

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held January 14 20 19

The regular meeting of Council held January 14, 2019 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, Fourth Ward Kyle Rohrer, At-Large George Hellinger, and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was Third Ward Jim Browning and Vice-Mayor Kent Shafer. The invocation was given by Chaplain Jon Powers with Ohio Wesleyan University, 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, Jordan Selmek, Zoning Officer, John Donahue, Fire Chief, Bruce Pijanowski, Police Chief, and Tom Homan, City Manager

Motion to Excuse: Mr. Hellinger motion to excuse Councilman Browning and Vice-Mayor Shafer, seconded by Mr. Rohrer. Motion approved by a 5-0.

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the Year-End meeting of Council held on December 20, 2018, as recorded and transcribed.

Motion: Mrs. Keller motioned to approve the Motion Summary of the Year-End meeting of Council held December 20, 2018, as recorded and transcribed, seconded by Mr. Jones. Motion approved by a 5-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Civil Service Commission meeting held on October 24, 2018, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Sister City Advisory Board Committee meeting held on October 9, 2018, as recorded and transcribed.
- C. Resolution No. 19-01, a resolution cancelling the second regular meeting of City Council, May 27, 2019 due to the Memorial Day Holiday, and rescheduling the second regular meeting of City Council from December 23 to December 19, 2019.

Motion: Mrs. Keller motioned to approve the Consent Agenda, seconded by Mr. Hellinger. Motion approved by a 5-0 vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

Bill Rietz
Rutherford B. Hayes Heritage Fund, Chairperson
675 Pollyanna Drive
Delaware, Ohio

Mr. Rietz provided Council with a background on the project and goals of the committee to raise funds to provide a statue of Rutherford B. Hayes at the corner of Sandusky Street and William Street. The committee is raising funds for two flag poles, lighting, and to refurbish the fountain. The unveiling of the statue will happen at the October 4, 2019 First Friday event. He informed Council that between donations and pledges the committee has raised approximately 57% of the necessary funds.

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The status will be a 7 ft. bronze statue placed on a black granite pedestal. Mr. Homan discussed that there has been cooperation from the property owner of the location and that the owner will provide an easement to the city. He discussed that future legislation will be needed for a supplemental, which will be reimbursed by the Delaware County Foundation.

Matt Bruns
Executive Director of Development YMCA
316 Seatrain Drive
Delaware, Ohio

Casey King
Social Responsibility Committee for Delaware Community Center YMCA,
Chairperson
84 Yorkshire Road
Delaware, Ohio 43015

Mr. King read into the record a written statement on behalf of the YMCA to address the concerns that were brought before Council at the December 20, 2018 City Council meeting. He discussed the partnership between the YMCA and the City and the goals to enrich the community. He informed the Council that the financials for the Delaware location will be provided to Council for review. He discussed that swim team rates and that in August of 2018 the YMCA of Central Ohio standardized fees for all 10 of its team. The factors that affect the fees include the number of coaches, practices, the amount of lanes occupied and the length of the season. He stated that no team is subsidizing others and that the YMCA does offer financial assistance when fees are an issue. He informed the Council that the Delaware Riptide swim team recently had a staff change of their head coach.

ITEM 7: COMMITTEE REPORT

ITEM 8: INTRODUCTIONS

A. Susie Daily, Chief Information Officer

ITEM 9: RESOLUTION NO. 19-02 [First Reading]

A RESOLUTION HONORING THE LIFE OF DR. MARTIN LUTHER KING, JR.

Mayor Riggle read the resolution for the first time.

Motion: Mrs. Keller motioned to adopt Resolution No. 19-02, seconded by Mr. Rohrer. Motion approved by a 5-0 vote.

ITEM 10: RESOLUTION NO. 19-03 [First Reading]

A RESOLUTION APPOINTING MEMBERS TO THE TERRA ALTA NEW COMMUNITY AUTHORITY BOARD OF TRUSTEES.

Mayor Riggle read the resolution for the first time.

Motion: Mrs. Keller motioned to adopt Resolution No. 19-02, seconded by Mr. Jones. Motion approved by a 5-0 vote.

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ITEM 11: ORDINANCE NO. 18-118 [Third 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 third time. Council was made aware of the request by the applicant to table the discussion until possibly the February 11, 2019 City Council meeting. Mr. Shulman discussed that a public hearing will need to be reestablished once the applicant informs staff of their plans to move forward with the project.

Motion: Mr. Jones motioned to table Ordinance No. 18-118 and 18-119, seconded by Mrs. Keller. Motion approved by a 5-0 vote.

ITEM 12: ORDINANCE NO. 18-119 [Public Hearing and Third 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 third time. A public hearing will need to be rescheduled upon direction from Council to remove Ordinance 18-119 from the table.

Motion: Mr. Jones motioned to table Ordinance No. 18-118 and 18-119, seconded by Mrs. Keller. Motion approved by a 5-0 vote.

ITEM 13: ORDINANCE NO. 18-120 [Public Hearing and Third 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 third time. There was no public comment.

APPLICANT:

Barry Nutter
441 Keisel Court
Powell, Ohio

Steve Martin
Manos, Martin, Pergram & Dietz Company Lpa
50 North Sandusky Street
Delaware, Ohio

Mr. Nutter discussed retaining the architect for Coughlin's Crossing to assist with the design. This design is different from locations at Powell and Lewis Center. He discussed the patented design for the car wash and

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the all belt conveyor system. They will employ approximately 15 employees. He discussed the approximate consumption of fresh water per car and the use of recycling water.

Mr. Ferrigno discussed the upcoming signal improvements along U.S. 23 from Hawthorn Blvd up to Cottswald Drive. These improvements are expected to begin in late April or early May. There will be full access to the car wash from Meeker Way utilizing the spine road.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-120, seconded by Mrs. Keller. Motion approved by a 5-0 vote.

ITEM 14: ORDINANCE NO. 18-121 [Third Reading]

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.

The Clerk read the ordinance for the second time.

Motion: Mr. Jones motioned to adopt Ordinance No. 18-121, seconded by Mrs. Keller. Motion approved by a 5-0 vote.

ITEM 15: ORDINANCE NO. 18-122 [Third Reading]

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

The Clerk read the ordinance for the third time.

ITEM 16: REVIEW AND UPDATE of Troy Township Request to Amend Annexation/Utility Policy

Mr. Homan provided background information and that Council had this topic presented to them in 2016. He discussed the request by Troy Township for the City to amend the Annexation/Utility Policy for residents in Troy Township receiving water services from the City. The original agreement was that the City would receive the needed easements and that they would annex into the City within a ten year period. The Township is needing to repave Hills-Miller Road and does not want to invest in the project if the road will be annexed into the City.

Mr. Jordan discussed that staff met with Doug Price in August of 2018 to discuss the issue. Troy Township would like for residents within the influence of Penry Rd. Wellfield be able to use city services without the need to annex. He reviewed past legislation and Resolution 08-22 which provided the 10 year grace period to annex. He provided information on the properties connected to City services. There is a span on Hills-Miller that does not receive services from the City. He discussed items of contention and why the 10 year grace period was originally granted. The annexation would compromise the rural character of the area, other areas would be required, and that Hills-Miller is in current need of rehabilitation.

Mr. Homan discussed the option to extend the agreement or since the properties are not contiguous no action is currently required. Mr.

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Shulman discussed that there are three groups involved in the issue. One group is the 12 properties that receive services from the City who have a requirement to annex into the City, there are the other residents of Troy Township that may want to get water from the City, and everyone outside the City that is not allowed to access City water without an annexation per our code. To address the second and third group there would be a need to change the Codified Ordinances. The first group is not contiguous at this time and could be decided that they do not need to annex at this time. A discussion was held on if the area is contiguous.

Mr. Jones and Mrs. Keller voiced their preference to have annexation. Mayor Riggle voiced concerns over the increase of services, such as, roads, police and fire. A discussion was held on what would be included in the annexation. Mr. Ferrigno discussed that typically would not annex to the center of the road, would prefer the whole the whole road.

Council in agreement that staff work on legislation to extend the agreement for additional ten years or until become contiguous and present to Council at an upcoming meeting.

Mayor Riggle informed Council that the Work Session for February 4 is not needed.

ITEM 17: CITY MANAGER'S REPORT

Mr. Homan informed Council that Hull Drive Pilot Project will be discussed at the February 11 City Council meeting. He discussed that there is a possible retreat scheduled for March 16 with a location to be determined. An EMS Survey from Chief Donahue will be sent out. A \$20,000 grant was received by AEP for EV Charging Station. There will be 2 station at the Williams Street Parking Lot. There will be a Joint Meeting with the Delaware City School Board. Council was in agreement to start the regular meeting of Council on January 28 at 6 p.m. and start the joint meeting at 7 p.m. Councilman Jones will be out of town for the January 28 meeting. Mr. Homan and Mayor Riggle will be meeting with the Board of Realtors to present the State of the City.

ITEM 18: COUNCIL COMMENTS

Mrs. Keller requested that an update to public hearings be placed on website if cancelling.

Mr. Hellinger discuss the need to have continued discussion of the road funding needs. A discussion was held on removing the income tax credit as a source for road funding or the use of a citizen task force to make a recommendation to Council.

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ITEM 19: ADJOURNMENT

Motion: Mr. Jones motioned to adjourn the meeting. The meeting adjourned at 8:24 p.m.



Mayor Carolyn Kay Riggle, Vice Mayor Kent Shafer



Elaine McCloskey, Council Clerk