALKS TO BE CONSTRUCTED TO THE STANDARDS OF THE DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS AND THE DELAWARE COUNTY DEPARTMENT OF HEALTH SERVICES.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS AND THE DELAWARE COUNTY DEPARTMENT OF HEALTH SERVICES.
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18. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS AND THE DELAWARE COUNTY DEPARTMENT OF HEALTH SERVICES.
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20. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE DELAWARE COUNTY DEPARTMENT OF PUBLIC WORKS AND THE DELAWARE COUNTY DEPARTMENT OF HEALTH SERVICES.

**CODED NOTES:**

1. SEE PLAN FOR LOCATION OF ALL EXISTING UTILITIES.
2. SEE PLAN FOR LOCATION OF ALL EXISTING UTILITIES.
3. SEE PLAN FOR LOCATION OF ALL EXISTING UTILITIES.
4. SEE PLAN FOR LOCATION OF ALL EXISTING UTILITIES.
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19. SEE PLAN FOR LOCATION OF ALL EXISTING UTILITIES.
20. SEE PLAN FOR LOCATION OF ALL EXISTING UTILITIES.

**KLEINGERS GROUP**  
 1000 W. MARKET STREET, SUITE 200  
 WILMINGTON, DE 19801  
 TEL: 302.438.1234  
 FAX: 302.438.1235  
 WWW.KLEINGERSGROUP.COM

PA 0000000000  
 DELAWARE COUNTY, PA  
 PROFESSIONAL ENGINEER

**DELAWARE COUNTY FAIRGROUNDS**  
 CITY OF DELAWARE  
 DELAWARE COUNTY, OHIO

**GRADING AND EROSION CONTROL PLAN**

**8/19**

Scale: 1" = 10'-0"

**CITY OF DELAWARE**  
 OFFICE OF THE CITY ENGINEER  
 100 W. MARKET STREET, SUITE 200  
 WILMINGTON, DE 19801  
 TEL: 302.438.1234  
 FAX: 302.438.1235  
 WWW.CITYOFDELAWARE.COM

**EROSION CONTROL LEGEND**

- 1. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 2. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 3. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 4. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 5. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 6. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 7. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 8. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 9. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 10. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 11. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 12. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 13. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 14. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 15. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 16. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 17. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 18. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 19. PROPOSED SLOPE PROTECTION (SEE PLAN)
- 20. PROPOSED SLOPE PROTECTION (SEE PLAN)

**GRADING LEGEND**

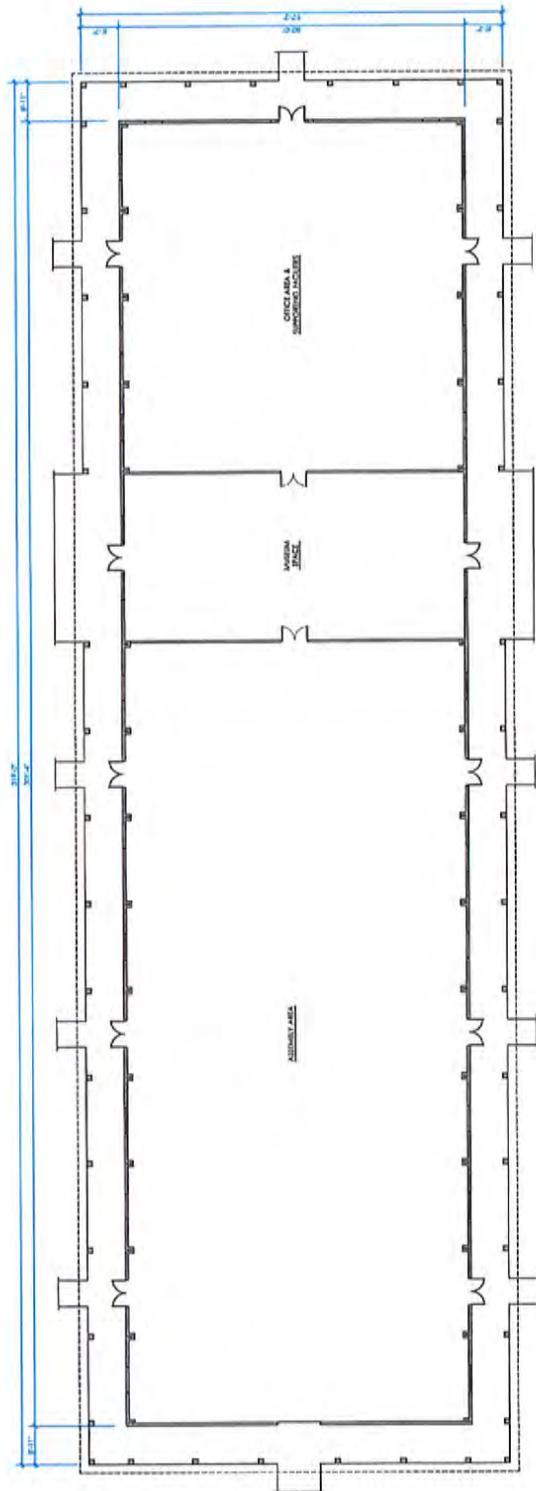
- 1. PROPOSED GRADE
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- 20. PROPOSED GRADE

**EMERGENCY SPILLWAY DETAIL**

**W.S. PARKS ADDITION**  
 PB 1 PG 46  
 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500



Harper Architects, LLC 100A Governor Pitt Newark, Ohio 43102 Tel: (614) 884-2028 Fax: (614) 884-2024		A-1 10/14/2011
Delaware County 4H Building FLOOR PLAN		Copyright © 2011 Harper Architectural Studio 10/14/2011
DATE: 10/14/2011 REVISIONS:		



OVERALL FLOOR PLAN  
 SCALE: 3/32" = 1'-0"







## AGREEMENT

This Agreement dated Aug. 9-2010 is between the Delaware County Agricultural Society (the "Ag Society") and the City of Delaware ("Delaware").

WHEREAS, Delaware desires to assist the Ag Society with the removal of two low-head dams located in the Olentangy River; and

WHEREAS, the Ag Society desires to grant Delaware certain easements for utilities and for a bike path on the fairground property.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

**1. Removal of Dams.** Delaware will undertake the project to remove the two low-head dams specified on Exhibit 1 (the "Project").

**1.1. Work Plan.** Delaware will provide a work plan to the Ohio EPA for the Project which will include a timeline and all necessary permitting and regulatory requirements associated with the Project including any necessary approval from the Ohio Department of Natural Resources. Delaware will provide a copy of the work plan to the Ag Society.

**1.2. Funding.** Delaware will apply for funding for the Project in the amount of \$70,000 from the Ohio Environmental Protection Agency ("Ohio EPA"), Division of Surface Water, Surface Water Improvement Fund. In the event Delaware is unsuccessful in obtaining such funding, Delaware shall notify the Ag Society. In such event, the Project will not proceed and this Agreement shall be terminated. If the project can be completed for less than the \$70,000 made available through the OEPA SWIF grant, Delaware shall be entitled to the remaining balance for its use and as agreed upon by the OEPA.

**1.3. Budget.** Delaware will request bids for the Project and prepare a budget based on the bids received. The budget will be subject to review and approval by the Ag Society before contractors are hired to commence work on the Project.

**1.4. Cost Overruns.** If the budget exceeds the \$70,000 available from Ohio EPA, Delaware shall not be obligated to proceed with the Project and shall notify the Ag Society of the shortfall. The Ag Society shall take reasonable steps to secure funding of the shortfall and shall have the unilateral right to terminate the Project and cancel this Agreement if the Ag Society is unable to secure any such additional necessary funding. Delaware may also seek additional funds from Ohio EPA or ODNR to fund the shortfall. In no event shall the Ag Society be responsible for funding any portion of the Project unless it enters into a separate contribution agreement specifying the amount of funds to be contributed and the conditions of the contribution. In the event the Ag Society decides not to cover a shortfall in funds, Delaware may elect to cover the Shortfall with its own funds and in doing so, be entitled to the full benefits as provided by the OEPA for completing the project, including but not limited to potential mitigation credits.

1.5. **Ingress/Egress.** The Ag Society will assist Delaware with the Project by using reasonable efforts (without incurring any debt or paying any sums) to secure the agreement of the property owner identified on Exhibit 2 to allow Delaware to use the property to access the Olentangy River. Any such access will be subject to such property owner and Delaware entering into a License and Right of Entry containing customary terms and conditions governing Delaware's right to use such property for such purpose. Delaware will keep the Ag Society apprised of the status of all discussions and agreements with such property owner.

2. **Easements.** Upon completion of the Project, the Ag Society will grant and record easements in favor of Delaware for a bike path, the locations of which is specified in Exhibit 3. The proposed locations of the bike path easements are subject to review and approval by Delaware as part of this agreement.. The easements will contain customary terms and conditions and be subject to the mutual agreement of the parties in their reasonable discretion. In the event the easements are located on real estate owned of record by Delaware County, the Ag Society will take reasonable steps to secure Delaware County's approval of such easements.

3. **Utilities:** The Ag Society shall cooperate with Delaware in making timely improvements and modifications to existing water and sanitary sewer lines and facilities located on their property to bring those facilities into conformance with current city utility specifications.

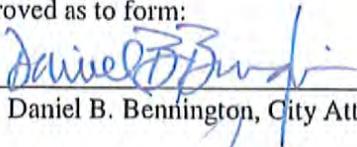
4. **Miscellaneous.** This Agreement sets forth the entire agreement of the parties with respect to the subject matter hereof. This Agreement may not be amended except by a writing signed by both parties hereto. This Agreement shall be binding upon and inure to the benefit of the parties and their successors. The term "including" means including without limitation. The failure or delay to enforce any right hereunder or to demand compliance with its terms shall not be construed to be a waiver. No waiver of any right or remedy under this Agreement shall be binding unless it is in writing and is signed by the party to be charged.

IN WITNESS WHEREOF, the parties have signed this Agreement as of the date set forth above at Delaware, Ohio.

CITY OF DELAWARE, OHIO

DELAWARE COUNTY AGRICULTURE SOCIETY

Approved as to form:

By:   
Daniel B. Bennington, City Attorney

By:   
Phillip B. Terry, Fair Manager

By:   
R. Thomas Homan, City Manager

**EXHIBIT 1**  
**Low-Head Dams**



Copyright 2007 by Delaware County

75ft

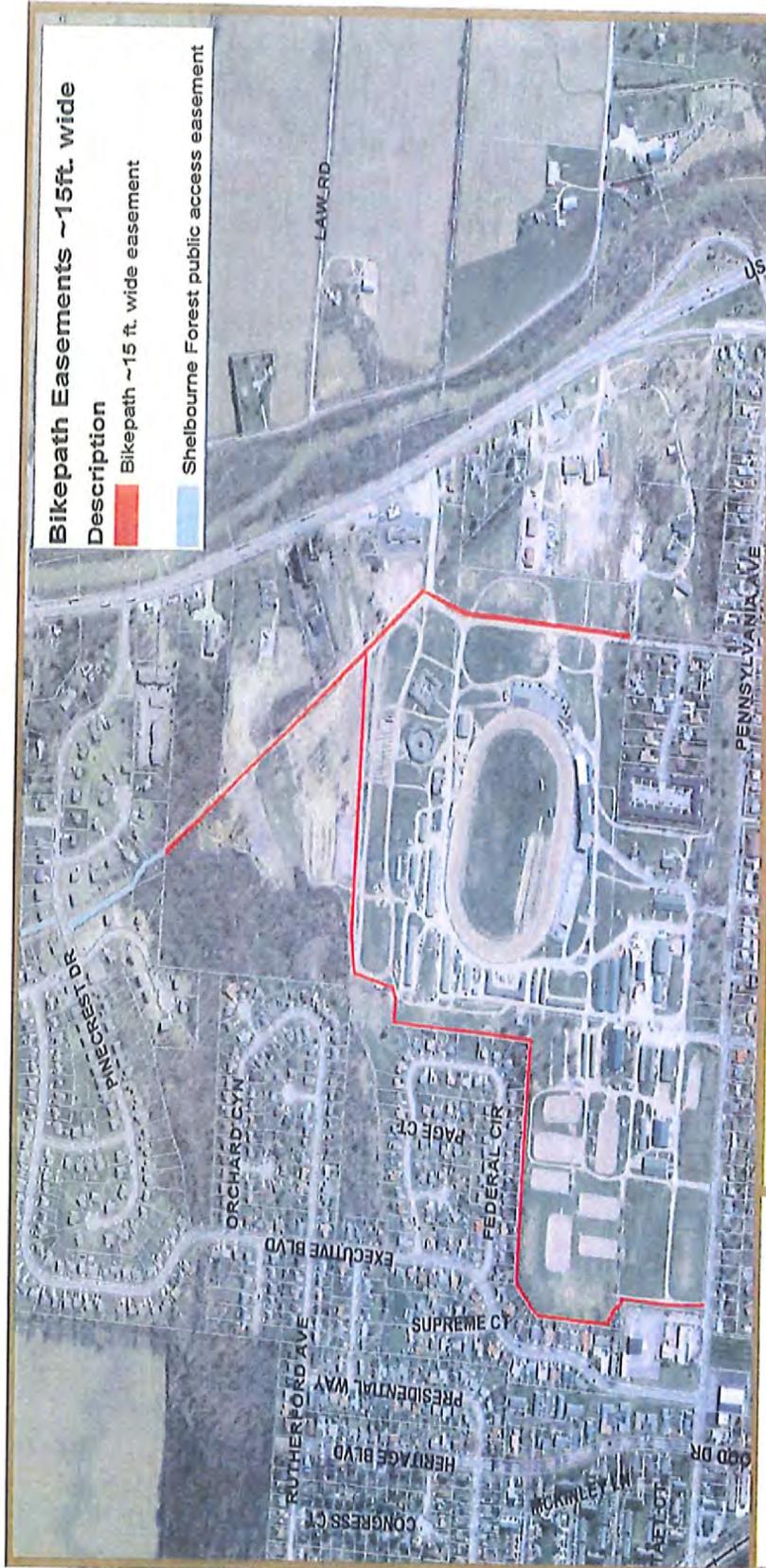
**EXHIBIT 2**  
**Ingress/Egress**

Owner of Parcels 1 and 2:  
**Parcel 1:** 41913003031000  
James R. Pancake  
2815 Stratford Road  
Delaware, Ohio 43015  
**Parcel 2:** 41913003032000  
James R. Pancake  
2815 Stratford Road  
Delaware, Ohio 43015



# EXHIBIT 3

## Bikepath Easements



Fairgrounds Bikepath and Shlebourne Forest Exhibit  
(NOTE: All pathways shown are 15 feet wide easements)



# B.R.O.P.A.T.H.

Bruce Rd-Oakhurst-Pennsylvania Ave, Travel Home Safely  
CITY OF DELAWARE PARKS & NATURAL RESOURCES



**DRAFT**



**PROPOSED ROUTE:**

- ACCESS TO PENNSYLVANIA AVE, ON STREET BIKE PATH
- ACCESS TO HAYES HS, DEMPSEY MS AND SMITH ES
- MID BLOCK CROSSING, ACROSS FROM EXISTING PEDESTRIAN PATH TO HAYES HS

**ALTERNATE A:**

- OUTLET ON N LIBERTY ST
- ACCESS TO PENNSYLVANIA AVE, ON STREET BIKE PATH
- CLOSER TO MINGO PARK & DOWNTOWN DISTRICT



## FACT SHEET

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AGENDA ITEM NO: 15

DATE: 12/20/2018

ORDINANCE NO: 18-118

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: NO

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

---

**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

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.

**BACKGROUND:**

See attached report

**REASON WHY LEGISLATION IS NEEDED:**

To achieve compliance with Section 1129.05 Final Development Plan requirements of the zoning code.

**COMMITTEE RECOMMENDATION:**

Planning Commission approved this case 7-0 on December 5, 2018.

**FISCAL IMPACT(S):**

N/A

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

David Efland, Planning and Community Development Director

**RECOMMENDATION:**

Staff recommends approval as submitted with the documented conditions.

**ATTACHMENT(S)**

See attached

ORDINANCE NO. 18-118

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.

WHEREAS, the Planning Commission at its meeting on December 5, 2018 recommended approval of a Combined Preliminary and Final Development Plan for Fahey Bank Company for Fahey Bank on approximately 0.81 acres on property zoned B-3 (Community Business District) and located at 75 West William Street (PC Case 2018-2923).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Combined Preliminary and Final Development Plan for Fahey Bank Company for Fahey Bank on approximately 0.81 acres on property zoned B-3 (Community Business District) and located at 75 West William Street, is hereby confirmed, approved, and accepted with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The limestone on the building shall be Delaware blue vein limestone or equivalent as approved by City Staff.
3. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
4. The Applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.
5. All mechanical equipment shall be screened from public view.
6. The lighting plan shall be reviewed and approved by the Chief Building Official and all lighting shall meet the requirements of the approved development text and the Planning & Zoning Code.
7. Any directional and drive thru canopy signage shall achieve compliance with the zoning code and be reviewed and approved

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION:

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2018

YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



## FACT SHEET

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AGENDA ITEM NO: 16

DATE: 12/20/2018

ORDINANCE NO: 18-119

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES  
January 14, 2019 at 7:20 p.m.

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

---

**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

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.

**BACKGROUND:**

See attached report

**REASON WHY LEGISLATION IS NEEDED:**

To achieve compliance with Section 1150 Flood Plain Regulations of the zoning code.

**COMMITTEE RECOMMENDATION:**

Planning Commission approved this case 7-0 on December 5, 2018.

**FISCAL IMPACT(S):**

N/A

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

David Efland, Planning and Community Development Director

**RECOMMENDATION:**

Staff recommends approval as submitted with the documented conditions.

**ATTACHMENT(S)**

See attached

ORDINANCE NO. 18-119

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.

WHEREAS, the Planning Commission at its meeting on December 5, 2018 recommended approval of a Conditional Use Permit for Fahey Bank Company for Fahey Bank on approximately 0.81 acres on property zoned B-3 (Community Business District) and located at 75 West William Street (PC Case 2018-2924) and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Conditional Use Permit for Fahey Bank Company for Fahey Bank on approximately 0.81 acres on property zoned B-3 (Community Business District) and located at 75 West William Street, is hereby confirmed, approved, and accepted with the following condition that:

- 1. The applicant shall not add additional fill within the 100 year flood plain per Chapter 1150 Flood Plain Standards.

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION:

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2018

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CASE NUMBER: 2018-2923-2924

REQUEST: Multiple Requests

PROJECT: Fahey Bank

MEETING DATE: December 5, 2018

---

**APPLICANT/OWNER**

The Fahey Bank Company  
127 North Main Street  
Marion, Ohio 43302

**REQUEST**

2018-2923: A request by Fahey Bank Company for approval of 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.

2018-2924: A request by Fahey Bank Company for approval of 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.

**PROPERTY LOCATION & DESCRIPTION**

The two properties are located on the south side of East William Street just east of Washington Street. The zoning of the two properties is B-3 (Community Business District) as are the properties to the north, east and west. The property to the south is zoned R-6 (Multi-Family Residential District).

**BACKGROUND/PROPOSAL**

The applicant is proposing to demolish the existing building (funeral home) and construct a new approximate 5,300 square foot bank building with a three bay drive thru and a 31 space parking lot. There would be two curb cuts on Washington Street and one on West William Street to access the development. Also, there would be a plaza with a raised planter located on the northwestern portion of the site to mimic the Willis Education Center plaza across the street.

On November 14, 2018, the Board of Zoning Appeals approved a front yard building setback variance of 20 feet along West William Street and 40 feet along Washington Street from the typically required 50 foot front yard building setback in a B-3 zoning district.

---

**STAFF ANALYSIS**

- **ZONING:** As previously mentioned, the zoning for the subject site is B-3. Under the current zoning, the proposed bank is a permitted use. A Combined Preliminary and Final Development Plan approval of the application would be required by the Planning Commission and City Council. Because the rear half of the site is essentially located within the 100 year flood plain, Section 1150.09 of the zoning code would require a Conditional Use Permit approval by the Planning Commission and City Council for any construction in the 100 year flood plain.
- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
- **ROADS AND ACCESS:** As mentioned above, the bank would be accessed by two curb cuts from Washington Street and one curb cut from West William Street. The southernmost curb cut on Washington Street would be full movement while the northernmost curb cut would be right-out only. The curb cut on West William Street would be right-out only. The proposed curb cuts on Washington Street would eliminate on street parking in this area and would need to be reviewed and approved by the Parking and Safety Committee.
- **SITE CONFIGURATION:** The approximate 0.81 acre site would yield an approximate 5,300 square foot bank with 31 parking spaces (27 parking spaces required) and a three bay drive thru in a counter clockwise orientation. As mentioned above, the building would be located approximately 20 feet from West William Street and 40 feet from Washington Street. The building is moved forward because the rear half of the lot is located within the 100 year flood plain and this places it within the existing built environment context more

appropriately as most buildings in this block face are closer to William Street than the B-3 building setback. A plaza with a raised planter is located just west of the main entrance into the bank fronting Washington Street. Mechanical equipment would be located to the rear of the building on a concrete pad that would be landscaped from public view. The storm water would be detained underground with an outlet to the Delaware Run just south of the site.

- **BUILDING DESIGN:** The proposed two-story bank building is a mixture of brick and limestone with several windows with grids capped off with a flat roof for a modern architecture design. The main entrance would be on the west elevation fronting Washington Street. The building would have a limestone wainscoting that is a rustic buff sanded color except for around the main entrance on Washington Street and where the main sign is on West William Street which would be brick (Pennsylvania molded color). The remainder of the elevation would be a mix of brick, limestone and windows while a brown metal siding would be located just below the charcoal colored fascia along the roof line of the majority of the building. The drive thru canopy would be supported by a brick column with a stone trim flat canopy. Staff recommends the limestone on the building be Delaware blue vein or equivalent. All building appurtenances (coping, downspouts, etc.) should be painted to match the adjacent building color. Also, staff would require submittal of each building material with color samples to ensure compliance is achieved at building permit approval.
- **TREE REMOVAL & REPLACEMENT:** There does not appear to be removal of any qualifying trees 6 inches in caliper or larger in the proposed plan. The trees along the Delaware Run along the southern portion of the site would be preserved per the applicant. This site and plan fall under the base code Chapter 1168 Tree Preservation Requirements.
- **LANDSCAPING & SCREENING:** The applicant is proposing street trees, interior parking lot landscaping, and foundation landscaping that achieves compliance with the base code landscaping requirements. The applicant would install street trees along Washington Street per code. Shrubs would be installed adjacent to the parking lot along Washington Street per code and a mix of trees and shrubs along the southern property line adjacent to the Delaware Run. Foundation landscaping would be installed along the front of the building along West William Street and in the raised planter along Washington Street. Also, the mechanical equipment located to the rear of the building would be buffered by shrubs. The Shade Tree Commission approved the landscape plans on November 27, 2018.
- **SIGNS:** The applicant is proposing building signage on the north elevation fronting West William Street and a sign on the planter facing Washington Street. The building sign would encompass 70 (14' x 5') square feet of sign area made of acrylic that would be internally illuminated and halo lit. The sign on the raised planter would encompass 17.5 square feet (7' x 2.5') of sign area made of acrylic and would be internally illuminated. Any directional and drive-thru canopy signage would need to be review and approved by staff.
- **LIGHTING:** The applicant is proposing five light poles throughout the parking lot that would be 15 feet high with light fixtures that would be cut-off style. Also there would be ten low level walkway and seating unit lights around the proposed planter. In addition, there would be building lights on the building and drive thru structure. All lighting must meet the requirements of the Planning & Zoning Code and be approved by the Chief Building Official.
- **CONDITIONAL USE PERMIT:** Per Section 1150.10 filling of the flood plain shall be prohibited. The 100 year flood plain elevation is located at the rear of the proposed building and essentially bisects the site in a north/south direction. The existing parking lot pavement and storm sewer line would be removed and would be replaced with a new parking lot and the like. However, the applicant's engineer provided grading and flood plain calculations that indicate there would be no additional fill within the 100 year flood plain per review by the City Flood Plain Administrator. Essentially, the portion of the site proposed for disturbance has already been previously disturbed and therefore there is no effective change in this regard. A portion of the existing structure is within the flood plain. The proposal with variances granted allows the new structure to be located outside the flood plain improving the existing condition. Therefore the proposed plan achieves compliance with Chapter 1150 Flood Plain Standards and staff supports the Conditional Use Permit.

**STAFF RECOMMENDATION (2018-2923 – COMBINED PRELIMINARY & FINAL DEVELOPMENT PLAN)**

Staff recommends approval of a request by Fahey Bank Company for 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, with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The limestone on the building shall be Delaware blue vein limestone or equivalent as approved by City Staff.
3. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
4. The Applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.
5. All mechanical equipment shall be screened from public view.
6. The lighting plan shall be reviewed and approved by the Chief Building Official and all lighting shall meet the requirements of the approved development text and the Planning & Zoning Code.
7. Any directional and drive thru canopy signage shall achieve compliance with the zoning code and be reviewed and approved

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**STAFF RECOMMENDATION (2018-2924 – CONDITIONAL USE PERMIT)**

Staff recommends approval of a request by Fahey Bank Company for 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, with the following condition that:

1. The applicant shall not add additional fill within the 100 year flood plain per Chapter 1150 Flood Plain Standards.

**SECTION 1150.09 CONDITIONAL USES.**

The following uses are conditionally permitted uses in the 100-year flood fringe area, provided they fulfill the requirements of this section:

- (a) Public service facilities such as streets, bridges, utilities and transmission lines. It is expressly understood that the buffer requirements of this section are applicable to all conditional uses.
- (b) Residential or non-residential structures and accessory uses including driveways and parking areas as specifically detailed in Section 1347.19(a), (b), (c), (d) and (e) inclusive.
- (c) Alteration of the terrain of the 100-year flood plain through the shifting, displacement or removal of material, provided that the 120 foot buffer area remains undisturbed.
- (d) The buffer area requirements set forth in Section 1150.07 are applicable to all conditional uses.

**SECTION 1150.10 PROHIBITED USES.**

- (a) Within the 100-year flood plain, no building or structure shall be erected, except as noted in Section 1150.08(b) and Section 1150.09(a) or (b).
- (b) Any alteration of the terrain through the shifting or removal of material is prohibited unless approved as authorized within these regulations.
- (c) Storage of hazardous materials within the 100-year flood plain is prohibited.

- (d) Within the floodway portion of the 100-year flood plain, encroachments, including new construction, substantial improvements, and other development are prohibited, including government owned public facilities, unless a hydrologic and hydraulic analysis performed in accordance with standard engineering practices demonstrates that the proposed encroachment will not result in any increase in the 100-year flood elevation, provided that hazardous velocities are not produced during the occurrence of the base flood discharge.
- (e) Filling of the 100-year flood plain shall be prohibited.

**COMMISSION NOTES:**

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*MOTION:*     \_\_\_\_\_ 1<sup>st</sup>     \_\_\_\_\_ 2<sup>nd</sup>     *approved*     *denied*     *tabled* \_\_\_\_\_

*CONDITIONS/MISCELLANEOUS:*

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**FILE:**  
**ORIGINAL:**     11/29/18  
**REVISED:**



2018-2923-2924  
 Combined Preliminary and Final Development Plan  
 & Conditional Use Permit  
 Fahey Bank - 75 West William Street  
 Location Map







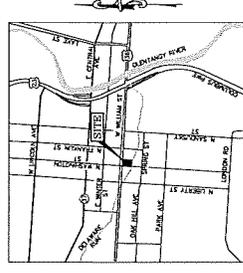
2018-2923-2924  
Combined Preliminary and Final Development Plan  
& Conditional Use Permit  
Fahey Bank - 75 West William Street  
Aerial (2016) Map



# PRIVATE STORM SEWER, GRADING AND PONDING PLAN FOR FAHEY BANK 75 W WILLIAM STREET CITY OF DELAWARE, OHIO 2018

**Pomeroy Associates Ltd.**  
 Consulting Engineers & Surveyors  
 5500 Corporate Exchange Drive - Suite 10  
 Columbus, Ohio 43231  
 Phone: (614) 255-4733 • Fax: (614) 255-2800

## STORM SEWER & PRIVATE GRADING PLAN FAHEY BANK 75 W WILLIAM STREET CITY OF DELAWARE, OHIO



**SHEET INDEX**

1	TITLE SHEET
2	GENERAL NOTES
3	GENERAL NOTES, QUANTITIES & DETAILS
4	TOPOGRAPHIC SURVEY
5	SITE DEMOLITION PLAN
6	SITE DIMENSION PLAN
7	STORM SEWER, GRADING & PONDING PLAN
8	COMPOSITE UTILITY PLAN
9	WATER QUALITY UNIT
10	EROSION CONTROL PLAN
11	
12	

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**SITE DATA TABLE**

TOTAL SITE AREA (AC)	0.81
TOTAL SITE AREA DISTURBED (AC)	0.81
PRE-DEVELOPED IMPERVIOUS AREA (AC)	0.44
POST-DEVELOPED IMPERVIOUS AREA (AC)	0.82

**CITY OF DELAWARE APPROVALS**  
 APPROVAL OF THESE PLANS DOES NOT CONSTITUTE ASSURANCE TO OPERATE AS INTENDED.  
 THE REVIEWER DOES NOT ACCEPT RESPONSIBILITY FOR THE INTEGRITY OF THE PLANS.

DAVID M. ETJAND, AICP  
DIRECTOR OF PLANNING & COMMUNITY DEVELOPMENT

WILLIAM L. FERRIGNO, P.E.  
DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

JONATHAN OWEN, P.E.  
LAND DEVELOPMENT ENGINEER

BLAKE JORDAN  
DIRECTOR OF PUBLIC UTILITIES

**PROFESSIONAL ENGINEER**

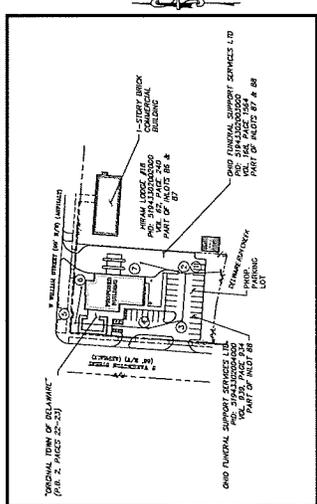
THIS IS TO CERTIFY THAT GOOD ENGINEERING PRACTICES HAVE BEEN UTILIZED IN THE DESIGN OF THIS PROJECT AND THAT ALL OF THE MINIMUM STANDARDS AS DELINEATED IN THE CITY OF DELAWARE SPECIFICATIONS FOR STORM SEWER DESIGN AND CONSTRUCTION DEVELOPMENT HAVE BEEN FOLLOWED. THESE STANDARDS INCLUDE, BUT ARE NOT LIMITED TO, WHERE, IN MY OPINION, THEY ARE NEEDED TO PROTECT THE SAFETY OF THE PUBLIC. ANY PRACTICE AND ARE NOT DETRIMENTAL TO THE PUBLIC SAFETY AND CONVENIENCE.

**PRELIMINARY  
NOT FOR CONSTRUCTION**

11/29/2018

NO. \_\_\_\_\_ DATE \_\_\_\_\_  
 PROFESSIONAL ENGINEER

SHEET **1** OF 12



**INFRASTRUCTURE OWNERSHIP CHART**

INFRASTRUCTURE ITEM	PUBLIC	PRIVATE	COMMENTS
SANITARY SEWER	X		SERVICE CONNECTS TO SANITARY SEWER ALONG W. WILLIAM STREET
STORM SEWER	X		DISCHARGES INTO DELAWARE RUN
WATER	X		SERVICE CONNECTS TO WM ALONG W. WILLIAM STREET
STREET'S	X		PARKING LOT

**STANDARD CONSTRUCTION DRAWINGS**

DRAWING #	CITY OF DELAWARE	DESCRIPTION
ERSD-1.0		CATCH BASIN SEDIMENT FILTER
ERSD-2.0		CURB & GUTTER INLET SEDIMENT FILTER
ERSD-3.0		STANDARD CONSTRUCTION ENTRANCE
ERSD-4.0		SILT FENCE INSTALLATION DETAIL
ERSD-10.0-10.3		EROSION & SEDIMENT CONTROL NOTE
RDMD-10.0		NEW COMMERCIAL CONCRETE DRIVEWAY APPROACH
RDMD-19.1		STANDARD SIDEWALK AND APPROACH
RDMD-19.3		TYPICAL SIDEWALK AND APPROACH
RDMD-22.0		STRAIGHT 18" CONCRETE CURB
RDMD-24.0		EXTENDED CONCRETE CURB
RDMD-29.0		MAINTENANCE OF TRAFFIC FOR STATIONARY OPERATION IN ONE LANE
SEMD-1.0		MANHOLE STEPS
SEMD-7.0		STANDARD 2 FT X 2 FT CATCH BASIN
SEMD-10.0		STANDARD 2 FT X 2 FT CATCH BASIN
SEMD-14.0		TYPICAL REBAR DETAIL
SEMD-15.1		ROCK CHANNEL PROTECTION DETAILS & NOTES
SEMD-18.0		MINIMUM DEPTH OF SANITARY SEWER SERVICE
AA-168		PRECAST PIPE CULVERT HEADWALLS R' TO '36"

**LEGEND**

LINE TYPES	SYMBOLS	ABBREVIATIONS
EXISTING FENCE	---	
EXISTING GAS	---	
EXISTING RIGHT-OF-WAY	---	
EXISTING SANITARY SEWER	---	
EXISTING WATER	---	
EXISTING STORM SEWER	---	
EXISTING UNDERGROUND TELEPHONE	---	
EXISTING UNDERGROUND ELECTRIC POWER POLE (25/35' MAX) & LIGHT POLE	---	
EXISTING CATCH BASIN	□	EXISTING UTILITY POLE
EXISTING CURB INLET	□	EXISTING GAS VALVE
EXISTING WATER VALVE	○	EXISTING WATER VALVE
EXISTING STORM MANHOLE	○	EXISTING STORM MANHOLE
EXISTING FIRE HYDRANT	○	EXISTING GAS METER
EXISTING ROW PW	○	PROPOSED CATCH BASIN
EXISTING SIGN	○	PROPOSED MANHOLE
EXISTING TREE W/PILE	○	PROPOSED FIRE HYDRANT
EXISTING SEWER	---	EXISTING
EXISTING STREET ROW	---	EXISTING
EXISTING LIGHT POLE	---	EXISTING
EXISTING POWER POLE	---	EXISTING
EXISTING POWER POLE #4200	---	EXISTING

**INDEX MAP**  
SCALE: 1" = 100'

**PROJECT DATUM**  
 HORIZONTAL DATUM: OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD 83 (DOT) BASE UPON GPS OBSERVATIONS AND POST PROCESSED USING AN OPUS SOLUTION.  
 VERTICAL DATUM: NAVD 83 BASED UPON GPS OBSERVATIONS AND POST PROCESSED USING AN OPUS SOLUTION.

**BENCHMARKS**  
 BM#1: CHISELED "X" 6 S.E. CORNER OF A CONC BASE OF A METAL TRAFFIC SIGNAL POLE AT THE S.E. CORNER OF W. WILLIAM STREET AND S. WASHINGTON STREET. ELEVATION=878.31.  
 BM#2: CHISELED "X" ON TOP OF NORTH END OF A CURB INLET ON THE EAST CURB OF S. WASHINGTON STREET; 244 FEET SOUTH OF CURB OF W. WILLIAM STREET. ELEVATION=872.56

**OWNER**  
 COLUMBIAN COMPANY  
 CLEVELAND CLOUDBERRY  
 127 NORTH MAIN STREET  
 MARION, OH 43002

**UTILITIES**  
 OHIO BRYAN COMPANY  
 6773 OLIVIANWAY RIVER RD.  
 MARION, OH 43002  
 COORDINATOR  
 MARION, OH 43015-8872  
 (740) 548-7748  
 (740) 382-7104

CONSOLIDATED ELECTRIC COMPANY  
 2780 LIBERTY RD.  
 DELAWARE, OH 43015  
 (740) 383-0551  
 ATTN: PHIL CASKEY - ENGINEERING  
 (419) 847-3055

TIME WARNER ENGINEERING  
 P.O. BOX 2553  
 4816  
 ATTN: RAY MAHER  
 (614) 481-5263

SUBURBAN NATURAL GAS COMPANY  
 LEWIS CENTER, OHIO 43025  
 (740) 548-2450











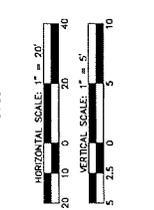
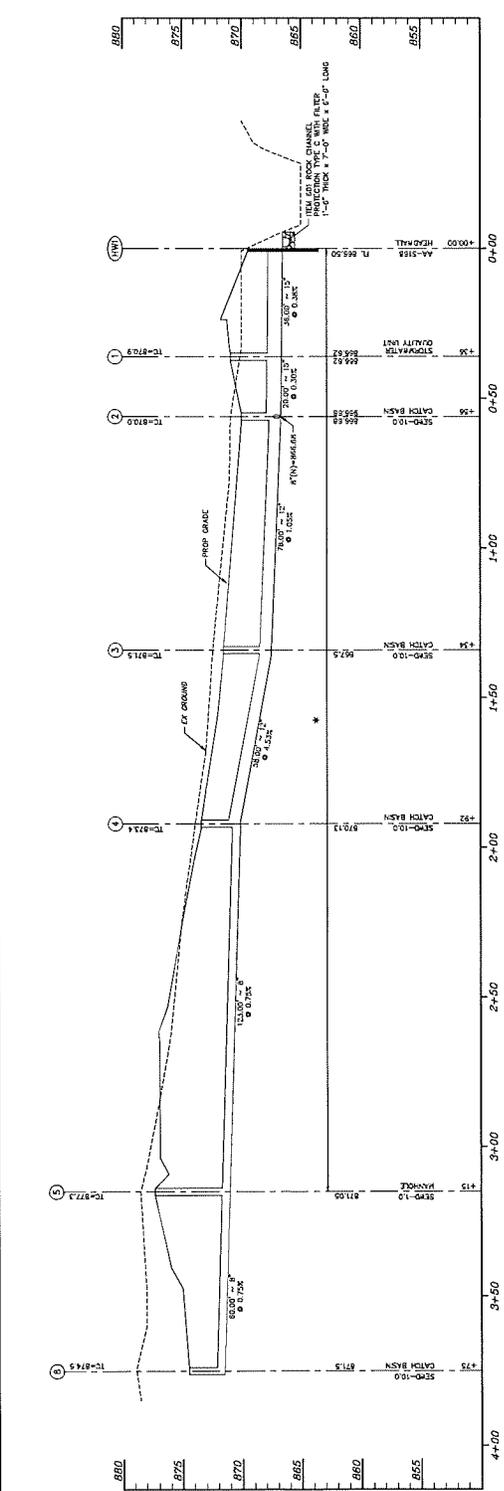


JOB NO.	2448
DRAWN BY	DLS
DESIGN BY	BUS
CHECKED BY	BUS

**NOTE:** ALL SIZES SHOWN IN THIS DRAWING ARE TO BE MAINTAINED THROUGHOUT THE PROJECT. ANY CHANGES TO THE SIZES SHOWN IN THIS DRAWING MUST BE APPROVED BY THE ENGINEER.

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\* = COMPACTED GRANULAR BACKFILL, ITEM #12

\* = CONCRETE ENCLOSURE, ITEM #10

\* = 12" DIA. x 4.25% SLOPE

\* = 12" DIA. x 4.25% SLOPE

\* = 12" DIA. x 4.25% SLOPE















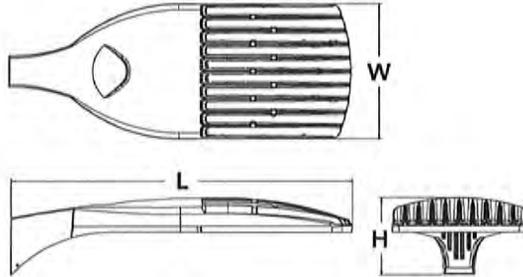
# D-Series Size 1 LED Area Luminaire

d<sup>series</sup>



## Specifications

<b>EPA:</b>	1.01 ft <sup>2</sup> (0.09 m <sup>2</sup> )
<b>Length:</b>	33" (81.8 cm)
<b>Width:</b>	13" (33.0 cm)
<b>Height:</b>	7-1/2" (19.0 cm)
<b>Weight (max):</b>	27 lbs (12.7 kg)



A+ Capable options indicated by this color background.

Catalog Number
Notes
Type

For the full list of options, visit the page to see all items in this category.

## A+ Capable Luminaire

This item is an A+ capable luminaire, which has been designed and tested to provide consistent color appearance and system-level interoperability.

- All configurations of this luminaire meet the Acuity Brands' specification for chromatic consistency
- This luminaire is A+ Certified when ordered with DTL<sup>®</sup> controls marked by a shaded background. DTL DLL equipped luminaires meet the A+ specification for luminaire to photocontrol interoperability<sup>1</sup>
- This luminaire is part of an A+ Certified solution for ROAM<sup>®</sup> or XPoint<sup>™</sup> Wireless control networks, providing out-of-the-box control compatibility with simple commissioning, when ordered with drivers and control options marked by a shaded background<sup>1</sup>

To learn more about A+, visit [www.acuitybrands.com/aplus](http://www.acuitybrands.com/aplus).

- See ordering tree for details.
- A+ Certified Solutions for ROAM require the order of one ROAM node per luminaire. Sold Separately: [Link to Roam](#); [Link to DTL DLL](#)

## Ordering Information

**EXAMPLE:** DSX1 LED P7 40K T3M MVOLT SPA DDBXD

DSX1LED						
Series	LEDs	Color temperature	Distribution	Voltage	Mounting	
DSX1 LED	<b>Forward optics</b> P1 P4 P7 P2 P5 P8 P3 P6 P9 <b>Rotated optics</b> P10 <sup>1</sup> P12 <sup>1</sup> P11 <sup>1</sup> P13 <sup>1</sup>	30K 3000 K 40K 4000 K 50K 5000 K AMBPC Amber phosphor converted <sup>2</sup>	T1S Type I short T2S Type II short T2M Type II medium T3S Type III short T3M Type III medium T4M Type IV medium TFTM Forward throw medium TSVS Type V very short	T5S Type V short T5M Type V medium T5W Type V wide BLC Backlight control <sup>2,1</sup> LCCO Left corner cutoff <sup>2,3</sup> RCCO Right corner cutoff <sup>2,3</sup>	MVOLT <sup>4,5</sup> 120 <sup>4</sup> 208 <sup>5,6</sup> 240 <sup>5,6</sup> 277 <sup>4</sup> 347 <sup>5,6,7</sup> 480 <sup>5,6,7</sup>	<b>Shipped included</b> SPA Square pole mounting RPA Round pole mounting WBA Wall bracket SPUMBA Square pole universal mounting adaptor <sup>8</sup> RPUMBA Round pole universal mounting adaptor <sup>8</sup> <b>Shipped separately</b> KMA8 DDBXD U Mast arm mounting bracket adaptor (specify finish) <sup>9</sup>

Control options	Other options	Finish (optional)
<b>Shipped installed</b> NLTAIR2 nLight AIR generation 2 enabled <sup>10</sup> PER NEMA twist-lock receptacle only (controls ordered separate) <sup>11</sup> PER5 Five-wire receptacle only (controls ordered separate) <sup>11,12</sup> PER7 Seven-wire receptacle only (controls ordered separate) <sup>11,12</sup> DMG 0-10V dimming extend out back of housing for external control (leads exit fixture) DS Dual switching <sup>11,14</sup> PIR Bi-level, motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 5fc <sup>5,15,16</sup> PIRH Bi-level, motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 5fc <sup>5,15,16</sup> PIRHN Network, Bi-Level motion/ambient sensor <sup>17</sup> PIR1FC3V Bi-level, motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 1fc <sup>5,15,16</sup>	PIRH1FC3V Bi-level, motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 1fc <sup>5,15,16</sup> BL30 Bi-level switched dimming, 30% <sup>5,14,18</sup> BL50 Bi-level switched dimming, 50% <sup>5,14,18</sup> PNMTDD3 Part night, dim till dawn <sup>5,19</sup> PNMTSD3 Part night, dim 5 hrs <sup>5,19</sup> PNMT6D3 Part night, dim 6 hrs <sup>5,19</sup> PNMT7D3 Part night, dim 7 hrs <sup>5,19</sup> FAO Field adjustable output <sup>20</sup>	<b>Shipped installed</b> HS House-side shield <sup>21</sup> SF Single fuse (120, 277, 347V) <sup>4</sup> DF Double fuse (208, 240, 480V) <sup>4</sup> L90 Left rotated optics <sup>1</sup> R90 Right rotated optics <sup>1</sup> <b>Shipped separately</b> BS Bird spikes <sup>22</sup> EGS External glare shield <sup>22</sup>
		DDBXD Dark bronze DBLXD Black DNAXD Natural aluminum DWHXD White DDBTXD Textured dark bronze DBLBXD Textured black DNATXD Textured natural aluminum DWHGXD Textured white



## Ordering Information

### Accessories

Ordered and shipped separately.

DLL127F 1.5 JU	PhotoCell - SSL twist-lock (120-277V) <sup>21</sup>
DLL347F 1.5 CUL JU	PhotoCell - SSL twist-lock (347V) <sup>21</sup>
DLL480F 1.5 CUL JU	PhotoCell - SSL twist-lock (480V) <sup>21</sup>
DSHORT SBK U	Shorting cap <sup>21</sup>
DSX1HS 30C U	House-side shield for 30 LED unit <sup>21</sup>
DSX1HS 40C U	House-side shield for 40 LED unit <sup>21</sup>
DSX1HS 60C U	House-side shield for 60 LED unit <sup>21</sup>
PUMBA DDBXD U*	Square and round pole universal mounting bracket (specify finish) <sup>21</sup>
KMA8 DDBXD U	Mast arm mounting bracket adaptor (specify finish) <sup>21</sup>

For more control options, visit [Lithonia Lighting](#) and [Acuity Brands](#) online.

### NOTES

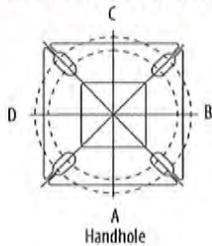
- P10, P11, P12 or P13 and rotated optics (L90, R90) only available together.
- AMBPC is not available with BLC, LCCO, RCCO or P4, P7, P8, P9 or P13.
- Not available with HS.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
- Any PIRx with BL30, BL50 or PNMT, is not available with 208V, 240V, 347V, 480V or MVOLT. It is only available in 120V or 277V specified.
- Single fuse (SF) requires 120V, 277V or 347V. Double fuse (DF) requires 208V, 240V or 480V.
- Not available in P1 or P10. Not available with BL30, BL50 or PNMT options.
- Existing drilled pole only. Available as a separate combination accessory; for retrofit use only: PUMBA (finish U); 1.5 G vibration load rating per ANCI C136.31.
- Must order fixture with SPA option. Must be ordered as a separate accessory; see Accessories information. For use with 2-3/8" mast arm (not included).
- Must be ordered with PIRHN.
- PhotoCell ordered and shipped as a separate line item from Acuity Brands Controls. See accessories. Not available with DS option. Shorting cap included.
- If ROAM<sup>®</sup> node required, it must be ordered and shipped as a separate line item from Acuity Brands Controls. Not available with DCR. Node with integral dimming. Shorting cap included.
- Provides 50/50 fixture operation via (2) independent drivers. Not available with PER, PER5, PER7, PIR or PIRH. Not available P1, P2, P3, P4 or P5.
- Requires (2) separately switched circuits.
- Reference Motion Sensor table on page 3.
- Reference PER table on page 3 to see functionality.
- Must be ordered with NLTAIR2. For more information on nLight Air 2 visit [this link](#).
- Not available with 347V, 480V, PNMT, DS. For PER5 or PER7, see PER Table on page 3. Requires isolated neutral.
- Not available with 347V, 480V, DS, BL30, BL50. For PER5 or PER7, see PER Table on page 3. Separate Dusk to Dawn required.
- Not available with other dimming controls options.
- Not available with BLC, LCCO and RCCO distribution. Also available as a separate accessory; see Accessories information.
- Must be ordered with fixture for factory pre-drilling.
- Requires luminaire to be specified with PER, PER5 or PER7 option. See PER Table on page 3.
- For retrofit use only.

## External Glare Shield



## Drilling

### HANDHOLE ORIENTATION

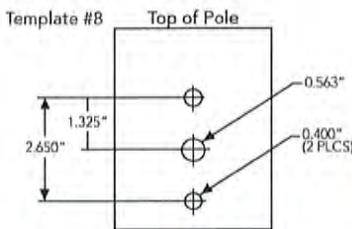


### Tenon Mounting Slipfitter \*\*

Tenon O.D.	Single Unit	2 at 180°	2 at 90°	3 at 120°	3 at 90°	4 at 90°
2-3/8"	AST20-190	AST20-280	AST20-290	AST20-320	AST20-390	AST20-490
2-7/8"	AST25-190	AST25-280	AST25-290	AST25-320	AST25-390	AST25-490
4"	AST35-190	AST35-280	AST35-290	AST35-320	AST35-390	AST35-490

Pole drilling nomenclature: # of heads at degree from handhole (default side A)					
DM19AS	DM28AS	DM29AS	DM32AS	DM39AS	DM49AS
1 @ 90°	2 @ 280°	2 @ 90°	3 @ 120°	3 @ 90°	4 @ 90°
Side B	Side B & D	Side B & C	Round pole only	Side B, C, & D	Sides A, B, C, D

Note: Review luminaire spec sheet for specific nomenclature



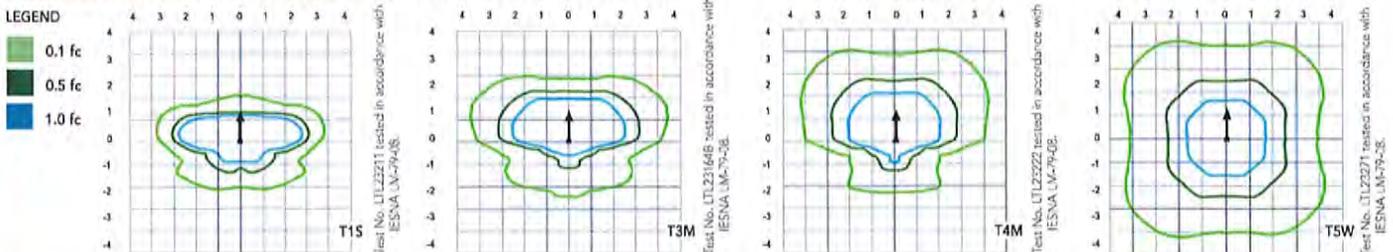
Pole top or tenon O.D.	4.5" @ 90°	4" @ 90°	3.5" @ 90°	3" @ 90°	4.5" @ 120°	4" @ 120°	3.5" @ 120°	3" @ 120°
DSX SPA	Y	Y	Y	N	-	-	-	-
DSX RPA	Y	Y	N	N	Y	Y	Y	Y
DSX SPUMBA	Y	N	N	N	-	-	-	-
DSX RPUMBA	N	N	N	N	Y	Y	Y	N

\*3 fixtures @ 120 require round pole top/tenon.

## Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's [D-Series Area Size 1 homepage](#).

Isofootcandle plots for the DSX1 LED 60C 1000 40K. Distances are in units of mounting height (25').



One Lithonia Way • Conyers, Georgia 30012 • Phone: 800.279.8041 • [www.lithonia.com](http://www.lithonia.com)  
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## Performance Data

### Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

Ambient		Lumen Multiplier
0°C	32°F	1.04
5°C	41°F	1.04
10°C	50°F	1.03
15°C	59°F	1.02
20°C	68°F	1.01
25°C	77°F	1.00
30°C	86°F	0.99
35°C	95°F	0.98
40°C	104°F	0.97

### Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the platforms noted in a 25°C ambient, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25000	50000	100000
Lumen Maintenance Factor	1.00	0.96	0.92	0.85

### Electrical Load

	Performance Package	LED Count	Drive Current	Wattage	Current (A)					
					120	208	240	277	347	480
Forward Optics (Non-Rotated)	P1	30	530	54	0.45	0.26	0.23	0.19	0.10	0.12
	P2	30	700	70	0.59	0.34	0.30	0.25	0.20	0.16
	P3	30	1050	102	0.86	0.50	0.44	0.38	0.30	0.22
	P4	30	1250	125	1.06	0.60	0.52	0.46	0.37	0.27
	P5	30	1400	138	1.16	0.67	0.58	0.51	0.40	0.29
	P6	40	1250	163	1.36	0.78	0.68	0.59	0.47	0.34
	P7	40	1400	183	1.53	0.88	0.76	0.66	0.53	0.38
	P8	60	1050	207	1.74	0.98	0.87	0.76	0.64	0.49
	P9	60	1250	241	2.01	1.16	1.01	0.89	0.70	0.51
Rotated Optics (Requires L90 or R90)	P10	60	530	106	0.90	0.52	0.47	0.43	0.33	0.27
	P11	60	700	137	1.15	0.67	0.60	0.53	0.42	0.32
	P12	60	1050	207	1.74	0.99	0.87	0.76	0.60	0.46
	P13	60	1250	231	1.93	1.12	0.97	0.86	0.67	0.49

### Motion Sensor Default Settings

Option	Dimmed State	High Level (when triggered)	Photocell Operation	Dwell Time	Ramp-up Time	Ramp-down Time
PIR or PIRH	3V (37%) Output	10V (100%) Output	Enabled @ 5FC	5 min	3 sec	5 min
*PIR1FC3V or PIRH1FC3V	3V (37%) Output	10V (100%) Output	Enabled @ 1FC	5 min	3 sec	5 min

\*for use with Inline Dusk to Dawn or timer.

### PER Table

Control	PER (3 wire)	PER5 (5 wire)		PER7 (7 wire)		
		Wire 4/Wire5	Wire 4/Wire5	Wire 4/Wire5	Wire 6/Wire7	
Photocell Only (On/Off)	✓	▲	Wired to dimming leads on driver	▲	Wired to dimming leads on driver	Wires Capped inside fixture
ROAM	⊗	✓	Wired to dimming leads on driver	▲	Wired to dimming leads on driver	Wires Capped inside fixture
ROAM with Motion (ROAM on/off only)	⊗	▲	Wires Capped inside fixture	▲	Wires Capped inside fixture	Wires Capped inside fixture
Future-proof*	⊗	▲	Wired to dimming leads on driver	✓	Wired to dimming leads on driver	Wires Capped inside fixture
Future-proof* with Motion	⊗	▲	Wires Capped inside fixture	✓	Wires Capped inside fixture	Wires Capped inside fixture

✓ Recommended
⊗ Will not work
▲ Alternate

\*Future-proof means: Ability to change controls in the future.



# Performance Data

## Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Forward Optics																												
LED Count	Drive Current	Power Package	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)					AMBPC (Amber Phosphor Converted)								
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW				
30	530	P1	54W	T1S	6,457	2	0	2	120	6,956	2	0	2	129	7,044	2	0	2	130	3,640	1	0	1	70				
				T2S	6,450	2	0	2	119	6,949	2	0	2	129	7,037	2	0	2	130	3,813	1	0	1	73				
				T2M	6,483	1	0	1	120	6,984	2	0	2	129	7,073	2	0	2	131	3,689	1	0	1	71				
				T3S	6,279	2	0	2	116	6,764	2	0	2	125	6,850	2	0	2	127	3,770	1	0	1	73				
				T3M	6,468	1	0	2	120	6,967	1	0	2	129	7,056	1	0	2	131	3,752	1	0	1	72				
				T4M	6,327	1	0	2	117	6,816	1	0	2	126	6,902	1	0	2	128	3,758	1	0	1	72				
				TFIM	6,464	1	0	2	120	6,963	1	0	2	129	7,051	1	0	2	131	3,701	1	0	1	71				
				TSVS	6,722	2	0	0	124	7,242	3	0	0	134	7,334	3	0	0	136	3,928	2	0	0	76				
				TSS	6,728	2	0	1	125	7,248	2	0	1	134	7,340	2	0	1	136	3,881	2	0	0	75				
				TSM	6,711	3	0	1	124	7,229	3	0	1	134	7,321	3	0	2	136	3,930	2	0	1	76				
				TSW	6,667	3	0	2	123	7,182	3	0	2	133	7,273	3	0	2	135	3,820	3	0	1	73				
				BLC	5,299	1	0	1	98	5,709	1	0	2	106	5,781	1	0	2	107									
				LCCO	3,943	1	0	2	73	4,248	1	0	2	79	4,302	1	0	2	80									
				RCCO	3,943	1	0	2	73	4,248	1	0	2	79	4,302	1	0	2	80									
				30	700	P2	70W	T1S	8,249	2	0	2	118	8,886	2	0	2	127	8,999	2	0	2	129	4,561	1	0	1	67
								T2S	8,240	2	0	2	118	8,877	2	0	2	127	8,989	2	0	2	128	4,777	1	0	1	70
T2M	8,283	2	0					2	118	8,923	2	0	2	127	9,036	2	0	2	129	4,622	1	0	2	68				
T3S	8,021	2	0					2	115	8,641	2	0	2	123	8,751	2	0	2	125	4,724	1	0	1	69				
T3M	8,263	2	0					2	118	8,901	2	0	2	127	9,014	2	0	2	129	4,701	1	0	2	69				
T4M	8,083	2	0					2	115	8,708	2	0	2	124	8,818	2	0	2	126	4,709	1	0	2	69				
TFIM	8,257	2	0					2	118	8,896	2	0	2	127	9,008	2	0	2	129	4,638	1	0	2	68				
TSVS	8,588	3	0					0	123	9,252	3	0	0	132	9,369	3	0	0	134	4,922	2	0	0	72				
TSS	8,595	3	0					1	123	9,259	3	0	1	132	9,376	3	0	1	134	4,863	2	0	0	72				
TSM	8,573	3	0					2	122	9,236	3	0	2	132	9,353	3	0	2	134	4,924	3	0	1	72				
TSW	8,517	3	0					2	122	9,175	4	0	2	131	9,291	4	0	2	133	4,787	3	0	1	70				
BLC	6,770	1	0					2	97	7,293	1	0	2	104	7,386	1	0	2	106									
LCCO	5,038	1	0					2	72	5,427	1	0	2	78	5,496	1	0	2	79									
RCCO	5,038	1	0					2	72	5,427	1	0	2	78	5,496	1	0	2	79									
30	1050	P3	102W					T1S	11,661	2	0	2	114	12,562	3	0	3	123	12,721	3	0	3	125					
								T2S	11,648	2	0	2	114	12,548	3	0	3	123	12,707	3	0	3	125					
				T2M	11,708	2	0	2	115	12,613	2	0	2	124	12,773	2	0	2	125									
				T3S	11,339	2	0	2	111	12,215	3	0	3	120	12,370	3	0	3	121									
				T3M	11,680	2	0	2	115	12,582	2	0	2	123	12,742	2	0	2	125									
				T4M	11,426	2	0	3	112	12,309	2	0	3	121	12,465	2	0	3	122									
				TFIM	11,673	2	0	2	114	12,575	2	0	3	123	12,734	2	0	3	125									
				TSVS	12,140	3	0	1	119	13,078	3	0	1	128	13,244	3	0	1	130									
				TSS	12,150	3	0	1	119	13,089	3	0	1	128	13,254	3	0	1	130									
				TSM	12,119	4	0	2	119	13,056	4	0	2	128	13,221	4	0	2	130									
				TSW	12,040	4	0	3	118	12,970	4	0	3	127	13,134	4	0	3	129									
				BLC	9,570	1	0	2	94	10,310	1	0	2	101	10,440	1	0	2	102									
				LCCO	7,121	1	0	3	70	7,671	1	0	3	75	7,768	1	0	3	76									
				RCCO	7,121	1	0	3	70	7,671	1	0	3	75	7,768	1	0	3	76									
				30	1250	P4	125W	T1S	13,435	3	0	3	107	14,473	3	0	3	116	14,657	3	0	3	117					
								T2S	13,421	3	0	3	107	14,458	3	0	3	116	14,641	3	0	3	117					
T2M	13,490	2	0					2	108	14,532	3	0	3	116	14,716	3	0	3	118									
T3S	13,064	3	0					3	105	14,074	3	0	3	113	14,252	3	0	3	114									
T3M	13,457	2	0					2	108	14,497	2	0	2	116	14,681	2	0	2	117									
T4M	13,165	2	0					3	105	14,182	2	0	3	113	14,362	2	0	3	115									
TFIM	13,449	2	0					3	108	14,488	2	0	3	116	14,672	2	0	3	117									
TSVS	13,987	4	0					1	112	15,068	4	0	1	121	15,259	4	0	1	122									
TSS	13,999	3	0					1	112	15,080	3	0	1	121	15,271	3	0	1	122									
TSM	13,963	4	0					2	112	15,042	4	0	2	120	15,233	4	0	2	122									
TSW	13,872	4	0					3	111	14,944	4	0	3	120	15,133	4	0	3	121									
BLC	11,027	1	0					2	88	11,879	1	0	2	95	12,029	1	0	2	96									
LCCO	8,205	1	0					3	66	8,839	1	0	3	71	8,951	1	0	3	72									
RCCO	8,205	1	0					3	66	8,839	1	0	3	71	8,951	1	0	3	72									
30	1400	P5	138W					T1S	14,679	3	0	3	106	15,814	3	0	3	115	16,014	3	0	3	116					
								T2S	14,664	3	0	3	106	15,797	3	0	3	114	15,997	3	0	3	116					
				T2M	14,739	3	0	3	107	15,878	3	0	3	115	16,079	3	0	3	117									
				T3S	14,274	3	0	3	103	15,377	3	0	3	111	15,572	3	0	3	113									
				T3M	14,704	2	0	3	107	15,840	3	0	3	115	16,040	3	0	3	116									
				T4M	14,384	2	0	3	104	15,496	3	0	3	112	15,692	3	0	3	114									
				TFIM	14,695	2	0	3	106	15,830	3	0	3	115	16,030	3	0	3	116									
				TSVS	15,283	4	0	1	111	16,464	4	0	1	119	16,672	4	0	1	121									
				TSS	15,295	3	0	1	111	16,477	4	0	1	119	16,686	4	0	1	121									
				TSM	15,257	4	0	2	111	16,435	4	0	2	119	16,644	4	0	2	121									
				TSW	15,157	4	0	3	110	16,328	4	0	3	118	16,534	4	0	3	120									
				BLC	12,048	1	0	2	87	12,979	1	0	2	94	13,143	1	0	2	95									
				LCCO	8,965	1	0	3	65	9,657	1	0	3	70	9,780	1	0	3</										

## Performance Data

### Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Forward Optics																												
LED Count	Drive Current	Power Package	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)					AMBPC (Amber Phosphor Converted)								
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW				
40	1250	P6	163W	T1S	17,654	3	0	3	108	19,018	3	0	3	117	19,259	3	0	3	118									
				T2S	17,635	3	0	3	108	18,998	3	0	3	117	19,238	3	0	3	118									
				T2M	17,726	3	0	3	109	19,096	3	0	3	117	19,337	3	0	3	119									
				T3S	17,167	3	0	3	105	18,493	3	0	3	113	18,727	3	0	3	115									
				T3M	17,683	3	0	3	108	19,049	3	0	3	117	19,290	3	0	3	118									
				T4M	17,299	3	0	3	106	18,635	3	0	4	114	18,871	3	0	4	116									
				TFIM	17,672	3	0	3	108	19,038	3	0	4	117	19,279	3	0	4	118									
				TSVS	18,379	4	0	1	113	19,800	4	0	1	121	20,050	4	0	1	123									
				TSS	18,394	4	0	2	113	19,816	4	0	2	122	20,066	4	0	2	123									
				TSM	18,348	4	0	2	113	19,766	4	0	2	121	20,016	4	0	2	123									
				TSW	18,228	5	0	3	112	19,636	5	0	3	120	19,885	5	0	3	122									
				BLC	14,489	2	0	2	89	15,609	2	0	3	96	15,806	2	0	3	97									
				LCCO	10,781	1	0	3	66	11,614	1	0	3	71	11,761	2	0	3	72									
				RCCO	10,781	1	0	3	66	11,614	1	0	3	71	11,761	2	0	3	72									
				40	1400	P7	183W	T1S	19,227	3	0	3	105	20,712	3	0	3	113	20,975	3	0	3	115					
T2S	19,206	3	0					3	105	20,690	3	0	3	113	20,952	3	0	3	114									
T2M	19,305	3	0					3	105	20,797	3	0	3	114	21,060	3	0	3	115									
T3S	18,696	3	0					3	102	20,141	3	0	3	110	20,396	3	0	4	111									
T3M	19,258	3	0					3	105	20,746	3	0	3	113	21,009	3	0	3	115									
T4M	18,840	3	0					4	103	20,296	3	0	4	111	20,553	3	0	4	112									
TFIM	19,246	3	0					4	105	20,734	3	0	4	113	20,996	3	0	4	115									
TSVS	20,017	4	0					1	109	21,564	4	0	1	118	21,837	4	0	1	119									
TSS	20,033	4	0					2	109	21,581	4	0	2	118	21,854	4	0	2	119									
TSM	19,983	4	0					2	109	21,527	5	0	3	118	21,799	5	0	3	119									
TSW	19,852	5	0					3	108	21,386	5	0	3	117	21,656	5	0	3	118									
BLC	15,780	2	0					3	86	16,999	2	0	3	93	17,214	2	0	3	94									
LCCO	11,742	2	0					3	64	12,649	2	0	3	69	12,809	2	0	3	70									
RCCO	11,742	2	0					3	64	12,649	2	0	3	69	12,809	2	0	3	70									
60	1050	P8	207W					T1S	22,490	3	0	3	109	24,228	3	0	3	117	24,535	3	0	3	119					
				T2S	22,466	3	0	4	109	24,202	3	0	4	117	24,509	3	0	4	118									
				T2M	22,582	3	0	3	109	24,327	3	0	3	118	24,635	3	0	3	119									
				T3S	21,870	3	0	4	106	23,560	3	0	4	114	23,858	3	0	4	115									
				T3M	22,527	3	0	4	109	24,268	3	0	4	117	24,575	3	0	4	119									
				T4M	22,038	3	0	4	106	23,741	3	0	4	115	24,041	3	0	4	116									
				TFIM	22,513	3	0	4	109	24,253	3	0	4	117	24,560	3	0	4	119									
				TSVS	23,415	5	0	1	113	25,224	5	0	1	122	25,543	5	0	1	123									
				TSS	23,434	4	0	2	113	25,244	4	0	2	122	25,564	4	0	2	123									
				TSM	23,374	5	0	3	113	25,181	5	0	3	122	25,499	5	0	3	123									
				TSW	23,221	5	0	4	112	25,016	5	0	4	121	25,332	5	0	4	122									
				BLC	18,458	2	0	3	89	19,885	2	0	3	96	20,136	2	0	3	97									
				LCCO	13,735	2	0	3	66	14,796	2	0	4	71	14,983	2	0	4	72									
				RCCO	13,735	2	0	3	66	14,796	2	0	4	71	14,983	2	0	4	72									
				60	1250	P9	241W	T1S	25,575	3	0	3	106	27,551	3	0	3	114	27,900	3	0	3	116					
T2S	25,548	3	0					4	106	27,522	3	0	4	114	27,871	3	0	4	116									
T2M	25,680	3	0					3	107	27,664	3	0	3	115	28,014	3	0	3	116									
T3S	24,870	3	0					4	103	26,791	3	0	4	111	27,130	3	0	4	113									
T3M	25,617	3	0					4	106	27,597	3	0	4	115	27,946	3	0	4	116									
T4M	25,061	3	0					4	104	26,997	3	0	4	112	27,339	3	0	4	113									
TFIM	25,602	3	0					4	106	27,580	3	0	4	114	27,929	3	0	4	116									
TSVS	26,626	5	0					1	110	28,684	5	0	1	119	29,047	5	0	1	121									
TSS	26,648	4	0					2	111	28,707	5	0	2	119	29,070	5	0	2	121									
TSM	26,581	5	0					3	110	28,635	5	0	3	119	28,997	5	0	3	120									
TSW	26,406	5	0					4	110	28,447	5	0	4	118	28,807	5	0	4	120									
BLC	20,990	2	0					3	87	22,612	2	0	3	94	22,898	2	0	3	95									
LCCO	15,619	2	0					4	65	16,825	2	0	4	70	17,038	2	0	4	71									
									15,619	2	0	4	65	16,825	2	0	4	70	17,038	2	0	4	71					

## Performance Data

### Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

Rotated Optics																										
LED Count	Drive Current	Power Package	System Watts	Dist. Type	30K (3000 K, 70 CRI)					40K (4000 K, 70 CRI)					50K (5000 K, 70 CRI)					AMBPC (Amber Phosphor Converted)						
					Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW		
60	530	P10	106W	T1S	13,042	3	0	3	123	14,050	3	0	3	133	14,228	3	0	3	134	7,167	2	0	2	72		
				T2S	12,967	4	0	4	122	13,969	4	0	4	132	14,146	4	0	4	133	7,507	2	0	2	76		
				T2M	13,201	3	0	3	125	14,221	3	0	3	134	14,401	3	0	3	136	7,263	2	0	2	73		
				T3S	12,766	4	0	4	120	13,752	4	0	4	130	13,926	4	0	4	131	7,424	2	0	2	75		
				T3M	13,193	4	0	4	124	14,213	4	0	4	134	14,393	4	0	4	136	7,387	2	0	2	75		
				T4M	12,944	4	0	4	122	13,945	4	0	4	132	14,121	4	0	4	133	7,400	2	0	2	75		
				TFIM	13,279	4	0	4	125	14,305	4	0	4	135	14,486	4	0	4	137	7,288	1	0	2	74		
				TSVS	13,372	3	0	1	126	14,405	4	0	1	136	14,588	4	0	1	138	7,734	3	0	1	78		
				T5S	13,260	3	0	1	125	14,284	3	0	1	135	14,465	3	0	1	136	7,641	3	0	0	77		
				T5M	13,256	4	0	2	125	14,281	4	0	2	135	14,462	4	0	2	136	7,737	3	0	2	78		
				TSW	13,137	4	0	3	124	14,153	4	0	3	134	14,332	4	0	3	135	7,522	3	0	2	76		
				BLC	10,906	3	0	3	103	11,749	3	0	3	111	11,898	3	0	3	112							
				LCCO	7,789	1	0	3	73	8,391	1	0	3	79	8,497	1	0	3	80							
				RCCO	7,779	4	0	4	73	8,380	4	0	4	79	8,486	4	0	4	80							
				60	700	P11	137W	T1S	16,556	3	0	3	121	17,835	3	0	3	130	18,061	4	0	4	132	8,952	2	0
T2S	16,461	4	0					4	120	17,733	4	0	4	129	17,957	4	0	4	131	9,377	2	0	2	72		
T2M	16,758	4	0					4	122	18,053	4	0	4	132	18,281	4	0	4	133	9,072	2	0	2	69		
T3S	16,205	4	0					4	118	17,457	4	0	4	127	17,678	4	0	4	129	9,273	2	0	2	71		
T3M	16,748	4	0					4	122	18,042	4	0	4	132	18,271	4	0	4	133	9,227	2	0	2	70		
T4M	16,432	4	0					4	120	17,702	4	0	4	129	17,926	4	0	4	131	9,243	2	0	2	71		
TFIM	16,857	4	0					4	123	18,159	4	0	4	133	18,389	4	0	4	134	9,103	2	0	2	69		
TSVS	16,975	4	0					1	124	18,287	4	0	1	133	18,518	4	0	1	135	9,661	3	0	1	74		
T5S	16,832	4	0					1	123	18,133	4	0	2	132	18,362	4	0	2	134	9,544	3	0	1	73		
T5M	16,828	4	0					2	123	18,128	4	0	2	132	18,358	4	0	2	134	9,665	3	0	2	74		
TSW	16,677	4	0					3	122	17,966	5	0	3	131	18,193	5	0	3	133	9,395	4	0	2	72		
BLC	13,845	3	0					3	101	14,915	3	0	3	109	15,103	3	0	3	110							
LCCO	9,888	1	0					3	72	10,652	2	0	3	78	10,787	2	0	3	79							
RCCO	9,875	4	0					4	72	10,638	4	0	4	78	10,773	4	0	4	79							
60	1050	P12	207W					T1S	22,996	4	0	4	111	24,773	4	0	4	120	25,087	4	0	4	121			
				T2S	22,864	4	0	4	110	24,631	5	0	5	119	24,943	5	0	5	120							
				T2M	23,277	4	0	4	112	25,075	4	0	4	121	25,393	4	0	4	123							
				T3S	22,509	4	0	4	109	24,248	5	0	5	117	24,555	5	0	5	119							
				T3M	23,263	4	0	4	112	25,061	4	0	4	121	25,378	4	0	4	123							
				T4M	22,824	5	0	5	110	24,588	5	0	5	119	24,899	5	0	5	120							
				TFIM	23,414	5	0	5	113	25,223	5	0	5	122	25,543	5	0	5	123							
				TSVS	23,579	5	0	1	114	25,401	5	0	1	123	25,722	5	0	1	124							
				T5S	23,380	4	0	2	113	25,187	4	0	2	122	25,506	4	0	2	123							
				T5M	23,374	5	0	3	113	25,181	5	0	3	122	25,499	5	0	3	123							
				TSW	23,165	5	0	4	112	24,955	5	0	4	121	25,271	5	0	4	122							
				BLC	19,231	4	0	4	93	20,717	4	0	4	100	20,979	4	0	4	101							
				LCCO	13,734	2	0	3	66	14,796	2	0	4	71	14,983	2	0	4	72							
				RCCO	13,716	4	0	4	66	14,776	4	0	4	71	14,963	4	0	4	72							
				60	1250	P13	231W	T1S	25,400	4	0	4	110	27,363	4	0	4	118	27,709	4	0	4	120			
T2S	25,254	5	0					5	109	27,205	5	0	5	118	27,550	5	0	5	119							
T2M	25,710	4	0					4	111	27,696	4	0	4	120	28,047	4	0	4	121							
T3S	24,862	5	0					5	108	26,783	5	0	5	116	27,122	5	0	5	117							
T3M	25,695	5	0					5	111	27,680	5	0	5	120	28,031	5	0	5	121							
T4M	25,210	5	0					5	109	27,158	5	0	5	118	27,502	5	0	5	119							
TFIM	25,861	5	0					5	112	27,860	5	0	5	121	28,212	5	0	5	122							
TSVS	26,043	5	0					1	113	28,056	5	0	1	121	28,411	5	0	1	123							
T5S	25,824	4	0					2	112	27,819	5	0	2	120	28,172	5	0	2	122							
T5M	25,818	5	0					3	112	27,813	5	0	3	120	28,165	5	0	3	122							
TSW	25,586	5	0					4	111	27,563	5	0	4	119	27,912	5	0	4	121							
BLC	21,241	4	0					4	92	22,882	4	0	4	99	23,172	4	0	4	100							
LCCO	15,170	2	0					4	66	16,342	2	0	4	71	16,549	2	0	4	72							
									15,150	5	0	5	66	16,321	5	0	5	71	16,527	5	0	5	72			

## FEATURES & SPECIFICATIONS

### INTENDED USE

The sleek design of the D-Series Size 1 reflects the embedded high performance LED technology. It is ideal for many commercial and municipal applications, such as parking lots, plazas, campuses, and streetscapes.

### CONSTRUCTION

Single-piece die-cast aluminum housing has integral heat sink fins to optimize thermal management through conductive and convective cooling. Modular design allows for ease of maintenance and future light engine upgrades. The LED drivers are mounted in direct contact with the casting to promote low operating temperature and long life. Housing is completely sealed against moisture and environmental contaminants (IP65). Low EPA (1.01 ft<sup>3</sup>) for optimized pole wind loading.

### FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC (thermoset powder coat finish) that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling. Available in both textured and non-textured finishes.

### OPTICS

Precision-molded proprietary acrylic lenses are engineered for superior area lighting distribution, uniformity, and pole spacing. Light engines are available in standard 3000 K, 4000 K and 5000 K (70 CRI) configurations. The D-Series Size 1 has zero uplight and qualifies as a Nighttime Friendly™ product, meaning it is consistent with the LEED® and Green Globes™ criteria for eliminating wasteful uplight.

### ELECTRICAL

Light engine configurations consist of high-efficacy LEDs mounted to metal-core circuit boards to maximize heat dissipation and promote long life (up to L85/100,000 hours at 25°C). Class 1

electronic drivers are designed to have a power factor >90%, THD <20%, and an expected life of 100,000 hours with <1% failure rate. Easily serviceable 10kV surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).

### INSTALLATION

Included mounting block and integral arm facilitate quick and easy installation. Stainless steel bolts fasten the mounting block securely to poles and walls, enabling the D-Series Size 1 to withstand up to a 3.0 G vibration load rating per ANSI C136.31. The D-Series Size 1 utilizes the AERIS™ series pole drilling pattern (template #8). Optional terminal block and NEMA photocontrol receptacle are also available.

### LISTINGS

UL Listed for wet locations. Light engines are IP66 rated; luminaire is IP65 rated. Rated for -40°C minimum ambient. U.S. Patent No. D672,492 S. International patent pending.

DesignLights Consortium® (DLC) Premium qualified product and DLC qualified product. Not all versions of this product may be DLC Premium qualified or DLC qualified. Please check the DLC Qualified Products List at [www.designlights.org/DPL](http://www.designlights.org/DPL) to confirm which versions are qualified.

International Dark-Sky Association (IDA) Fixture Seal of Approval (FSA) is available for all products on this page utilizing 3000K color temperature only.

### WARRANTY

5-year limited warranty. Complete warranty terms located at: [www.acuitybrands.com/Customers/resources/terms\\_and\\_conditions.aspx](http://www.acuitybrands.com/Customers/resources/terms_and_conditions.aspx)

**Note:** Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.





# D-Series Size 1 LED Wall Luminaire



d#series

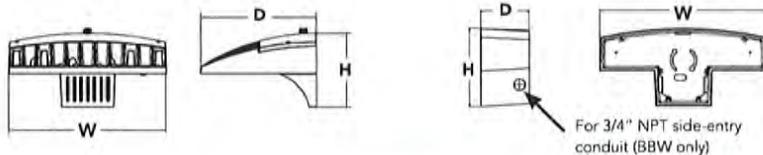
Catalog Number
Notes
Type

## Specifications Luminaire

<b>Width:</b>	13-3/4" (34.9 cm)	<b>Weight:</b>	12 lbs (5.4 kg)
<b>Depth:</b>	10" (25.4 cm)		
<b>Height:</b>	6-3/8" (16.2 cm)		

## Back Box (BBW, ELCW)

<b>Width:</b>	13-3/4" (34.9 cm)	<b>BBW Weight:</b>	5 lbs (2.3 kg)
<b>Depth:</b>	4" (10.2 cm)	<b>ELCW Weight:</b>	10 lbs (4.5 kg)
<b>Height:</b>	6-3/8" (16.2 cm)		



## Introduction

The D-Series Wall luminaire is a stylish, fully integrated LED solution for building-mount applications. It features a sleek, modern design and is carefully engineered to provide long-lasting, energy-efficient lighting with a variety of optical and control options for customized performance.

With an expected service life of over 20 years of nighttime use and up to 74% in energy savings over comparable 250W metal halide luminaires, the D-Series Wall is a reliable, low-maintenance lighting solution that produces sites that are exceptionally illuminated.

## Ordering Information

**EXAMPLE:** DSKW1 LED 20C 1000 40K T3M MVOLT DBBTD

### DSKW1 LED

Series	LEDs	Drive Current	Color temperature	Distribution	Voltage	Mounting	Control Options
DSKW1 LED	10C 10 LEDs (one engine)	350 350 mA 530 530 mA	30K 3000 K 40K 4000 K	T2S Type II Short T2M Type II Medium	MVOLT <sup>2</sup> 120 <sup>3</sup>	<b>Shipped included</b> (blank) Surface mounting bracket  <b>BBW</b> Surface-mounted back box (for conduit entry) <sup>3</sup>	<b>Shipped installed</b> PE Photoelectric cell, button type <sup>4</sup> DMG 0-10V dimming driver (no controls; wires pulled outside fixture) PIR 180° motion/ambient light sensor, <15' mtg ht. <sup>1,2</sup> PIRH 180° motion/ambient light sensor, 15-30' mtg ht. <sup>1,2</sup> PIR1FC3V Motion/ambient sensor, 8-15' mounting height, ambient sensor enabled at 1fc. <sup>1,2</sup> PIRH1FC3V Motion/ambient sensor, 15-30' mounting height, ambient sensor enabled at 1fc. <sup>1,2</sup> ELCW Emergency battery backup (includes external component enclosure), non CEC compliant <sup>1</sup>
	20C 20 LEDs (two engines)	700 700 mA 1000 1000 mA (1 A) <sup>1</sup>	50K 5000 K AMBPC Amber phosphor converted	T3S Type III Short T3M Type III Medium T4M Type IV Medium TFTM Forward Throw Medium ASYDF Asymmetric diffuse	208 <sup>3</sup> 240 <sup>3</sup> 277 <sup>3</sup> 347 <sup>3,4</sup> 480 <sup>3,4</sup>		

Other Options	Finish (required)
<b>Shipped installed</b>	<b>Shipped separately</b> <sup>0</sup>
SF Single fuse (120, 277 or 347V) <sup>1,9</sup>	BSW Bird-deterrent spikes
DF Double fuse (208, 240 or 480V) <sup>1,9</sup>	WG Wire guard
HS House-side shield <sup>0</sup>	VG Vandal guard
SPD Separate surge protection	DDL Diffused drop lens
	DDBXD Dark bronze
	DBLXD Black
	DNAXD Natural aluminum
	DWHXD White
	DSSXD Sandstone
	DBBTD Textured dark bronze
	DBLBXD Textured black
	DNATXD Textured natural aluminum
	DWHGXD Textured white
	DSSTXD Textured sandstone

## Accessories

Ordered and shipped separately.

DSKWHS U	House-side shield (one per light engine)
DSKWBSW U	Bird-deterrent spikes
DSKW1VG U	Wire guard accessory
DSKW1VG U	Vandal guard accessory

## NOTES

- 20C 1000 is not available with PIR, PIRH, PIR1FC3V or PIRH1FC3V.
- MVOLT driver operates on any line voltage from 120-277V (50/60 Hz).
- Single fuse (SF) requires 120, 277 or 347 voltage option. Double fuse (DF) requires 208, 240 or 480 voltage option.
- Only available with 20C, 700mA or 1000mA. Not available with PIR or PIRH.
- Back box ships installed on fixture. Cannot be field installed. Cannot be ordered as an accessory.
- Photocontrol (PE) requires 120, 208, 240, 277 or 347 voltage option. Not available with motion/ambient light sensors (PIR or PIRH).
- Reference Motion Sensor table on page 3.
- Cold weather (-20C) rated. Not compatible with conduit entry applications. Not available with BBW mounting option. Not available with fusing. Not available with 347 or 480 voltage options. Emergency components located in back box housing. Emergency mode IES files located on product page at [www.lithonia.com](http://www.lithonia.com)
- Not available with ELCW.
- Also available as a separate accessory; see Accessories information.



# Performance Data

## Lumen Output

Lumen values are from photometric tests performed in accordance with IESNA LM-79-08. Data is considered to be representative of the configurations shown, within the tolerances allowed by Lighting Facts. Contact factory for performance data on any configurations not shown here.

LEDs	Drive Current (mA)	System Watts	Dist. Type	30K (3000 K, 70CRI)					40K (4000 K, 70CRI)					50K (5000 K, 70CRI)					AMBPC (Ambet Phosphor Converted)				
				Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW	Lumens	B	U	G	LPW
(10 LEDs)	350mA	13W	T2S	1,415	0	0	1	109	1,520	0	0	1	117	1,530	0	0	1	118	894	0	0	1	69
			T2M	1,349	0	0	1	104	1,448	0	0	1	111	1,458	0	0	1	112	852	0	0	1	66
			T3S	1,399	0	0	1	108	1,503	0	0	1	116	1,512	0	0	1	116	884	0	0	1	68
			T3M	1,385	0	0	1	107	1,488	0	0	1	114	1,497	0	0	1	115	876	0	0	1	67
			T4M	1,357	0	0	1	104	1,458	0	0	1	112	1,467	0	0	1	113	858	0	0	1	66
			TFTM	1,411	0	0	1	109	1,515	0	0	1	117	1,525	0	0	1	117	892	0	0	1	69
	ASDF	1,262	1	0	1	97	1,354	1	0	1	104	1,363	1	0	1	105	797	0	0	1	61		
	530 mA	19W	T2S	2,053	1	0	1	108	2,205	1	0	1	116	2,220	1	0	1	117	1,264	0	0	1	67
			T2M	1,957	1	0	1	103	2,102	1	0	1	111	2,115	1	0	1	111	1,205	0	0	1	63
			T3S	2,031	1	0	1	107	2,181	1	0	1	115	2,194	1	0	1	115	1,250	0	0	1	66
			T3M	2,010	1	0	1	106	2,159	1	0	1	114	2,172	1	0	1	114	1,237	0	0	1	65
			T4M	1,970	1	0	1	104	2,115	1	0	1	111	2,129	1	0	1	112	1,212	0	0	1	64
			TFTM	2,047	0	0	1	108	2,198	1	0	1	116	2,212	1	0	1	116	1,260	0	0	1	66
	ASDF	1,831	1	0	1	96	1,966	1	0	1	103	1,978	1	0	1	104	1,127	0	0	1	59		
	700 mA	26W	T2S	2,623	1	0	1	101	2,816	1	0	1	108	2,834	1	0	1	109	1,544	0	0	1	59
			T2M	2,499	1	0	1	96	2,684	1	0	1	103	2,701	1	0	1	104	1,472	0	0	1	57
			T3S	2,593	1	0	1	100	2,785	1	0	1	107	2,802	1	0	1	108	1,527	0	0	1	59
			T3M	2,567	1	0	1	99	2,757	1	0	1	106	2,774	1	0	1	107	1,512	0	0	1	58
			T4M	2,515	1	0	1	97	2,701	1	0	1	104	2,718	1	0	1	105	1,481	0	0	1	57
			TFTM	2,614	1	0	1	101	2,808	1	0	1	108	2,825	1	0	1	109	1,539	0	0	1	59
	ASDF	2,337	1	0	1	90	2,510	1	0	1	97	2,525	1	0	1	97	1,376	1	0	1	53		
	1000 mA	39W	T2S	3,685	1	0	1	94	3,957	1	0	1	101	3,982	1	0	1	102	2,235	1	0	1	57
			T2M	3,512	1	0	1	90	3,771	1	0	1	97	3,794	1	0	1	97	2,130	1	0	1	55
			T3S	3,644	1	0	1	93	3,913	1	0	1	100	3,938	1	0	1	101	2,210	1	0	1	57
T3M			3,607	1	0	1	92	3,873	1	0	1	99	3,898	1	0	1	100	2,187	1	0	1	56	
T4M			3,534	1	0	2	91	3,796	1	0	2	97	3,819	1	0	2	98	2,143	1	0	1	55	
TFTM			3,673	1	0	1	94	3,945	1	0	1	101	3,969	1	0	1	102	2,228	1	0	1	57	
ASDF	3,284	1	0	2	84	3,527	1	0	2	90	3,549	1	0	2	91	1,992	1	0	1	51			
(20 LEDs)	350mA	23W	T2S	2,820	1	0	1	123	3,028	1	0	1	132	3,047	1	0	1	132	1,777	1	0	1	77
			T2M	2,688	1	0	1	117	2,886	1	0	1	125	2,904	1	0	1	126	1,693	1	0	1	74
			T3S	2,789	1	0	1	121	2,994	1	0	1	130	3,014	1	0	1	131	1,757	0	0	1	76
			T3M	2,760	1	0	1	120	2,965	1	0	1	129	2,983	1	0	1	130	1,739	1	0	1	76
			T4M	2,704	1	0	1	118	2,905	1	0	1	126	2,922	1	0	1	127	1,704	1	0	1	74
			TFTM	2,811	1	0	1	122	3,019	1	0	1	131	3,038	1	0	1	132	1,771	0	0	1	77
	ASDF	2,514	1	0	1	109	2,699	1	0	1	117	2,716	1	0	1	118	1,584	1	0	1	69		
	530 mA	35W	T2S	4,079	1	0	1	117	4,380	1	0	1	125	4,407	1	0	1	126	2,504	1	0	1	72
			T2M	3,887	1	0	1	111	4,174	1	0	1	119	4,201	1	0	1	120	2,387	1	0	1	68
			T3S	4,033	1	0	1	115	4,331	1	0	1	124	4,359	1	0	1	125	2,477	1	0	1	71
			T3M	3,993	1	0	2	114	4,288	1	0	2	123	4,315	1	0	2	123	2,451	1	0	1	70
			T4M	3,912	1	0	2	112	4,201	1	0	2	120	4,227	1	0	2	121	2,402	1	0	1	69
			TFTM	4,066	1	0	2	116	4,366	1	0	2	125	4,394	1	0	2	126	2,496	1	0	1	71
	ASDF	3,636	1	0	2	104	3,904	1	0	2	112	3,928	1	0	2	112	2,232	1	0	1	64		
	700 mA	46W	T2S	5,188	1	0	1	113	5,572	1	0	1	121	5,607	1	0	1	122	3,065	1	0	1	67
			T2M	4,945	1	0	2	108	5,309	1	0	2	115	5,343	1	0	2	116	2,921	1	0	1	64
			T3S	5,131	1	0	2	112	5,510	1	0	2	120	5,544	1	0	2	121	3,031	1	0	1	66
			T3M	5,078	1	0	2	110	5,454	1	0	2	119	5,487	1	0	2	119	3,000	1	0	1	65
			T4M	4,975	1	0	2	108	5,343	1	0	2	116	5,376	1	0	2	117	2,939	1	0	1	64
			TFTM	5,172	1	0	2	112	5,554	1	0	2	121	5,589	1	0	2	122	3,055	1	0	1	66
	ASDF	4,624	1	0	2	101	4,965	1	0	2	108	4,996	1	0	2	109	2,732	1	0	1	59		
	1000 mA	73W	T2S	7,204	1	0	2	99	7,736	2	0	2	106	7,784	2	0	2	107	4,429	1	0	1	61
			T2M	6,865	1	0	2	94	7,373	2	0	2	101	7,419	2	0	2	102	4,221	1	0	1	58
			T3S	7,125	1	0	2	98	7,651	1	0	2	105	7,698	1	0	2	105	4,380	1	0	1	60
T3M			7,052	1	0	2	97	7,573	2	0	2	104	7,620	2	0	2	104	4,335	1	0	2	59	
T4M			6,909	1	0	2	95	7,420	1	0	2	102	7,466	1	0	2	102	4,248	1	0	2	58	
TFTM			7,182	1	0	2	98	7,712	1	0	2	106	7,761	1	0	2	106	4,415	1	0	2	60	
ASDF	6,421	2	0	2	88	6,896	2	0	3	94	6,938	2	0	3	95	3,947	1	0	2	54			

## Performance Data

### Lumen Ambient Temperature (LAT) Multipliers

Use these factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F).

Ambient		Lumen Multiplier
0°C	32°F	1.02
10°C	50°F	1.01
20°C	68°F	1.00
25°C	77°F	1.00
30°C	86°F	1.00
40°C	104°F	0.98

### Projected LED Lumen Maintenance

Data references the extrapolated performance projections for the DSXW1 LED 20C 1000 platform in a 25°C ambient, based on 10,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11).

To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Operating Hours	0	25,000	50,000	100,000
Lumen Maintenance Factor	1.0	0.95	0.93	0.88

### Electrical Load

LEDs	Drive Current (mA)	System Watts	Current (A)					
			120V	208V	240V	277V	347V	480V
10C	350	14 W	0.13	0.07	0.06	0.06	-	-
	530	20 W	0.19	0.11	0.09	0.08	-	-
	700	27 W	0.25	0.14	0.13	0.11	-	-
	1000	40 W	0.37	0.21	0.19	0.16	-	-
20C	350	24 W	0.23	0.13	0.12	0.10	-	-
	530	36 W	0.33	0.19	0.17	0.14	-	-
	700	47 W	0.44	0.25	0.22	0.19	0.15	0.11
	1000	74 W	0.69	0.40	0.35	0.30	0.23	0.17

### Motion Sensor Default Settings

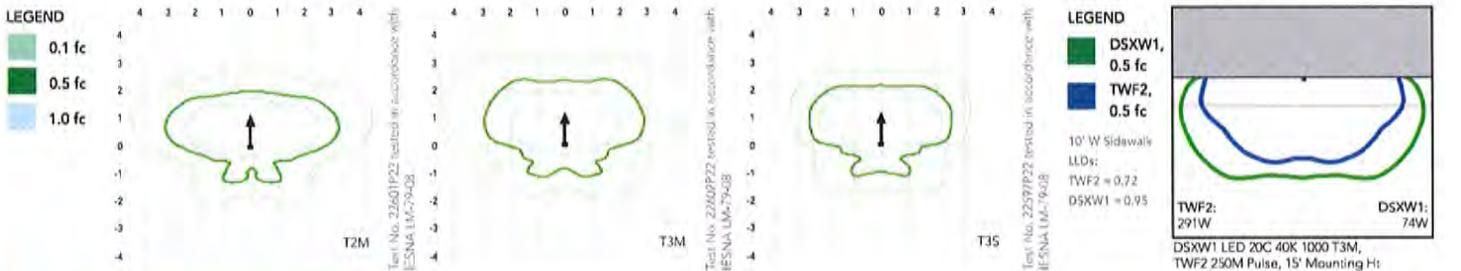
Option	Dimmed State	High Level (when triggered)	Photocell Operation	Dwell Time	Ramp-up Time	Ramp-down Time
*PIR or PIRH	3V (37%) Output	10V (100%) Output	Enabled @ 5FC	5 min	3 sec	5 min
PIR1FC3V or PIRH1FC3V	3V (37%) Output	10V (100%) Output	Enabled @ 1FC	5 min	3 sec	5 min

\*for use with Inline Dusk to Dawn or timer

## Photometric Diagrams

To see complete photometric reports or download .ies files for this product, visit Lithonia Lighting's [D-Series Wall Size 1 homepage](#).

Isfootcandle plots for the DSXW1 LED 20C 1000 40K. Distances are in units of mounting height (15').



## Options and Accessories



## FEATURES & SPECIFICATIONS

### INTENDED USE

The energy savings, long life and easy-to-install design of the D-Series Wall Size 1 make it the smart choice for building-mounted doorway and pathway illumination for nearly any facility.

### CONSTRUCTION

Two-piece die-cast aluminum housing has integral heat sink fins to optimize thermal management through conductive and convective cooling. Modular design allows for ease of maintenance. The LED driver is mounted to the door to thermally isolate it from the light engines for low operating temperature and long life. Housing is completely sealed against moisture and environmental contaminants (IP65).

### FINISH

Exterior parts are protected by a zinc-infused Super Durable TGIC thermoset powder coat finish that provides superior resistance to corrosion and weathering. A tightly controlled multi-stage process ensures a minimum 3 mils thickness for a finish that can withstand extreme climate changes without cracking or peeling. Available in textured and non-textured finishes.

### OPTICS

Precision-molded proprietary acrylic lenses provide multiple photometric distributions tailored specifically to building mounted applications. Light engines are available in 3000 K (70 min. CRI), 4000 K (70 min. CRI) or 5000 K (70 min. CRI) configurations.

### ELECTRICAL

Light engine(s) consist of 10 high-efficacy LEDs mounted to a metal-core circuit board to maximize heat dissipation and promote long life (L88/100,000 hrs at 25°C). Class 1 electronic drivers have a

power factor >90%, THD <20%, and a minimum 2.5KV surge rating. When ordering the SPD option, a separate surge protection device is installed within the luminaire which meets a minimum Category C Low (per ANSI/IEEE C62.41.2).

### INSTALLATION

Included universal mounting bracket attaches securely to any 4" round or square outlet box for quick and easy installation. Luminaire has a slotted gasket wireway and attaches to the mounting bracket via corrosion-resistant screws.

### LISTINGS

CSA certified to U.S. and Canadian standards. Rated for -40°C minimum ambient.

DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at [www.designlights.org](http://www.designlights.org) to confirm which versions are qualified.

### WARRANTY

Five-year limited warranty. Complete warranty terms located at [www.acuitybrands.com/CustomerResources/Terms\\_and\\_conditions.aspx](http://www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx).

**Note:** Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.



## FEATURES & SPECIFICATIONS

**INTENDED USE** — Typical applications include corridors, lobbies, conference rooms and private offices.  
**CONSTRUCTION** — Galvanized steel mounting/plaster frame; galvanized steel junction box with bottom-hinged access covers and spring latches. Reflectors are retained by torsion springs.

Vertically adjustable mounting brackets with commercial bar hangers provide 3-3/4" total adjustment. Two combination 1/2"-3/4" and four 1/2" knockouts for straight-through conduit runs. Capacity: 8 (4 in, 4 out). No. 12 AWG conductors, rated for 90°C.

Accommodates 12"-24" joist spacing.

Passive cooling thermal management for 25°C standard; high ambient (40°C) option available. Light engine and drivers are accessible from above or below ceiling.

Max ceiling thickness 1-1/2".

**OPTICS** — LEDs are binned to a 3-step SDCM; 80 CRI minimum.

LED light source concealed with diffusing optical lens.

General illumination lighting with 1.0 S/MH and 55° cutoff to source and source image.

Self-flanged anodized reflectors in specular, semi-specular, or matte diffuse finishes. Also available in white and black painted reflectors.

**ELECTRICAL** — Multi-volt (120-277V, 50/60Hz) 0-10V dimming drivers mounted to junction box, 10% or 1% minimum dimming level available.

0-10V dimming fixture requires two (2) additional low-voltage wires to be pulled.

70% lumen maintenance at 50,000 hours.

**LISTINGS** — Certified to US and Canadian safety standards. Damp location standard (wet location, covered ceiling optional). ENERGY STAR® certified product.

**WARRANTY** — 5-year limited warranty. Complete warranty terms located at:

[www.acuitybrands.com/CustomerResources/Terms\\_and\\_conditions.aspx](http://www.acuitybrands.com/CustomerResources/Terms_and_conditions.aspx)

**Note:** Actual performance may differ as a result of end-user environment and application.

All values are design or typical values, measured under laboratory conditions at 25 °C.

Specifications subject to change without notice.

Catalog Number
Notes
Type

# LDN6

**6" OPEN and WALLWASH LED  
Non-IC  
New Construction Downlight**



A+ Capable options indicated by this color background.

### ORDERING INFORMATION

Lead times will vary depending on options selected. Consult with your sales representative.

**Example:** LDN6 35/15 L06AR LSS MVOLT EZ10

LDN6		Color temperature		Lumens <sup>1</sup>		Aperture/Trim Color		Finish	Voltage						
Series	LDN6 6" round	27/	2700K	05	500 lumens	25	2500 lumens	L06	Downlight	AR	Clear	LSS	Semi-specular	MVOLT	Multi-volt
		30/	3000K	10	1000 lumens	30	3000 lumens	LW6	Wallwash	WR <sup>2</sup>	White	LD	Matte diffuse	120	120V
		35/	3500K	15	1500 lumens	40	4000 lumens			BR <sup>2</sup>	Black	LS	Specular	277	277V
		40/	4000K	20	2000 lumens	50	5000 lumens							347 <sup>3</sup>	347V
		50/	5000K												

Driver	Options			
GZ10 0-10V driver dims to 10%	SF <sup>4</sup>	Single fuse	N80 <sup>8</sup>	nLight™ Lumen Compensation
GZ1 0-10V driver dims to 1%	TRW <sup>5</sup>	White painted flange	NPS80EZ <sup>7</sup>	nLight™ dimming pack controls 0-10V eldoLED drivers (EZ10, EZ1).
EZ10 0-10V eldoLED driver with smooth and flicker-free deep dimming performance down to 10%	TRBL <sup>3</sup>	Black painted flange	NPS80EZER <sup>7</sup>	nLight™ dimming pack controls 0-10V eldoLED drivers (EZ10, EZ1). ER controls fixtures on emergency circuit.
EZ1 0-10V eldoLED driver with smooth and flicker-free deep dimming performance down to 1%	EL <sup>6</sup>	Emergency battery pack with integral test switch	HAO <sup>11</sup>	High ambient option
	ELR	Emergency battery pack with remote test switch	CP <sup>12</sup>	Chicago Plenum
	ELSD	Emergency battery pack with self-diagnostics, integral test switch	WL	Wet Location, specify for exterior use applications
	ELRSD	Emergency battery pack with self-diagnostics, remote test switch	RRL	RELOC®-ready luminaire connectors enable a simple and consistent factory installed option across all ABL luminaire brands. Refer to RRL for complete nomenclature. Available only in RRLA, RRLB, RRLAE, and RRLC125.
	E10WCP	Emergency battery pack, 10W Constant Power, CA Title 20 compliant with integral test switch	NLTAIR2 <sup>9,10</sup>	nLight™ Air enabled
	E10WCPR	Emergency battery pack, 10W Constant Power, CA Title 20 compliant with remote test switch	NLTAIRER2 <sup>9,10</sup>	nLight™ AIR Dimming Pack Wireless Controls. Controls fixtures on emergency circuit
	NPP16D <sup>9</sup>	nLight™ network power/relay pack with 0-10V dimming for non-eldoLED drivers (GZ10, GZ1).	USPOM	US point of manufacture
	NPP16DER <sup>7</sup>	nLight™ network power/relay pack with 0-10V dimming for non-eldoLED drivers (GZ10, GZ1). ER controls fixtures on emergency circuit.		

**Accessories:** Order as separate catalog number.

[EAC ISSM 375](#) Compact interruptible emergency AC power system

[EAC ISSM 125](#) Compact interruptible emergency AC power system

GRA68 JZ Oversized trim ring with 8" outside diameter<sup>1</sup>

SCA6 Sloped ceiling adapter. Refer to [TECH-SCA](#) for more options.

### Notes

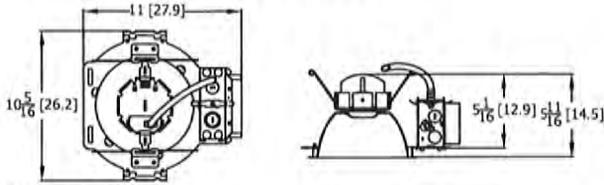
- Overall height varies based on lumen package; refer to dimensional chart on page 3.
- Not available with finishes.
- Not available with emergency options.
- Must specify voltage 120V or 277V.
- Available with clear (AR) reflector only.
- Add "SD" for self-diagnostic option (i.e. ELSD)
- Specify voltage. ER for use with generator supply EM power. Will require an emergency hot feed and normal hot feed.
- Fixture begins at 80% light level. Must be specified with NPS80EZ or NPS80EZ ER. Only available with EZ10 and EZ1 drivers.
- Not available with CP, NPS80EZ, NPS80EZER, NPP16D, NPP16DER or N80 options.
- NLTAIR2 and NLTAIRER2 not recommended for metal ceiling installations.
- Fixture height is 6.5" for all lumen packages with HAO.
- Must specify voltage for 3000lm, 5000lm with marked spacing 24 L x 24 W x 14 H.



# LDN6

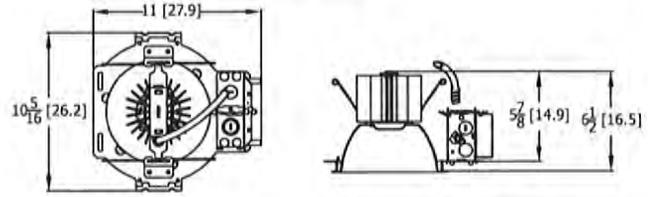
\* All dimensions are inches (centimeters) unless otherwise noted.

## LDN6 1500 LUMEN



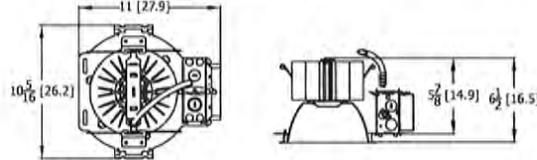
Aperture: 6-1/4 (15.9)  
 Ceiling Opening: 7-1/8 (18.1)  
 Overlap trim: 7-1/2 (19.1)

## LDN6 3000 LUMEN



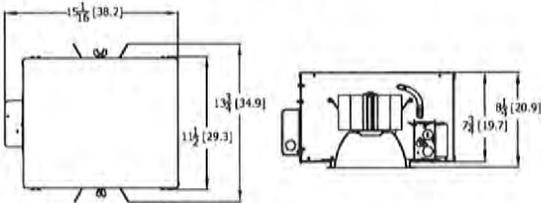
Aperture: 6-1/4 (15.9)  
 Ceiling Opening: 7-1/8 (18.1)  
 Overlap trim: 7-1/2 (19.1)

## LDN6 5000 LUMEN



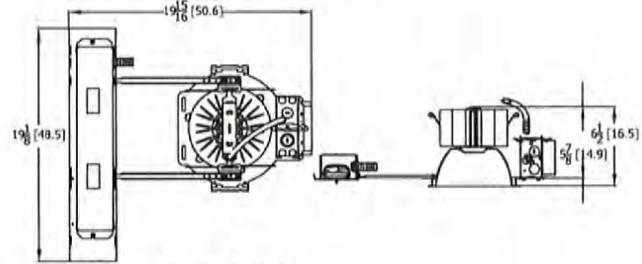
Marked Spacing: 24 x 24 x 10  
 Aperture: 6-1/4 (15.9)  
 Ceiling Opening: 7-1/8 (18.1)  
 Overlap trim: 7-1/2 (19.1)

## LDN6 CP



Marked Spacing above 3000 lumen: 24 x 24 x 10  
 Aperture: 6-1/4 (15.9)  
 Ceiling Opening: 7-1/8 (18.1)  
 Overlap trim: 7-1/2 (19.1)

## LDN6 1500 EL-ELR



Marked Spacing above 3000 lumen: 24 x 24 x 10  
 Aperture: 6-1/4 (15.9)  
 Ceiling Opening: 7-1/8 (18.1)  
 Overlap trim: 7-1/2 (19.1)

LDN6			
Target Lumen	Lumens @ 3500K	Wattage	LPW
500	662.2	7.6	87.1
1000	1082.0	12.8	84.5
1500	1606.0	20.5	78.3
2000	2023.0	22.6	89.5
2500	2529.5	27.1	93.3
3000	3034.0	34.7	87.4
4000	3977.5	44.1	90.2
5000	4922.2	55.5	88.7

### HOW TO ESTIMATE DELIVERED LUMENS IN EMERGENCY MODE

Use the formula below to estimate the delivered lumens in emergency mode

$$\text{Delivered Lumens} = 1.25 \times P \times \text{LPW}$$

P = Output power of emergency driver. P = 10W for PS1055CP

LPW = Lumen per watt rating of the luminaire. This information is available on the ABL luminaire spec sheet.

The LPW rating is also available at [Designlight Consortium](http://Designlight Consortium).

LUMEN OUTPUT MULTIPLIERS - FINISH			
	Clear (AR)	White (WR)	Black (BR)
Specular (LS)	1.0	N/A	N/A
Semi-specular (LSS)	0.950	N/A	N/A
Matte diffuse (LD)	0.85	N/A	N/A
Painted	N/A	0.87	0.73

LUMEN OUTPUT MULTIPLIERS - CCT					
	2700K	3000K	3500K	4000K	5000K
80CRI	0.950	0.966	1.000	1.025	1.101

### Notes

- Tested in accordance with IESNA LM-79-08.
- Tested to current IES and NEMA standards under stabilized laboratory conditions.
- CRI: 80 typical.

## ADDITIONAL DATA

COMPATIBLE 0-10V WALL-MOUNT DIMMERS		
MANUFACTURER	PART NO.	POWER BOOSTER AVAILABLE
Lutron®	Diva® DVTV	
	Diva® DVSCTV	
	Nova T® NTFTV	
	Nova® NFTV	
Leviton®	AWSMT-7DW	CN100
	AWSMG-7DW	PE300
	AMRMG-7DW	
	Leviton Centura Fluorescent Control System	
	IlumaTech® IP7 Series	
Synergy®	ISD BC	RDMFC
	SLD LPCS	
	Digital Equinox (DEQ BC)	
Douglas Lighting Controls	WPC-5721	
Entertainment Technology	Tap Glide TG600FAM120 (120V)	
	Tap Glide Heatsink TGH1500FAM120 (120V)	
	Oasis OA2000FAMU	
Honeywell	EL7315A1019	EL7305A1010 (optional)
	EL7315A1009	
HUNT Dimming	Preset slide: PS-010-IV and PS-010-WH	
	Preset slide: PS-010-3W-IV and PS-010-3W-WH	
	Preset slide, controls FD-010: PS-IFC-010-IV and PS-IFC-010-WH-120/277V	
	Preset slide, controls FD-010: PS-IFC-010-3W-IV and PS-IFC-010-3W-WH-120/277V	
	Remote mounted unit: FD-010	
Lehigh Electronic Products	Solitaire	PBX
PDM Electrical Products	WPC-5721	
Starfield Controls	TR61 with DALI interface port	RT03 DALInet Router
WattStopper®	LS-4 used with LCD-101 and LCD-103	



This item is an A+ capable luminaire, which has been designed and tested to provide consistent color appearance and out-of-the-box control compatibility with simple commissioning.

- All configurations of this luminaire meet the Acuity Brands' specification for chromatic consistency
- This luminaire is part of an A+ Certified solution for nLight® control networks when ordered with drivers marked by a shaded background\*
- This luminaire is part of an A+ Certified solution for nLight control networks, providing advanced control functionality at the luminaire level, when selection includes driver and control options marked by a shaded background\*

To learn more about A+, visit [www.acuitybrands.com/aplus](http://www.acuitybrands.com/aplus).

\*See ordering tree for details

## EXAMPLE

Group Fixture Control\*

\*Application diagram applies for fixtures with eldoLED drivers only.

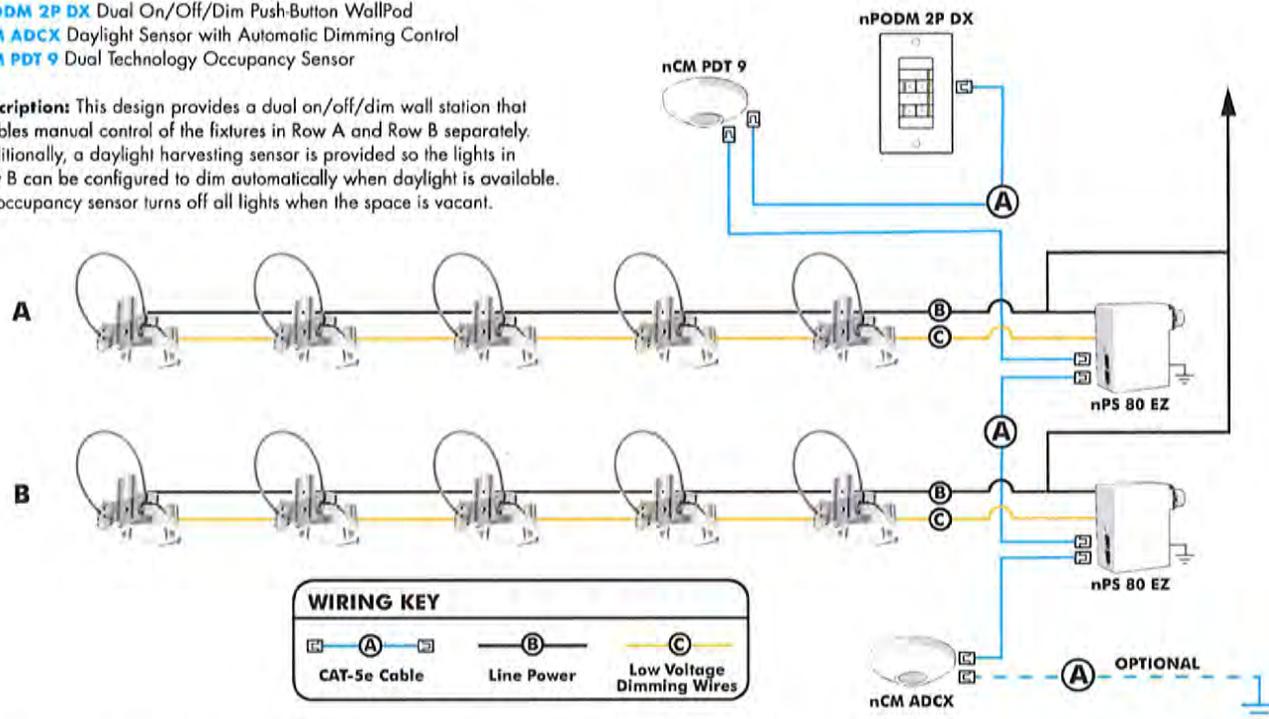
**nPS 80 EZ** Dimming/Control Pack (qty: 2 required)

**nPODM 2P DX** Dual On/Off/Dim Push-Button WallPod

**nCM ADCX** Daylight Sensor with Automatic Dimming Control

**nCM PDT 9** Dual Technology Occupancy Sensor

**Description:** This design provides a dual on/off/dim wall station that enables manual control of the fixtures in Row A and Row B separately. Additionally, a daylight harvesting sensor is provided so the lights in Row B can be configured to dim automatically when daylight is available. An occupancy sensor turns off all lights when the space is vacant.



## Choose Wall Controls

nLight offers multiple styles of wall controls - each with varying features and user experience.



**Push-Button Wallpod**  
Traditional tactile buttons and LED user feedback



**Graphic Wallpod**  
Full color touch screen provides a sophisticated look and feel

## nLight® Wired Controls Accessories:

Order as separate catalog number. Visit [www.acuitybrands.com/products/controls/nlight](http://www.acuitybrands.com/products/controls/nlight) for complete listing of nLight controls.

WallPod Stations	Model number	Occupancy sensors	Model Number
On/Off	nPODM (Color)	Small motion 360°, ceiling (PIR/dual Tech)	nCM 9 / nCM PDT 9
On/Off & Raise/Lower	nPOD DX (Color)	Large motion 360°, ceiling (PIR/dual tech)	nCM 10 / nCM PDT 10
Graphic Touchscreen	nPOD GFX (Color)	Wide View (PIR/dual tech)	nWV 16 / nWV PDT 16
<b>Photocell controls</b>	<b>Model Number</b>	Wall Switch w/ Raise/Lower (PIR/dual tech)	nWSX LV DX / nWSX PDT LV DX
Dimming	nCM ADCX	<b>Cat-5 cables (plenum rated)</b>	<b>Model Number</b>
		10', CAT5 10FT	CATS 10FT J1
		15, CAT5 15FT	CATS 15FT J1

## nLight® AIR Control Accessories:

Order as separate catalog number. Visit [www.acuitybrands.com/products/controls/nlightair](http://www.acuitybrands.com/products/controls/nlightair).

### Wall switches

	Model number
On/Off single pole	rPODB [color]
On/Off two pole	rPODB 2P [color]
On/Off & raise/lower single pole	rPODB DX [color]
On/Off & raise/lower two pole	rPODB 2P DX [color]
On/Off & raise/lower single pole	rPODBZ DX WH <sup>1</sup>

### Notes

<sup>1</sup> Can only be ordered with the RES7Z zone control sensor version.

## nLight AIR

nLight AIR is the ideal solution for retrofit or new construction spaces where adding communication is cost prohibitive. The integrated nLight AIR rPP20 Power Pack is part of each Indy L-Series Luminaire. These individually addressable controls offer the ultimate in flexibility during initial setup and for space repurposing.



### Simple as 1 2 3

1. Install the nLight® AIR Series with embedded smart luminaire.
2. Install the wireless touchpad powered wall switch.
3. With the nLight® app, pair the fixtures with the wall switch and it's done! Customize the power settings for the desired luminaire.



# Compact floodlight

**Housing:** Luminaire constructed of a one piece die-cast aluminum housing. LED module paired with inner reverse-tapered casting to provide maximum heat transfer to outer housing. Die castings are marine grade, copper free ( $\leq 0.3\%$  copper content) A360.0 aluminum alloy.

**Enclosure:** Optical system consists of a reflector of pure anodized aluminum with an integral collimating optic and stray light control cylinder attached to the back of clear safety glass. The lens and optical assembly are secured by a die cast aluminum trim ring using (3) stainless steel captive fasteners.

**Mounting:** Provided with two piece die-cast aluminum canopy supplied with universal mounting bracket for direct attachment to 3½" or 4" octagonal wiring box. Die-cast aluminum swivel.

**Electrical:** 13W LED luminaire, 14.9 total system watts, -30°C start temperature. Integral 120V through 277V electronic LED driver. 0-10V dimming, 120V only. The LED module and driver are mounted on a removable inner assembly for easy replacement. Standard LED color temperature is 4000K with an 85 CRI. Available in 3000K (85 CRI); add suffix K3 to order.

**Note:** Due to the dynamic nature of LED technology, LED luminaire data in this catalog is subject to change at the discretion of BEGA-US. For the most current technical data, please refer to [www.bega-us.com](http://www.bega-us.com).

**Finish:** All BEGA standard finishes are polyester powder coat with minimum 3 mil thickness. These luminaires are available in four standard BEGA colors: Black (BLK); White (WHT); Bronze (BRZ); Silver (SLV). To specify, add appropriate suffix to catalog number. Custom colors supplied on special order.

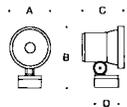
CSA certified to U.S. and Canadian standards for wet locations. Protection class IP65.

**Weight:** 4.0 lbs.

**Luminaire Lumens:** 616

Tested in accordance with LM-79-08

Type:  
 BEGA Product:  
 Project:  
 Voltage:  
 Color:  
 Options:  
 Modified:



Compact floodlight - very narrow beam		Accessories								
Lamp	$\beta$	A	B	C	D	Exchangeable lenses	flat beam	180° glare shield	360° shield	$\beta$ = Beam angle
77 680*	13.4W LED	8°	5½	8	5½	3⅞	70075	70756	70712	

## 3IN Wall Mount Up/ Down Cylinder

Wall mounted • Wet location listed



### P563001-143-30K

#### Description:

Sleek, cylindrical forms in elegant finish selections. Die-cast aluminum wall brackets and heavy-duty aluminum framing. Fade and chip-resistant. CSA listed for wet locations. Can be used indoor or outdoor. Ideal for residential and commercial applications.

#### Specifications:

- Graphite (-143) (Powder Coat)
- Aluminum construction
- Clear glass lens
- 3" LED wall mount up/downlight cylinder
- Ideal for indoor or outdoor applications
- Warm white, 3000K, color temperature, 90 CRI
- Dimmable to 10% brightness (See Dimming Notes)
- Backplate covers a standard 4" octagonal recessed outlet box
- Mounting strap for outlet box included
- 6" of wire supplied
- ENERGY STAR® qualified
- Meets California Title 24 JA8-2016

#### Performance:

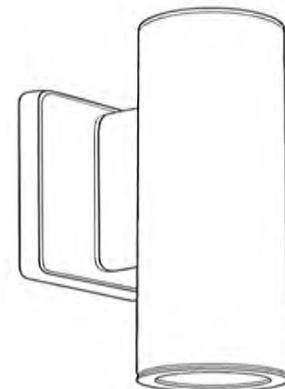
Number of Modules	2
Input Power	24w
Input Voltage	120 V
Input Frequency	60 Hz
Lumens/LPW	1766/73 (LM-79) per module
CCT	3000 K
CRI	90 CRI
Life (hours)	50,000 (L70/TM-21)
FCC	FCC Title 47, Part 15 Class B
Min. Start Temp	-10 °C
Max. Operating Temp	40 °C
Warranty	5 year warranty
Labels	CSA Wet location listed ENERGY STAR® qualified Meets California Title 24 JA8-2016

#### Images:



#### Dimensions:

Diameter: Width: 4-1/2"  
Depth: 5-1/2"  
Height: 8-1/4"  
H/CTR: 5"



# 3IN Wall Mount Up/ Down Cylinder

Wall mounted • Wet location listed **PROGRESS LED**

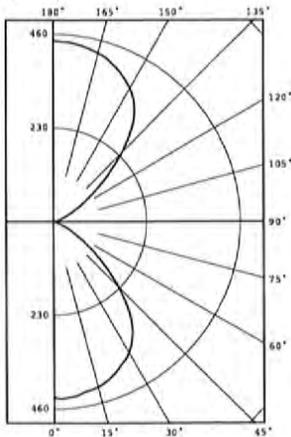


**Photometrics:**

## P563001-143-30K

<b>ELECTRICAL DATA</b>	<b>P563001-143-30K</b>
Input Voltage	120 V
Input Frequency	60 Hz
Input Current	0.202 A
Input Power	24
Power Factor	
THD	<20%
FCC	FCC Title 47, Part 15 Class B
Operating Temperature	-10 °C to 40 °C
Dimming	Yes*
Over-voltage, over-current, short-circuit protected	
*See Dimming Notes for more information	

**P563001-143-30K**  
 LED Light Engine: 3000 K 90 CRI CRI  
 System Wattage: 24  
 Fixture delivered lumens: 1766  
 Fixture Efficacy: 73  
 Spacing Criteria: 1.26



**CANDELA DISTRIBUTION**

DEG	CANDELA	LUMENS
0	432	
5	433	41
15	420	118
25	390	180
35	339	210
45	226	174
55	105	96
65	35	36
75	9	10
85	1	1
90	0	
95	1	1
105	10	12
115	38	40
125	112	102
135	238	182
145	348	216
155	399	184
165	428	121
175	442	42
180	444	

**ZONAL LUMEN SUMMARY**

ZONE	LUMENS	%FIXT
0-30	340	19.2
0-40	550	31.1
0-60	819	46.4
0-90	866	49.0
90-120	53	3.0
90-130	155	8.8
90-150	553	31.3
90-180	900	51.0
0-180	1766	100.0

## 3IN Wall Mount Up/ Down Cylinder

Wall mounted • Wet location listed **PROGRESS LED**



**P563001-143-30K**

### Dimming Notes:

---

P563001 is designed to be compatible with many Triac/Forward Phase controls.

The following is a partial list of known compatible dimmer controls.

### Dimming Controls

---

Lutron DVELV-300P

Lutron Caseta Wireless

Leviton 6672

Lutron AYCL-153P

Lutron TGCL-153-PH-WH

Dimming capabilities will vary depending on the dimmer control, load, and circuit installation.

Always refer to dimmer manufacturer instructions or a controls specialist for specific requirements.

Dimmer control brand names where identified above are trade names or registered trademarks of each respective company.

**Application**

LED recessed wall luminaire with asymmetrical light distribution for the illumination of ground surfaces, building entrances, stairs and footpaths.

**Materials**

Luminaire housing and faceplate constructed of die-cast aluminum marine grade, copper free (≤0.3% copper content) A360.0 aluminum alloy  
 Clear safety glass  
 Silicone applied robotically to casting, plasma treated for increased adhesion  
 High temperature silicone gasket  
 Mechanically captive stainless steel fasteners  
 Stainless steel screw clamps  
 Composite installation housing

**NRTL** listed to North American Standards, suitable for wet locations  
 Protection class IP65  
 Weight: 1.8 lbs

**Electrical**

Operating voltage	120-277V AC
Minimum start temperature	-40° C
LED module wattage	5.9W
System wattage	8.0W
Controlability	0-10V, TRIAC, and ELV dimmable
Color rendering index	Ra > 80
Luminaire lumens	342 lumens (3000K)
Lifetime at Ta=15°C	> 500,000 h (L70)
Lifetime at Ta=35°C	185,000 h (L70)

**LED color temperature**

- 2700K - Product number + **K27**
- 3000K - Product number + **K3**
- 3500K - Product number + **K35**
- 4000K - Product number + **K4**

**BEGA** can supply you with suitable LED replacement modules for up to 20 years after the purchase of LED luminaires - see website for details

**Finish**

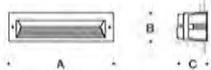
All BEGA standard finishes are matte, textured polyester powder coat with minimum 3 mil thickness.

Available colors	Black (BLK)	White (WHT)	RAL:
	Bronze (BRZ)	Silver (SLV)	CUS:

Type:  
 BEGA Product:  
 Project:  
 Modified:



Fully enclosed luminaire with installation housing ensures seamless integration and weathertight operation.



**LED recessed wall luminaires - asymmetrical**

	LED	A	B	C
<b>33054</b>	5.9W	10 7/8	2 3/4	5









**CITY OF DELAWARE, OHIO  
PLANNING & COMMUNITY DEVELOPMENT  
MASTER APPLICATION FORM**



Project # \_\_\_\_\_ Case # \_\_\_\_\_

Planning Commission

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Amended Final Development Plan                | <input type="checkbox"/> Final Development Plan Extension | <input type="checkbox"/> Substitution of a Non-Conforming Use             |
| <input type="checkbox"/> Amended Final Subdivision Plat                | <input type="checkbox"/> Final Subdivision Plat           | <input type="checkbox"/> Vacation-Alley                                   |
| <input type="checkbox"/> Amended Preliminary Development Plan          | <input type="checkbox"/> Final Subdivision Plat Extension | <input type="checkbox"/> Vacation-Easement                                |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat          | <input checked="" type="checkbox"/> Floodplain Permit     | <input type="checkbox"/> Vacation-Street                                  |
| <input type="checkbox"/> Annexation Review                             | <input type="checkbox"/> Lot Split                        | <u>Board of Zoning Appeals</u>  |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement         | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment                  | <input type="checkbox"/> Preliminary Development Plan     | <input type="checkbox"/> Conditional Use Permit                           |
| <input type="checkbox"/> Concept Plan                                  | <input type="checkbox"/> Preliminary Dev Plan Extension   | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input type="checkbox"/> Conditional Use Permit                        | <input type="checkbox"/> Preliminary Sub Plat             | <input type="checkbox"/> Variance   |
| <input type="checkbox"/> Determination of Similar Use                  | <input type="checkbox"/> Preliminary Sub Plat Extension   |   |
| <input type="checkbox"/> Development Plan Exemption                    | <input type="checkbox"/> Rezoning                         |   |
| <input checked="" type="checkbox"/> Final Development Plan             | <input type="checkbox"/> Subdivision Variance             |   |

Subdivision/Project Name The Fahey Bank Company Address 75 West William Street  
 Acreage .83 Square Footage 36,245 SF Number of Lots 2 combining into 1 Number of Units N/A  
 Zoning District/Land Use B-3 Proposed Zoning/Land Use B-3 Parcel # 51943302003000  
51943302004000

Applicant Name LaMacchia Group Contact Person Tim Niemiec  
 Applicant Address 157 North Milwaukee Street, Milwaukee, WI 53202  
 Phone (414) 763-8336 Fax (414) 223-4488 E-mail tniemiec@lamacchiagroup.com  
 Owner Name The Fahey Bank Company Contact Person Coleman J. Clougherty  
 Owner Address 127 North Main Street, Marion, OH 43302  
 Phone (740) 382-8231 Fax (740) 382-2314 E-mail Cclougherty@FaheyBank.com  
 Engineer/Architect/Attorney Architect: LaMacchia Group Contact Person Architect: Michael Ehrlich  
Civil Engineer: Pomeroy & Associates, Ltd. Civil Engineer: Brad Smith  
 Address Architect: LaMacchia Group, 157 North Milwaukee Street, Milwaukee, WI 53202  
Civil Engineer: Pomeroy & Associates, Ltd., 2550 Corporate Exchange Drive, Suite 10, Columbus, OH 43231  
 Phone Architect: (414) 223-4400 Fax Architect: (414) 223-4488 E-mail Architect: mehrlich@lamacchiagroup.com  
Civil Engineer: (614) 885-2498 Civil Engineer: (614) 885-2886 Civil Engineer: bsmith@pomeroyassoc.com

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

[Signature] Owner Signature The Fahey Bank, Columbus  
by Coleman J. Clougherty, EVP Owner Printed Name

Agent Signature \_\_\_\_\_ Agent Printed Name \_\_\_\_\_  
 Sworn to before me and subscribed in my presence this 10th day of November, 2018.  
HOLLY BOWEN  
 Notary Public, State of Ohio  
 My Commission Expires May 06, 2020  
[Signature] Notary Public





## FACT SHEET

---

AGENDA ITEM NO: 17

DATE: 12/20/2018

ORDINANCE NO: 18-120

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES  
January 14, 2019 at 7:30 p.m.

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

---

**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

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.

**BACKGROUND:**

See attached report

**REASON WHY LEGISLATION IS NEEDED:**

To achieve compliance with Section 1148 Conditional Use Regulations of the zoning code.

**COMMITTEE RECOMMENDATION:**

Planning Commission approved this case 7-0 on December 5, 2018.

**FISCAL IMPACT(S):**

N/A

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

David Efland, Planning and Community Development Director

**RECOMMENDATION:**

Staff recommends approval as submitted with the documented conditions.

**ATTACHMENT(S)**

See attached

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.

WHEREAS, the Planning Commission at its meeting on December 5, 2018 recommended approval of a Conditional Use Permit for Nutter Company LLC., 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 (PC Case 2018-2936).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Conditional Use Permit for Nutter Company LLC., 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, is hereby confirmed, approved, and accepted with the following condition that:

- 1. No other car washes shall be permitted within the Coughlin's Crossing development (all Sub-Areas).

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION:

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2018

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



## FACT SHEET

---

AGENDA ITEM NO: 18

DATE: 12/20/2018

ORDINANCE NO: 18-121

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: NO

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

---

**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

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

**BACKGROUND:**

See attached report

**REASON WHY LEGISLATION IS NEEDED:**

To achieve compliance with Section 1129.05 Final Development Plan requirements of the zoning code.

**COMMITTEE RECOMMENDATION:**

Planning Commission approved this case 7-0 on December 5, 2018.

**FISCAL IMPACT(S):**

N/A

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

David Efland, Planning and Community Development Director

**RECOMMENDATION:**

Staff recommends approval as submitted with the documented conditions.

**ATTACHMENT(S)**

See attached

ORDINANCE NO. 18-121

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

WHEREAS, the Planning Commission at its meeting on December 5, 2018 recommended approval of a Combined Preliminary and Final Development Plan for Nutter Company LLC., 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 (PC Case 2018-2937).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Combined Preliminary and Final Development Plan for Nutter Company LLC., 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, is hereby confirmed, approved, and accepted with the following condition that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The developer shall execute an agreement for the subject lot and the lot to the north to share the proposed curb cut.
3. The applicant shall show on their plans and record a cross access agreement adjacent to the north/south drive aisle to the out parcel to the north and south for internal access. Should the property to the north and south develop the owner of the out parcel to the north and south shall be required to utilize and perform any required improvements to complete access to the subject out parcel.
4. The limestone on the building shall achieve compliance with the approved development text.

5. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
6. All roof top mechanical equipment shall be screened from public view.
7. The applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.
8. The dumpster enclosure shall be constructed of stone to match the building and have wood doors painted or stained to match.
9. Per the approved development text, stone piers shall be placed at regular intervals, street trees planted and a low 2-3 feet high undulating earthen mound along with front yard trees shall be installed along US 23 on the subject property.
10. Shrubs a minimum 3 feet high at planting shall be installed along the northern property line adjacent to the parking lot and access drive.
11. The lighting plan shall be reviewed and approved by the Chief Building Official and all lighting must meet the requirements of the approved development text and the Planning & Zoning Code.
12. The building signage size, material and color shall be submitted and reviewed by staff for approval.
13. A tree replacement payment in lieu of planting of trees of \$5,786.88 shall be paid prior to approval of construction drawings.

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

VOTE ON RULE SUSPENSION:

YEAS \_\_\_ NAYS \_\_\_  
 ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2018

YEAS \_\_\_ NAYS \_\_\_  
 ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
 CITY CLERK

\_\_\_\_\_  
 MAYOR

CASE NUMBER: 2018-2936-2937

REQUEST: Multiple Requests

PROJECT: Blue Sky Car Wash

MEETING DATE: December 5, 2018

---

**APPLICANT/OWNER**

The Nutter Company LLC  
441 Keisel Court  
Powell, Ohio 43065

**REQUEST**

2018-2936: A request by the Nutter Company LLC., for approval of 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.

2018-2937: A request by the Nutter Company LLC., for approval of a Combined Preliminary and Final Development Plan 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.

**PROPERTY LOCATION & DESCRIPTION**

The approximate 1.28 acre site is located east of US 23 between the proposed two entrances into the Coughlin's Crossing Development on US 23. The subject site is zoned A-1 PMU while the lots to north, east and south are zoned the same. The properties to the west across US 23 are zoned B-3 (Community Business District) and R-3 (One-Family Residential District).

**BACKGROUND/PROPOSAL**

In November 2016, the Planning Commission and City Council approved a Rezoning Amendment, Conditional Use Permit, an Amendment to the Comprehensive Plan, Preliminary Development Plan and Preliminary Subdivision Plat for the proposed mixed use development. In May 2017, Planning Commission and City Council approved a Final Development Plan for Phase 1 (Infrastructure), a Final Subdivision Plat and Street Vacation to subdivide the site and initiate construction for the subject development which is currently under construction. In September 2018, the developer brought forward a concept plan for this car wash which was generally well received by the Commission.

Now the developer is formally proposing a 5,560 square foot car wash on approximately 1.28 acres (Lot 2) with a counter clockwise drive through that would be accessed by one curb cut from the public spine road and has 28 parking spaces. The subject site is located in Sub-Area 6 – US 23 Quad of the overall development.

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**STAFF ANALYSIS**

- **ZONING:** As previously mentioned, the zoning for the subject site is A-1 PMU. Per the approved development text, a car wash is to be an accessory use to a principal use and is considered a limited use in Sub-Area 6. If any of the requirements set forth in the text or then current zoning code are not met, the use shall be considered a Conditional Use and a Conditional Use Permit must be approved as set forth in the zoning text. Because the market conditions changed the last few years since this development was approved, the proposed car wash is detached and not associated with a principal building. Therefore, the proposed car wash would need Conditional Use Permit approval by the Planning Commission and City Council per the approved development text. Also, a Combined Preliminary and Final Development Plan shall be approved by the Planning Commission and City Council. This would be the only permitted car wash in the entire development.
- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.

- **ROADS AND ACCESS:** As mentioned above, the proposed car wash would have one curb cut from the spine road that would be shared with the future out lot to the north. The developer shall execute an access agreement for the subject lot and the lot to north to share the proposed curb cut. Also, the developer shall execute a cross access easement agreement to ensure the access drive from the proposed subject lot to the out parcels to the north and south of the proposed carwash. Finally, the subject out lot would not have direct access to US 23.
- **PEDESTRIAN CONNECTIVITY:** Per the approved Final Development Plan Phase 1 (Infrastructure), a bike path is located on the east side of the spine road north of the roundabout in front of the proposed car wash. Therefore, there will not be sidewalks on the west side of spine road adjacent to the Blue Sky Car Wash per previous approvals. Per the approved development text, a sidewalk or bike path shall be installed on one side of the spine road only.
- **SITE CONFIGURATION:** The applicant is proposing a Blue Sky Car Wash on Lot 2 which is a 1.28 acre lot located on the eastside of US 23 between the northern two traffic signals into the Coughlin Crossings development. The site would be flanked by future out lots to the north and south of the proposed car wash. The proposed car wash would have one curb cut from the spine road that would be shared with the future out lot to the north. The car wash would have a counter clockwise orientation with the entrance lane into the carwash on the northern portion of the site. The site would have 28 parking spaces with 16 parking spaces having vacuums for the patrons that would be located on the southern portion of the site. A proposed dumpster would be located on the southeastern portion of the site near the spine road. The dumpster enclosure shall be constructed of stone to match the building and have wood doors painted or stained to match. Storm water would be detained in the Coughlin's Crossing regional detention basins.
- **TREE REMOVAL & REPLACEMENT:** There does not appear to be any qualifying trees (6 inches in caliper or larger) on the subject site. The entire development is subject to the tree replacement requirements established with the approved development text and agreements. This site requires a payment in lieu of planting trees of \$5,786.88 (1.28 acres x \$4,521 per acre) prior to the approval of construction drawings.
- **LANDSCAPING & SCREENING:** Per the approved development text, stone piers shall be placed at regular intervals, street trees, a low 2-3 feet high undulating earthen mounding along with front yard trees (these trees maybe clustered to allow visibility) shall be installed along US 23 on the subject property by the overall developer or the developer of the individual out lots. Staff suggests the overall developer prepare a landscape plan to be approved from the traffic signal at Hawthorn Boulevard north to the next traffic signal at Wendy's which includes this lot. The parking lot perimeter landscaping of shrubs are appropriate along the south and east property line but the same shrubs would be required along the north property line. Interior parking and foundation landscaping along with trees around the dumpster enclosure appears to achieve compliance with approved development text. The Shade Tree Commission approved the landscape plans on November 27, 2018.
- **LIGHTING:** The applicant is proposing seven gooseneck style light fixtures that would be 25 feet high light poles located throughout the site that appears to achieve compliance with the approved development text. The Chief Building Official would have to approve the lighting plan..
- **SIGNAGE:** The applicant is proposing building signage on each elevation that would be externally illuminated by gooseneck lights but did not identify the size, type and materials of the propose building signage. Ground signage for individual out lots is prohibited per the approved development text. All signage shall achieve compliance with the approved development text and the zoning code and be approved by staff.
- **BUILDINGS:** The subject development has extensive design standards approved by Planning Commission and City Council and the applicant is proposing design elements that are generally compatible with the approved design standards given the proposed use. Some of the design features upgrades from a typical Blue Sky Car Wash design. The majority of the building would be comprised of fiber cement vertical and horizontal board siding (grey color) with trim board. A stone veneer (Ohio village limestone color) wainscoting with select walls and columns comprised of stone veneer. The car wash tube would be comprised of pre-finished aluminum composite and have an EIFS exterior with fascia trim. The car wash tube would have an opaque acrylic roof. The north and south elevations of the car wash tube would be comprised of glass which would be opaque. The car wash tube and roof would be muted in color to match the building.

- **CONDITIONAL USE PERMIT:** The proposed development achieves compliance with conditional use permit requirements per Chapter 1148.02 General Criteria For All Conditional Use, Chapter 1148.05 Supplemental Regulations for Specific Uses and the approved development text.

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**STAFF RECOMMENDATION (2018-2936 – CONDITIONAL USE PERMIT)**

Staff recommends approval of a request by the Nutter Company LLC., for 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, with following condition that:

1. No other car washes shall be permitted within the Coughlin's Crossing development (all Sub-Areas).

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**STAFF RECOMMENDATION (2018-2937 – COMBINED PRELIMINARY & FINAL DEVELOPMENT PLAN)**

Staff recommends approval of a request by the Nutter Company LLC., for a Combined Preliminary and Final Development Plan 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, with following conditions that:

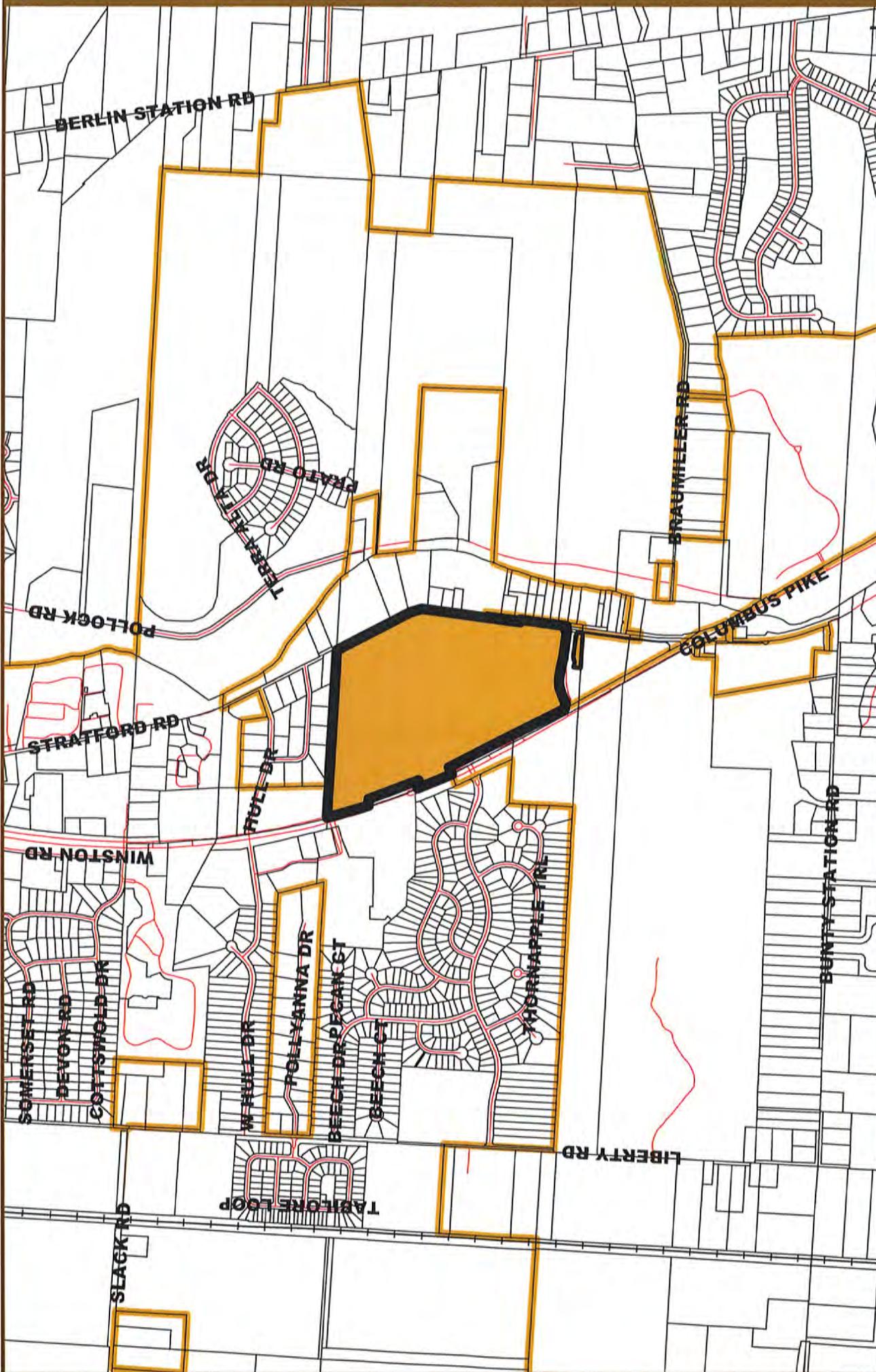
1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The developer shall execute an agreement for the subject lot and the lot to the north to share the proposed curb cut.
3. The applicant shall show on their plans and record a cross access agreement adjacent to the north/south drive aisle to the out parcel to the north and south for internal access. Should the property to the north and south develop the owner of the out parcel to the north and south shall be required to utilize and perform any required improvements to complete access to the subject out parcel.
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5. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
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8. The dumpster enclosure shall be constructed of stone to match the building and have wood doors painted or stained to match.
9. Per the approved development text, stone piers shall be placed at regular intervals, street trees planted and a low 2-3 feet high undulating earthen mound along with front yard trees shall be installed along US 23 on the subject property.
10. Shrubs a minimum 3 feet high at planting shall be installed along the northern property line adjacent to the parking lot and access drive.
11. The lighting plan shall be reviewed and approved by the Chief Building Official and all lighting must meet the requirements of the approved development text and the Planning & Zoning Code.
12. The building signage size, material and color shall be submitted and reviewed by staff for approval.
13. A tree replacement payment in lieu of planting of trees of \$5,786.88 shall be paid prior to approval of construction drawings.



MOTION: \_\_\_\_\_ 1<sup>st</sup> \_\_\_\_\_ 2<sup>nd</sup> approved denied tabled \_\_\_\_\_

CONDITIONS/MISCELLANEOUS:

FILE:  
ORIGINAL: 11/29/18  
REVISED:



2018-2936-2937

Conditional Use Permit & Preliminary Development Plan  
 Blue Sky Car Wash - Coughlin's Crossing Development  
 Location Map





2018-2936-2937  
 Conditional Use Permit & Preliminary Development Plan  
 Blue Sky Car Wash - Coughlin's Crossing Development  
 Zoning Map





2018-2936-2937  
Conditional Use Permit & Preliminary Development Plan  
Blue Sky Car Wash - Coughlin's Crossing Development  
Aerial (2016) Map



























think. create. do.



**PERSPECTIVE // FROM MAIN ROAD**

**BLUE SKY CAR WASH**  
INTERIORS AND SITE STUDIOS  
AUGUST 17, 2018



**archall**  
ARCHITECTURE & INTERIORS  
FOR PRODUCTION BLINDS

## EXTERIOR FINISH SCHEDULE

FIBER 1

FIBRECEMENT VERTICAL BOARD  
BASIS OF DESIGN: HARDI SIERRA 8  
COLOR: SHERMAN WILLIAMS SW7064 PASSIVE

FIBER 2

FIBRECEMENT HORIZONTAL BOARD  
BASIS OF DESIGN: HARDI SELECT CEDARMILL  
FINISH: WOOD GRAIN  
COLOR: SHERMAN WILLIAMS SW7064 PASSIVE

TRIM 1

FIBRECEMENT TRIM BOARD  
BASIS OF DESIGN: HARDI TRIM  
FINISH: 4-4 SMOOTH  
COLOR: WHITE

STONE 1

APPLIED STONE VENEER  
BASIS OF DESIGN: HERITAGE STONE  
STYLE: PRECISION FIT OR APPROVED EQUAL  
COLOR: OHIO VILLAGE LIMESTONE  
MORTAR STYLE: TBD

EFS 1

EXTERIOR INSULATION FINISH SYSTEM (EIFS)  
MANUFACTURER: DRYVIT  
SYSTEM: OUTSULATION MID SYSTEM  
FINISH: SANDPEBBLE FINE  
COLOR: SHERMAN WILLIAMS SW7067 CITYSCAPE

MCM-1

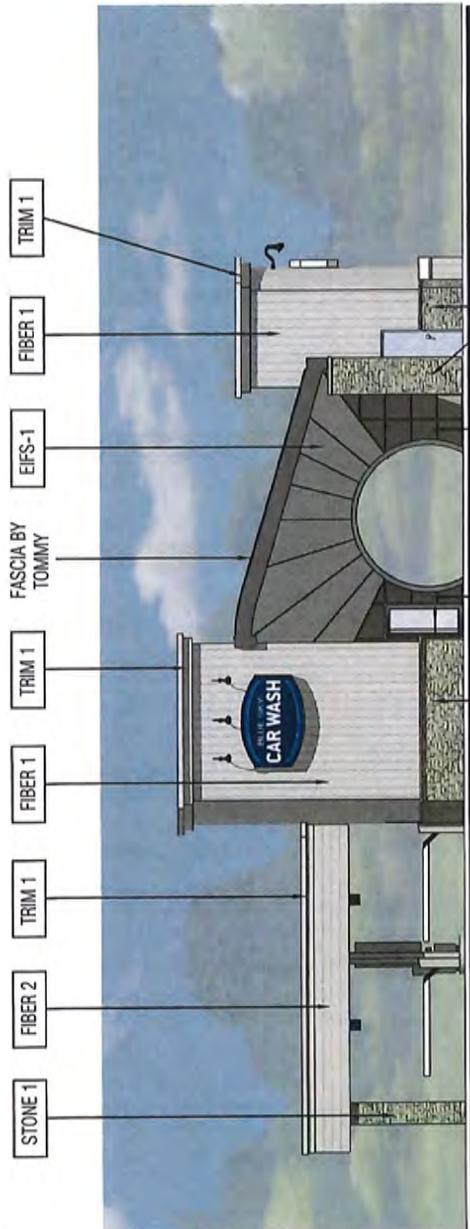
PRE-FINISHED ALUMINUM COMPOSITE PANEL  
MFR: LAMINATORS  
DESCRIPTION: LAMINATORS OMEGA SERIES  
COLOR: EBONY

AC-1

PRE-FINISHED ALUMINUM CLOSURE CAP  
MFR: TUBELITE  
DESCRIPTION: TUBITE SERIES 2000 CURTAINWALL  
CLEAR ANODIZED

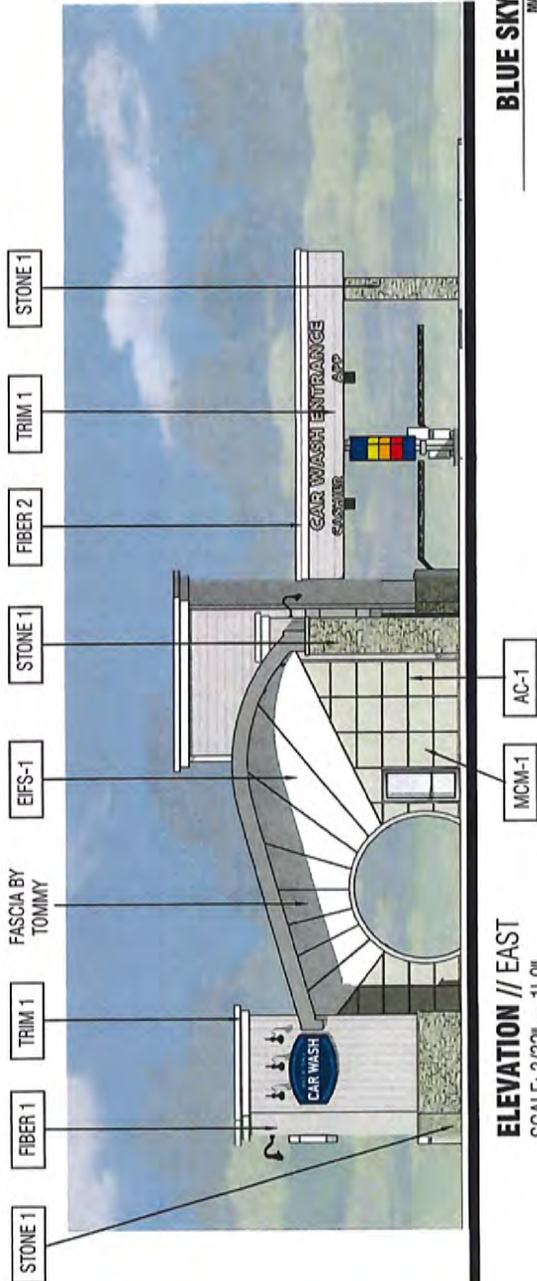
GL 1

GLASS  
THICKNESS: 1" INSULATED, LOW 'E', CLEAR GLAZING



ELEVATION // WEST

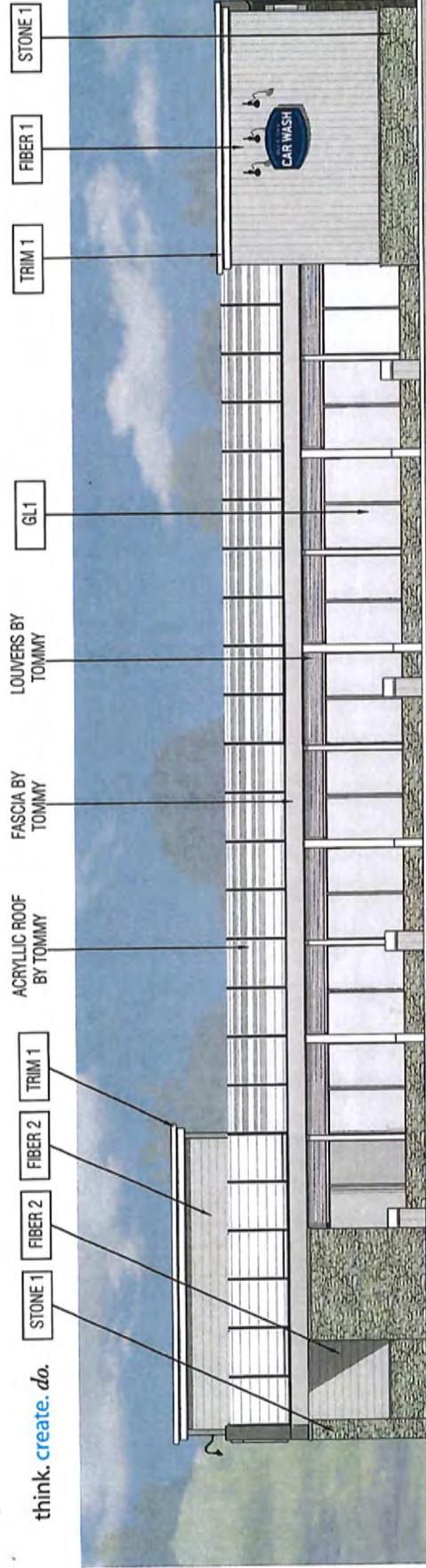
SCALE: 3/32" = 1'-0"



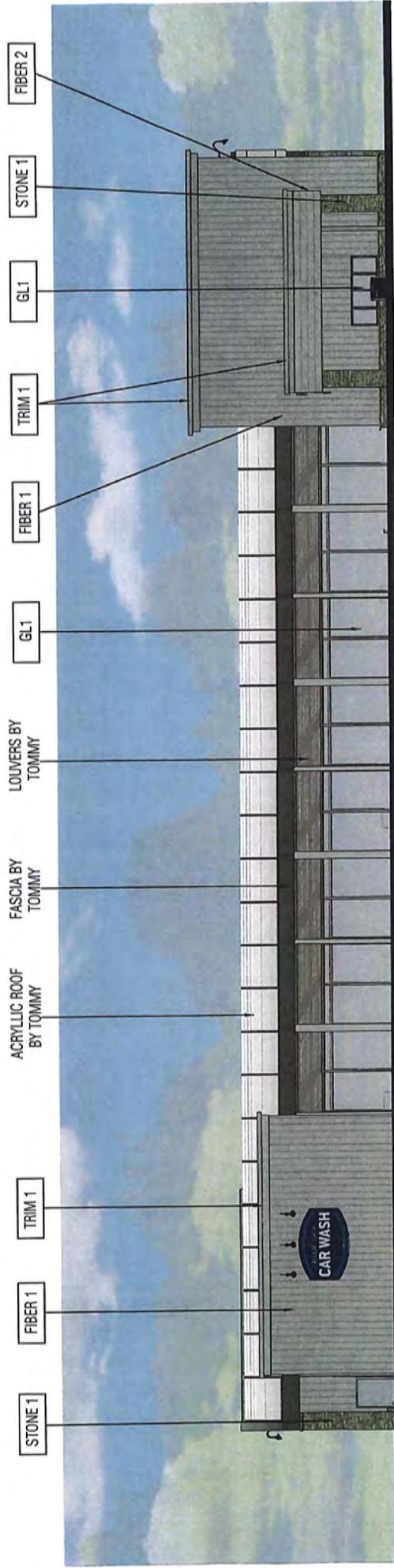
ELEVATION // EAST

SCALE: 3/32" = 1'-0"

think. create. do.



**ELEVATION // SOUTH**  
SCALE: 3/32" = 1'-0"



**ELEVATION // NORTH**  
SCALE: 3/32" = 1'-0"

**BLUE SKY CAR WASH**  
MATERIAL AND SITE STUDIES  
AUGUST 17, 2018



**archall**  
ARCHITECTURAL ALLIANCE  
PROFESSIONAL FIRM



**CITY OF DELAWARE, OHIO  
PLANNING & COMMUNITY DEVELOPMENT  
MASTER APPLICATION FORM**



Project # \_\_\_\_\_ Case # \_\_\_\_\_

Planning Commission

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Amended Final Development Plan                | <input type="checkbox"/> Final Development Plan Extension        | <input type="checkbox"/> Substitution of a Non- Conforming Use            |
| <input type="checkbox"/> Amended Final Subdivision Plat                | <input type="checkbox"/> Final Subdivision Plat                  | <input type="checkbox"/> Vacation-Alley                                   |
| <input type="checkbox"/> Amended Preliminary Development Plan          | <input type="checkbox"/> Final Subdivision Plat Extension        | <input type="checkbox"/> Vacation-Easement                                |
| <input type="checkbox"/> Amended Preliminary Subdivision Plat          | <input type="checkbox"/> Floodplain Permit                       | <input type="checkbox"/> Vacation-Street                                  |
| <input type="checkbox"/> Annexation Review                             | <input type="checkbox"/> Lot Split                               | <b>Board of Zoning Appeals</b>  |
| <input type="checkbox"/> Combined Preliminary & Final Development Plan | <input type="checkbox"/> Pre-annexation Agreement                | <input type="checkbox"/> Appeal Administrative Decision or Interpretation |
| <input type="checkbox"/> Comprehensive Plan Amendment                  | <input checked="" type="checkbox"/> Preliminary Development Plan | <input type="checkbox"/> Conditional Use Permit                           |
| <input type="checkbox"/> Concept Plan                                  | <input type="checkbox"/> Preliminary Dev Plan Extension          | <input type="checkbox"/> Substitution of Equal or Less Non-Conforming Use |
| <input checked="" type="checkbox"/> Conditional Use Permit             | <input type="checkbox"/> Preliminary Sub Plat                    | <input type="checkbox"/> Variance   |
| <input type="checkbox"/> Determination of Similar Use                  | <input type="checkbox"/> Preliminary Sub Plat Extension          |   |
| <input type="checkbox"/> Development Plan Exemption                    | <input type="checkbox"/> Rezoning                                |   |
| <input type="checkbox"/> Final Development Plan                        | <input type="checkbox"/> Subdivision Variance                    |   |

Lot 2

Subdivision/Project Name Coughlin's Crossing Sub Area 6 Address Coughlin Lane  
 Acreage 1.075 Building Square Footage 5,560 Number of Lots 1 Number of Units \_\_\_\_\_  
 Zoning District/Land Use PMU Proposed Zoning/Land Use n/a Parcel # TBD-part of 419-130-04-020-009, etc.

Applicant Name The Nutter Company, LLC Contact Person Barry A. Nutter

Applicant Address 441 Keisel Court, Powell, OH 43065-7481

Phone 614-580-1014 Fax \_\_\_\_\_ E-mail barrynutter1@yahoo.com

Owner Name Delaware Development Plan, Ltd. Contact Person Connie Klema

Owner Address P.O. Box 991, Pataskala, OH 43062

Phone 614-374-8488 Fax \_\_\_\_\_ E-mail cklemaattorney@gmail.com

Engineer/Architect/Attorney Stephen D. Martin Contact Person Stephen D. Martin

Address 50 North Sandusky Street, Delaware, Ohio 43015-1926

Phone 740-363-1313 Fax 740-363-1314 E-mail smartin@mpdlaw.com

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

Owner Signature

Owner Printed Name

Stephen D. Martin

Stephen D. Martin

Agent Signature

Agent Printed Name

Sworn to before me and subscribed in my presence this 6<sup>th</sup> day of November, 2018.



Teresa J. Huffman  
Notary Public



## FACT SHEET

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AGENDA ITEM NO: 19

DATE: 12/20/2018

ORDINANCE NO: 18-122

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Jackie Walker, Assistant City Manager

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE ESTABLISHING THE SALARY AND BENEFITS OF THE COUNCIL CLERK, AND DECLARING AN EMERGENCY.

**BACKGROUND:**

When the Clerk of Council position was moved from part-time to full-time, it was placed in the Management Pay Plan. Now that the duties and responsibilities of the position are clearer, City Council requested staff to conduct a position audit to help it determine the appropriate compensation level for the position.

**REASON WHY LEGISLATION IS NEEDED:**

In making the adjustment to a position appointed by City Council, it makes sense to set the Clerk's salary in the same manner as Council's other appointee, the City Manager. As such, this ordinance would set the Clerk of Council's salary for 2019. A corresponding change will remove the position from the Management Pay Plan.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

The adjustment will impact the 2019 General Fund based on increased wages and other costs/benefits that are associated with wages.

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Mayor Carolyn Kay Riggle

**RECOMMENDATION:**

Typically, legislation enacting pay changes go to three readings.

**ATTACHMENT(S)**

None

ORDINANCE NO. 18-122

AN ORDINANCE ESTABLISHING THE SALARY AND  
BENEFITS OF THE COUNCIL CLERK, AND  
DECLARING AN EMERGENCY.

WHEREAS, the City Council Clerk (“Clerk”) is one of two positions appointed by City Council and is not subject to civil service laws; and

WHEREAS, among other duties included in the job description, the Clerk is responsible for managing the Council packet and agenda process; and

WHEREAS, the Clerk leads the city’s sister city initiative; and

WHEREAS, the Clerk serves as City Council’s representative on the Main Street Delaware board; and

WHEREAS, the Clerk bears responsibility for managing and maintaining the records of the legislative body as well as all Boards and Commissions of the City of Delaware; and

WHEREAS, the Clerk’s duties require coverage of meetings occurring in the evening as well as daytime hours; and

WHEREAS, the Clerk uses independent judgment and discretion in fulfilling the duties of the position and setting her schedule; and

WHEREAS, based on an assessment of the duties of the Clerk conducted by city staff in 2018, the salary of the clerk should fall within the M2-M6 classifications on the management pay plan.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. The Council Clerk shall be paid a salary of \$24.04 per hour effective December 26, 2018 which coincides with the new calendar year and the effective date of the management pay plan for 2019.

SECTION 2. The Council Clerk shall be entitled to the benefits offered to exempt employees in the current City of Delaware Summary of Benefits.

SECTION 3. Emergency Clause: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City. The emergency clause is required to enact the changes effective on December 26, 2018 which coincides with the new calendar year and the effective date of the management pay plan

for 2019. Therefore this Ordinance shall be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

VOTE ON EMERGENCY CLAUSE:

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2018

YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



## FACT SHEET

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AGENDA ITEM NO: 20

DATE: 12/20/2018

ORDINANCE NO: 18-123

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dean Stelzer, Finance Director

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE SUPPLEMENTING THE 2018 APPROPRIATIONS ORDINANCE, AND DECLARING AN EMERGENCY.

**BACKGROUND:**

**REASON WHY LEGISLATION IS NEEDED:**

**COMMITTEE RECOMMENDATION:**

**FISCAL IMPACT(S):**

**POLICY CHANGES:**

**PRESENTER(S):**

Dean Stelzer, Finance Director

**RECOMMENDATION:**

**ATTACHMENT(S)**

ORDINANCE NO. 18-123

AN ORDINANCE SUPPLEMENTING THE 2018  
APPROPRIATIONS ORDINANCE AND DECLARING AN  
EMERGENCY

WHEREAS, it is necessary to amend the 2018 Annual Appropriations Ordinance to provide for the purchase of items or services through the end of fiscal year 2018

NOW THEREFORE, Be It Ordained by the Council of the City of Delaware, State of Ohio:

SECTION 1. That there is hereby appropriated from the unencumbered balance of the General Fund \$563,750 to the following account:

City Council - Wages (101-0011-5100)	\$ 4,250
City Manager - Wages (101-0012-5100)	\$ 10,000
Admin Services – Wages (101-0013-5100)	\$ 5,100
Econ Development – Wages (101-0015-5100)	\$ 6,250
Finance – Wages (101-0031-5100)	\$ 25,000
Planning – Wages (101-0061-5100)	\$ 39,550
Engineering – Wages (101-0065-5100)	\$ 20,600
Building Maint – Wages (101-0071-5100)	\$ 3,000
Income Tax Refunds (101-0031-5601)	\$100,000
General Administration Transfer to CIP (101-0032-5701)	\$350,000

SECTION 2. That there is hereby appropriated from the unencumbered balance of the Street Maintenance and Repair Fund \$27,250 to:

SMR Admin – Wages (200-2010-5100)	\$ 22,250
SMR Traffic – Electric (200-2030-5211)	\$ 5,000

SECTION 3. That there is hereby appropriated from the unencumbered balance of the Parks and Recreation Fund \$11,255 to:

Parks & Rec – Wages (210-2110-5100)	\$ 8,900
Urban Forestry – Wages (210-2115-5100)	\$ 2,250
Parks & Rec – Prof Services (210-2120-5230)	\$ 105

SECTION 4. That there is hereby appropriated from the unencumbered balance of the Airport T-Hangar Fund \$2,000 to:

Real Estate Taxes (223-0223-5292)	\$ 2,000
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SECTION 5. That there is hereby appropriated from the unencumbered balance of the Police Disability Fund \$15,000 to:

Transfer To General (261-2610-5710)	\$ 15,000
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SECTION 6. That there is hereby appropriated from the unencumbered balance of the Fire Disability Fund \$15,000 to:

Transfer To General (262-2620-5710)	\$ 15,000
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SECTION 7. That there is hereby appropriated from the unencumbered balance of the CHIP Grant Fund \$400 to:

New Construction (299-2990-5503)	\$ 400
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SECTION 8. That there is hereby appropriated from the unencumbered balance of the Police Impact Fee Fund \$486 to:

Refunds (492-4921-5601)	\$ 486
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SECTION 9. That there is hereby appropriated from the unencumbered balance of the Fire Impact Fee Fund \$942 to:

Refunds (493-4930-5601)	\$ 942
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SECTION 10. That there is hereby appropriated from the unencumbered balance of the Water Fund \$122,500 to:

Water Admin – Wages (530-5310-5100)	\$ 120,000
Water Admin – Wages (530-5330-5100)	\$ 2,500

SECTION 11. That there is hereby appropriated from the unencumbered balance of the Sewer Fund \$20,750 to:

Sewer Treatment – Wages (540-5420-5100)	\$ 16,750
Sewer Dist – Wages (540-5430-5100)	\$ 4,000

SECTION 12. That there is hereby appropriated from the unencumbered balance of the S/E Highland Sewer Fund \$3,500 to:

ERU Refunds (548-5480-5601)	\$ 3,500
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SECTION 13. That there is hereby appropriated from the unencumbered balance of the Refuse Fund \$45,500 to:

Refuse – Tipping Fees (550-5520-5237)	\$ 40,000
Recycling – Wages (550-5530-5100)	\$ 5,500

SECTION 14. That there is hereby appropriated from the unencumbered balance of the Information Technology Fund \$3,250 to:

GIS Operations – Wages (602-6023-5100)	\$ 3,250
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SECTION 15. That there is hereby appropriated from the unencumbered balance of the Self Insurance Trust Fund \$1,025,000 to:

Medical Claims (610-6101-5285)	\$ 850,000
Prescriptions (610-6101-5287)	\$ 175,000

SECTION 16. That there is hereby appropriated from the unencumbered balance of the Park Donation Fund \$12,000 to:

Capital Outlay (702-7020-5500)	\$ 12,000
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TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: December 17, 2018

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1. **Calendar**

See Attached

2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**

See Attached

3. **Bi-Weekly Meetings**

December 7

\* ED 411

\* COMMA Meeting

December 10

\* Rotary

\* City Council

December 13

\* MORPC

December 17

\* Rotary

\* Engineered Materials Expansion Ribbon Cutting

\* YMCA Meeting

# January

2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 City Offices Closed	2	3	4	5
6	7	8 Sister City Advisory Board Meeting 6pm	9 Civil Service 3 p.m. BZA 6:30 p.m.	10	11	12
13	14 City Council Meeting 7p.m.	15 Parks & Rec Advisory Board 6:30 p.m.	16 Planning Commission 6:30 p.m.	17 Airport Commission 6:30 p.m.	18	19
20	21	22	23 HPC 7p.m.	24 YMCA Advisory Board Meeting 6pm @Community Center	25	26
27	28 City Council Meeting 7p.m.	29	30	31		

**CONTRACT APPROVAL - December 20, 2018**

<b>VENDOR</b>	<b>EXPLANATION OF AGREEMENT</b>	<b>2018 AMOUNT</b>	<b>DEPARTMENT</b>
Wayne Fischer	Maintenance Agreement for 75 acres of land adjacent to Municipal Airport	1.00	Public Works
Julian & Grube, Inc.	CAFR Compilation	\$14,700 X 3yrs	Finance
Delaware County Emergency Communications/911	Management Control Agreement	0	Police
OHCOLIO1 Good	Partial assignment and assumption of CRA from Metal Stars II	NA	ED
The Righter Company, Inc.	West Central Bikeway	\$282,227.53	Public Works
United State Army TACOM Life Cycle Management Command	Ceremonial Rifles	0.00	Police
Francis & Mary Lou Wilgus	Maintenance agreement for 9.906 acres of land adjacent to the Municipal Airport	\$1.00	Public Works