

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

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.

REGULAR MEETING

February 11, 2019

1. ROLL CALL
2. INVOCATION – Pastor Scott Tiede, Delaware Bible Church
3. PLEDGE OF ALLEGIANCE
4. APPROVAL of the Motion Summary of the regular meeting of Council held on January 14, 2019, as recorded and transcribed.
APPROVAL of the Motion Summary of the regular meeting of Council held on January 28, 2019, as recorded and transcribed.
APPROVAL of the Motion Summary of the joint meeting of Council and the Delaware City School Board meeting held on January 28, 2019, as recorded and transcribed.
5. CONSENT AGENDA
 - A. Acceptance of the Motion Summary of the Planning Commission meeting held on January 16, 2019, as recorded and transcribed.
 - B. Resolution No. 19-05, a resolution appointing members to various boards/commissions, and/or committees, and specifying the term of the appointment.
 - C. Establish February 25, 2019 at 7:30 p.m. as a date and time for a public hearing and second reading of Ordinance No. 19-02, an ordinance amending Chapter 529 of the General Offenses Code of the City of Delaware.
6. LETTERS, PETITIONS, AND PUBLIC COMMENTS

7. COMMITTEE REPORTS

8. PRESENTATIONS

- A. Presentation of Flag to Delaware Police Department from Delaware Bible Church
- B. West Hull Drive Traffic Management Presentation and Discussion – William L. Ferrigno, P.E., Director of Public Works/City Engineer

9. CONSIDERATION OF A LIQUOR PERMIT TREX

- A. Food Truck Depot LLC, 59 Potter Street, Delaware, Ohio 43015. Permit Classes: D5

In order to vote in favor of this application, Council would move to approve the TREX and not request a hearing before the Liquor Commission.

10. SECOND READING of Ordinance No. 19-01, an ordinance for Ohio Health for approval of a Final Development Plan for a medical office building on approximately 3.31 acres on property zoned B-4 PUD (General Business District with a Planned Unit Development Overlay District) and located at 2295 West William Street (US 36).

11. CONSIDERATION of Resolution No. 19-06, a resolution supporting the approval of the Delaware, Knox, Marion, Morrow (DKMM) Solid Waste Management District Plan Update, dated November 14, 2018.

- A. Jenna Hicks, District Director, Delaware, Knox, Marion, Morrow Joint Solid Waste Management District (DKMM)

12. CONSIDERATION of Ordinance No. 19-02, an ordinance amending Chapter 529 of the General Offenses Code of the City of Delaware.

13. CONSIDERATION of Ordinance No. 19-03, an ordinance supplementing the 2019 Appropriations Ordinance to provide funding to construct and install a memorial statue to Rutherford B. Hayes downtown at the southwest corner of Sandusky and William Street, and declaring an emergency.

14. CONSIDERATION of Ordinance No. 19-04 , an ordinance supplementing the 2019 appropriations ordinance and authorizing the City Manager to enter into agreements for the funding, installation and operation of an electric vehicle charging station, and declaring an emergency.

15. CONSIDERATION of Ordinance No. 19-05, an ordinance providing for the issuance and sale of bonds in the maximum aggregate principle amount

of \$8,000,000, for the purpose of paying the costs of various public infrastructure improvements, together with all related appurtenances thereto, and declaring an emergency.

16. CONSIDERATION of Ordinance No. 19-06, an ordinance for Carrols Corporation approving a Final Development Plan for Burger King on approximately 1.14 acres on property zoned B-3 PUD (General Business District with a Planned Unit Development Overlay District) and located at 1034 West Central Avenue (US 37).
17. DISCUSSION and RECOMMENDATION:
 - A. Park's No Smoking Draft Legislation
 - B. Massage Establishment Draft Legislation
 - C. Proposal by Main Street Delaware
18. CITY MANAGER'S REPORT
19. COUNCIL COMMENTS
20. ADJOURNMENT

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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

Elaine McCloskey, Council Clerk

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Held

January 28

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The regular meeting of Council held January 28, 2019 was called to order at 6:01 p.m., in the City Council Chambers. The following members of Council were present: Second Ward Lisa Keller, Third Ward Jim Browning, Fourth Ward Kyle Rohrer (arrived at 6:11 p.m.), At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Carolyn Kay Riggle who presided. Absent from the meeting was First Ward Chris Jones. The invocation was given by Pastor Donnie Akers with Eastside Mission 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, and Tom Homan, City Manager

Motion to Excuse: Mrs. Keller motion to excuse Councilman Jones, seconded by Vice-Mayor Shafer. Motion approved by a 5-0.

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held on January 14, 2019, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held January 14, 2019, as recorded and transcribed, seconded by Mrs. Keller. Motion failed by a 3-0-2 (Shafer and Browning) vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Parks and Recreation Advisory Board meeting held on October 16, 2018, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Planning Commission meeting held on December 5, 2018, as recorded and transcribed.
- C. Acceptance of the Motion Summary of the Historic Preservation Commission meeting held on November 28, 2018, as recorded and transcribed.
- D. Acceptance of the Motion Summary of the Finance Committee meeting held on July 30, 2018, as recorded and transcribed.
- E. Resolution No. 19-04, a resolution authorizing the City Manager to file grant applications with the Ohio Department of Natural Resources, Recreational Trails Program and Clean Ohio Trails Fund for the proposed new multi-use path (bikepath) project located on the north side of West Central Avenue between Lexington Boulevard and Houk Road.

Motion: Vice-Mayor Shafer motioned to approve the Consent Agenda, seconded by Mr. Browning. Motion approved by a 5-0 vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

ITEM 7: COMMITTEE REPORT

Mr. Hellinger informed Council that the Finance Committee met on January 23, 2019.

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ITEM 8: ORDINANCE NO. 18-122 [Fourth Reading]
AN ORDINANCE ESTABLISHING THE SALARY AND BENEFITS OF THE COUNCIL CLERK, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the fourth time.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 18-122, seconded by Mr. Browning. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 18-122, seconded by Mr. Browning. Motion approved by a 5-1 (Hellinger) vote.

ITEM 9: ORDINANCE NO. 19-01 [First Reading]
AN ORDINANCE FOR OHIO HEALTH FOR APPROVAL OF A FINAL DEVELOPMENT PLAN FOR A MEDICAL OFFICE BUILDING ON APPROXIMATELY 3.31 ACRES ON PROPERTY ZONED B-4 PUD (GENERAL BUSINESS DISTRICT WITH A PLANNED UNITE DEVELOPMENT OVERLAY DISTRICT) AND LOCATED AT 2295 WEST WILLIAM STREET (US 36).

The Clerk read the ordinance for the first time. Council to take Ordinance No. 19-01 to a second reading.

APPLICANT:
Mike MacKay
3535 Olentangy River Road
Delaware, Ohio

ITEM 10: 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.

Mrs. Keller motioned to enter into executive session at 6:28 p.m. This motion was seconded by Mr. Browning and approved by a 6-0 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: Second Ward Lisa Keller, Third Ward Jim Browning, Fourth Ward Kyle Rohrer (arrived at 6:11 p.m.), At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Carolyn Kay Riggle who presided. Absent from the discussion was First Ward Chris Jones. Following the discussion at 6:57 p.m. it was motioned by Vice-Mayor Shafer that Council move into open session, seconded by Mr. Browning. This motion was approved by a 6-0 vote.

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ITEM 11: CITY MANAGER'S REPORT

Mr. Homan informed Council that he testified in front of the Delaware County Commissioners on the license fee increase and that the additional funding will be utilized in their County Road and Bridge Program. He will be attending the Sustainable Delaware Working Summit that will be held at the Stratford Ecological Center on February 2, 2019. He discussed meeting with Public Works Director Bill Ferrigno regarding suspending refuse collection to a next day delivery schedule this week due to the projected low outside temperatures. He recently met with YMCA Executive Director, Liz Zingale to discuss the Management Service Agreement. He recommended future discussion regarding the Main Street Delaware request for the engineering building. There is a scheduled Public Works/Public Utilities meeting scheduled for February 5, 2019 that has no current agenda items requiring the committee's action. Mr. Hellinger and Mr. Browning were in agreement to cancel the meeting.

ITEM 12: COUNCIL COMMENTS

Mrs. Keller and Mr. Hellinger discussed that they met with staff from the YMCA to discuss previous concerns and that there will be a follow up meeting in April. Mrs. Keller discussed the pricing and fees for activities were set by a pricing study that was completed by the YMCA.

Mr. Browning discussed the upcoming Meet and Greet for the new SWCI Executive Director. He discussed the follow up meeting with Sustainable Delaware and Liberty Casting.

Mr. Hellinger discussed that he recently rode 8 hours in a City plow truck during the recent snow storm and the many hazards and precautions that staff has to consider when plowing.

Vice-Mayor Shafer thanked the efforts of staff to assist a resident during a medical crisis.

Mayor Riggle thanked staff for the efforts on keeping the roads clear during the recent snow storm.

ITEM 13: ADJOURNMENT

Motion: Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 6:58 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk

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Meeting

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Held January 28 2019

The joint meeting with Delaware City School Board and Delaware City Council on January 28, 2019 was called to order at 7:00 p.m. in the City Council Chambers. The following members of Council were present: 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. Absent from the meeting was First Ward Chris Jones.

Delaware City School Board Members Present: Ted Backus, Frances O'Flarety, Michael Wiener, Vice-President Matt Weller and President Jayna McDaniel-Browning

Staff Present: Darren Shulman, City Attorney, Dean Stelzer, Finance Director, David Efland, Planning and Community Development Director, Bill Ferrigno, Public Works Director/City Engineer, Bruce Pijanowski, Police Chief, and Tom Homan, City Manager

School Staff Present: Paul Craft, Delaware City School Superintendent

ITEM 2: 2018 DEVELOPMENT UPDATE-DAVE EFLAND, PLANNING DIRECTOR

Mr. Efland provided a review of the current Comprehensive Plan update process and activities in the Planning Department. There was 623 new residential housing permits in 2018. The estimated population growth since the 2010 Census was 18.8%. He discussed the projected growth and development in the City.

ITEM 3: SCHOOL DISTRICT UPDATE - PAUL CRAFT, SUPERINTENDENT

Superintendent Craft provided information regarding the growth of Delaware City Schools. Hayes High School is ranked in the top 8% in the U.S. News and World Report of US and Ohio High Schools. Dempsey Middle School earned the Momentum Award from the State Department of Education based on the growth. Delaware City School student grew overall more than the average of students in the state. Hayes currently has the highest graduation rate in the history of the school. He discussed the partnership with United Way with the Strengthening Families initiative at Willis. He discussed May 2019 ballot issues for two No-New Tax Levies and planned improvements to the schools. He discussed the planned improvement to Schultz Elementary with a possible building addition to accommodate the projected enrollment increases.

Mrs. Keller voiced concerns regarding the traffic pattern around Schultz Elementary and the impact that any building addition would have on the pattern. Superintendent Craft discussed the need to work with the City on more road connections to the site.

ITEM 4: UPDATE ON BOARDMAN FIELD - ROXANNE AMIDON

PRESENTOR:

Roxanne Amidon
Northwest Neighborhood Association, President
161 W. Winter Street
Delaware, Ohio 43015

Mrs. Amidon provided background on the Art Park. She discussed that

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there have been over 50 pieces of art displayed at the park and 22 public events have been held. They have received a \$2,500 ArtStart Grant and raised over \$50,000 for infrastructure and maintenance. She discussed the goals for the park to create a dynamic entertainment venue in the heart of Delaware that is financially self-sustaining and has year round programming. Their goal is to have a performance platform and a 4 season building to allow for proگرامing year round.

A discussion was held regarding the land ownership of the property. Superintendent Craft discussed that the School Board recognizes the importance and the vision of the project, but that it may not be in the best interest of the school to retain the property. He discussed the option to lease the property to the City or a different entity or to sell the property through auction. Concerns were voiced by Council on the City purchasing the property. Mr. Hellinger voiced a concern over the liability of the property due to the Delaware Run and the cost of daylighting the Delaware Run. It was discussed the projected cost to daylight the Delaware Run. Mrs. Amidon estimated the cost to daylight the Delaware Run at approximately \$.5 million. Mrs. Keller discussed the concern of funding the park towards the end of the Recreational and Park Levy. She discussed the option for the City to take control of the property with volunteers maintaining the grounds. Mrs. Amidon discussed difficulty receiving grants and funding without a guarantee of use of the property. She discussed having a team of volunteers willing to assist with funding. Mr. Homan discussed the Trust for Public Land may assist with development of parkland for non-profits. Mayor Riggle requested that Council discuss the matter more fully. Superintendent Craft requested that discussion be completed by May.

ITEM 5: OTHER DISCUSSION

There was no other items of discussion.

ITEM 6: ADJOURNMENT

Motion: Vice-Mayor Shafer moved to adjourn the meeting, seconded by Mr. Browning. The meeting was adjourned at 8:03 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk

**PLANNING COMMISSION
JANUARY 16, 2019
MOTION SUMMARY**

ITEM 1. Roll Call

Chairman Simpson called the meeting to order at 6:30 p.m.

Members Present: Robert Badger, Jim Halter, Dean Prall, Andy Volenik, Mayor Carolyn Kay Riggle, Vice-Chairman George Mantzoros, and Chairman Stacy Simpson

Staff Present: Carrie Fortman, Project Engineer and Dave Efland, Planning and Community Development Director

ITEM 2. APPROVAL of the Motion Summary of the Planning Commission meeting held on December 5, 2018, as recorded and transcribed.

Motion: Mr. Prall motioned to approve the Motion Summary for the Planning Commission meeting held on December 5, 2018, as recorded and transcribed, seconded by Mayor Riggle. Motion approved by a 7-0 vote.

ITEM 3. REGULAR BUSINESS

A. 2018-3116: A request by Ohio Health for approval of a Final Development Plan for a Medical Office Building on approximately 3.31 acres on property zoned B-4 PUD (General Business District with a Planned Unit Development Overlay District) and located at 2295 West William Street (US 36).

Anticipated Process

a. Staff Presentation

Mr. Efland discussed the development is located on the south side of West William Street just east of Lansdale Drive and is an out parcel of the Willowbrook Retail Development Subdivision. He discussed current zoning that surrounds the locations. Ohio Health is proposing to construct an approximate 10,000 square foot one-story medical office building with a 50 space parking lot with a single curb cut from Lansdale Drive. He discussed the existing bike path and landscaping and the proposed location for the dumpster. Ohio Health may have future expansion at this location. He discussed the screened rooftops to shield the mechanical units on the roof.

A discussion was held on if the traffic signal would be warranted at Lansdale Drive and West William Street. Ms. Fortman discussed that no road improvements are expected as there is a turn lane in place and if a

traffic signal is warranted a signal is available in inventory for this location.

b. Applicant Presentation

APPLICANT:

Mike MacKay
3535 Olentangy River Road
Columbus, Ohio

Mr. MacKay voiced no concerns or questions regarding staff conditions and recommendations. He discussed that the development will mostly have primary care physicians and services to receive lab draws. They may have a specialist rotate through the building. There are no current plans for additional property development but will determine in the future. Mr. Prall requested if there would be outside seating space for employees. Mr. MacKay responded that there is not a designated spot, but that there is a glass corner that will be a break room for staff. Mayor Riggle discussed if there was still a potential to have a sports medical building near the YMCA. Mr. MacKay responded that this development is not related to that potential project and did not have an update on the status of a sport medical building. Mayor Riggle voiced a concern over past money spent by the City to help with infrastructure at the south campus and that the City has had meetings with Ohio Health regarding reimbursement.

c. Public comment (not a public hearing)

There was no public comment

d. Commission Action

Motion: Mr. Badger motioned to approved 2018-3116, along with all staff recommendations and conditions, seconded by Mr. Volenik. Motion approved by a 7-0 vote.

ITEM 4. PLANNING DIRECTOR'S REPORT

Mr. Efland provided an overview of 2018 permit requests and that it was a record year with over 600 residential permits. He discussed upcoming proposal by Burger King on West Central Avenue and that the development will complete Phase 2 of the Traffic Improvements to the area. He discussed the façade grant.

Ms. Fortman provided an update on a project that she has been working on to update the Design Manual. The last update was done in 2014.

ITEM 5. COMMISSION MEMBER COMMENTS AND DISCUSSION

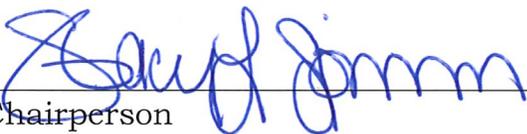
Mr. Prall requested an update regarding Fire Station 304. Mr. Efland informed the Commission that the station should be functional in the next month or so.

Mr. Badger requested information on the moving of dirt next to the CVS on West Central Avenue. Mr. Efland informed that the developer is just currently stockpiling the dirt on this location. Mr. Badger also requested information on a survey crew along Central Avenue in the same vicinity. Ms. Fortman discussed this crew was for the alignment of a bike path.

ITEM 6. NEXT REGULAR MEETING: February 6, 2019

ITEM 7. ADJOURNMENT:

Motion: Chairman Simpson moved for the Planning Commission meeting to adjourn. The meeting adjourned at 6:58 p.m.


Chairperson


Elaine McCloskey, Clerk



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM B DATE: 02/11/2019
ORDINANCE NO: RESOLUTION NO: 19-05
READING: FIRST PUBLIC HEARING: NO

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

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS, COMMISSIONS, AND/OR COMMITTEES, AND SPECIFYING THE TERM OF THE APPOINTMENTS.

BACKGROUND:

REASON WHY LEGISLATION IS NEEDED:

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):

Carolyn Kay Riggle, Mayor

RECOMMENDATION:

ATTACHMENT(S)

Resume

RESOLUTION NO. 19-05

A RESOLUTION APPOINTING MEMBERS TO VARIOUS
BOARDS, COMMISSIONS, AND/OR COMMITTEES, AND
SPECIFYING THE TERM OF THE APPOINTMENTS.

WHEREAS, Members are to be appointed to serve on various Committees, Commissions and Boards by the Mayor of the City of Delaware and confirmed by Council; and

WHEREAS, the Mayor has appointed and Council has confirmed the following appointments.

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

SECTION 1. The following appointments are hereby made:

1. Metropolitan Housing Board – Scott Wolf- Re-Appointment (term expiring February 23, 2024)

SECTION 2. This resolution shall be effective immediately upon its passage.

PASSED: _____, 2018

YEAS ____ NAYS ____
ABSTAIN ____

ATTEST: _____
CITY CLERK

MAYOR

DELAWARE METROPOLITAN HOUSING AUTHORITY

P.O. Box 1292 Delaware, OH 43015

740-369-1881 Fax: 740-369-2029



November 30, 2018

TO: R. Thomas Homan, City Manager
1 S. Sandusky St
Delaware, OH 43015

FROM: Steven F. Cooper, Executive Director
Delaware Metropolitan Housing Authority

Mr. Homan,

→ Attorney Scott Wolf's term as a member of the Board of Directors for the Delaware Metropolitan Housing Authority will expire on February 23, 2019. The Housing Authority is asking that Mr. Wolf be re-appointed for another five (5) years beginning February 23, 2019 and ending on February 23, 2024. If you have any questions or concerns, please feel free to contact me at 740-815-0473.

Thank you,

A handwritten signature in black ink that reads "Steve F. Cooper". The signature is written in a cursive style with a long horizontal flourish at the end.

Steven F. Cooper
Executive Director

The City of Delaware

US23 Corridor & West Hull Drive Traffic Management Update

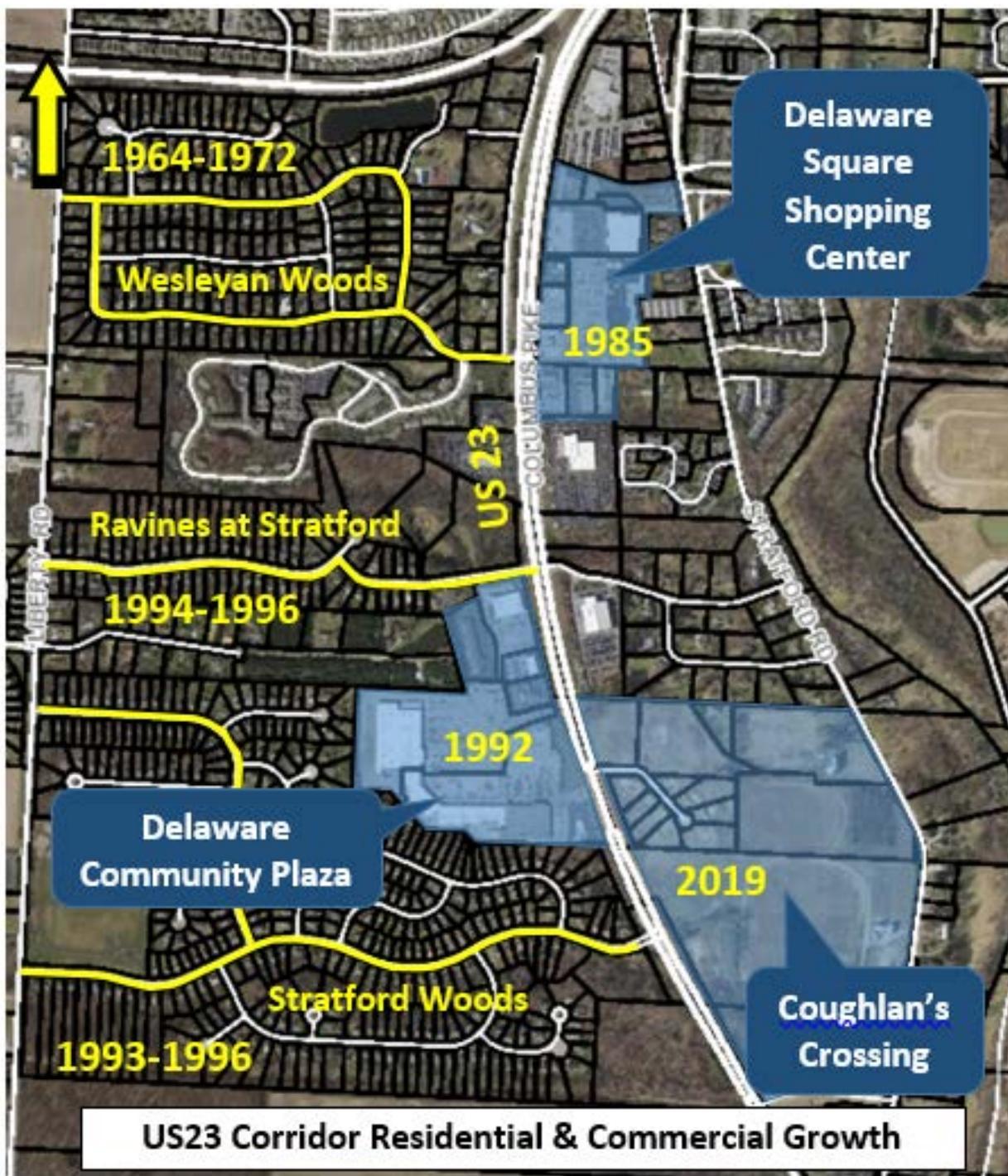
City Council

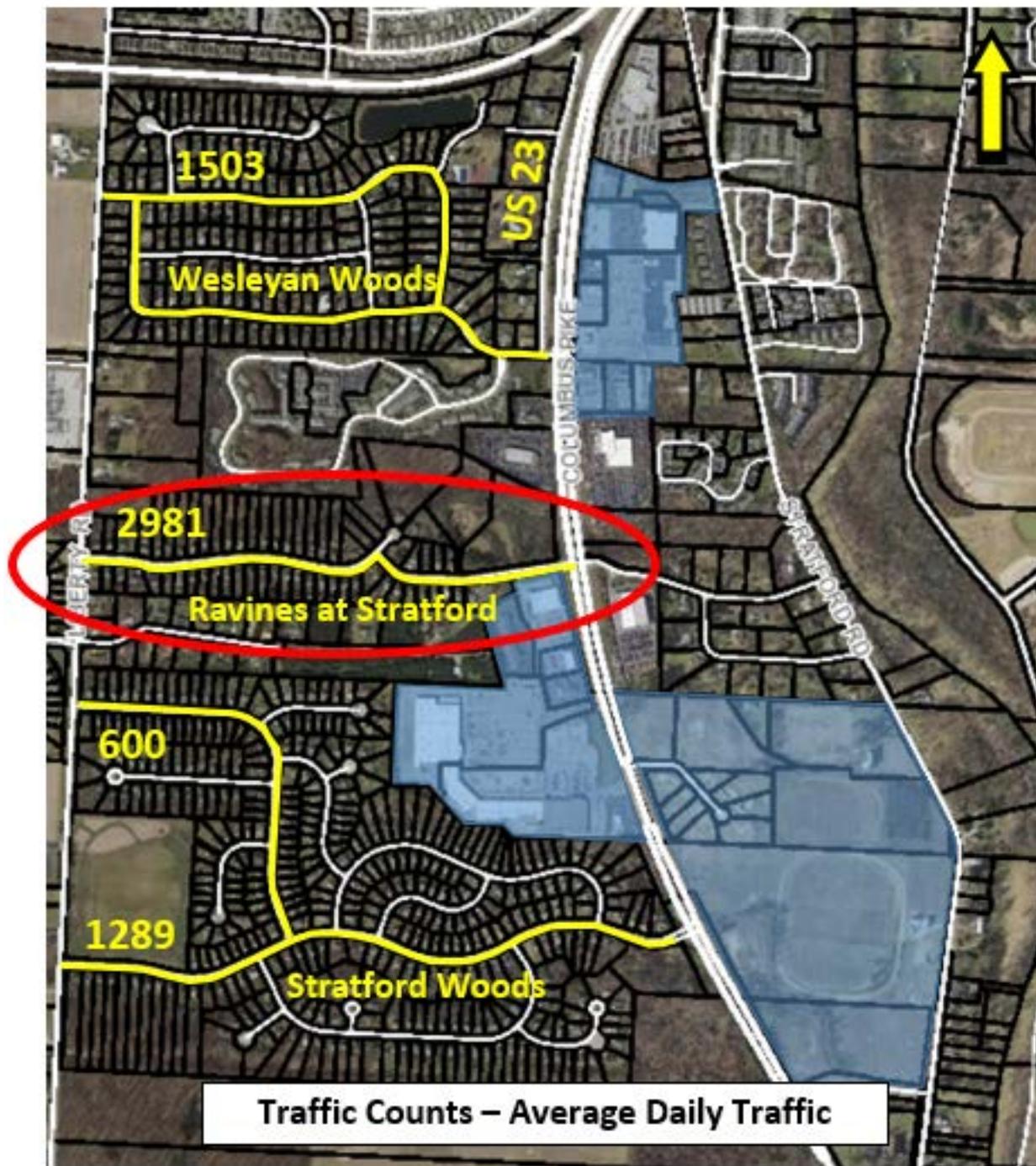
Monday, February 11th, 2019



The City of Delaware

- Ravines at Stratford (West Hull Drive) Residents contacted City in 2017 seeking consideration for change to neighborhood traffic
- Working group formed involving Ravines at Stratford, Wesleyan Woods and Stratford Woods neighborhoods to discuss traffic issues
- Parking & Safety Committee considered issue in 2018
- Pilot study proposed to temporarily change plaza access
- Parking & Safety Committee voted to advance issue to full council





Traffic Counts – Average Daily Traffic



The City of Delaware

Pilot Study

- Temporary installation of “Active” traffic calming measures.... i.e. No Exit to W Hull at north access point
- Duration would be temporary (60 to 90 Days)
- Approved by Plaza Owner (Pilot study only)
- Provide actual data regarding alternative route selection

The City of Delaware

Pilot Study Concerns

- Additional changes along US23 may impact traffic circulation in area and pilot study results
- Significant public concern presented over limiting access to public streets
- Traffic will just be redirected to adjacent neighborhood
- Note: Council did not approve changes to West Hull Drive traffic circulation or access in 2002



Active Traffic Calming Measures



Turning
Movement
Restrictions

Access Controls
&
Physical Barriers



Passive Traffic Calming Measures

Pavement Markings,
Signage & Calming
Islands



Passive Traffic Calming Measures

City of Delaware - Residential Collector Traffic Data - Average Daily Traffic

Date Counted	Street	Address	ADT	AVG Speed	85% Speed	Peak Hourly Flow	5- Year Accidents	Street Length (mi)	Accident per 100,000 trips
1/28/2019	Pennsylvania Ave	97	4418	29.2	32	276 (7-9AM)	30	1.2	0.37
2/4/2019	W Hull Dr	154	2472	26.2	29	156 (5-6PM)	8	0.6	0.18
1/10/2019	Buehler Dr	566	2357	29.9	33	245 (7-8AM)	9	0.5	0.21
2/27/2018	Belle Avenue	62	2077	29.1	32	206 (3-4PM)	11	0.6	0.29
1/24/2019	Lexington Blvd	62	1967	28.3	32	166 (7-8AM)	6	0.6	0.17
1/15/2019	Cobblestone Dr	665	1765	29.2	32	219 (5-6PM)	9	0.9	0.28
1/23/2019	Hawthorn Blvd	135	1756	27.2	30	126 (4-5PM)	3	0.7	0.09
4/26/2018	Heritage Blvd/Jefferson Dr	498	1587	27	31	150 (4-5PM)	5	0.5	0.17
1/22/2019	Firestone DR	121	1535	21.2	24	102 (5-6PM)	10	0.7	0.36
1/16/2019	Ashburn Dr	1982	1485	27.7	30	107 (7-8AM)	3	0.5	0.11
8/16/2018	Pinecrest Dr	202	1140	27.3	30	122 (5-6PM)	4	0.5	0.19
1/14/2019	Cheshire St	17	955	27.9	32	97 (2-3PM)	6	0.4	0.34
1/9/2019	Executive Blvd	555	929	23.3	26	131 (5-6PM)	11	1.1	0.65
11/28/2018	Cottswold Dr	170	867	28	32	100 (4-5PM)	3	0.6	0.19
11/15/2018	Cheshire Crossing Dr	141	749	26.7	30	80 (5-6PM)	1	0.2	0.07
1/17/2019	Fieldcrest Dr	26	746	27.4	31	64 (3-4PM)	3	0.7	0.22

Passive Traffic Calming Measures

City of Delaware - Residential Collector Traffic Data - 85% Speed									
Date Counted	Street	Address	ADT	AVG Speed	85% Speed	Peak Hourly Flow	5- Year Accidents	Street Length (mi)	Accident per 100,000 trips
1/10/2019	Buehler Dr	566	2357	29.9	33	245 (7-8AM)	9	0.5	0.21
2/27/2018	Belle Avenue	62	2077	29.1	32	206 (3-4PM)	11	0.6	0.29
1/14/2019	Cheshire St	17	955	27.9	32	97 (2-3PM)	6	0.4	0.34
1/15/2019	Cobblestone Dr	665	1765	29.2	32	219 (5-6PM)	9	0.9	0.28
11/28/2018	Cottswold Dr	170	867	28	32	100 (4-5PM)	3	0.6	0.19
1/24/2019	Lexington Blvd	62	1967	28.3	32	166 (7-8AM)	6	0.6	0.17
1/28/2019	Pennsylvania Ave	97	4418	29.2	32	276 (7-9AM)	30	1.2	0.37
1/17/2019	Fieldcrest Dr	26	746	27.4	31	64 (3-4PM)	3	0.7	0.22
4/26/2018	Heritage Blvd/Jefferson Dr	498	1587	27	31	150 (4-5PM)	5	0.5	0.17
1/16/2019	Ashburn Dr	1982	1485	27.7	30	107 (7-8AM)	3	0.5	0.11
11/15/2018	Cheshire Crossing Dr	141	749	26.7	30	80 (5-6PM)	1	0.2	0.07
1/23/2019	Hawthorn Blvd	135	1756	27.2	30	126 (4-5PM)	3	0.7	0.09
8/16/2018	Pinecrest Dr	202	1140	27.3	30	122 (5-6PM)	4	0.5	0.19
2/4/2019	W Hull Dr	154	2472	26.2	29	156 (5-6PM)	8	0.6	0.18
1/9/2019	Executive Blvd	555	929	23.3	26	131 (5-6PM)	11	1.1	0.65
1/22/2019	Firestone DR	121	1535	21.2	24	102 (5-6PM)	10	0.7	0.36

Passive Traffic Calming Measures

City of Delaware - Residential Collector Traffic Data - Peak Hourly Flow

Date Counted	Street	Address	ADT	AVG Speed	85% Speed	Peak Hourly Flow (Vehicles)	Peak Hour	5- Year Accidents	Street Length (mi)	Accident per 100,000 trips
1/28/2019	Pennsylvania Ave	97	4418	29.2	32	276	7-8AM	30	1.2	0.31
1/10/2019	Buehler Dr	566	2357	29.9	33	245	7-8AM	9	0.5	0.42
1/15/2019	Cobblestone Dr	665	1765	29.2	32	219	5-6PM	9	0.9	0.31
2/27/2018	Belle Avenue	62	2077	29.1	32	206	3-4PM	11	0.6	0.48
1/24/2019	Lexington Blvd	62	1967	28.3	32	166	7-8AM	6	0.6	0.28
2/4/2019	W Hull Dr	154	2472	26.2	29	156	5-6PM	8	0.6	0.3
4/26/2018	Heritage Blvd/Jefferson Dr	498	1587	27	31	150	4-5PM	5	0.5	0.35
1/9/2019	Executive Blvd	555	929	23.3	26	131	5-6PM	11	1.1	0.61
1/23/2019	Hawthorn Blvd	135	1756	27.2	30	126	4-5PM	3	0.7	0.13
8/16/2018	Pinecrest Dr	202	1140	27.3	30	122	5-6PM	4	0.5	0.38
1/16/2019	Ashburn Dr	1982	1485	27.7	30	107	7-8AM	3	0.5	0.22
1/22/2019	Firestone DR	121	1535	21.2	24	102	5-6PM	10	0.7	0.51
11/28/2018	Cottswold Dr	170	867	28	32	100	4-5PM	3	0.6	0.32
1/14/2019	Cheshire St	17	955	27.9	32	97	2-3PM	6	0.4	0.86
11/15/2018	Cheshire Crossing Dr	141	749	26.7	30	80	5-6PM	1	0.2	0.37
1/17/2019	Fieldcrest Dr	26	746	27.4	31	64	3-4PM	3	0.7	0.31

Passive Traffic Calming Measures

City of Delaware - Residential Collector Traffic Data - Accidents per 100,000 Trips/Mile

Date Counted	Street	Address	ADT	AVG Speed	85% Speed	Peak Hourly Flow	Peak Hour	5- Year Accidents	Street Length (mi)	Accident per 100,000 trips
1/14/2019	Cheshire St	17	955	27.9	32	97	2-3PM	6	0.4	0.86
1/9/2019	Executive Blvd	555	929	23.3	26	131	5-6PM	11	1.1	0.61
1/22/2019	Firestone DR	121	1535	21.2	24	102	5-6PM	10	0.7	0.51
2/27/2018	Belle Avenue	62	2077	29.1	32	206	3-4PM	11	0.6	0.48
1/10/2019	Buehler Dr	566	2357	29.9	33	245	7-8AM	9	0.5	0.42
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11/15/2018	Cheshire Crossing Dr	141	749	26.7	30	80	5-6PM	1	0.2	0.37
4/26/2018	Heritage Blvd/Jefferson Dr	498	1587	27	31	150	4-5PM	5	0.5	0.35
11/28/2018	Cottswold Dr	170	867	28	32	100	4-5PM	3	0.6	0.32
1/28/2019	Pennsylvania Ave	97	4418	29.2	32	276	7-8AM	30	1.2	0.31
1/15/2019	Cobblestone Dr	665	1765	29.2	32	219	5-6PM	9	0.9	0.31
1/17/2019	Fieldcrest Dr	26	746	27.4	31	64	3-4PM	3	0.7	0.31
2/4/2019	W Hull Dr	154	2472	26.2	29	156	5-6PM	8	0.6	0.3
1/24/2019	Lexington Blvd	62	1967	28.3	32	166	7-8AM	6	0.6	0.28
1/16/2019	Ashburn Dr	1982	1485	27.7	30	107	7-8AM	3	0.5	0.22
1/23/2019	Hawthorn Blvd	135	1756	27.2	30	126	4-5PM	3	0.7	0.13

Recommendations

1. Delay Pilot Study installation of “Active” measures until improvements along US23 are completed.
2. Develop policy to provide guidance as to when “Passive” traffic calming measures are applicable.
3. Review all neighborhood collector streets; Report to council.

The City of Delaware

Questions & Discussion





MEMORANDUM

TO: Tom Homan, City Manager
Darren Shulman, City Attorney
FROM: Sean Hughes, Economic Development Director
DATE: 1/30/2019
RE: Economic Development Related Transfer of Liquor Permit (TRES) to Food Truck Depot, LLC

This is intended to provide information related to a requested transfer of a liquor permit for Food Truck Depot, LLC at 59 Potter St. as an economic development project ("TRES") into Delaware.

As you know, state law allows for the transfer of the ownership and location of liquor permits from one municipality to an economic development project located in another municipality in Ohio. Transferring a permit to an economic development project in a new municipality is known as TRES. It is required that the new municipality acknowledge that the liquor permit will be transferred to an economic development project.

This memorandum, and the information provided below is verification that the Food Truck Depot, LLC project is indeed an economic development project.

The following economic development impact information has been provided to City staff by way of written information from the project owners, in addition to a follow-up conversation with the principal business owner Paul Rockwell:

- Estimated Investment (equipment, services, utilities, etc.): \$300,000
- Total number of jobs to be created: 6
- Estimated Annual Tax Collections:
 - o Sales Tax: \$15,000
 - o State Withholding Tax: \$5,000
 - o Property Tax: \$3,500

On the basis of this information, I recommend that the City Manager acknowledge, by signature on TRES application, that the Food Truck Depot, LLC project represents an economic development project within the City of Delaware.



Delaware Police Department Liquor Permit Report

DPD Report Number L-19-01		Investigating Officer Det. Sgt. Mike Bolen	
Applicant (Primary Shareholder) Paul Rockwell		Company Name: DBA: Food Truck Depot LLC	
Common Name Food Truck Depot		Address 59 Potter St. Delaware, Ohio 43015	
Applicant Phone Number 614-374-5352		Applicant E-Mail Address: therockwellcompany@gmail.com	
<input type="checkbox"/> Existing Business	Type of Business Food Trucks / Bar / Beer Garden	Notification Type: Transfer	Date of Report 2/4/19
<input checked="" type="checkbox"/> New Business (Supplement Attached)			
Permit Type <input type="checkbox"/> C1/C2X Beer only in original sealed container for carry out only. <input type="checkbox"/> C2 Wine and mixed beverages in sealed containers for carry out. <input type="checkbox"/> D1/D2X Beer only for on premises consumption or in sealed containers for carry out. <input type="checkbox"/> D2 Wine and mixed beverages for on premises consumption or in sealed containers for carryout. <input type="checkbox"/> D4 Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am. <input checked="" type="checkbox"/> D5 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am. <input type="checkbox"/> Other D6			

Location Information

Churches, Libraries and or schools within 500 feet <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	School, church or library objection <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No <i>Note: Objections are only permitted for new permits.</i>
Police Calls for Service in past 12 months: 1	Number of Police Reports in past 12 months:
Calls for Service excluding calls not related to the business in past 12 months: 1	Location is excessive drain on Police Resources: <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No
Nuisance Abatement Pending <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Accessible by Law Enforcement <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Site compliance checked by Dept. of Commerce <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Private Club (Restricted Access Door) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Applicant Information

Records Checked <input type="checkbox"/> Ohio Law Enforcement Gateway <input checked="" type="checkbox"/> Delaware Police Department Database
Applicant has an active warrant <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Local Record on file <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Problem History with DPD <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No
Record located for Liquor Law Violation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criminal History Checked by Dept. of Commerce <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Contact made with Applicant <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Determination on Objection

<input checked="" type="checkbox"/> The Delaware Police Department does not find a legislative basis for requesting a hearing to object to the issuance of a liquor permit for this business.

<input type="checkbox"/> The Delaware Police Department recommends requesting a hearing into the issuance of a liquor permit for this business, due to one or more of the following criteria for objection as set forth by the Ohio Revised Code. <input type="checkbox"/> Site does not conform to local building, safety and health codes (excluding zoning). <input type="checkbox"/> Law enforcement or state agents do not have ready access to the premises where alcoholic beverages are being served. <input type="checkbox"/> Physical location causes a public nuisance. <input type="checkbox"/> Site has been officially classified as a nuisance according to State Law. <input type="checkbox"/> Conviction of a crime by the applicant that relates to operating a liquor establishment. <input type="checkbox"/> Past improper operation of a location with a liquor permit. <input type="checkbox"/> Misrepresentation of material fact on the application. <input type="checkbox"/> Addiction of the applicant to alcohol or narcotics. <input type="checkbox"/> Formal objection by specific types of other locations to which the site is in certain proximity. <input type="checkbox"/> Conviction of the applicant of food stamp or WIC fraud. (Supplement Attached)



Delaware Police Department Liquor Permit Report

Supplement

Supplement Type

- New Business Description
- Police Department Objection
- Community Objection
- Other :

This liquor background investigation is in regard to Liquor Permit# 1999982 currently held by Nyoka Decker out of Findley, Ohio. An application for transfer of ownership and location has been submitted by Food Truck Depot LLC sole owner, Paul Rockwell. Mr. Rockwell intends on utilizing the D5 permit at 59 Potter St., the future location of "The Food Truck Depot." Mr. Rockwell is part owner of Average Joe's Pub and Grill, which has multiple locations around central Ohio. He also owns the Red Door BBQ in Columbus. Average Joe's and Red Door BBQ operate with active liquor permits. I contacted Liquor Control and learned Mr. Rockwell has no permit violations. Mr. Rockwell resides in Delaware county. Delaware PD and DCSO has no criminal history with Mr. Rockwell.

Prior to meeting with Mr. Rockwell, I reviewed the Food Truck Depot, Socialjusticeawards.com, Red Door BBQ, Average Joe's Pub, Ohio Food Truck websites and social media pages. In addition to owning and operating the restaurants, Mr. Rockwell is an advisory board member for the Social Justice Awards. The SJA website shows their vision as "To empower and enlighten all minds to the success and achievements of Central Ohio's Social Justice Leadership." Mr. Rockwell also owns and operates the Ohio Food Truck. The Ohio Food Truck website states, "We are creating a Food Revolution. Our goal is to feed as many people as humanly possible by our great team of Volunteers and Corporate Sponsors from around our community, our state, and our world. We are so excited to bring Ohio Food Truck to the world like a brand new baby!"

On 2/1/19, I met with Mr. Rockwell at 59 Potter St. I presented him with a rough draft blueprint of his design for 59 Potter St. that he had listed on the Food Truck Depot FB page (attached to this background). When asked, Mr. Rockwell said the plans are still current. According to Mr. Rockwell, the building will be a food hall type location where there will be seating for customers after they purchase their food from a variety of food truck operators. Mr. Rockwell hopes to have at least 1-4 food trucks parked on the south side of the building each day. There will be a permanent food stand inside of the building that will sell a limited selection of Red Door BBQ menu items each day as well. Mr. Rockwell is in talks with Blues Creek Brewery owner/operator who may relocate to 59 Potter St. in the future. Mr. Rockwell understands this would require an additional liquor permit. The building may also house a coffee house. Mr. Rockwell mentioned there will be game stations and televisions inside of the building as well. He explained that he intends this location to be a place where the whole family will be able to come and enjoy the many food options and overall environment. Mr. Rockwell is adding two sand volleyball courts along the west side of the building and a parking lot along the south side of the property.

Mr. Rockwell plans on opening for business in May of 2019. He is an experienced business owner / liquor permit holder and involved in the community. At this time, I see no concerns with this liquor permit transfer application.

Det. Sgt. David Blalock 2/4/19
Investigating Officer Signature Date

Capt. Rencord 2/4/19
Supervisor Signature Date

For Questions call
 (614) 644-3156
 Office hours - 8:00 a.m. to 5:00 p.m.

Ohio Department of Commerce
 Division of Liquor Control
 6606 Tussing Road, P.O. Box 4005
 Reynoldsburg, Ohio 43068-9005
<http://www.com.ohio.gov/liq>



APPLICATION FOR TRANSFER OF OWNERSHIP OR OWNERSHIP & LOCATION OF ALL PERMIT CLASSES LISTED BELOW
CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING. RETURN TO ADDRESS LISTED ABOVE

FEE: \$100.00 PROCESSING FEE - made payable to the Division of Liquor Control (Non-Refundable)

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

Seller (Individual, Corporation, Partnership or LLC): Nyoka Decker		Buyer (Individual, Corporation, Partnership or LLC):	
DBA (doing business as): Nicki's		DBA (doing business as):	
Premises Address: 139 N. Main St.		Premises Address: 59 Potter St	
Township (if outside city limits):	County: Hancock	Township (if outside city limits):	County: Delaware
City & Zip Code: Findley 45840		City & Zip Code: Delaware 43015	
Email:		Email: therockwellcompany@gmail.com	
Mailing Address:		Mailing Address: 7491 Calhoun Rd Ostrander, Ohio 43061	
Phone Number:		Phone Number: 614 3745352	
Attorney's Name & Address: Kurt Gearhiser 520 E. Rich St Columbus, Ohio 43215		Attorney's Name & Address: John Tanoury 1010 Old Henderson Rd. Columbus, Ohio 43220	
Attorney's Telephone Number: 614 2215151	Seller's Permit Number: 1999982	Attorney's Telephone Number: 614 4471698	

SELECT Class(es) of Permit(s) Being Transferred: A1 A1A A2 A3 A4 B1 B2 B3 B4 B5
 C1 C2 C2X D1 D2 D-2X D3 D3A D3X D5 D6 D7 OTHER _____

SELECT Type of Transaction: CORPORATE NAME CHANGE CONVERSION GIFT MERGER
 SALE OTHER _____

SELECT Type of Business: INDIVIDUAL. If Individual, list Social Security Number: _____
 CORPORATION LLC PARTNERSHIP

Is this an Economic Development (TRES) Transfer? YES NO If you answered "YES," you must submit Form DLC4244 (See page 4 of this form for further TRES information).

FOR DIVISION USE ONLY

Data Entry Initials: _____	Data Entry Action:	Comments/Notes:
RECEIPT NUMBER:	Violations: <input type="checkbox"/> YES <input type="checkbox"/> NO If "YES", what type _____	
TAXING DISTRICT	Ren Status: <input type="checkbox"/> ISSD <input type="checkbox"/> PEND	
SELLERS NUMBER	Proc. Fee Pd: <input type="checkbox"/> YES <input type="checkbox"/> NO	
BUYERS NUMBER	BCI Fee Amount Paid: \$ _____	
BUS. TYPE		

1. Do you or any partner, office holder, managing member, 5% stockholder or member, spouse, or other person involved in this permit hold or have any interest in another permit business?
If YES, Give permit number & address on the line provided _____ YES NO
- 2a. Have you or any partner, office holder, managing member, 5% stockholder or member, spouse, or other person involved in this permit ever been convicted of a felony or misdemeanor, including any alcohol-related offenses?
If YES, attach a written explanation. YES NO
- 2b. If applicant is a sole proprietor or partnership, will spouse work on the permit premises?
If YES, indicate spouse's full name _____ YES NO
3. Have you or any partner, office holder, managing member, 5% stockholder or member, spouse, or other person involved in this permit ever been refused a permit, denied a renewal, or had a permit revoked from another state, by this Division, or the Liquor Commission? If YES, attach a written explanation. YES NO
4. Does applicant own the real estate on which the proposed business will be located?
If NO, submit a signed and dated copy of your LEASE, RENTAL CONTRACT, OR DLC 4085 Summary of Tenancy Rights Form. YES NO
5. Will the applicant be the sole owner of the fixtures and equipment?
If NO, submit a signed and dated copy of the rental agreement for the fixtures and equipment. YES NO
6. Will any person, partnership, LLC, or corporation, excluding banks, building and loan associations, or the seller have ANY financial interest (such as money, loans, installment contracts, property or other interest) or share in the profits in your business or your property, real or personal?
If YES, attach a written explanation. NOTE: Ohio Revised Code Section 4303.293 provides a criminal penalty for failure to answer this question completely and correctly. YES NO
7. If transferring C or D class permits, do you or any partner, office holder, managing member, member, stockholder, employee, spouse or any other person involved in this permit own any stock or have any interest in the business of a manufacturer or wholesale distributor of alcoholic beverages? If YES, attach a written explanation. YES NO
8. If transferring A or B class permits, do you or any partner, office holder, managing member, member, stockholder, employee, spouse or any other person involved in this permit own any stock or have any interest in the business of a retail permit holder? If YES, attach a written explanation. YES NO

THE FOLLOWING MUST BE COMPLETED BY THE SELLER(S):

I, Nyoka Decker *by Michael S. Malone, Executor*, hereby authorize the Division of Liquor Control to process this application

Print Name(s)

Michael Malone EXECUTOR
(Signature and Title)

301 E. Main Cross St.

(Residence Address)

Findlay

(City)

OH

(State)

45840

(Zip Code)

419422-8713

(Area Code & Phone No.)

THE FOLLOWING MUST BE COMPLETED BY THE BUYER(S):

WARNING: Ohio Law provides that as a proposed buyer you could be liable as a successor of the permit holder's unpaid sales, use, and withholding tax liabilities. The Division of Liquor Control will be unable to transfer the permit until the tax and assessment matters are resolved to the satisfaction of the particular agency. The buyer should request that seller obtain a sales tax release certificate, by contacting the Ohio Department of Taxation, Sales and Use Tax Division, Release Unit. A Withholding Tax Release Certificate Request should be made by contacting the Ohio Department of Taxation, Withholding Tax Division, Business Billing Unit. Also, the current permit holder may still owe Unemployment Compensation payments. To discuss these possible liabilities, you should contact the Ohio Department of Job & Family Services.

DELIBERATE MISREPRESENTATION OF ANY OF THE INFORMATION ON THE APPLICATION CAN RESULT IN THE DIVISION'S REFUSING TO APPROVE THIS APPLICATION.

(Signature of Individual, Partner, Officer, Managing Member, or 5% or more Stockholder or Member)

(Print Name)

(Title)

(Date)

(Residence Address)

(City)

(State)

(Zip Code)

(Area Code & Phone No.)

(To be completed by Notary Public)

Sworn to before me and subscribed in my presence this _____ day of _____, 20_____.

(Notary Public)

(Notary Expiration)

NOTE: ALL DOCUMENTS BECOME PART OF THE PERMIT FILE AND WILL NOT BE RETURNED



Ohio Department of Commerce - Division of Liquor Control
 6606 Tussing Road, P.O. Box 4005
 Reynoldsburg, Ohio 43068-9005
 http://www.com.ohio.gov/liqr

Office hours - 8:00am to 5:00pm
 For Questions call (614) 644-3156

ECONOMIC DEVELOPMENT (TRES) TRANSFER FORM

Ohio Revised Code 4303.29 allows for the transfer of location or the transfer of ownership and location of a C-1, C-2, D-1, D-2, D-3, or D-5 permit from municipal corporation or the unincorporated area of a township to an economic development project located in another municipal corporation or the unincorporated area of another township in which no additional permits of that class may be issued to the applicant under the permit quota. However the transfer may occur only if the applicant notifies the municipal corporation or township to which the location of the permit will be transferred regarding the transfer and the municipal corporation or township acknowledges in Section B of this form OR in writing to the Division of Liquor Control, that the transfer will be to an economic development project. A permit may be transferred to a different owner at the same location, or to the same owner or a different owner at a different location in the same municipal corporation or in the unincorporated area of the same township. NOTE: The statute requires the applicant to provide the endorsement by the municipal corporation or township at the time the application for the transfer is filed with the division, therefore once Section B is completed return this form to the applicant so they may attach this information to their transfer application.

Seller(s) - Current Permit Holder - (Individual, Corp., LLC or Partnership) Nyoka Decker	Buyer(s) - Prospective Permit Holder - Name & address Individual, Corporation, LLC or Partnership) <i>Food Truck Depot, LLC</i>
Permit Number: 1999982	

CHECK Class(es) of Permit(s) Being TRES Transferred:

C-1
 C-2
 C-2X
 D-1
 D-2
 D-2X
 D-3
 D-3A
 D-5
 D-6

SECTION A: (To be completed by the Applicant)

NOTE: Section A is for you to provide information to the local legislative authority (City, Village or Township Office) in which this Economic Development Project (TRES) will be located. In addition to the below information, you may be required to provide a projected earnings statement (brand new business), or a profit and loss statement (existing business), and a copy of building plans/drawings outlining any construction plans. The Division will also use this information to determine if you qualify and meet the criteria outlined under Section 4303.29(B)(2)(b).

1. The total amount invested in this project is \$ 300,000

2. The total number of jobs that will be created by this economic development project is 6

3 Existing or Estimated Tax Revenue generated by this project is:

(Type or print on the lines provided the type of tax & amount, i.e., Sales Tax, Property Tax, Unemployment Tax, etc.)	Property Tax	\$ <u>3500</u>
	Sales Tax	\$ <u>15,000</u>
	State Withholding Tax	\$ <u>5,000</u>
		\$ _____

On behalf of the applicant as indicated above I am signing below and certifying that all the information provided with this application is complete and accurate to the best of my knowledge.

<u>Paul Rockwell</u>	<u>[Signature]</u>
Print or Type Name	Signature
<u>1-22-19</u>	<u>Member</u>
Date	Title
<u>6143745352</u>	
Phone Number	

SECTION B: (The applicant MUST have this Section completed by the City, Village or Township Office in which this Economic Development Project (TRES) will be located. This form MUST be returned to the applicant to accompany the transfer application).

Based upon the factors outlined above, the City/Village/Township of _____ hereby endorses
 (City, Village or Township Name)

and acknowledges that this transfer will be to an economic development project.

_____	_____
Print or Type Name	Signature of Mayor, Legislative Office Holder or Law Director
_____	_____
Date	Title (e.g., Mayor, Clerk of City Council, Fiscal Officer or Law Director)

Phone Number	



FACT SHEET

AGENDA ITEM NO: 10

DATE: 02/11/2019

ORDINANCE NO: 19-01

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 OHIO HEALTH FOR APPROVAL OF A FINAL DEVELOPMENT PLAN FOR A MEDICAL OFFICE BUILDING ON APPROXIMATELY 3.31 ACRES ON PROPERTY ZONED B-4 PUD (GENERAL BUSINESS DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT) AND LOCATED AT 2295 WEST WILLIAM STREET (US 36).

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 January 16, 2019.

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

CASE NUMBER: 2018-3116

REQUEST: Final Development Plan

PROJECT: Ohio Health Medical Office Building

MEETING DATE: January 16, 2019

APPLICANT/OWNER

EMH&T
5500 New Albany Road
Columbus, Ohio 43054

REQUEST

2018-3116: A request by Ohio Health for approval of a Final Development Plan for a Medical Office Building on approximately 3.31 acres on property zoned B-4 PUD (General Business District with a Planned Unit Development Overlay District) and located at 2295 West William Street (US 36).

PROPERTY LOCATION & DESCRIPTION

The approximate 3.31 vacant parcel is located on the south side of West William Street just east of Lansdale Drive and is an out parcel of the Willowbrook Retail Development Subdivision. The property to the east is zoned B-4 PUD, the properties to the west are zoned R-3 PUD (One-Family Residential District with a Planned Unit Development Overlay District) and the properties to the south are zoned B-4 PUD and R-3 PUD. The properties to the north are zoned R-4 PUD (Medium Density Residential District with a Planned Unit Development Overlay District) in the City and FR-1 (Farm Residential District) in the township.

BACKGROUND/PROPOSAL

Among other actions in the past, in June of 2007 City Council approved Ordinance 07-63 a rezoning to amend the adopted Willowbrook Farm Tract PUD Retail Site PUD Text. In September 2018, the Planning Commission and City Council approved a Final Subdivision Plat for the subject 3.31 acre parcel.

Now Ohio Health is proposing to construct an approximate 10,000 square foot one-story medical office building with a 50 space parking lot with a single curb cut from Lansdale Drive.

STAFF ANALYSIS

- **ZONING:** As previously mentioned the zoning for the subject site is B-4 PUD and is located in Sub-Area B Retail Planning Area of the Willowbrook Farm Tact PUD Retail Site PUD Text approved in 2007. Under the current zoning, the proposed office building is a permitted use. Final Development Plan approval of the application would be required by the Planning Commission and City Council.
- **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 subject site is accessed by one curb cut from Lansdale Drive (private street) which is the existing internal road that extends thru the Willowbrook Retail Development from West William Street to South Houk Road. A north/south internal private street extends from Lansdale Drive to West William Street with right only exit to West William Street. The subject private street is located on the eastern portion of the site but the proposed site does not extend that far east. When the eastern portion of the site is developed, it should be connected to the subject private street.
- **SITE CONFIGURATION:** The 3.31 acre site would contain an approximate 10,000 square foot medical office building with a single curb cut that would access a 50 space parking lot (50 parking spaces are required by code) which would be located on the east and south side of the proposed building. A proposed dumpster is located along the eastern portion of the parking lot and shall have a brick or limestone enclosure to match the building and have wood doors painted or stained to match. An existing bike path is located along the frontage of West William Street. Storm water would be detained in the existing Willowbrook Retail Development detention basins.
- **BUILDING DESIGN:** The one story building (approximately 18 feet in height) would have the main patron entrance on the southeast elevation and the staff entrance on the northwest elevation. The building would be

mainly comprised brick (taylor clay Kaiser blend) with three brick accent bands extending around the entire building. The sign area would be comprised of heritage stone (Santee ledgerstone) to form an accent wall to create an aesthetically pleasing building design. The main entrance would have a canopy with supporting columns comprised of blue vein limestone. Several aluminum storefront windows with grids would be located on each elevation. The building would have a flat roof with a cornice and a bronze metal screen wall screening the mechanical equipment located on the roof. 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 do not appear to be any qualifying trees 6 inches in caliper or larger on the subject parcel.
- **LANDSCAPING & SCREENING:** When the Willowbrook Retail Development infrastructure was constructed, the developer installed mounding, street trees and front yard trees along West William Street (US 36). The applicant is proposing the typical landscaping requirements which include front yard trees, interior parking lot landscaping, parking lot screening and foundation landscaping which appears to achieve compliance with the zoning code. However, the applicant would be required to install street trees every 40 feet along Lansdale Drive per the approved development text. The Shade Tree Commission would have to approve all landscape plans.
- **SIGNS:** The applicant is proposing building signage on the north and west elevations but did not have specific type and size do the signage. The wall signage shall be channel letters while the size of the wall signage shall achieve compliance with the approved development text and current zoning requirements. The approved zoning text allows development identification signage for the entire retail development but does not allow ground signage for each individual out parcel.
- **LIGHTING:** The owner is proposing six light poles throughout the parking lot that would be 25 feet high that that would have cut-off type fixtures per code. Per the zoning code, the light poles shall be black in color. All lighting must meet the requirements of the Planning & Zoning Code and be approved by the Chief Building Official.

STAFF RECOMMENDATION (2018-3116 – FINAL DEVELOPMENT PLAN)

Staff recommends approval of a request by Ohio Health for a Final Development Plan for a Medical Office Building on approximately 3.31 acres on property zoned B-4 PUD (General Business District with a Planned Unit Development Overlay District) and located at 2295 West William Street (US 36), 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. The dumpster enclosure shall be made of brick or limestone to match the building and have wood doors painted or stained to match.
4. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
5. All roof top mechanical equipment shall be screened by a parapet wall or approved screening device.
6. The Applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.
7. 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.
8. The light poles shall be black.
9. Street trees shall be planted every 40 feet along Lansdale Drive.
10. The Shade Tree Commission shall review and approve the landscape plans.
11. The building signage shall achieve compliance with the approved development text and the current zoning requirements.

COMMISSION NOTES:

MOTION: _____ 1st _____ 2nd *approved* *denied* *tabled* _____

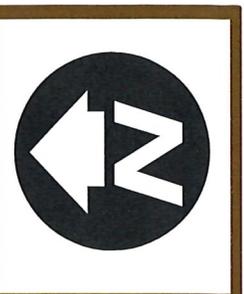
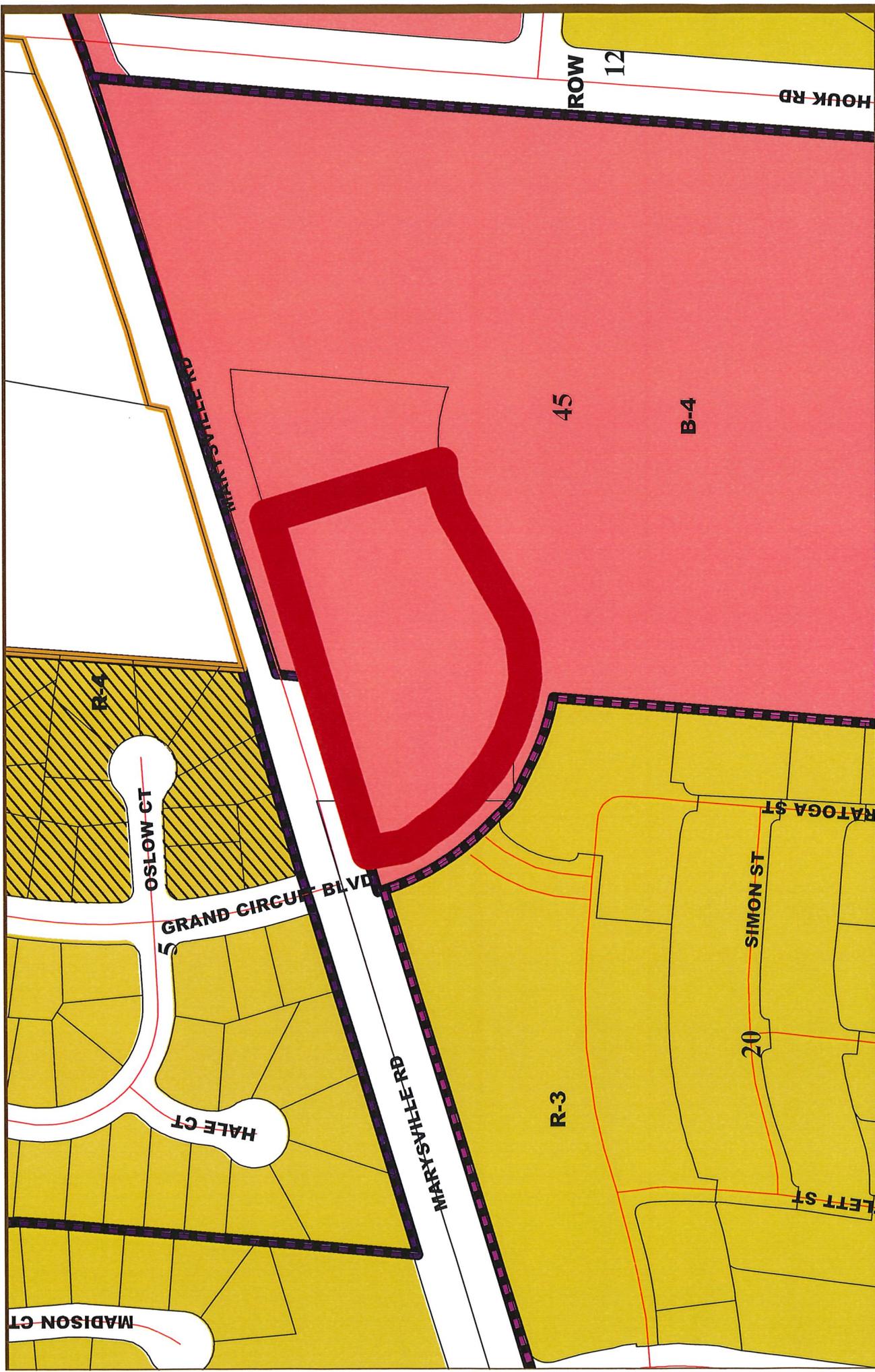
CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 1/10/19
REVISED:



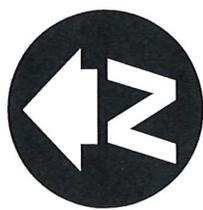
2018-3116
 Final Development Plan
 Ohio Health - 2295 West William Street
 Location Map





2018-3116
 Final Development Plan
 Ohio Health - 2295 West William Street
 Zoning Map





2018-3116
 Final Development Plan
 Ohio Health - 2295 West William Street
 Aerial (2016) Map



REVISIONS	DATE	DESCRIPTION

OHIOHEALTH

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
 SITE CONSTRUCTION PLAN
 DELAWARE MOB
 OHIOHEALTH WESTERN
 LANDSCAPE DETAILS



DATE: October 20, 2018

SCALE: 1/8" = 1'-0"

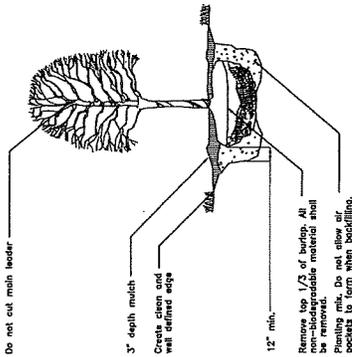
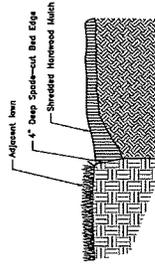
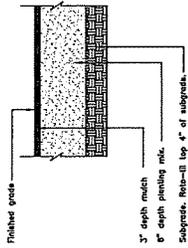
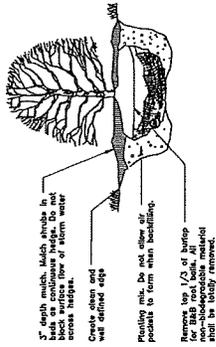
JOB NO: 2018-1129

SHEET: 12/12

PRELIMINARY
 NOT FOR CONSTRUCTION
 PLAN SET DATE
 October 25, 2018

LANDSCAPE GENERAL NOTES

1. All trees and shrubs shall be planted in accordance with the following conditions and notes. The landscape architect shall specify the species, size, and quantity of plants to be installed. The landscape architect shall also specify the planting method and any special requirements. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable laws and regulations.
2. All plants shall meet or exceed standards set in the American Standard for Nursery Stock (ANSI Z60.1-2013) and shall be inspected and certified by a qualified nursery inspector. The contractor shall provide a list of the nursery and the inspector's name and contact information.
3. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable laws and regulations. The contractor shall also be responsible for obtaining all necessary insurance and bonding.
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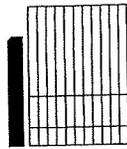


J 775 Third Street, Suite 325
Columbus, Ohio 43212
P 614.764.0227
F 614.764.0227
www.ma-architects.com

OhioHealth Chid Health Western Delaware MOB

LANDSCAPE DR | DELAWARE, OH 43015

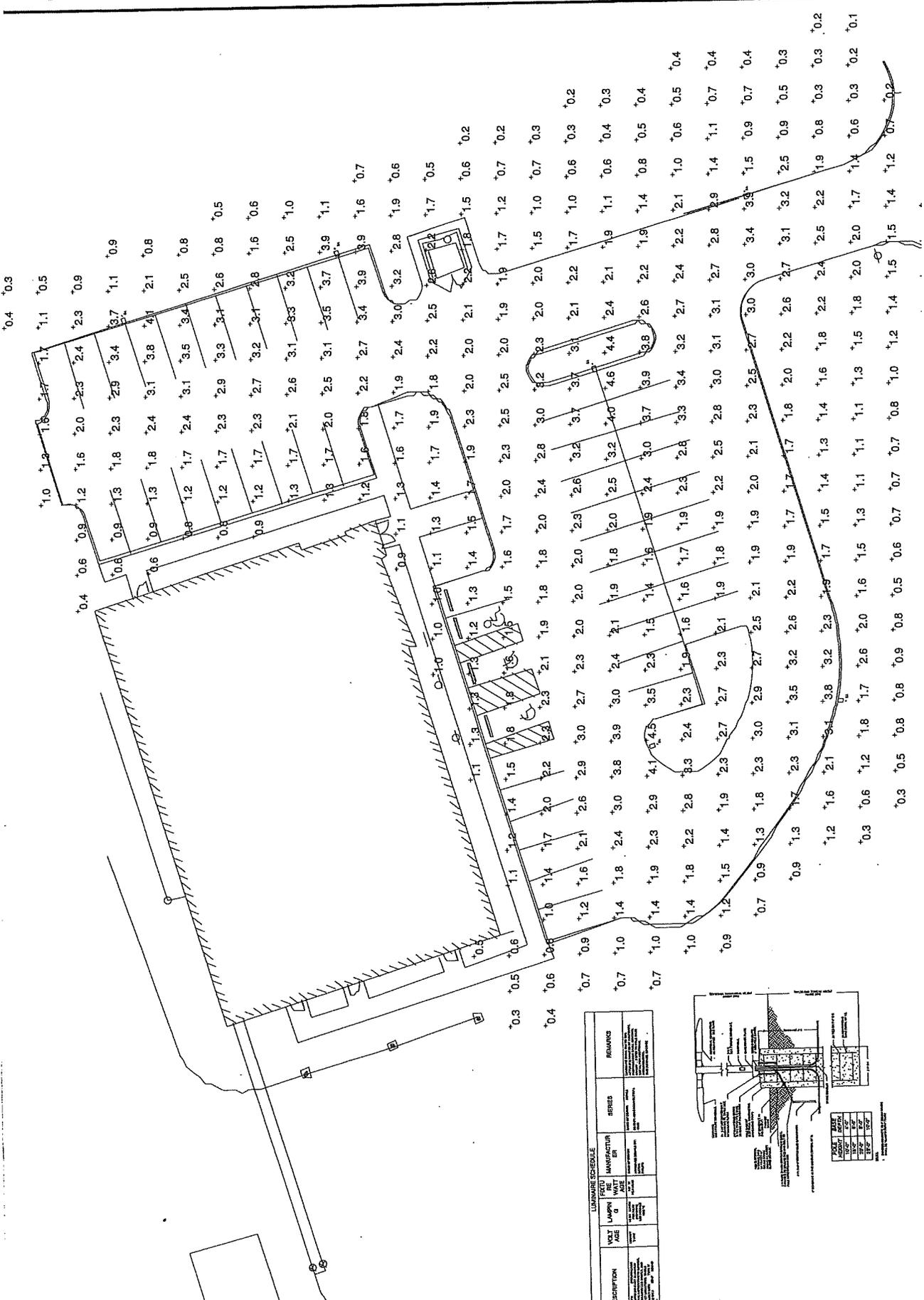
PRELIMINARY
CONSTRUCTION



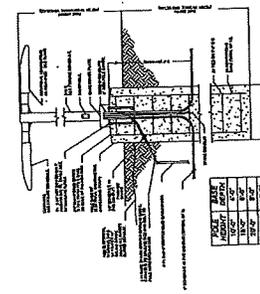
2016.02.25

SIGHTING
PHOTOGRAPHS

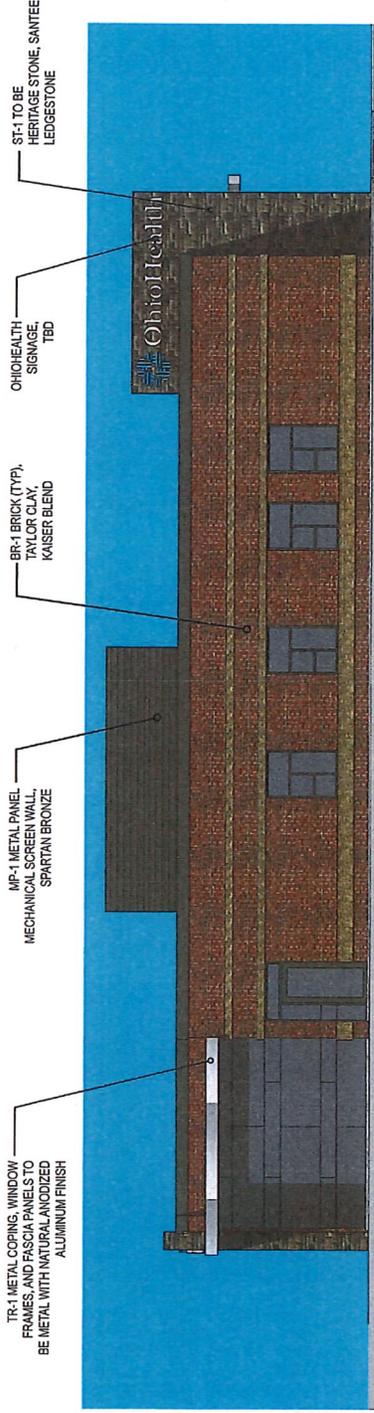
chitects



LUMINAIRE SCHEDULE			
DESCRIPTION	MANUFACTURER	SERIES	REMARKS
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1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.4	1.4	1.4	1.4
1.5	1.5	1.5	1.5
1.6	1.6	1.6	1.6
1.7	1.7	1.7	1.7
1.8	1.8	1.8	1.8
1.9	1.9	1.9	1.9
2.0	2.0	2.0	2.0
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4.5	4.5	4.5	4.5
4.6	4.6	4.6	4.6
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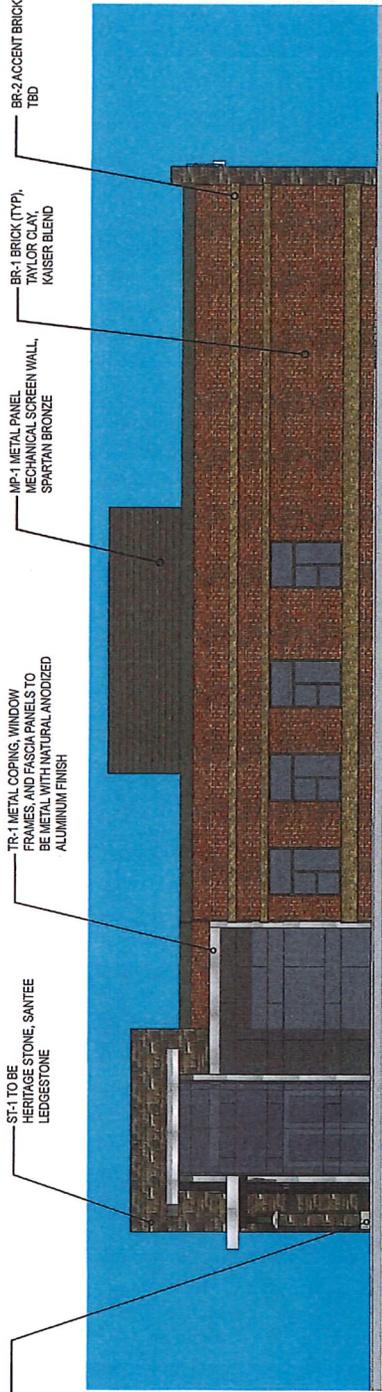


DATE	BY	APP'D
2016.02.25	J. MA	J. MA
2016.02.25	J. MA	J. MA
2016.02.25	J. MA	J. MA
2016.02.25	J. MA	J. MA



TOP OF STONE 120'-0"
 PARAPET 116'-0"
 ROOF 114'-0"
 FFL 109'-0"

WEST ELEVATION



TOP OF SCREEN WALL 124'-0"
 TOP OF STONE 117'-0"
 TOP OF ROOF 114'-0"
 FFL 109'-0"

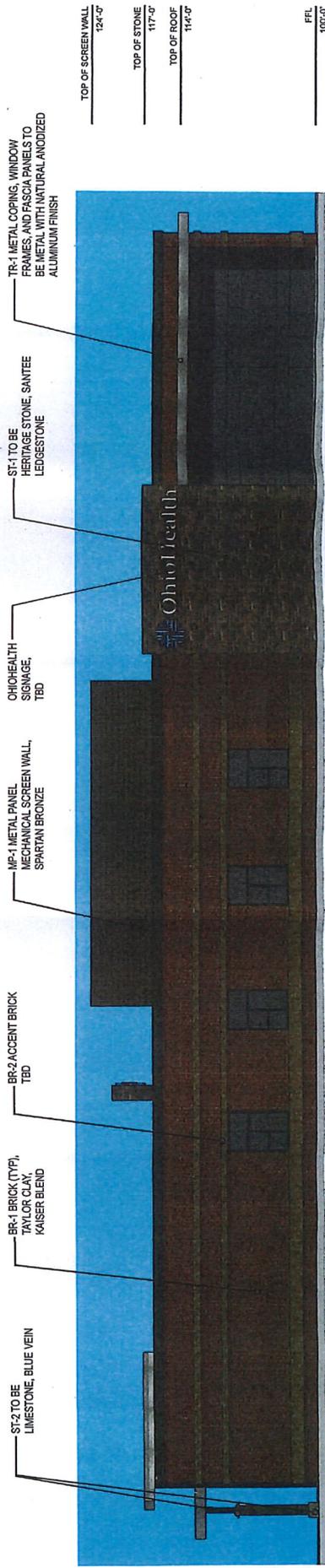
EAST ELEVATION



OHIOHEALTH - MEDICAL OFFICE BUILDING
 DELAWARE, OHIO



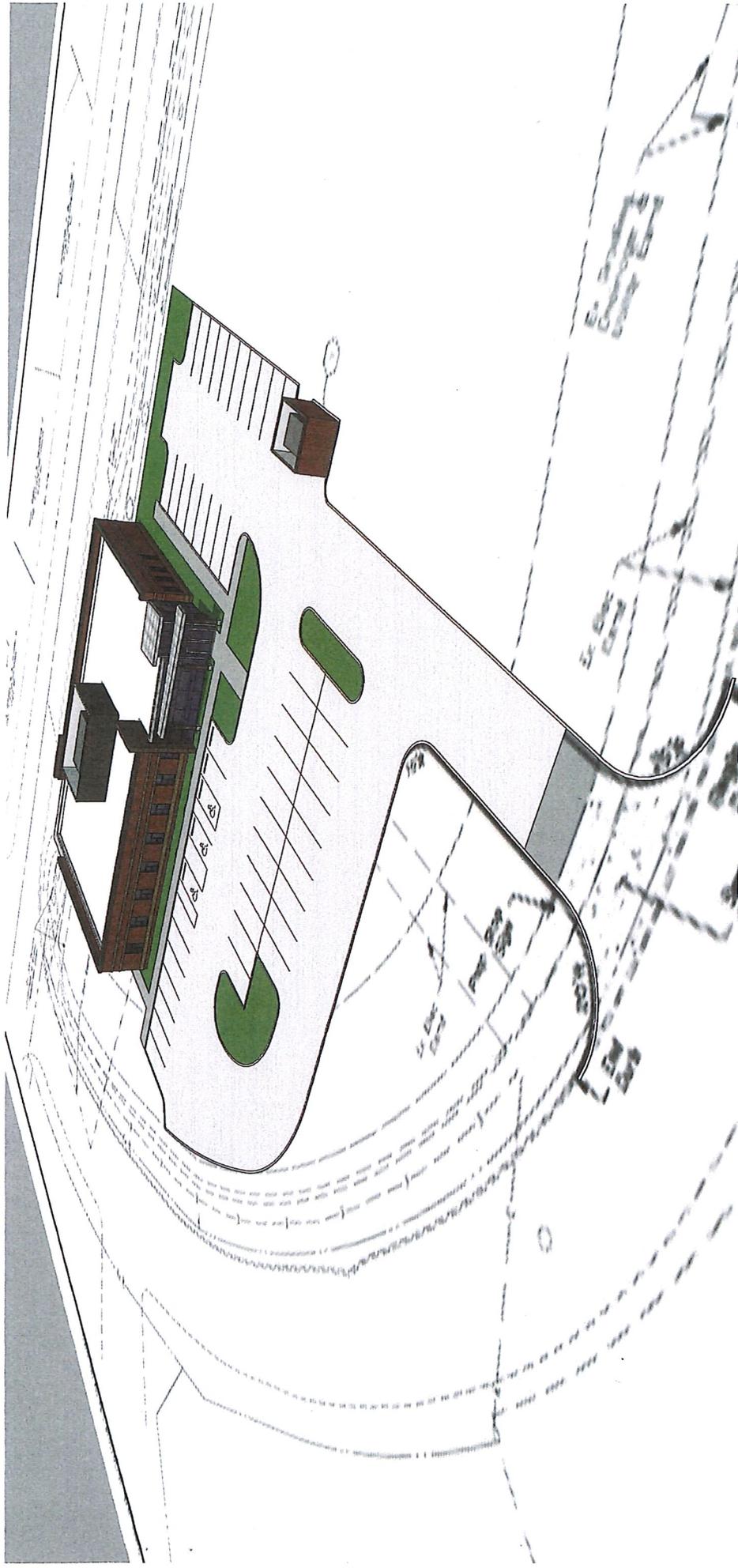
SOUTH ELEVATION



NORTH ELEVATION



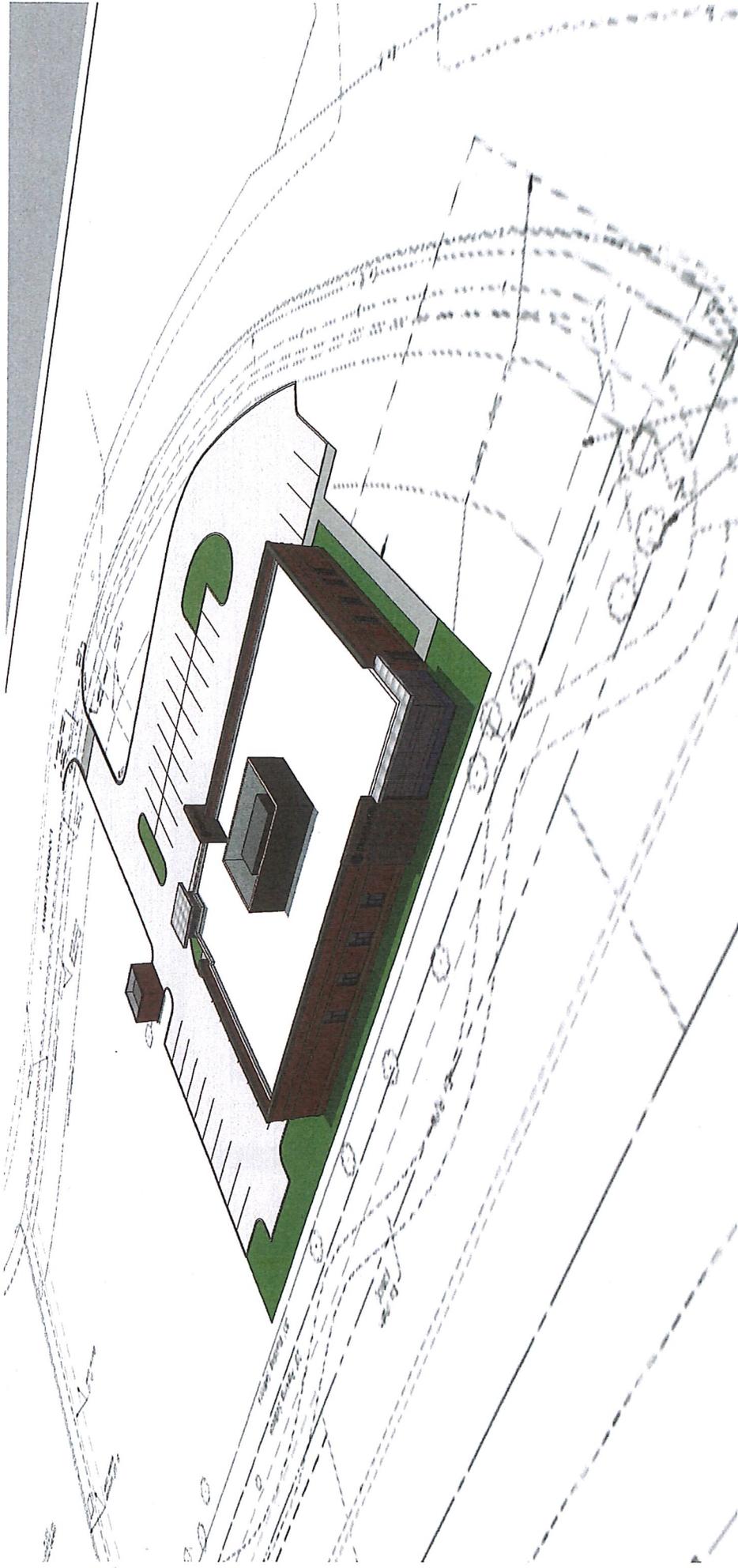
OHIOHEALTH - MEDICAL OFFICE BUILDING
DELAWARE, OHIO



VIEW FROM LANSDALE DRIVE

OHIOHEALTH - MEDICAL OFFICE BUILDING
DELAWARE, OHIO

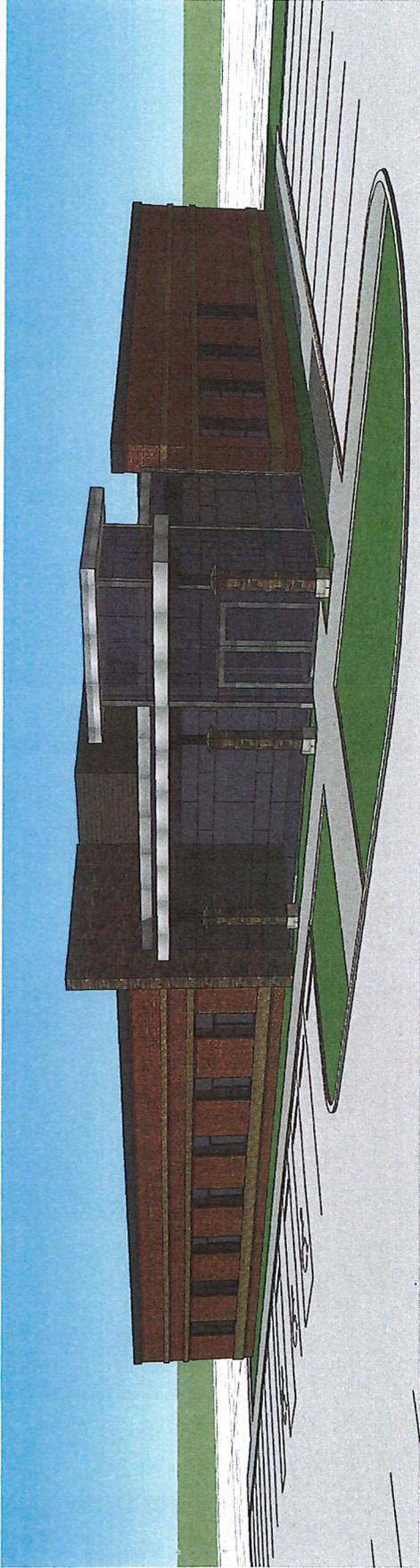




VIEW FROM MARYSVILLE ROAD

OHIOHEALTH - MEDICAL OFFICE BUILDING
DELAWARE, OHIO





RENDERING FROM SOUTHEAST CORNER



RENDERING FROM NORTHWEST CORNER



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OHIOHEALTH - MEDICAL OFFICE BUILDING
 DELAWARE, OHIO

ma architects

12-05-2018
 page 8

ORDINANCE NO. 19-01

AN ORDINANCE FOR OHIO HEALTH FOR APPROVAL OF A FINAL DEVELOPMENT PLAN FOR A MEDICAL OFFICE BUILDING ON APPROXIMATELY 3.31 ACRES ON PROPERTY ZONED B-4 PUD (GENERAL BUSINESS DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT) AND LOCATED AT 2295 WEST WILLIAM STREET (US 36).

WHEREAS, the Planning Commission at its meeting on January 16, 2019 recommended approval of a Final Development Plan for Ohio Health for a Medical Office Building on approximately 3.31 acres on property zoned B-4 PUD (General Business District with a Planned Unit Development Overlay District) and located at 2295 West William Street (US 36) (PC Case 2018-3116).

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

SECTION 1. That the Final Development Plan for Ohio Health for a Medical Office Building on approximately 3.31 acres on property zoned B-4 PUD (General Business District with a Planned Unit Development Overlay District) and located at 2295 West William Street (US 36), 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. The dumpster enclosure shall be made of brick or limestone to match the building and have wood doors painted or stained to match.
4. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
5. All roof top mechanical equipment shall be screened by a parapet wall or approved screening device.
6. The Applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.

7. 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.
8. The light poles shall be black.
9. Street trees shall be planted every 40 feet along Lansdale Drive.
10. The Shade Tree Commission shall review and approve the landscape plans.
11. The building signage shall achieve compliance with the approved development text and the current zoning requirements.

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: _____, 2019

YEAS ___ NAYS ___
 ABSTAIN ___

ATTEST: _____
 CITY CLERK

 MAYOR



FACT SHEET

AGENDA ITEM NO: 11

DATE: 02/11/2019

ORDINANCE NO:

RESOLUTION NO: 19-06

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: ---

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION SUPPORTING THE APPROVAL OF THE DELAWARE, KNOX, MARION, MORROW (DKMM) SOLID WASTE MANAGEMENT DISTRICT PLAN UPDATE, DATED NOVEMBER 14, 2018.

BACKGROUND:

This plan, which is required by the Ohio Revised Code to be updated every 5 years, sets forth recommendations, benchmarks, and goals regarding how the Solid Waste District will manage solid waste/recycling. A link to the plan is here <https://www.dkmm.org/dkmm-plan> and an executive summary is included as well. District Director Jenna Hicks will be at the City Council meeting to give a short presentation and answer questions.

REASON WHY LEGISLATION IS NEEDED:

Required by the Ohio Revised Code.

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):

William L. Ferrigno, P.E., Director of Public Works/City Engineer

RECOMMENDATION:

This resolution is required to be adopted by March 11, 2019. Staff recommends approval at the second reading.

ATTACHMENT(S)

Executive Summary



Delaware-Knox-Marion-Morrow Solid Waste Management District

Solid Waste Management Plan Summary

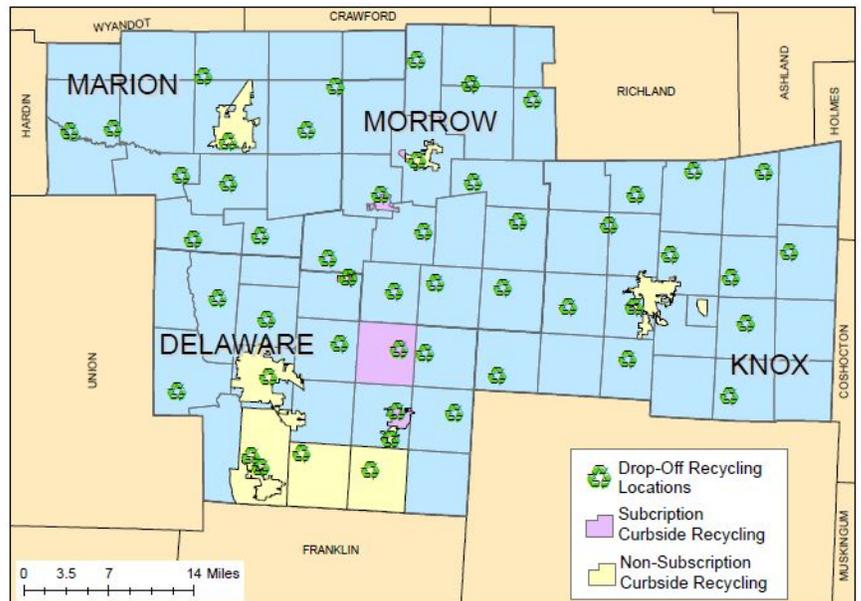
Introduction

The Delaware-Knox-Marion-Morrow Joint Solid Waste Management District (District) will submit its updated Solid Waste Management Plan to all cities, villages and townships in Delaware, Knox, Marion, and Morrow counties for approval. This approval process, also known as ratification, is the final step before the District seeks final approval from Ohio EPA to implement this new Plan.

The following executive summary of the solid waste plan has been created for the elected officials within the four counties to demonstrate how the District's solid waste plan benefits each community. The District offers a wide variety of programs and initiatives that offer real value to its counties and communities.

Recycling Programs

Within the District there are numerous recycling collection programs designed to divert as much solid waste from landfills as possible: The programs include:



- 20 Curbside Recycling Programs – **8,712 tons recycled**
- 55 Drop-off Recycling Programs – **3,483 tons recycled**
- 10 Yard Waste Management Program – **16,308 tons composted**
- Scrap Tire Recycling – **2,648 tons recycled**
- Commercial/Industrial Recycling – **153,837 tons recycled**
- Private Recyclers, Scrap Yards, and End-Use – **66,090 tons recycled**

Other Programs Offered

- Curbside Recycling Program
- Drop-Off Recycling Program
- Yard Waste Management Program
- Household Hazardous Waste (HHW) Management Program
- Scrap Tire Collection Program
- Lead Acid Battery Collection Program
- School Recycling Program
- Education and Awareness Program
- Commercial Technical Assistance
- Industrial Technical Assistance
- Waste Audit Manual
- Data Collection and Database of Recycling Processors
- Natural Disaster Management Program
- General Plan Implementation



Solid Waste Disposal Capacity

This demonstration is one of the fundamental requirements of the solid waste plan. The District conducted a regional capacity analysis that has demonstrated that there is enough disposal capacity for all of the solid waste generated by residents and businesses for the entire planning period.

Goals

The District meets or exceeds all of the State Solid Waste Management Plan goals as required by Ohio EPA. The District has demonstrated that over 90% of each county has access to recycling such as curbside and drop-off programs.

Residential/Commercial/Industrial Grant Programs

- Ohio EPA Market Development Grants
- Ohio EPA Community Development Grants
- Recycling Program Grants*
- Health Department Grants – Solid Waste Inspections & Monitoring

*Grants will be offered to curbside recycling communities to improve their performance and access to residents.



Financing the Plan

The District primarily funds Plan programs and current operations through contract fees, recycling revenue, reimbursements, and miscellaneous sources. As of December 12, 2018, a contract fee of \$6.00 per ton was charged to all solid waste facilities that were designated by the District to receive District solid waste. This contract fee has remained unchanged since September 30, 2008. Contract fees are anticipated to remain unchanged during the first five years of the plan. The contract fee has the potential to increase to \$7.00 per ton in 2026 then remain flat for the remainder of the planning period (2032). This fee increase will be discussed during the next plan update in five years.

Your Community's Responsibility



Each community in Delaware, Knox, Marion, & Morrow County will be asked to approve the solid waste plan in 2019. The process requires each community to:

- Review a copy of the plan
- Act on the plan within 90 days (**December 12, 2018 –March 11, 2019**) and
- Submit a copy of the resolution or legislation to the District.

Failure to act on the plan is considered by the State of Ohio to be a negative vote.

What if the Plan is Not Ratified?

If local ratification does not occur, the Director of Ohio EPA is required, by state statute, to prepare a plan for the District and order the District to implement the state's plan. This could negatively affect the District because local control of our plan would be relinquished to Ohio EPA.

The plan you will vote on was developed through a local planning process and contains the recommendations, programs and initiatives from the District's Policy Committee. These programs and initiatives will provide for a cost effective and environmentally safe solid waste system for the District and will expand recycling opportunities and increase recycling participation. The District urges communities to learn more about this plan in order to make an informed decision.

For more information, contact the District at (740) 393-4600 or visit online at www.dkmm.org

The link below is where you will find the entire solid waste plan and all appendices under "2019 - 2033 DKMM Draft Plan":

<https://www.dkmm.org/dkmm-plan>



FACT SHEET

AGENDA ITEM NO: 12

DATE: 02/11/2019

ORDINANCE NO: 19-02

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: YES
February 25, 2019 at 7:30 p.m.

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Darren Shulman, City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING CHAPTER 529 OF THE GENERAL OFFENSES CODE OF THE CITY OF DELAWARE.

BACKGROUND:

The City's tenant in the former Gazette Building/City Hall Annex has indicated that it would like to provide alcohol in its space. The City Manager, having reviewed the tenant's proposal, does not object to the alcohol plan and is inclined to grant permission under the lease.

REASON WHY LEGISLATION IS NEEDED:

While there is no Delaware ordinance prohibiting alcohol in a municipal building, there are two code sections that prohibit the practice of providing alcohol proposed by the tenant. While these sections have been in place for many years (possibly as far back as 1967), staff believes the sections are rarely, if ever enforced and have the impact of criminalizing legitimate activity. The proposed language would therefore clean up the code and remove an obstacle to the tenant's alcohol proposal.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

POLICY CHANGES:

N/A

PRESENTER(S):

Darren Shulman, City Attorney

RECOMMENDATION:

Approval after second reading

ATTACHMENT(S)

None

ORDINANCE NO. 19-02

AN ORDINANCE AMENDING CHAPTER 529 OF THE
GENERAL OFFENSES CODE OF THE CITY OF
DELAWARE.

WHEREAS, the City of Delaware has both the duty and authority to enact ordinances to protect the health, safety, and welfare of those within its borders, including the regulation of the sale of alcohol.

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

SECTION 1. Section 529.05 of the General Offenses Code is hereby amended.

529.05 – Permit required.

(a) No person personally or by the person's clerk, agent or employee shall manufacture, manufacture for sale, offer, keep or possess for sale, ~~furnish or~~ sell, or solicit the purchase or sale of any beer or intoxicating liquor in this Municipality, or transport, import or cause to be transported or imported any beer, intoxicating liquor or alcohol on or into this Municipality for delivery, use or sale, unless the person has fully complied with Ohio R.C. Chapters 4301 and 4303 or is the holder of a permit issued by the Division of Liquor Control and in force at the time. (ORC 4303.25)

(b) Whoever violates this section is guilty of a minor misdemeanor.

SECTION 2. Section 529.13 of the General Offenses Code is hereby amended.

529.13—Storage of intoxicating liquor for consumption on premises.

(a) No person, club, organization, association or company shall:

(1) Keep, set up, maintain or operate any place, structure, building or conveyance for the purpose of providing a storage area wherein members, their guests or other persons are allowed to keep and maintain, for the purpose of consumption therein, intoxicating liquor; **or**

(2) Occupy any place, structure, building or conveyance for the purpose of providing a storage area wherein members, guests or

other persons are allowed to keep and maintain, for the purpose of consumption therein, intoxicating liquor;

~~(3) Receive, or offer or agree to receive, any person into any place, structure, building or conveyance for the purpose of allowing such person to consume or store liquors therein, or permit any person to remain there for such purpose; or~~

~~(4) Reside in, enter or remain in any place, structure or building or enter or remain in any conveyance for the purpose of storing or consuming intoxicating liquor therein.~~

- (b) This section shall not apply to any premises being operated under the authority of a license issued by the Ohio Department of Liquor Control, nor shall it apply to a private home.
- (c) Nothing in this section shall be construed to affect the right to possess intoxicating liquor in a bona fide private residence or to serve the same to guests therein.
- (d) Whoever violates this section is guilty of a misdemeanor of the third degree.

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.

VOTE ON RULE SUSPENSION:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2019

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 13

DATE: 02/11/2019

ORDINANCE NO: 19-03

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA:

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE SUPPLEMENTING THE 2019 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING TO CONSTRUCT AND INSTALL A MEMORIAL STATUE TO RUTHERFORD B. HAYES DOWNTOWN AT THE SOUTHWEST CORNER OF SANDUSKY AND WILLIAM STREETS, AND DECLARING AN EMERGENCY.

BACKGROUND:

Rutherford B. Hayes Heritage Fund Committee
Established in 2016

March 14, 2016 an agreement creating a special project fund with the Delaware County Foundation was signed by Carolyn Kay Riggle representing the City of Delaware. The expiration date of March 14, 2019 was amended to March 14, 2022 by both parties in December of 2018.

Project: "Rutherford B. Hayes Comes Home"

Mission: A project to bring appropriate recognition to, and educate the community about, the 19th president of the United States and Delaware's native son, Rutherford B. Hayes.

Statue in plaza at southwest corner of Sandusky and William Street will be dedicated Friday October 4, 2019

Committee members:

Bill Rietz, Chair

Adam Haynes

Carolyn Riggle

Sue Bennington
Susie Bibler
Scott Blackwell
Gene Buckingham
Brent Carson
Maribeth Graham

Frank Hickman
Jack Hilborn
Bill McCarty
Donna Meyer
Ted Miller

Deb Shatzer
Ric Stranges
Roger VanSickle
Susan Wells
Lee Yoakum

Work to date

1. Selected sculptor for project in July
2. Solidified design for statue and area in plaza property owner has designated for project
3. Working with companies to secure bid to refurbish fountain feature.
4. City drafting easement language with property owner. The city will be responsible for maintaining the statue and fountain.
5. Fundraising effort started October 5, 2018 is currently at 55% of projected cost of \$125,000.
This includes pledges, outright gifts and gifts in kind.
6. Secured space in Willis Education Center for the R.B. Hayes Center of American Political History
Gifts in Kind paid for concept drawings. This is phase 2 of project to enhance the education commitment of mission statement.

What Fund needs to pay

1. Sculptor Alan Cottrill (\$65,000) Half of statue cost is needed for Alan to begin statue. Remaining expense due Oct 4, 2019.
2. Water feature company- cost to be determined
3. Pedestal (\$7,000)
4. Crane for pedestal and statue installation (\$1,000)
5. Site preparation – cost to be determined
6. Cleaning and sealing brick walls and limestone caps – cost to be determined
7. Lighting – cost to be determined
8. Poles and flags – cost to be determined
9. Information signage – cost to be determined
10. Donor recognition plaque – cost to be determined

REASON WHY LEGISLATION IS NEEDED:

The appropriation amount requested is \$150,000 to cover phase 1 expenses of project (statue and fountain in plaza).

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

POLICY CHANGES:

N/A

PRESENTER(S):

Ted Miller, Parks and Natural Resources Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

Grant Agreement

ORDINANCE NO. 19-03

AN ORDINANCE SUPPLEMENTING THE 2019 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING TO CONSTRUCT AND INSTALL A MEMORIAL STATUE TO RUTHERFORD B. HAYES DOWNTOWN AT THE SOUTHWEST CORNER OF SANDUSKY AND WILLIAM STREETS, AND DECLARING AN EMERGENCY.

WHEREAS, the Delaware County Foundation has established a fund to cover the costs of construction and maintenance of the Rutherford B. Hayes Memorial through donations; and

WHEREAS, this fund was set up through the Foundation through an agreement signed on March 8, 2016 and then a subsequent addendum was executed on December 18, 2018; and

WHEREAS, for administrative purposes the aforementioned agreement and addendum shall be immediately rescinded and the City Manager is hereby authorized to enter into a grant agreement (attached) with the Delaware County Foundation to accept funds collected for the Hayes Memorial; and

WHEREAS, this expenditure was not included in the 2019 Appropriation Budget.

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 Parks Donation Fund \$150,000 increasing the following account:

Hayes Statue Downtown (702-7020-5507)	\$ 150,000
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SECTION 2. The City Manager is hereby authorized to enter into a grant agreement (attached) with the Delaware County Foundation to accept funds collected for the Hayes memorial project.

SECTION 3. Appropriated funds shall not be expended until received from the Delaware County Foundation pursuant to the grant agreement.

SECTION 4. 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 Ohio Revised Code.

SECTION 5. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City and for the further reason to provide for timely payments to the artist creating the Hayes statue such that the statue will be completed in time to be installed prior to the dedication later this year, and as such will 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: _____, 2019

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____

CITY CLERK

MAYOR



Grant Agreement

PLEASE SIGN AND RETURN BY

Recipient Information: City of Delaware
Amount: \$
Fund Name:
Purpose: Construction of the Rutherford B. Hayes Memorial in Delaware, Ohio
Grant Date:
Grant Number:

By accepting this grant, your organization certifies to the Delaware County Foundation that:

- 1) This grant is for the specific purpose(s) described below. Any variation from the purpose must have prior written approval of the Foundation.
 - a. Construction and maintenance of the Rutherford B. Hayes Memorial, including costs associated with site acquisition, design, construction, and maintenance of the display and surrounding area.
 - b. Payment of \$66,500 to Alan Cottrill, the sculptor selected by the Rutherford B. Hayes Comes Home Committee to create a statue.
- 2) All funds not expended for the purposes agreed upon by the Grantee and the Foundation must be returned. Funds also must be returned if the Grantee loses its 501(C)(3) tax exemption for the Internal Revenue Code of 1954 as amended.
- 3) No tangible benefit, goods or services were provided to anyone connected with the fund of the Delaware County Foundation.
- 4) This donation will not be used by you to satisfy the payment of any pledge or other financial obligation on behalf of the donor(s) per Section 6115 of the Internal Revenue Code.
- 5) No part of the grant funds will be used to carry on propaganda, or otherwise attempt to influence legislation or to influence the outcome of any specific public election, or to carry on, directly or indirectly, any voter registration drive, or for any purpose which is not religious, charitable, scientific, or education.
- 6) Grantee will maintain records adequate to verify actions related to this grant.
- 7) We appreciate the Grantee acknowledging support from the Delaware County Foundation in its news releases, publicity, printed and electronic materials. Grantee agrees to provide photos of the project. We would appreciate receiving copies of any published information on the grant. Foundation logos are available upon request. (See enclosed Guidelines for Communication Your Grant for other publicity recommendations.)
- 8) This grant is made with the understanding that the Foundation has made no commitment to provide additional support for this project.

We agree to abide by the terms of this contract:

_____	_____	_____
Signature of Executive Director	Printed Name of Executive Director	Date
_____	_____	_____
Signature of the Board/Chair	Printed Name of Board/Chair	Date

Please return to: Delaware County Foundation
3954 North Hampton

Powell OH 43065

Phone: (614) 764-2332



FACT SHEET

AGENDA ITEM NO: 14

DATE: 02/11/2019

ORDINANCE NO: 19-04

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, P.E., Director of Public Works/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE SUPPLEMENTING THE 2019 APPROPRIATIONS ORDINANCE AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS FOR THE FUNDING, INSTALLATION AND OPERATION OF AN ELECTRIC VEHICLE CHARGING STATION, AND DECLARING AN EMERGENCY.

BACKGROUND:

Staff from the Public Works and Utility Departments have worked cooperatively over the last several months to prepare and submit a grant to the American Electric Power Company for funding for an Electric Vehicle charging station to be installed in Delaware. Funding is provided through the AEP Ohio EV Charging Incentive Program. The total project cost is \$27,518, broken down as follows: \$12,186 for equipment with 5-year support and warranty services; \$11,705 for design and installation services; and \$3,627 for in-kind work and materials by the City aiding in installation.

The equipment includes a single Level 2 charging station with two charging ports, requiring 240-volt 30 Amp circuits, and capable of providing up to 26 miles of range in an hour charge. The charging station will be located in the south end of the East William Street public parking lot. Installation costs are minimized at this location being in close proximity to an existing power supply, and the spaces will be highly visible from East William Street. Charger units are owned by the City, however operated and maintained by ChargePoint under a five-year service agreement as provided through the AEP grant.

To utilize the charging station, an EV operator, generally a subscriber to a ChargePoint account, activates the unit via phone App and then plugs their vehicle into the charging port. Charges to the customer are conveyed through the customer account. The local power company (AEP) sub-meters the EV charging station recording power consumption, and subsequently invoices the station owner (City) for the cost of energy used through monthly invoicing. ChargePoint collects all user charges directly and subsequently disburses payments to the City for associated energy and parking costs via an ACH transfer.

REASON WHY LEGISLATION IS NEEDED:

Legislation is required to establish the necessary funding to purchase and install the EV Charging station as described. Up to \$20,000 of the project cost is reimbursable through the AEP grant.

COMMITTEE RECOMMENDATION:

Approved use of the parking spaces for EV charging units by Parking & Safety Committee.

FISCAL IMPACT(S):

An additional \$28,000 is being requested to cover the estimated total project costs. \$20,000 of the costs are reimbursable through the AEP grant upon completion of the project.

POLICY CHANGES:

Because the EV charging station requires the use of both electric power and existing public parking spaces, the following policy is considered:

1. The two parking spaces designated for electric vehicle charging will be signed as follows: *“Parking reserved for electric vehicles while actively charging. 4-Hour limit (8AM to 8PM)”*. This will allow for turnover of the spaces for multiple EV owners working or visiting the downtown area during hours of peak demand. There is no recommended time limit for use of the charging station between 8PM and 8AM. Parking rates of \$0.25 per hour are recommended for these spaces to conform to the parking rates of adjacent public parking in the immediate vicinity. Parking rates are collected through the EV charging station.
2. Electric usage charges will be billed directly to the EV operator via their respective ChargePoint accounts at a proposed rate of \$0.10 per kWh. A typical electric vehicle will utilize 6 kW for an hours charge at a cost of \$0.60. Through this pilot initiative, the City will be able to offer EV charging options and monitor the demand for and utility of EV charging stations within the City without having to pass privately consumed energy costs on to the community. It should also be noted that under the current gas tax

structure, EV owners do not currently pay a proportionate share of respective impacts to the operation and maintenance of the state and federal highway system. Policy to address this inconsistency is under consideration in multiple states.

3. Because all initial charging station maintenance and operation costs by ChargePoint are covered under the grant for five years, is not recommended to pass on these costs to the consumer at this time. Future rates may be increased as additional costs are incurred by the City.
4. Additional EV charging stations may be considered if the pilot initiative supports a demand for an increase in the number of units. An alternative approach to the City becoming the owner/operator of a proliferation of electric fueling stations, considers a program of leasing designated public parking spaces to private vendors responsible for the installation, maintenance and operation of EV charging stations.

PRESENTER(S):

William L. Ferrigno, P.E., Director of Public Works/City Engineer
Caroline Cicerchi, Watershed & Sustainability Coordinator

RECOMMENDATION:

Approval at First Reading due to time sensitive agreement associated with grant funding.

ATTACHMENT(S)

Location Exhibit

ORDINANCE NO. 19-04

AN ORDINANCE SUPPLEMENTING THE 2019 APPROPRIATIONS ORDINANCE AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS FOR THE FUNDING, INSTALLATION AND OPERATION OF AN ELECTRIC VEHICLE CHARGING STATION, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Delaware has applied for and received grant funding from the American Electric Power Company for the installation of one, dual-port publically accessible electric vehicle charging station; and

WHEREAS, the electric vehicle charging station will be installed at the south end of the public parking lot on East William Street adjacent to the BP fueling station; and

WHEREAS, the charging station will allow for two vehicles to be charged simultaneously in adjacent parking spaces; and

WHEREAS, the installation must be complete within ninety days of grant approval; and

WHEREAS, the 2019 appropriations ordinance did not include funding for this initiative; and

WHEREAS, a supplemental appropriation will be necessary to fund the design and installation of the electric vehicle charging stations.

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 Capital Improvement Fund \$28,000 increasing the following account:

Parking Lot Improvements (410-4118-5533)	\$28,000
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SECTION 2. That the city manager is hereby authorized to enter into necessary agreements with vendors, contractors and energy suppliers necessary for the installation and operation of the electric vehicle charging station.

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 Ohio Revised Code.

SECTION 4. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City and for the further reason to provide for the timely design and installation of equipment in accordance with terms of grant requirements, and as such will 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: _____, 2019

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



Dual Port EV "ChargePoint"
Charging Station



E William EV Parking

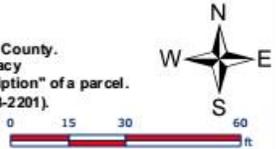


Delaware County Auditor
George Kaltsa

Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County.
 Delaware County cannot warrant or guarantee the information contained herein, including, but not limited to its accuracy or completeness. The map parcel lines shown are approximate and this information cannot be constructed or used as a "legal description" of a parcel.
 Flood Plain information is obtained from FEMA and is administered by the Delaware County Building Department (740-833-2201).
 Please report any errors or omissions to the Delaware County Auditor's office at delcogs@co.delaware.oh.us.

Prepared by: Delaware County Auditor's GIS Office

Printed on 12/14/2015





FACT SHEET

AGENDA ITEM NO: 15

DATE: 02/11/2019

ORDINANCE NO: 19-05

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dean Stelzer, Finance Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$8,000,000, FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS PUBLIC INFRASTRUCTURE IMPROVEMENTS, TOGETHER WITH ALL RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

BACKGROUND:

This ordinance authorizes the issuance of ten year general obligation bonds to finalize the financing of the Glenn Road improvements.

REASON WHY LEGISLATION IS NEEDED:

The one-year notes issued last year mature on April 10, 2019. Long-term bonds will be issued to pay off the maturing notes and establish the debt service amounts over the ten year term of the bonds. Issuing bonds this year will eliminate the annual re-issuance of the short-term notes. The debt service on the bonds will come from the annual 7.5 mill charge assessed on properties in the New Community Authority (NCA) area.

COMMITTEE RECOMMENDATION:

Finance Committee - Approval

FISCAL IMPACT(S):

None for the City. Will reduce final interest charges paid by residents in the NCA area.

POLICY CHANGES:

None

PRESENTER(S):

Dean Stelzer

RECOMMENDATION:

Approval at first reading with emergency clause.

ATTACHMENT(S)

Fiscal Officer's Certificate
Memo from Finance Director

ORDINANCE NO. 19-05

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$8,000,000, FOR THE PURPOSE OF PAYING THE COSTS OF VARIOUS PUBLIC INFRASTRUCTURE IMPROVEMENTS, TOGETHER WITH ALL RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 18-09 passed February 12, 2018, notes in anticipation of bonds in the aggregate amount of \$10,265,000, dated April 11, 2018 (the “*Outstanding Notes*”), were issued, in part, for the component purposes described in Section 2, to mature on April 10, 2019; and

WHEREAS, this City Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Bonds described in Section 2 and other funds available to the City; and

WHEREAS, this City Council has requested that the Director of Finance, as fiscal officer of this City, certify the estimated life or period of usefulness of each component purpose of the Improvement described in Section 2 and the maximum maturity of the Bonds described in Section 2; and

WHEREAS, the Director of Finance has certified to this City Council that the estimated life or period of usefulness of each component purpose of the Improvement is at least five (5) years and that the maximum maturity of the Bonds is (a) twelve (12) years with respect to the component purpose described in clause (a) of Section 2 and (b) fifteen (15) years with respect to the component purpose described in clause (b) of Section 2;

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

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

“*Authorized Denominations*” means the denomination of \$5,000 or any integral multiple in excess thereof.

“*Bond Proceedings*” means, collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Agreement, the Purchase Agreement (if any), the Registrar Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“*Bond Register*” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“*Bond Registrar*” means a bank or trust company authorized to do business in the State of Ohio and designated by the Director of Finance in the Certificate of Award pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, “*Bond Registrar*” shall mean the successor Bond Registrar.

“*Bonds*” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“*Book entry form*” or “*book entry system*” means a form or system under which (a) the ownership of beneficial interests in the Bonds and the principal of and interest and any premium on the Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the City and payable only to a Depository or its nominee as registered owner, with the certificates deposited with and “immobilized” in the custody of the Depository or its designated agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Bonds and that principal and interest.

“*Certificate of Award*” means the certificate authorized by Section 6, to be executed by the Director of Finance, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“*City Attorney*” means the City Attorney of the City or any person serving in an interim or acting capacity with respect to that office.

“*City Clerk*” means the City Clerk of the City Council or any person serving in an interim or acting capacity with respect to that office.

“*City Manager*” means the City Manager of the City or any person serving in an interim or acting capacity with respect to that office.

“*Closing Date*” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“*Code*” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code

includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Agreement” means the Continuing Disclosure Agreement which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders and beneficial owners of the Bonds in accordance with the Rule, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 9(c).

“Depository” means any securities depository that is a clearing agency registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Bonds or the principal of and interest and any premium on the Bonds, and to effect transfers of the Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Director of Finance” means the Director of Finance of the City or any person serving in an interim or acting capacity with respect to that office.

“Financing Costs” shall have the meaning given in Section 133.01 of the Ohio Revised Code.

“Interest Payment Dates” means June 1 and December 1 of each year that the Bonds are outstanding, commencing on the date specified in the Certificate of Award.

“Mandatory Redemption Date” shall have the meaning set forth in Section 3(b).

“Mandatory Sinking Fund Redemption Requirements” shall have the meaning set forth in Section 3(e)(i).

“Original Purchaser” means the purchaser of the Bonds specified in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies and clearing corporations.

“Principal Payment Dates” means December 1 in each of the years from and including 2019 to and including 2028; *provided* that for each component purpose, the first Principal Payment Date may be deferred up to one year and the last Principal Payment Date may be advanced by such number of years as

determined necessary by the Director of Finance and deferred up to (a) two years for the portion of the Bonds allocated to the component purpose described in clause (a) of Section 2 and (b) five years for the portion of the Bonds allocated to the component purpose described in clause (b) of Section 2, and *provided further* that in no case shall the final Principal Payment Date of any portion of the Bonds issued for any component purpose exceed the maximum maturity limitation referred to in the preambles hereto for that component purpose, all of which determinations shall be made by the Director of Finance in the Certificate of Award in such manner as to be in the best interest of and financially advantageous to the City.

“*Purchase Agreement*” means the Bond Purchase Agreement between the City and the Original Purchaser, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 6.

“*Registrar Agreement*” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the City Clerk and executed by the City Manager and the Director of Finance, all in accordance with Section 4.

“*Regulations*” means Treasury Regulations issued pursuant to the Code or to the statutory predecessor of the Code.

“*Rule*” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“*SEC*” means the Securities and Exchange Commission.

“*Serial Bonds*” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“*Term Bonds*” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose; Application of Proceeds. This City Council determines that it is necessary and in the best interest of the City to issue bonds of this City in the maximum aggregate

principal amount of \$8,000,000 (the “*Bonds*”) for the purpose of paying the costs of (a) constructing Glenn Road between certain termini by constructing, excavating, grading and paving, installing drainage, sanitary sewer laterals, street lighting, conduit, curbs and gutters, signage, traffic pavement markings, street signs, landscaping, and acquiring interests in real estate, together with all necessary appurtenances thereto and (b) improving the intersection of U.S. Route 23 and Peachblow Road by constructing, excavating, grading and paving, installing drainage, street lighting, conduit, signalization, curbs and gutters, signage, traffic pavement markings, landscaping, and acquiring interests in real estate, together with all necessary appurtenances thereto (collectively, the “*Improvement*”). The Bonds shall be issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance and the Certificate of Award.

The aggregate principal amount of Bonds to be issued shall not exceed the maximum aggregate principal amount specified in this Section 2 and shall be an amount determined by the Director of Finance in the Certificate of Award to be the aggregate principal amount of Bonds that is required to be issued at this time for the component purposes stated in this Section 2, taking into account the costs of refunding the Outstanding Notes, the estimates of the Financing Costs and the interest rates on the Bonds.

The proceeds from the sale of the Bonds received by the City (or withheld by the Original Purchaser on behalf of the City) shall be paid into the proper fund or funds, and those proceeds are hereby appropriated and shall be used for the purpose for which the Bonds are being issued, including without limitation but only to the extent not paid by others, the payment of the costs of issuing and servicing the Bonds, printing and delivery of the Bonds, legal services including obtaining the approving legal opinion of bond counsel, fees and expenses of any municipal advisor, paying agent and rating agency, any fees or premiums relating to municipal bond insurance or other security arrangements determined necessary by the Director of Finance, and all other Financing Costs and costs incurred incidental to those purposes. The Certificate of Award and the Purchase Agreement (if any) may authorize the Original Purchaser to withhold certain proceeds from the purchase price of the Bonds to provide for the payment of Financing Costs related to the Bonds on behalf of the City. Any portion of those proceeds received by the City representing premium (after payment of any Financing Costs identified in the Certificate of Award, and in the Purchase Agreement (if any) and/or the Registrar Agreement) or accrued interest shall be paid into the Bond Retirement Fund.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date.

The Bonds shall be dated as provided in the Certificate of Award, *provided* that their dated date shall not be more than sixty (60) days prior to the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of twelve 30-day months) as shall be determined by the Director of Finance, subject to subsection (c) of this Section 3, in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements on the Principal Payment Dates in principal amounts as shall be determined by the Director of Finance, subject to subsection (c) of this Section 3, in the Certificate of Award, which determination shall be in the best interest of and financially advantageous to the City.

Consistent with the foregoing and in accordance with the determination of the best interest of and financially advantageous to the City, the Director of Finance shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (each a "*Mandatory Redemption Date*") and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the aggregate principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such that the total principal and interest payments on the Bonds issued for each component purpose in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other fiscal year. The net interest cost for the Bonds determined by taking into account the respective principal amounts of the

Bonds and terms to maturity or Mandatory Sinking Fund Redemption Requirements of those principal amounts of Bonds shall not exceed 6.00%.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Director of Finance, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund redemption requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts being referred to as the "*Mandatory Sinking Fund Redemption Requirements*").

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to the Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the City on or before the 45th day

preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Director of Finance, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Director of Finance, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Director of Finance, for Term Bonds stated to mature on the same Principal Payment Date and bearing interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities and interest rates specified in the Certificate of Award (if any are so specified) shall be subject to optional redemption by and at the sole option of the City, in whole or in part in integral multiples of \$5,000, on the dates and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Director of Finance in the Certificate of Award; *provided* that the redemption price for any optional redemption date shall not be greater than 103%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same

maturity (and interest rate within a maturity if applicable) to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Director of Finance to the Bond Registrar, given upon the direction of the City by passage of an ordinance or adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and interest rate within a maturity if applicable) of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity (or interest rate within a maturity if applicable) are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities and interest rate or rates selected by the City. If fewer than all of the Bonds of a single maturity (or interest rate within a maturity if applicable) are to be redeemed, the selection of Bonds of that maturity (or interest rate within a maturity if applicable) to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (A) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (B) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first-class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the

registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of Sections 3(d) and 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; *provided* that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the City Manager and the Director of Finance, in the name of the City and in their official capacities; *provided* that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance, shall be

numbered as determined by the Director of Finance in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance and the Certificate of Award.

The Director of Finance is hereby authorized to designate in the Certificate of Award a bank or trust company authorized to do business in the State of Ohio to act as the initial Bond Registrar. The City Manager and the Director of Finance shall sign and deliver, in the name and on behalf of the City, the Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the City Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser and/or the Bond Registrar pursuant to the Certificate of Award, the Purchase Agreement (if any) and/or the Registrar Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond Proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Director of Finance on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Register. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of Sections 3(d) and 9(c), the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond Proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City

nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section 5. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond Proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond Proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Director of Finance determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section 5.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized: (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity, and, if applicable, each interest rate within a maturity, and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent for that purpose, which may be the Bond Registrar; (ii) the beneficial owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form and Authorized Denominations to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Director of Finance determines to be necessary in connection with a book entry system for the Bonds.

Section 6. Sale of the Bonds to the Original Purchaser. The Director of Finance is authorized to sell the Bonds at private sale to the Original Purchaser at a purchase price, not less than 97% of the aggregate principal amount thereof, as shall be determined by the Director of Finance in the Certificate of Award, plus accrued interest (if any) on the Bonds from their date to the Closing Date, and shall be awarded by the Director of Finance with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance and the Purchase Agreement (if any). The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Ohio Revised

Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The Director of Finance shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price.

To the extent that the Director of Finance determines it would be financially advantageous to the City, the City Manager and the Director of Finance shall sign and deliver, in the name and on behalf of the City, the Purchase Agreement between the City and the Original Purchaser, in substantially the form as is now on file with the City Clerk, providing for the sale to, and the purchase by, the Original Purchaser of the Bonds. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

The Mayor, the City Manager, the Director of Finance, the City Attorney, the City Clerk and other City officials, as appropriate, and any person serving in an interim or acting capacity for any such official, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The actions of the Mayor, the City Manager, the Director of Finance, the City Attorney, the City Clerk or other City official, as appropriate, in doing any and all acts necessary in connection with the issuance and sale of the Bonds are hereby ratified and confirmed.

Section 7. Provision for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

In each year to the extent receipts from the municipal income tax are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of such receipts so available and appropriated in compliance with the following covenant. To the extent necessary, the debt charges on the Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and laws of the State of Ohio and the Charter of the City; and the City hereby covenants, subject and pursuant to such authority, including particularly Section 133.05(B)(7) of the Ohio Revised Code, to appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

Nothing in the preceding paragraph in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Bonds.

Section 8. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance or any other officer of the City having responsibility for issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the City with respect to the Bonds as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with

requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties with respect to the Bonds, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments with respect to the Bonds, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds. The Director of Finance or any other officer of the City having responsibility for issuance of the Bonds is specifically authorized to designate the Bonds as “qualified tax-exempt obligations” if such designation is applicable and desirable, and to make any related necessary representations and covenants.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

Section 9. Official Statement, Rating, Bond Insurance, Continuing Disclosure and Financing Costs.

(a) Primary Offering Disclosure -- Official Statement. The City Manager and the Director of Finance are each authorized and directed, on behalf of the City and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the Bonds in substantially the form as is now on file with the City Clerk, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the City as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection

with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.

(b) Application for Rating or Bond Insurance. If, in the judgment of the Director of Finance, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Director of Finance is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid or reimbursed pursuant to the Purchase Agreement (if any) and/or the Registrar Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Director of Finance is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Director of Finance determines to be necessary in connection with the obtaining of that bond insurance.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The City Manager and the Director of Finance are each authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the City, in substantially the form as is now on file with the City Clerk. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement or amendments thereto.

The Director of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Director of Finance shall consult with and obtain legal advice from, as appropriate, the City Attorney and bond or other qualified independent special counsel selected by the City. The Director of Finance, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of

its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Financing Costs. The expenditure of the amounts necessary to pay any Financing Costs in connection with the Bonds, to the extent not paid by the Original Purchaser and/or the Bond Registrar in accordance with the Certificate of Award, the Purchase Agreement (if any) and/or the Registrar Agreement, is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 10. Bond Counsel. The legal services of the law firm of Squire Patton Boggs (US) LLP are hereby retained. Those legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the authorization, sale and issuance of the Bonds and rendering at delivery related legal opinions, all as set forth in the form of engagement letter from that firm which is now on file in the office of the City Clerk. In providing those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of this City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, any county or municipal corporation or of this City, or the execution of public trusts. For those legal services that firm shall be paid just and reasonable compensation and shall be reimbursed for actual out-of-pocket expenses incurred in providing those legal services. The Director of Finance is authorized and directed, to the extent they are not paid or reimbursed pursuant to the Purchase Agreement (if any) and/or the Registrar Agreement, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 11. Municipal Advisor. The services of Rockmill Financial Consulting, LLC, as municipal advisor, are hereby retained. The municipal advisory services shall be in the nature of financial advice and recommendations in connection with the issuance and sale of the Bonds. In rendering those municipal advisory services, as an independent contractor, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those municipal advisory services and shall be

reimbursed for the actual out-of pocket expenses it incurs in rendering those municipal advisory services. The Director of Finance is authorized and directed, to the extent they are not paid or reimbursed pursuant to the Purchase Agreement (if any) and/or the Registrar Agreement, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm. The amounts necessary to pay those fees and any reimbursement are hereby appropriated from the proceeds of the Bonds, if available, and otherwise from available moneys in the General Fund.

Section 12. Certification and Delivery of Ordinance and Certificate of Award. The City Clerk is directed to promptly deliver or cause to be delivered a certified copy of this Ordinance and an executed copy of the Certificate of Award to the County Auditor of Delaware County, Ohio.

Section 13. Satisfaction of Conditions for Bond Issuance. This City Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 7) of the City are pledged for the timely payment of the debt charges on the Bonds; that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds; and that the Bonds are being authorized and issued pursuant to Chapter 133 of the Ohio Revised Code, the Charter of the City, this Ordinance, the Certificate of Award and other authorizing provisions of law.

Section 14. Compliance with Open Meeting Requirements. This City Council finds and determines that all formal actions of this City Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Council or any of its committees, and that all deliberations of this City Council and of 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 Ohio Revised Code.

Section 15. Effective Date. 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, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to timely retire the Outstanding Notes and thereby preserve its credit; wherefore, 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: _____, 2019

YEAS ____ NAYS ____
ABSTAIN ____

ATTEST:

CITY CLERK

MAYOR



MEMORANDUM

TO: City Council
FROM: Dean Stelzer, Finance Director
DATE: February 6, 2019
RE: Bond Legislation

The agenda for the February 11, 2019 City Council meeting includes legislation authorizing the issuance of long-term bonds to be utilized to pay off the maturing notes originally issued to pay for the construction of Glenn Road.

In 2005 the City began designing and acquiring land necessary to construct Glenn Road. The city's involvement with this construction project was tied to pre-annexation agreements with several developers and Grady Hospital. The agreements provided that the City would construct Glenn Road and a New Community Authority (NCA) would be established to charge an annual 7.5 mill charge to each developed property. The NCA was created and 7.5 mill assessment was first levied for tax year 2008. The City constructed the road beginning in 2007 and completing construction in 2011. As the City incurred cost to construct the road we issued short-term one year notes to finance the construction payments. Each year since we have re-issued the one year notes capitalizing any interest costs and gradually paying down principal based on the NCA charge receipts. From a strategic standpoint the annual note issuance made sense as we were operating in a low short-term interest rate environment (as low as 0.20%) and thus have been able to minimize interest costs. Ultimately the residents in the area will pay for the construction and interest costs via the NCA charge they pay annually.

Due to recent market changes I am proposing to finalize the financing by issuing 10 year long-term bonds in lieu of re-issuing one year notes as we have done for the last 12 years. As recently as two years ago the spread between the 1 year rate (0.893%) municipal bond rate and the 15 year rate (2.996%) was over 200 basis points. Thus issuing the one year notes continued to make sense. Currently the spread between the 1 year rate (1.706%) and the 15 year rate (2.746%) is about 100 basis points. Consequently I think we have an opportunity to lock in the lower interest rate for the remainder of time necessary to pay the debt service on the improvements. Interest rates can change daily. I would like to act quickly to issue the bonds. The current timeline is:

<i>February 11, 2019</i>	<i>Council approves bond legislation</i>
<i>February 12, 2019</i>	<i>Begin preparation of Preliminary Official Statement and rating Presentation</i>
<i>March 4, 2019</i>	<i>Complete POS and rating presentation</i>
<i>March 11, 2019</i>	<i>Make rating presentation to Moody's</i>
<i>March 18, 2019</i>	<i>Receive rating and distribute POS to investors</i>
<i>March 26, 2019</i>	<i>Price bond issue</i>
<i>April 9, 2019</i>	<i>Close Bonds</i>
<i>April 10, 2019</i>	<i>Pay off maturing \$10,265,000 notes.</i>

To meet the above timeline it would be helpful to approve the bond issue authorization legislation Monday night with the first reading. We would not be issuing any new debt and the project for which the debt was incurred was completed over eight years ago. I have discussed the decision to bond the debt now and the above timeline, including adopting the legislation after one reading, with the Finance Committee and they were supportive of the approach. Let me know if you have any questions and I will make sure to address them at, or prior to, Monday's meeting.

**SUPPLEMENTAL
FISCAL OFFICER'S CERTIFICATE**

To the City Council of the City of Delaware, Ohio:

As fiscal officer of the City of Delaware, Ohio, and supplementing the certificates of March 27, 2006 and October 26, 2009, I certify in connection with your proposed issue of bonds in the maximum aggregate principal amount of \$8,000,000 (the "*Bonds*"), to be issued for the purpose of paying the costs of (a) constructing Glenn Road between certain termini by constructing, excavating, grading and paving, installing drainage, sanitary sewer laterals, street lighting, conduit, curbs and gutters, signage, traffic pavement markings, street signs, landscaping, and acquiring interests in real estate, together with all necessary appurtenances thereto and (b) improving the intersection of U.S. Route 23 and Peachblow Road by constructing, excavating, grading and paving, installing drainage, street lighting, conduit, signalization, curbs and gutters, signage, traffic pavement markings, landscaping, and acquiring interests in real estate, together with all necessary appurtenances thereto (collectively, the "*Improvement*"), that:

1. The estimated life or period of usefulness of each component purpose of the Improvement is at least five (5) years.

2. The maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is as follows:

- The maximum maturity of the Bonds to be used for the component purpose described in clause (a) above is twenty (20) years; provided, however, since notes in anticipation of Bonds have been outstanding for a period beyond December 31, 2011, that period beyond December 31, 2011 shall be deducted from the maximum maturity of the Bonds and therefore, the maximum maturity of the Bonds to be issued for the component purpose described in clause (a) is twelve (12) years.
- The maximum maturity of the Bonds to be used for the component purpose described in clause (b) above is twenty (20) years; provided, however, since notes in anticipation of Bonds have been outstanding for a period beyond December 31, 2014, that period beyond December 31, 2014 shall be deducted from the maximum maturity of the Bonds and therefore, the maximum maturity of the Bonds to be issued for the component purpose described in clause (b) is fifteen (15) years.

Dated: February 7, 2019



Director of Finance
City of Delaware, Ohio



FACT SHEET

AGENDA ITEM NO: 16

DATE: 02/11/2019

ORDINANCE NO: 19-06

RESOLUTION NO:

READING: FIRST

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 CARROLS CORPORATION APPROVING A FINAL DEVELOPMENT PLAN FOR BURGER KING ON APPROXIMATELY 1.14 ACRES ON PROPERTY ZONED B-3 PUD (GENERAL BUSINESS DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT) AND LOCATED AT 1034 WEST CENTRAL AVENUE (US 37).

BACKGROUND:

See attached report

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1129.05 Final Development Plan requirements of the zoning code and the approved PUD Zoning text for the site.

COMMITTEE RECOMMENDATION:

Planning Commission approved this case 7-0 on February 6, 2019.

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. 19-06

AN ORDINANCE FOR CARROLS CORPORATION APPROVING A FINAL DEVELOPMENT PLAN FOR BURGER KING ON APPROXIMATELY 1.14 ACRES ON PROPERTY ZONED B-3 PUD (GENERAL BUSINESS DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT) AND LOCATED AT 1034 WEST CENTRAL AVENUE (US 37).

WHEREAS, the Planning Commission at its meeting on February 6, 2019 recommended approval of a Final Development Plan for Carrols Corporation for Burger King on approximately 1.14 acres on property zoned B-3 PUD (General Business District with a Planned Unit Development Overlay District) and located at 1034 West Central Avenue (US 37) (PC Case 2019-0023).

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

SECTION 1. That the a Final Development Plan for Carrols Corporation for Burger King on approximately 1.14 acres on property zoned B-3 PUD (General Business District with a Planned Unit Development Overlay District) and located at 1034 West Central Avenue (US 37), 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 handicap access sidewalk to the site shall be from the private drive to the east which shall require a sidewalk to be extended from West Central Avenue north along the west side of the private drive and then extended west in line with the main entrance door of the east elevation of Burger King.
3. The limestone on the building shall be Delaware blue limestone or equivalent as approved by City Staff.
4. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
5. All roof top mechanical equipment shall be screened by a parapet wall or approved screening device.

6. The Applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.
7. A continuous row of shrubs shall be planted adjacent to the southern parking spaces along West Central Avenue.
8. The applicant shall replace the removed qualifying trees inch per caliper inch and/or a payment in lieu of planting of \$100 per caliper inch (40 x \$100 = \$4,000) or a combination of both to achieve compliance with Chapter 1168 Tree Preservation Regulations.
9. The Shade Tree Commission shall approve all landscaping plans.
10. The applicant shall submit a temporary window signage plan for review and approval prior to building permit approval.
11. All signage shall achieve compliance with the approved development text and current zoning code.
12. The lighting plan shall be reviewed and approved by the City and all lighting must meet the requirements of the Planning & Zoning Code.

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: _____, 2019

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



CASE NUMBER: 2019-0023
REQUEST: Final Development Plan
PROJECT: Burger King
MEETING DATE: February 6, 2019

APPLICANT/OWNER

Carrols Corporation
968 James Street
Syracuse, New York 13203

REQUEST

2019-0023: A request by Carrols Corporation for approval of a Final Development Plan for a Burger King on approximately 1.14 acres on property zoned B-3 PUD (General Business District with a Planned Unit Development Overlay District) and located at 1034 West Central Avenue (US 37).

PROPERTY LOCATION & DESCRIPTION

The approximate 1.14 acre property is located on the north side of West Central Avenue just west of the private access drive to Ace Hardware and the First Commonwealth Bank in the recently approved Jackson Retail development. The subject site is zoned B-3 PUD (Community Business District with a Planned Unit Development Overlay). The properties to the north and east are zoned B-3 PUD while the properties to the south across West Central Avenue is zoned R-6 (Multi-Family Residential District). The single-family residentially zoned properties to the west are in Delaware Township.

BACKGROUND/PROPOSAL

Buehler's Food Market received a Rezoning Amendment and Final Development Plan approval by City Council in August 2013 to construct up to three buildings fronting West Central Avenue with associated site improvements. In 2014, City Council approved Panera Bread and in 2017 approved the Jackson Retail Development which includes the First Commonwealth Bank.

Now Burger King is proposing to develop an approximate 2,981 square foot building with a drive thru and a 40 space parking lot for the last out lot in this development. The existing house would be demolished in the proposal.

STAFF ANALYSIS

- **COMPREHENSIVE PLAN:** The subject site is located in the Delaware Run Subarea of the Comprehensive Plan with a land use designation of "Commercial." The proposed restaurant is consistent with land use plan and zoning for the site.
- **ZONING:** As previously mentioned, the zoning for the subject site is B-3 PUD. Under the current zoning, the proposed restaurant use with a drive thru is a permitted use. The drive thru would not require Conditional Use Permit approval because the approved PUD development text allows a drive thru as of right on this property.
- **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 subject site would be accessed by a full movement curb cut on the Ace Hardware private access from West Central Avenue. Also, the applicant is widening at West Central Avenue (US 37) to allow for an east bound turn lane into the private drive per the City Engineer as required in the original approval of the Rezoning Amendment and Preliminary Development to Buehler's in 2013 (Ordinances 13-50 & 51 respectively). This is consistent with past actions approved for Jackson Retail, a commercial TIF District and the Buehler development amendments.
- **PEDESTRIAN CONNECTIVITY:** There is an existing sidewalk along West Central Avenue (US 37) that would have to be maintained. Also, handicap access to the site shall be from the private drive which requires a sidewalk to be extended from West Central Avenue north along the private drive and extended west in line with the main entrance door into the Burger King.

- **SITE CONFIGURATION:** The 1.14 acre site would yield an approximate 2,981 square foot Burger King with a double drive thru after the existing house and appurtenances are demolished. The aforementioned curb cut would access a 40 space parking lot (40 parking spaces are required by code) with a counter clockwise oriented double drive thru with an escape lane just north and west of the building. The parking on the west side of the building is angled (45 degree) parking with a one way drive aisle while the parking on the east side of the building is 90 degree parking with a typical two way drive aisle. The double drive thru would have a minimum 12 stacking spaces from the pick-up window which maximizes the on-site stacking spaces that achieves compliance with the zoning code. A dumpster enclosure that is constructed of brick to match the building with composite doors is located on the north side of the building. The retention basin located just north of the site sized for the entire development (Ace Hardware, Buehler's Retail Building, Jackson Retail Development and Panera Bread).
- **BUILDING DESIGN:** The one story approximate 24 foot high (at the maximum) restaurant with a flat roof would have its main entrance would on the east elevation facing the private drive and a secondary entrance on the south elevation facing West Central Avenue. The building would be comprised of face brick color old Irvington with Sandusky share limestone columns located at the entrances and drive thru windows. A custom clear-anodized metal canopy is located above the secondary entrance and windows on the south elevation facing West Central Avenue. The south, east and west elevations would have typical aluminum storefront windows. The rear (north) elevation would just have a service door painted to match the brick. All building appurtenances (coping, downspouts, etc.) should be painted to match the adjacent building color. A parapet roof would screen any mechanical equipment.
- **TREE REMOVAL & REPLACEMENT:** Per the submitted demolition plans, there are four qualifying trees (6 inches in caliper or larger) that would be removed that totals 40 caliper inches with this project. The removed qualifying trees would have to be replaced per caliper inch and/or a payment in lieu of \$100 per caliper inch (40 x \$100 = \$4,000) that would be required to achieved compliance with Chapter 1168 Tree Preservation Regulations.
- **LANDSCAPING & SCREENING:** The typical landscaping requirements would include street trees, front yard landscaping, parking lot and foundation landscaping. The landscaping along West Central Avenue shall match the landscaping to the east in front of Panera and Jackson Retail Development per the approved landscape plan (trees, shrubs and limestone columns – see attached plan per Ordinance 13-51). The street trees on the west side of the private drive where planted by Buehler's. The proposed landscape plan appears to achieve compliance with the minimum zoning code requirements except for a continuous row of shrubs would be required along the south (West Central Avenue) parking lot. The Shade Tree Commission would have to review and approve the landscaping plans.
- **SIGNS:** The applicant is requesting building and drive thru signage. The building signage would include an approximate 28.3 square foot radial illuminated logo box sign on the south, east and west elevations. Also, an approximate 27.6 square foot non-illuminated channel letter sign would be located on the east elevation above the main entrance door. This proposed 112.5 square feet of signage on three elevations is below the 150 square feet allowed by code.

The double drive thru would have a typical menu board and base and appurtenances that would be located north of the building. Also, staff recommends a temporary window signage plan be submitted and approved by staff identifying the location of future rotating temporary signs. No ground signage is proposed in this application. However, the entire development (former Buehler Food Market) is permitted two large ground signs to advertise the development per the approved Amended PUD Development Text, which could include tenant panels for this use. One of the signs is constructed at the intersection of West Central Avenue and Buehler Drive and the other sign was planned for the intersection of West Central Avenue and the private drive just east of the subject site.
- **LIGHTING:** The owner is proposing four 24 feet high light poles throughout the parking lot that would have cut off style light fixtures. Also there are two building wall mounted lights on the rear of the building. All lighting must meet the requirements of the Planning & Zoning Code.

STAFF RECOMMENDATION (2019-0023 FINAL DEVELOPMENT PLAN)

Staff recommends approval of a request by Carrols Corporation for a Final Development Plan for a Burger King on approximately 1.14 acres on property zoned B-3 PUD (General Business District with a Planned Unit Development Overlay District) and located at 1034 West Central Avenue (US 37), 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 handicap access sidewalk to the site shall be from the private drive to the east which shall require a sidewalk to be extended from West Central Avenue north along the west side of the private drive and then extended west in the line with the main entrance door of the east elevation of Burger King.
3. The limestone on the building shall be Delaware blue limestone or equivalent as approved by City Staff.
4. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
5. All roof top mechanical equipment shall be screened by a parapet wall or approved screening device.
6. The Applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.
7. A continuous row of shrubs shall be planted adjacent to the southern parking spaces along West Central Avenue.
8. The applicant shall replace the removed qualifying trees per caliper inch and/or a payment in lieu of \$100 per caliper inch (40 x \$100 = \$4,000) or a combination of both to achieve compliance with Chapter 1168 Tree Preservation Regulations.
9. The Shade Tree Commission shall approve all landscaping plans.
10. The applicant shall submit a temporary window signage plan for review and approval prior to building permit approval.
11. All signage shall achieve compliance with the approved development text and current zoning code.
12. The lighting plan shall be reviewed and approved by the City and all lighting must meet the requirements of the Planning & Zoning Code.

COMMISSION NOTES:

MOTION: _____ 1st _____ 2nd approved denied tabled _____

CONDITIONS/MISCELLANEOUS:

FILE:
ORIGINAL: 2/1/19
REVISED:



January 2, 2019

Burger King
Carrols Corporation
Combined Preliminary and Final Development Plan
1034 State Route 37
Delaware, OH

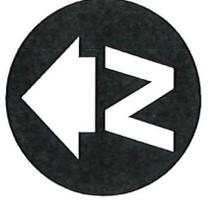
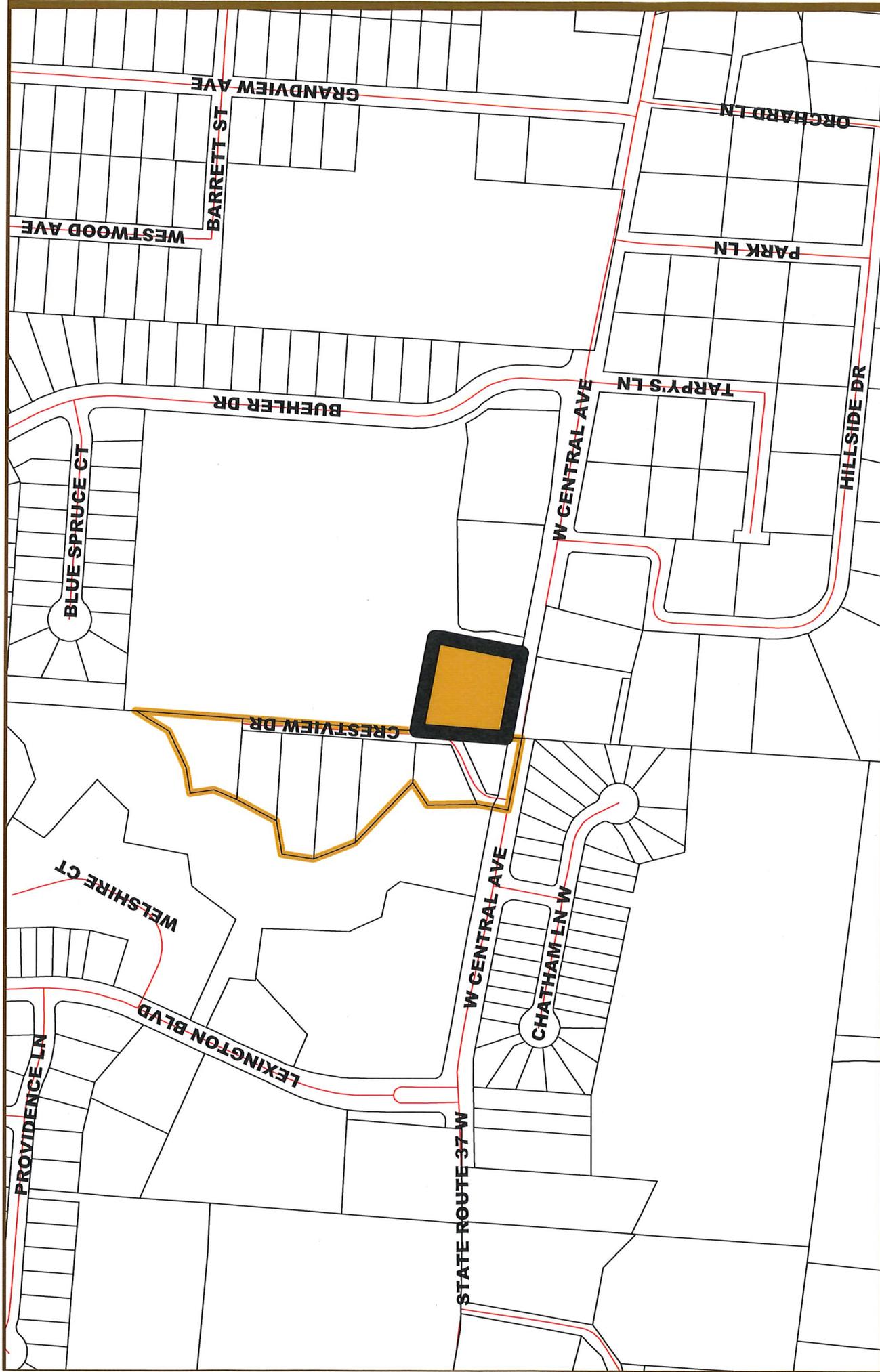
Carrols Corporation is planning to develop a new Burger King restaurant on Lot 11013 of the Resubdivision of Part of Lot 5152 of Buehler's Subdivision, also known as 1034 State Route 37. The site improvements include demolition of the existing residential structure, construction of the new restaurant and associated drives, parking, utilities, and landscape improvements. Additionally, this project includes the widening of State Route 37 to allow for an east-bound left turn lane into the Private Drive just east of the proposed Burger King.

The proposed Burger King will have a Double Drive Thru and allow for adequate zoning required stacking spaces. The site also includes parking above the minimum required by zoning code. Drainage improvements will include the installation of onsite storm which outlets to the regional basin just north of the site. Utility service extensions will be added and/or upgraded as necessary, and appropriate parking lot lighting will be installed. Zoning required lighting cutoffs will be maintained along the property line.

The proposed Finished Floor Elevation of the restaurant will be approximately equal to that of the existing residential building. The existing swale west of the Private Drive along the eastern edge of the property will be removed and water will be directed to the proposed storm system.

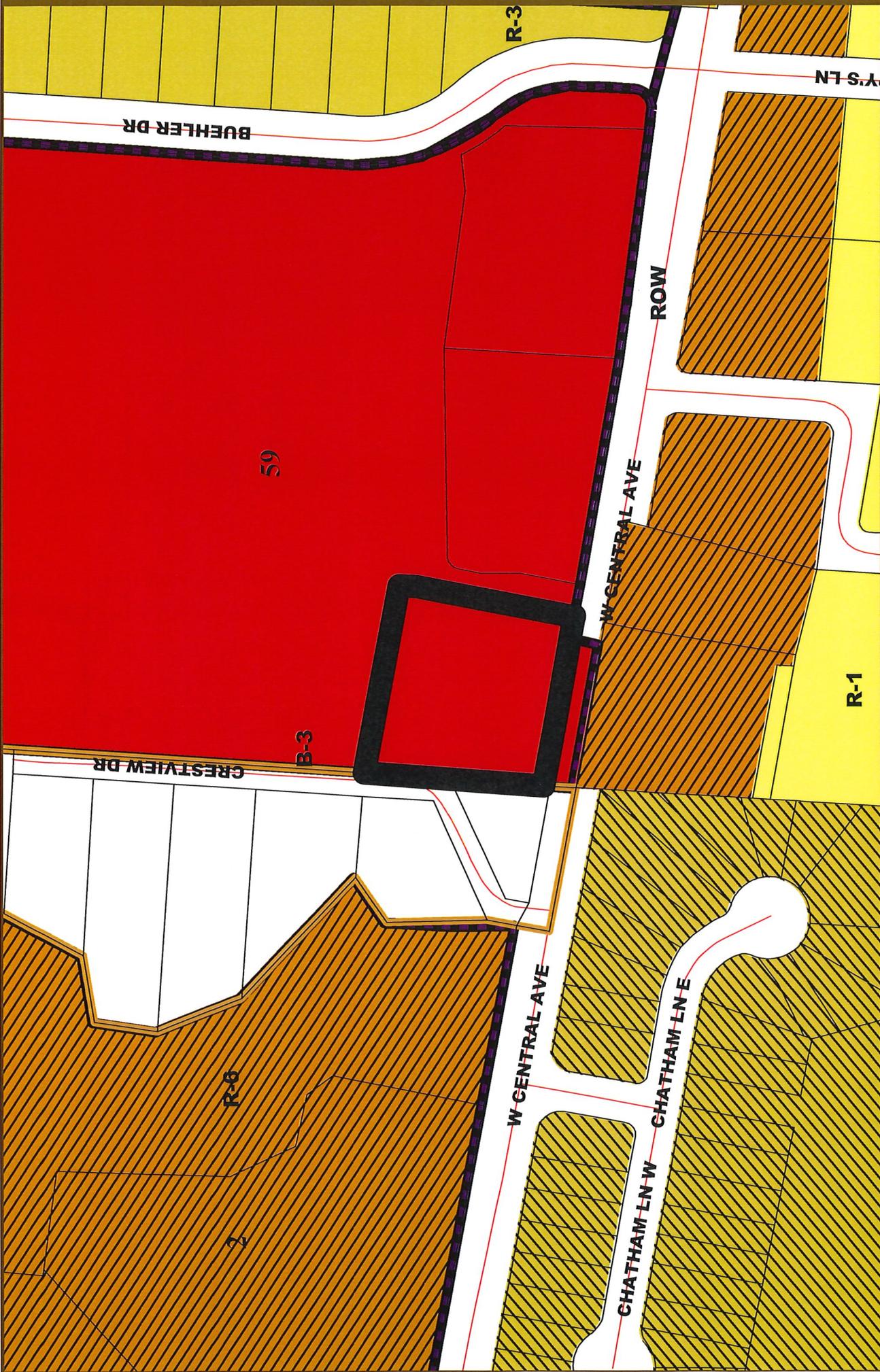
The landscape plan reflects required street trees and screening of headlights, as well as tree replacement required as noted on the Existing Conditions and Demolition Plan.

State Route 37 widening is proposed as required by the development of this final outlot of the Buehler's Subdivision. Road improvements include pavement planing and overlay of the existing surface of State Route 37 within the work limits in addition to double sided widening to allow for 11.5' wide through lanes and an 11' wide left turn lane.



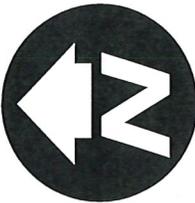
2019-0023
 Final Development Plan
 Burger King - 1034 West Central Avenue (US 37)
 Location Map





2019-0023
 Final Development Plan
 Burger King - 1034 West Central Avenue (US 37)
 Zoning Map





2019-0023
 Final Development Plan
 Burger King - 1034 West Central Avenue (US 37)
 Aerial (2016) Map





PROJECT DATE:	1/20/19
PROJECT NO.:	C5500211
DATE:	1/20/19
NO.:	1152/BLN/RSD
DESCRIPTION:	

SITE PLAN NOTES

1. ALL DIMENSIONS ARE TO EDGE OF PAVEMENT, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL UTILITIES AND MANUFACTURER'S RECOMMENDATIONS. APPLY PAINT TO CLEAN, DRY SURFACES TO BE MARKED FOR THE POSITION OF EDGES. AIR TEMPERATURE OF 50 MINIMUM. APPLY TWO (2) COATS.
3. REFER TO "N" CENTRAL AVE. WIDENING PLANS FOR ALL WORK WITHIN THE RIGHT-OF-WAY.

LEGEND

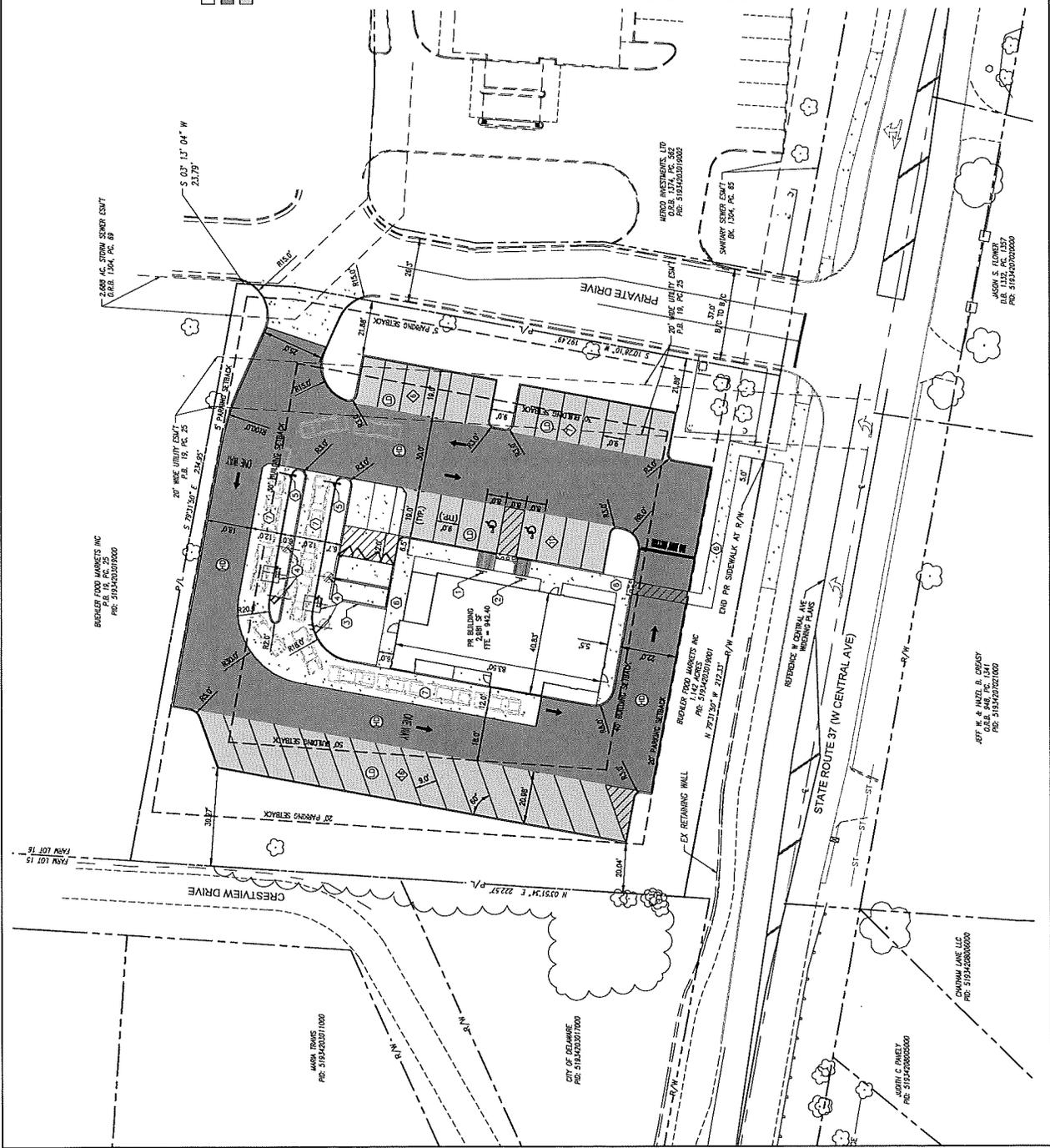
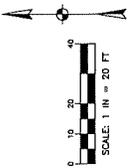
- ◆ PARKING COUNT
- ▨ CONCRETE PAVEMENT
- ⑤ LIMITS OF HEAVY DUTY PAVEMENT
- ④ LIMITS OF LIGHT DUTY PAVEMENT

SITE DATA

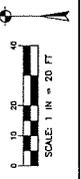
ZONING: COMMUNITY BUSINESS DISTRICT (B-3)
 PARCEL ID: 51934203019081
 AREA: 1.14 AC.
 GREENSPACE: 0.43 AC. (38%)
 IMPERVIOUS: 0.71 AC. (62%)
 USE: BURGER KING WITH DOUBLE DRIVE-THRU
 BUILDING HEIGHT: 2,881 SF
 BUILDING AREA: 2,881 SF
 FRONT YARD: 40' FROM CENTRAL AVENUE
 SIDE YARD: 30' WEST, 30' EAST
 REAR YARD: 30'
 PARKING SETBACK REQUIREMENTS:
 FRONT SETBACK: 20' WEST, 5' EAST
 SIDE YARD: 5'
 REAR YARD: 5'
 PARKING SPACES:
 REQUIRED: 38 (1 SPACE/75 SF BLOC AREA)
 PROVIDED: 40
 STACKING:
 REQUIRED: 10 CARS FROM THE ORDER BOX
 PROVIDED: 10 CARS

KEYED NOTES

- ① ADA ACCESSIBLE PARKING SIGN.
- ② ADA VAN ACCESSIBLE PARKING SIGN.
- ③ TRASH ENCLOSURE. SEE ARCHITECTURE PLANS FOR DETAILS.
- ④ USVI FLOODS AND SPEAKER BOX WITH AWNING. SEE ARCHITECTURE PLANS FOR DETAILS.
- ⑤ CLEARANCE BAR. SEE ARCHITECTURE PLANS FOR DETAILS.
- ⑥ PR SIDEWALK.
- ⑦ DRIVE THRU TO BE 6" THICK, 3000 PSI BLACK DYED CONCRETE, WITH 6X6-W2.3RWX2.9 WELDED WIRE FABRIC.



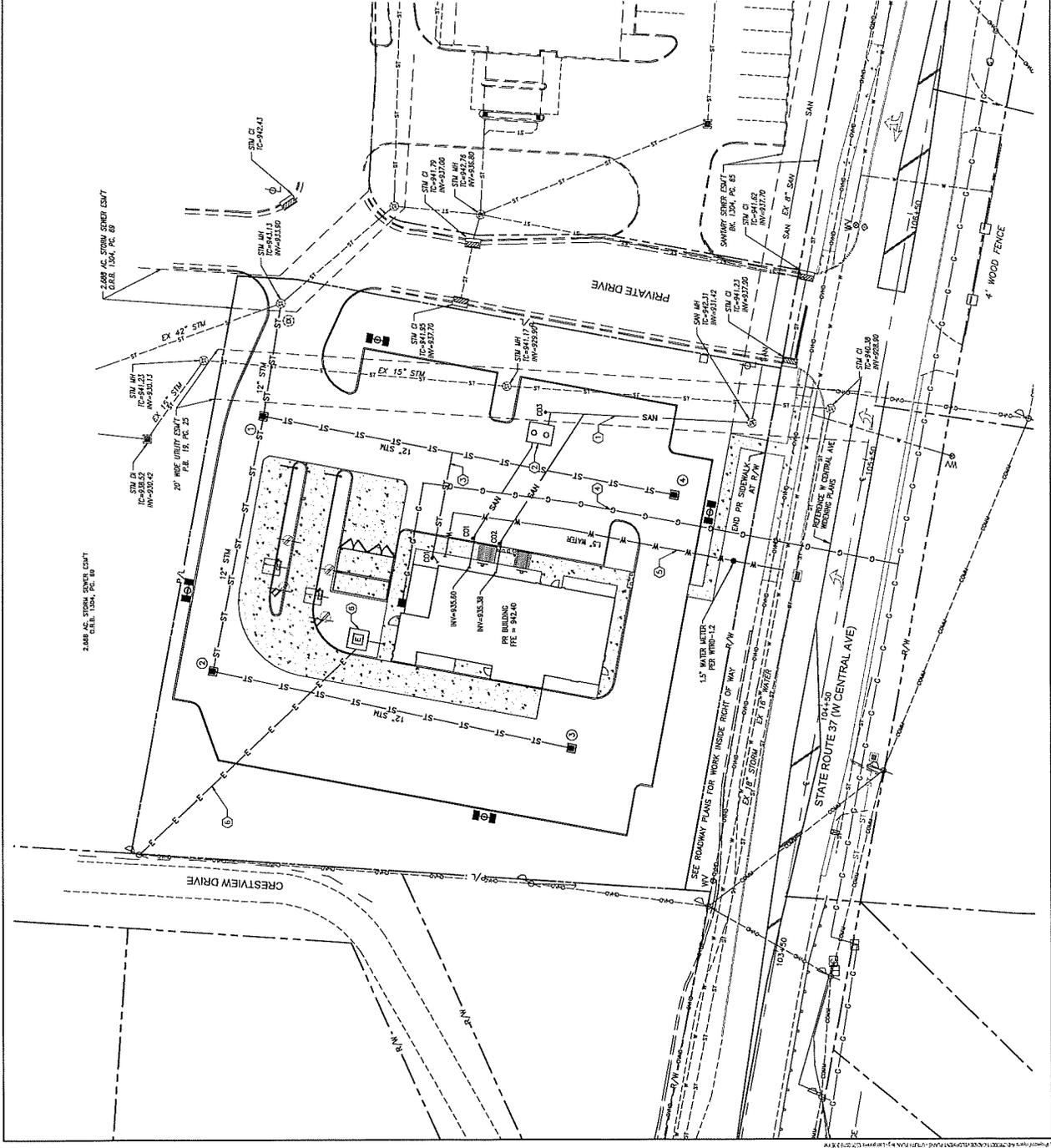
PROJECT NO.	102015
PROJECT DATE	10/2015
PROJECT NAME	1034 STATE ROUTE 37
CLIENT	BURGER KING
DATE	BT
DESCRIPTION	

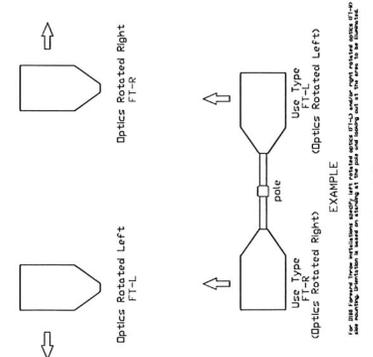
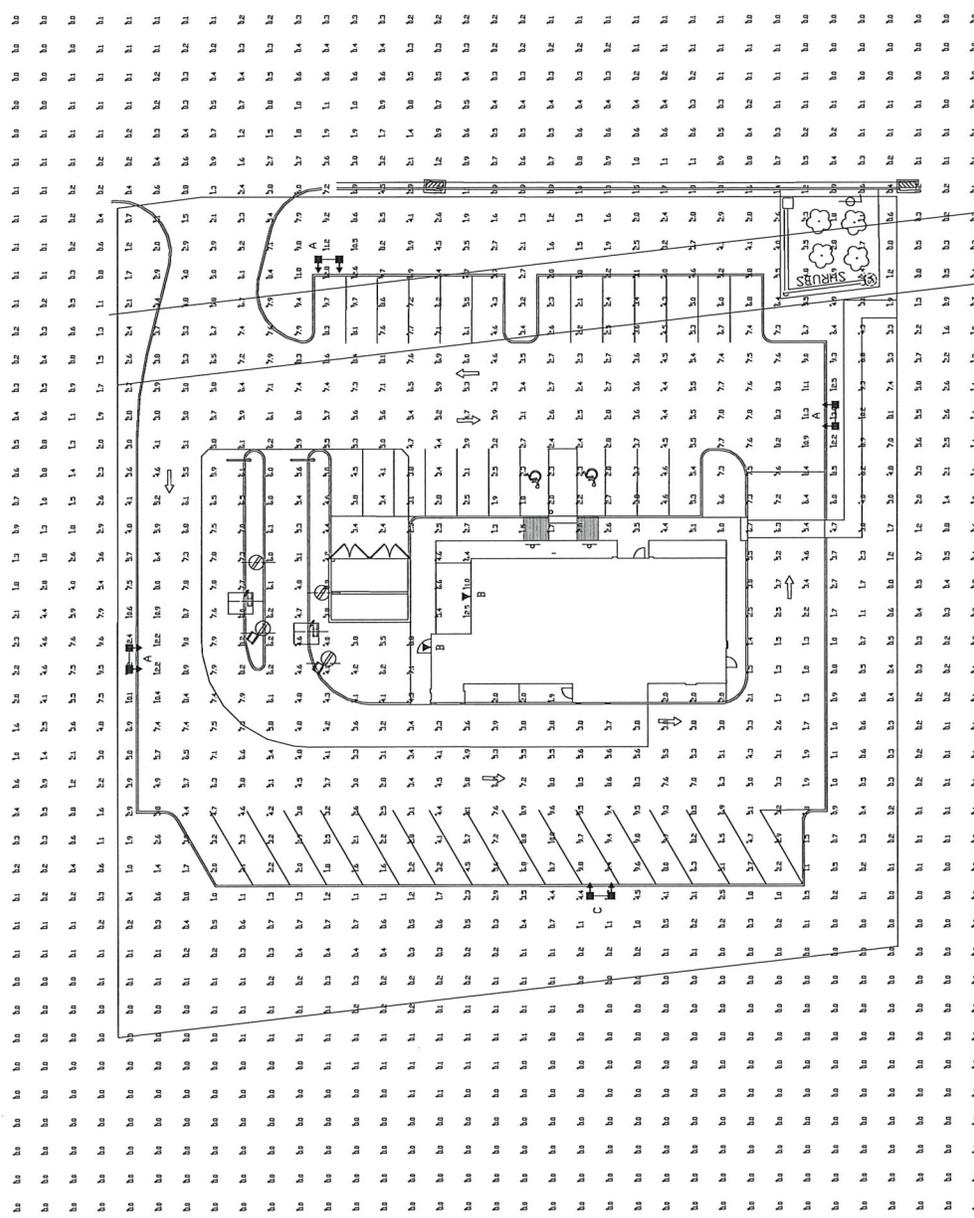


- LEGEND**
- ST - 12" STORM
 - EX STORM MANHOLE
 - EX SANITARY
 - EX OVERHEAD ELECTRIC
 - EX WATER
 - EX GAS
 - PR STORM
 - PR SANITARY
 - PR ELECTRIC
 - PR WATER
 - PR GAS
 - EX CATCH BASIN
 - EX SANITARY MANHOLE
 - EX WATER VALVE
 - EX FIRE HYDRANT
 - EX POWER POLE
 - PR STM STRUCTURE NUMBER
 - PR CATCH BASIN
 - PR CURB INLET
 - PR LIGHT

KEYED NOTES

- 1 8" SANITARY SEWER LATERAL (PVC ASTM D-3034), JOINTS SHALL CONFORM TO A.S.T.M. D-2675. MINIMUM COVER SHALL BE 18" MINIMUM CLEARANCE BETWEEN AND MINIMUM SLOPE OF 2% OUTSIDE OF RIGHT-OF-WAY AND 1% ON-SITE. APPROVED EQUAL SEE PLUMBING PLANS FOR ADDITIONAL DETAIL.
- 2 CHECK INTERSECTIONS 1,000-GALLON VESICER (4-8525-CLASS-11" OR APPROVED EQUAL SEE PLUMBING PLANS FOR ADDITIONAL DETAIL.
- 3 8" STORM LINE FROM DOWNSPOUT, MAINTAIN A MINIMUM SLOPE OF 2%.
- 4 ALL INTERSECTIONS WITH COLUMNS, CHAS AND MANHOLES, SEE PLUMBING PLANS FOR ADDITIONAL DETAIL.
- 5 1.5" WATER SERVICE (K COPPER), PROVIDE 18" MINIMUM CLEARANCE BETWEEN WATER LINE AND SANITARY LATERAL. SEE PLUMBING PLANS FOR ADDITIONAL DETAIL.
- 6 UNDERGROUND ELECTRICAL SERVICES CONTRACTOR SHALL COORDINATE WITH ALL UTILITIES AND ALL STANDARDS FOR WORK. SEE ARCHITECTURAL PLANS FOR ADDITIONAL DETAILS.





EXAMPLE
 Use Type FT-L (Optics Rotated Left)
 Use Type FT-R (Optics Rotated Right)
 Top View
 Fixture Type A



[Click image to open Product Page](#)

Qty	Label	Arrangement	Description	LLD	UF	LLF	Arr. Lum. Lumens	Arr. Watts
3	A	DIBBY_BRTD	SLM-LED-SIL-(D)FT-L, (D)FT-R-50-70CR-24PDL-E-2BASE	1.000	1.000	1.000	6,247.8	497.2
2	B	SINGLE	XPWS3-FT-LED-48-350-CV-UE MTD @ 10'	1.000	1.000	1.000	5,094	55
1	C	DIBBY_BRTD	SLM-LED-SIL-(D)FT-L, (D)FT-R-DIBBY-50-70CR-IL-24PDL-E-2BASE	1.000	1.000	1.000	39,886	497.2

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
ALL CALC POINTS	Illuminance	FC	2.59	13.0	0.0	N/A	N/A
INSIDE CURB	Illuminance	FC	3.34	12.8	1.0	5.34	12.80

Calculation Summary

Based on the information provided, all dimensions and luminaire locations shown represent recommended placements. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions.

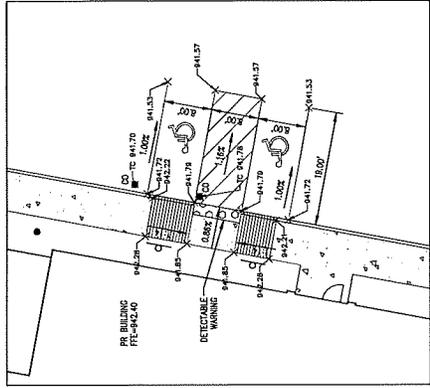
This lighting plan represents illumination levels calculated from laboratory data. It does not represent actual field conditions. Actual performance of any manufacturer's luminaire may vary due to changes in electrical voltage, tolerance in luminaire's and other components, or any other architectural elements (walls, doors, windows, etc.) that may affect the lighting distribution. The engineer and/or architect must determine the applicability of the layout to existing or future field conditions. This document is for informational purposes only and should not be used as a construction document or as a final document for ordering product.

Lighting Proposal
 LD-14207-A
 100% FINAL BIDDING
 01/15/2015
 SCALE: 1"=4'-0"

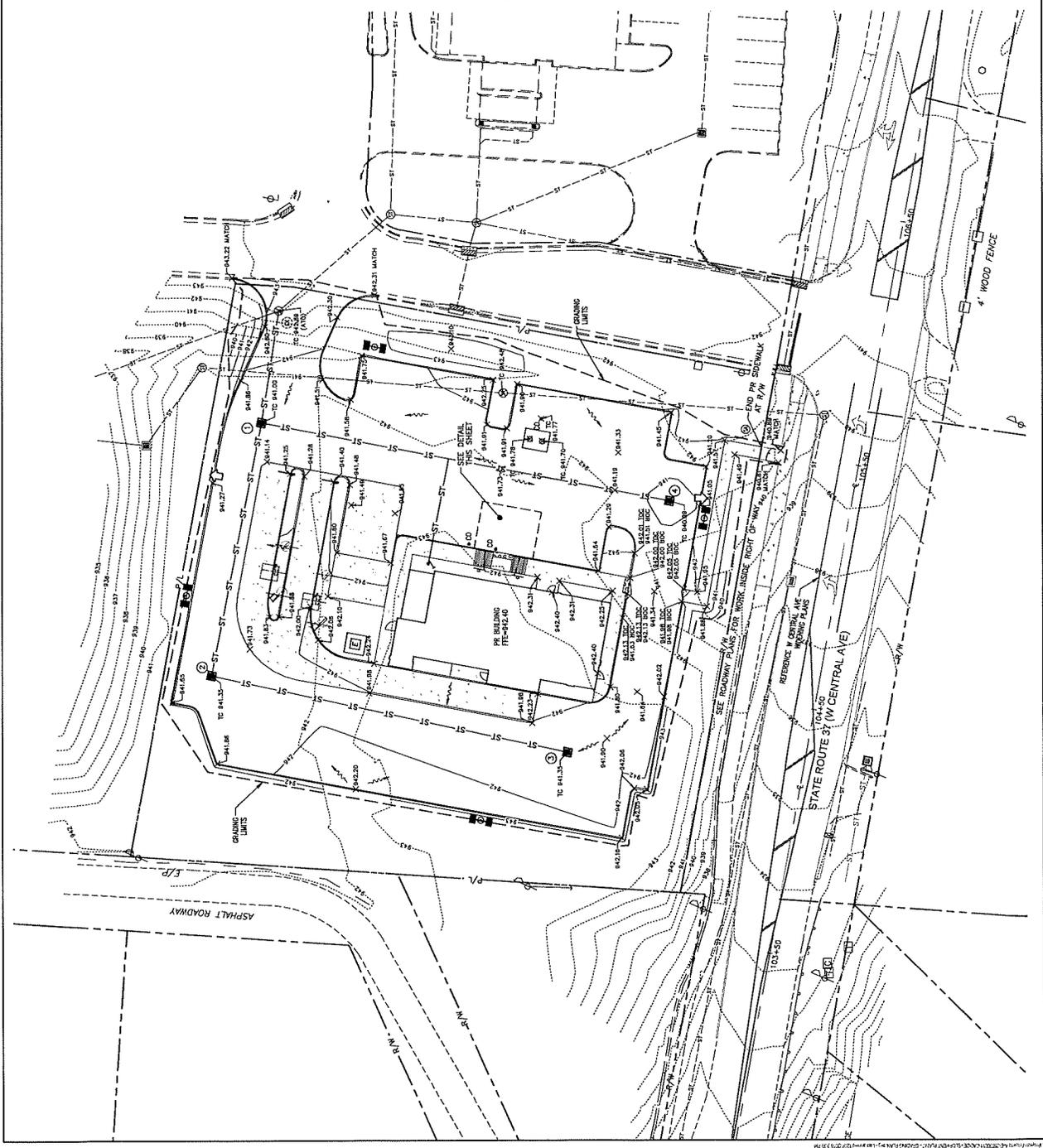
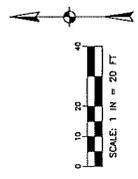
NO.	DATE	DESCRIPTION
11	10/20/19	ISSUE FOR PERMITS
10	09/10/19	ISSUE FOR PERMITS
9	08/10/19	ISSUE FOR PERMITS
8	07/10/19	ISSUE FOR PERMITS
7	06/10/19	ISSUE FOR PERMITS
6	05/10/19	ISSUE FOR PERMITS
5	04/10/19	ISSUE FOR PERMITS
4	03/10/19	ISSUE FOR PERMITS
3	02/10/19	ISSUE FOR PERMITS
2	01/10/19	ISSUE FOR PERMITS
1	12/10/18	ISSUE FOR PERMITS

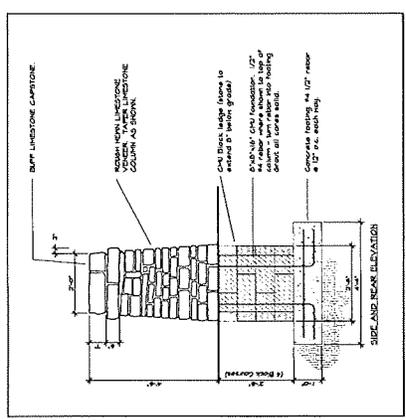
- GRADING NOTES**
- ALL SPOTS ARE FINISHED ELEVATION, UNLESS OTHERWISE NOTED.
 - ALL SPOTS ARE FINISHED ELEVATION, UNLESS OTHERWISE NOTED. THE CURBS AND SLOPES IN PARKING AREAS, RAMPS AND DRIVEWAYS IN THE VICINITY OF HANDICAP PARKING, ACCESS AREAS SHALL COMPLY WITH THE ADA AND LOCAL CODES. SLOPES NOT TO EXCEED 2% IN ANY DIRECTION.
 - THE CONTRACTOR SHALL PROVIDE FOR POSITIVE DRAINAGE IN ALL AREAS. PAVEMENT SHALL BE TESTED FOR ANY PONDING CONDITIONS FOLLOWING CONSTRUCTION.
 - CONTRACTOR SHALL EXERCISE EXTREME CAUTION WHEN EXCAVATING EXISTING UTILITIES. ALL UTILITIES SHALL BE LOCATED AND MARKED WITH RESPECTIVE UTILITY OWNER.

- LEGEND**
- EX CONTOUR
 - PR CONTOUR
 - EX CATCH BASIN
 - EX CURB INLET
 - EX STORM MANHOLE
 - EX SANITARY MANHOLE
 - PR SPOT GRADE
 - TOP OF CURB ELEV
 - BOTTOM OF CURB
 - FLOW ARROW
 - FLOOD ROUTING
 - PR STW STRUCTURE NUMBER
 - PR CLEAFOUT
 - PR CATCH BASIN
 - GRADING/DISTURBANCE LIMIT

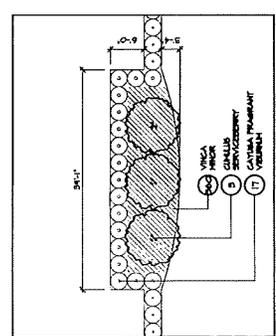


GRADING DETAIL
SCALE: 1"=10'





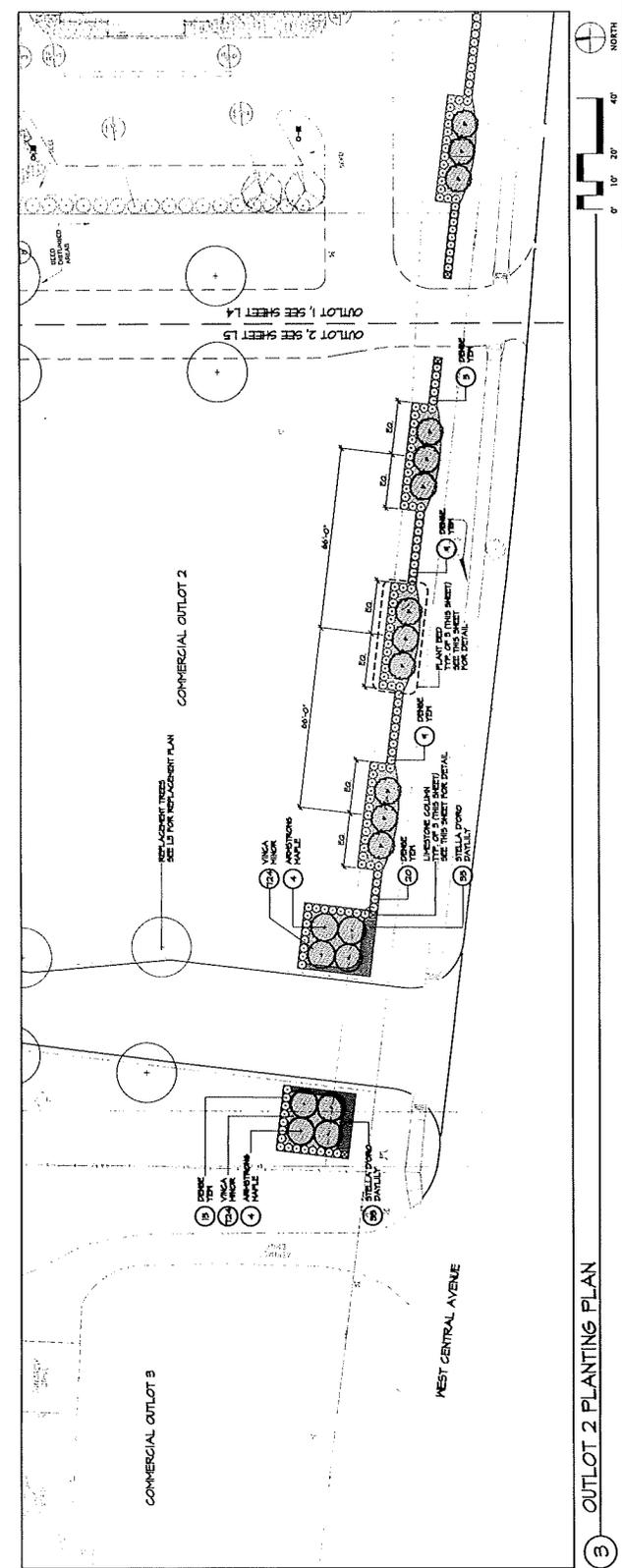
② LIMESTONE COLUMN



① TYP. PLANT BED

PLANT MATERIALS LIST

QTY	COMMON NAME	BOTANICAL NAME	L4	L5	SIZE	ROOT
12	AMERICAN MAPLE	Acer 7 Fraxinus americana	4	6	25' Cal.	BID
24	CORNUS SERICEA	Amorpha canescens	5	4	25' Cal.	BID
SHRUBS						
144	DOGS HEAD	Thalictrum aquilegifolium	20	30	18-24" Hgt.	BID
108	CANTON PRUNELLA	Viburnum cerasifolia 'Ergold'	60	31	24-30" Hgt.	BID
PERENNIALS						
15	STELLARION DANGLE	Hebe x exoniifolia 'Walt's Dwarf'	45	70	2' Hgt.	CONT.
ORNAMENTALS						
12881	VINCA MINOR	VINCA MINOR	1500	3/20	10/20	PLUGS



③ OUTLOT 2 PLANTING PLAN



1/2" = 1'-0"
 1/4" = 1'-0"
 1/8" = 1'-0"
 1/16" = 1'-0"
 1/32" = 1'-0"
 1/64" = 1'-0"
 1/128" = 1'-0"
 1/256" = 1'-0"
 1/512" = 1'-0"
 1/1024" = 1'-0"
 1/2048" = 1'-0"
 1/4096" = 1'-0"
 1/8192" = 1'-0"
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 1/131072" = 1'-0"
 1/262144" = 1'-0"
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 1/48

ISSUE	1/23/19	ASSOCIATES ARCHITECTS														
<p>BURGER KING 1034 W CENTRAL AVE DELAWARE, OHIO 43015</p> <p style="text-align: right;">CARRIGLI, LLC SYRACUSE, NEW YORK</p> <p style="text-align: center;">EXTERIOR ELEVATIONS</p>																
<p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>ISSUED FOR PLANNING REVIEW</td> <td>1/23/19</td> </tr> <tr> <td>2</td> <td>REISSUED FOR PLANNING REVIEW</td> <td>1/23/19</td> </tr> <tr> <td>3</td> <td>ISSUED FOR PLANNING REVIEW</td> <td>1/23/19</td> </tr> </tbody> </table>					No.	Description	Date	1	ISSUED FOR PLANNING REVIEW	1/23/19	2	REISSUED FOR PLANNING REVIEW	1/23/19	3	ISSUED FOR PLANNING REVIEW	1/23/19
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3	ISSUED FOR PLANNING REVIEW	1/23/19														
<p>Date: 12/22/18 Drawn By: CAP Checked By: JMB Job Number: 1805</p> <p style="text-align: right;">Drawing No. A-2.2</p>																



NOTE: ALL FINISHES AND MATERIALS AS PER GARDEN GRILL FINISH SCHEDULE; REFER TO DESIGNWITHBK.COM

EXTERIOR MATERIALS & FINISH SCHEDULE (Use all items as noted on every project)

ITEM #	DESCRIPTION	LOCATION	MANUFACTURER	FINISH	REMARKS	NOTATIONS / COMMENTS
1010	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1020	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1030	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1040	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1050	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1060	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1070	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1080	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1090	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1100	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1110	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1120	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1130	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1140	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1150	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1160	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1170	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1180	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1190	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1200	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT

REVISIONS

No.	Description	Date
1	ISSUED FOR PLANNING REVIEW	12/31/18
2	ISSUED FOR PLANNING REVIEW	12/31/18

REVISIONS

BURGER KING
1034 W CENTRAL AVE
DELAWARE, OHIO 43015

CARROLLS, LLC
SYRACUSE, NEW YORK

EXTERIOR FINISH SCHEDULE

LAUER-MANGIUSO & ASSOCIATES ARCHITECTS
4800 RIVER LEE ROAD
BUFFALO, N.Y. 14228
(716) 837-0033

Date: 12/31/18
Drawn By: CP
Checked By: PM
Job Number: 1805

A-2.3

ITEM #	DESCRIPTION	LOCATION	MANUFACTURER	FINISH	REMARKS	NOTATIONS / COMMENTS
1010	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1020	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1030	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1040	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1050	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1060	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1070	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1080	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1090	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1100	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1110	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1120	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1130	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
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1180	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1190	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT
1200	EXTERIOR PAINT	ENTIRE	DUCK DAWSON	EXTERIOR PAINT	DUCK DAWSON	EXTERIOR PAINT

NOTES: 1. It is the obligation of the Client to see that all items are specified in the schedule of materials. 2. It is the obligation of the Professional Engineer to check the schedule of materials to which the end of a licensed architect or professional engineer has been applied.

BURGER KING
1034 W CENTRAL AVE
DELAWARE, OHIO 43015

SYRACUSE, NEW YORK

TRASH ENCLOSURE DETAILS

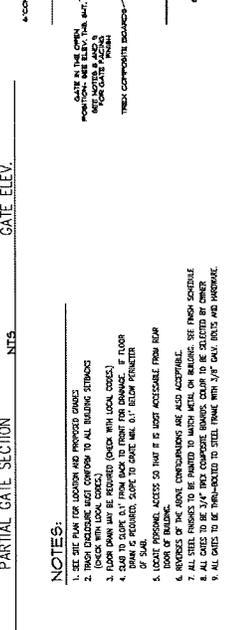
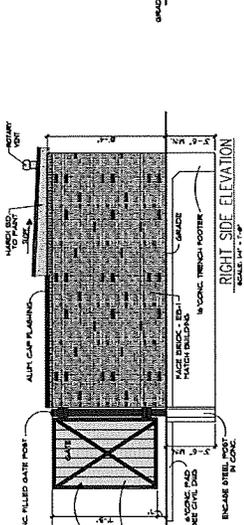
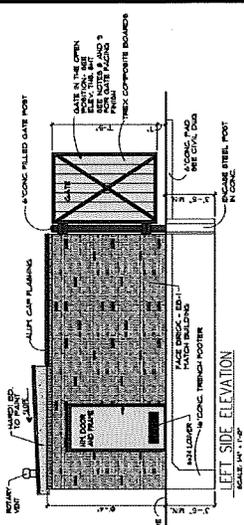
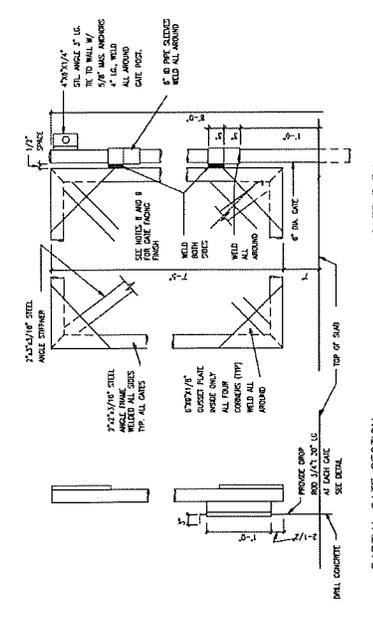
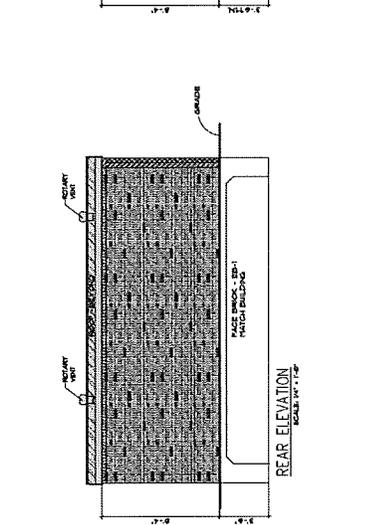
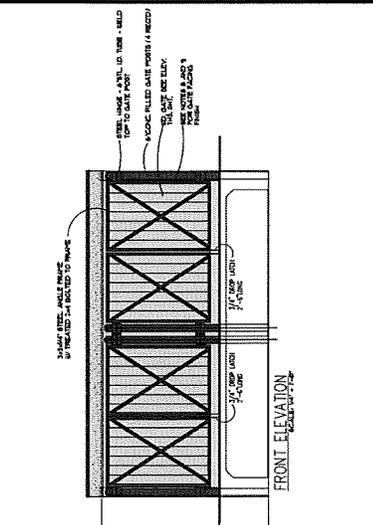
ISSUE
12/31/18
REGISTERED ARCHITECT

LAUER-MANGUSO & ASSOCIATES ARCHITECTS
4550 RIGGS LANE
SHELTON, N.Y. 14228
(716) 351-1833

Drawing No. **A-12**
Checked by: **CP**
Prepared by: **MSK**

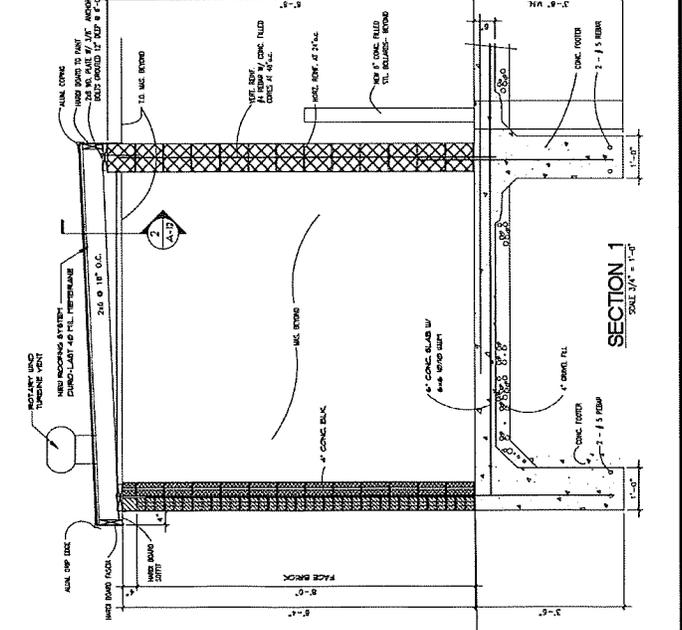
REVISIONS

No.	Description	Date
1	ISSUED FOR PLANNING REVIEW	12/27/18



GENERAL NOTE
CONCRETE SHALL BE 3000 PSI WITH 4% AGG. WITH 1\"/>

NOTES:
1. SET FLOOR FOR LOCKERS AND PROVIDED CHAIRS.
2. PROVIDE FLOOR ACCESS TO ALL BUILDING STRINGS.
3. FLOOR FINISH MAY BE REQUIRED (CHECK WITH LOCAL CODES).
4. CLAD TO CLIMB ALL FROM BACK TO FRONT FOR BRANCHED. IF FLOOR CONNECTION, CLAD TO CLIMB TO ALL BUILDING STRINGS.
5. LOCATE REPAIR ACCESS SO THAT IT IS EASY ACCESSIBLE FROM RAMP.
6. WORKS OF THE LOCAL JURISDICTIONS ARE ALSO ACCEPTABLE.
7. ALL STEEL FINISHES TO BE PAINTED TO MATCH METAL ON BUILDING. SEE FINISH SCHEDULE.
8. ALL GATES TO BE 3/4\"/>



GENERAL NOTE
CONCRETE SHALL BE 3000 PSI WITH 4% AGG. WITH 1\"/>

DUMPSTER ENCLOSURE PLAN
SCALE 3/4\"/>

SECTION 1
SCALE 3/4\"/>

SECTION 2
SCALE 3/4\"/>

DETAIL 1
SCALE 3/4\"/>

DETAIL 2
SCALE 3/4\"/>

TYPICAL SECTION
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FRONT ELEVATION
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REAR ELEVATION
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LEFT SIDE ELEVATION
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RIGHT SIDE ELEVATION
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GATE ELEV.
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PARTIAL GATE SECTION
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SECTION 1
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SECTION 2
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DETAIL 1
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DETAIL 2
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Catalog # :	Project :
Prepared By :	Date :



Slice Medium - SLM Outdoor LED Area Light

The Slice's sleek design makes it perfectly-suited for Commercial & Industrial applications, while its cost-effective die-cast aluminum housing makes its acquisition cost very competitive. The Slice offers high performance silicone optics, die cast aluminum housing, 42,000+ lumens and is available with integral Airlink Synapse controls.

Features & Specifications

Optical System

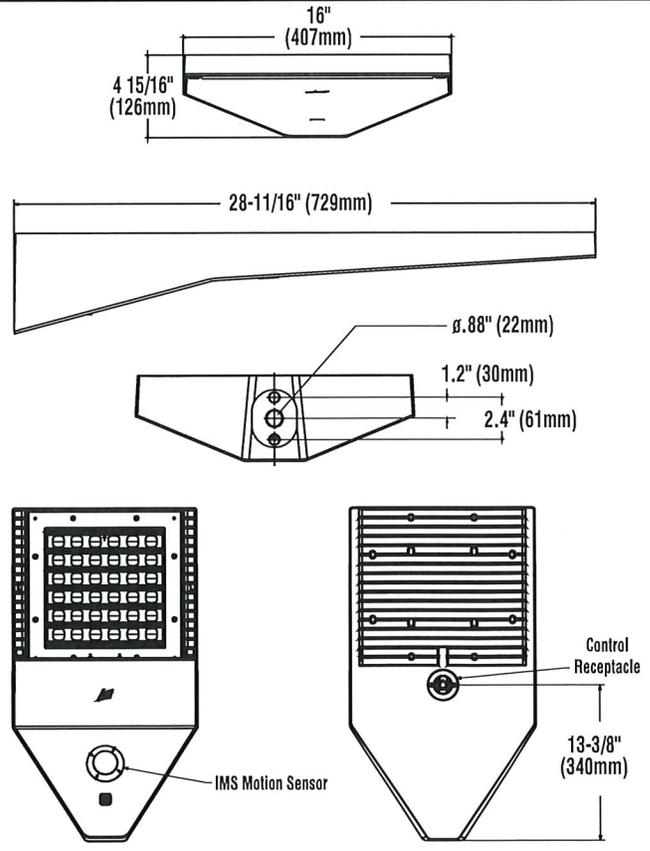
- State-of-the-Art one piece silicone optic sheet delivers industry leading optical control with an integrated gasket to provide IP66 rated sealed optical chamber in 1 component.
- Proprietary silicone refractor optics provide exceptional coverage and uniformity in IES Types 2, 3, 5W, FT and FTA.
- Silicone optical material does not yellow or crack with age and provides a typical light transmittance of 93%.
- Zero uplight.
- Available in 5000K, 4000K, 3000K, and 2700K color temperatures per ANSI C78.377. Also Available in Phosphor Converted Amber with Peak intensity at 610nm.
- Minimum CRI of 70. Optional 80 CRI available, consult factory for lead time.
- Integral Louver (IL) option available for improved back-light control without sacrificing street side performance. See page 5 for more details.

Electrical

- High-performance driver features over-voltage, under-voltage, short-circuit and over temperature protection.
- 0-10V dimming (10% - 100%) standard.
- Standard Universal Voltage (120-277 Vac) Input 50/60 Hz or optional High Voltage (347-480 Vac).
- L80 Calculated Life: >100k Hours (See Lumen Maintenance on Page 3)
- Total harmonic distortion: <20%
- Operating temperature: -40°C to +50°C (-40°F to +122°F). 42L lumen package rated to +40°C.
- Power factor: >.90
- Input power stays constant over life.
- Field replaceable surge protection device meets a minimum Category C Low operation (per ANSI/IEEE C62.41.2).
- High-efficacy LEDs mounted to metal-core circuit board to maximize heat dissipation
- Terminal block provided accepts up to 10ga wire.
- Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed.



Product Dimensions



Bottom View

Top View



Slice Medium - SLM Outdoor LED Area Light

Features & Specifications (Cont.)

Construction

- Rugged die-cast aluminum housing contains factory prewired driver and optical unit. Cast aluminum wiring access door located underneath.
- Designed to mount to square poles.
- Luminaire is proudly manufactured in the U.S. of U.S. and imported parts.
- IP66 rated luminaire protects integral components from harsh environments.
- 3G rated for ANSI C136.31 high vibration applications
- Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. Other standard LSI finishes available. Consult factory.
- Shipping weight: 30 lbs in carton.

Controls

Wireless Controls System

To make this fixture AirLink ready, simply order one of the following options:

- The integrated [Wireless Lighting Controller](#): ALSC or ALSCH (see ordering guide) as the controls option, or
- Integrated Wireless Controller option (above) with integrated motion sensor: ALSCS (ordering guide for mounting heights) or
- The 7-Pin Photoelectric Control Receptacle: CR7P as the controls option; and either the [5-Pin](#) or [7-Pin Twist Lock Controller](#): ALSC UNV TL5 or ALSC UNV TL7 as an accessory

To see how the components of AirLink system work together, reference the diagram in the controls section of this specsheet. For more information on our AirLink products, visit our website: www.lsi-airlink.com/airlink-synapse/

Stand-Alone Controls

- The integral passive infrared motion sensor (IMS) activates switching of luminaire light levels (see the controls section for more details).
- The 7-pin ANSI C136.41-2013 photocontrol receptacle option (CR7P) is available for twist lock photocontrols or wireless control modules.
- The Button Type Photocells (PCI) are capable of switching luminaires ON/OFF in response to the amount of available daylight.

Installation

- A single fastener secures the hinged door, underneath the housing and provides quick & easy access to the electrical compartment for installing/servicing.
- Included terminal block provides quick and easy on-site wiring.
- Utilizes LSI's traditional 3" drill pattern for easy fastening of LSI products. (See drawing on page 1)

Warranty

- LSI LED Fixtures carry a 5-year warranty.

Listings

- Listed to UL 1598 and UL 8750.
- RoHS Compliant.
- American Recovery and Reinvestment Act Funding Compliant.
- IDA compliant; with 3000K color temperature selection.
- Title 24 Compliant; see local ordinance for qualification information.
- Suitable For wet Locations.
- IP66 rated Luminaire. IP66 rated optical chamber.
- 3G rated for ANSI C136.31 high vibration applications

Performance

ELECTRICAL DATA (AMPS)*							
Lumens	Watts	120V	208V	240V	277V	347V	480V
9L	68.2	0.6A	0.3A	0.3A	0.2A	0.2A	0.1A
12L	93.1	0.8A	0.4A	0.4A	0.3A	0.3A	0.2A
18L	148.5	1.2A	0.7A	0.6A	0.5A	0.4A	0.3A
24L	188.8	1.6A	0.9A	0.8A	0.7A	0.5A	0.4A
30L	248.6	2.1A	1.2A	1.0A	0.9A	0.7A	0.5A
36L	317.8	2.6A	1.5A	1.3A	1.1A	0.9A	0.7A
42L	393.4	3.3A	1.9A	1.6A	1.4A	1.1A	0.8A

*Electrical data at 25C (77F). Actual wattage may differ by +/-10%

ELECTRICAL DATA - PHOSPHOR CONVERTED AMBER (AMPS)*							
Lumens	Watts	120V	208V	240V	277V	347V	480V
9L	74.3	0.6A	0.4A	0.3A	0.3A	0.2A	0.2A
12L	102.9	0.9A	0.5A	0.4A	0.4A	0.3A	0.2A

*Electrical data at 25C (77F). Actual wattage may differ by +/-10%

RECOMMENDED LUMEN MAINTENANCE ¹ (24-42L)					
Ambient	Initial ²	25 hr ²	50 hr ²	75 hr ³	100 hr ³
0-40 C	100%	100%	97%	94%	92%

RECOMMENDED LUMEN MAINTENANCE ¹ (9-18L)					
Ambient	Initial ²	25 hr ²	50 hr ²	75 hr ³	100 hr ³
0-50 C	100%	96%	91%	87%	83%

- 1- Lumen maintenance values at 25C are calculated per TM-21 based on LM-80 data and in-situ testing.
- 2- In accordance with IESNA TM-21-11, Projected Values represent interpolated value based on time durations that are within six times the IESNA LM-80-08 total test duration for the device under testing.
- 3- In accordance with IESNA TM-21-11, Calculated Values represent time durations that exceed six times the IESNA LM-80-08 total test duration for the device under testing

DELIVERED LUMENS*					
Lumen Package	Distribution	Phosphor Converted Amber (Peak 610nm)			Wattage
		Delivered Lumens	Efficacy	BUG Rating	
9L	2	5958	80	B2-U0-G1	74
	2 IL	3735	50	B0-U0-G1	
	3	6196	83	B1-U0-G1	
	3 IL	4205	56	B0-U0-G1	
	5W	5528	74	B3-U0-G1	
	FT	5922	79	B1-U0-G2	
	FT IL	3712	50	B0-U0-G1	
	FTA	5997	80	B2-U0-G2	
12L	FTA IL	4254	57	B0-U0-G1	103
	2	7559	73	B2-U0-G2	
	2 IL	4738	46	B0-U0-G1	
	3	7860	76	B2-U0-G2	
	3 IL	5335	52	B0-U0-G1	
	5W	7013	68	B3-U0-G2	
	FT	7513	73	B2-U0-G2	
	FT IL	4709	46	B0-U0-G2	
FTA	7608	74	B2-U0-G2		
FTA IL	5397	52	B0-U0-G1		

*LED Chips are frequently updated therefore values are nominal

LUMINAIRE EPA CHART - SLM									
Tilt Degree		0°	30°	45°	Tilt Degree		0°	30°	45°
Single	0.5	2.1	2.6	T90°	1.2	2.9	3.6		
D180°	1.1	2.1	2.6	TN120°	1.3	4.4	5.4		
D90°	0.9	2.5	3.1	Q90°	1.2	2.9	3.6		

Specifications and dimensions subject to change without notice.



Slice Medium - SLM Outdoor LED Area Light

DELIVERED LUMENS*															Wattage
Lumen Package	Distribution	CRI	2700K CCT			3000K CCT			4000K CCT			5000K CCT			
			Delivered Lumens	Efficacy	BUG Rating										
9L	2	70	8349	122	B2-U0-G2	8576	125	B2-U0-G2	9396	137	B2-U0-G2	9784	143	B2-U0-G2	69
	2 IL	70	5185	76	B0-U0-G1	5326	78	B0-U0-G1	5835	85	B0-U0-G1	6076	89	B0-U0-G1	
	3	70	8571	125	B1-U0-G2	8804	129	B1-U0-G2	9646	141	B2-U0-G2	10044	147	B2-U0-G2	
	3 IL	70	6283	92	B0-U0-G2	6454	94	B0-U0-G2	7071	103	B0-U0-G2	7363	107	B0-U0-G2	
	5W	70	8158	119	B3-U0-G2	8380	122	B3-U0-G2	9181	134	B3-U0-G2	9560	140	B4-U0-G2	
	FT	70	8337	122	B2-U0-G2	8563	125	B2-U0-G2	9382	137	B2-U0-G2	9769	143	B2-U0-G2	
	FT IL	70	5393	79	B0-U0-G2	5540	81	B0-U0-G2	6069	89	B0-U0-G2	6320	92	B0-U0-G2	
	FTA	70	8459	123	B2-U0-G2	8689	127	B2-U0-G2	9520	139	B2-U0-G2	9913	145	B2-U0-G2	
FTA IL	70	6200	91	B1-U0-G1	6369	93	B1-U0-G1	6978	102	B1-U0-G1	7266	106	B1-U0-G1		
12L	2	70	11157	119	B2-U0-G2	11461	122	B2-U0-G2	12556	134	B3-U0-G2	13075	139	B3-U0-G2	94
	2 IL	70	6929	74	B1-U0-G1	7117	76	B1-U0-G2	7798	83	B1-U0-G2	8119	86	B1-U0-G2	
	3	70	11454	122	B2-U0-G2	11766	125	B2-U0-G2	12890	137	B2-U0-G2	13423	143	B2-U0-G2	
	3 IL	70	8396	89	B0-U0-G2	8625	92	B0-U0-G2	9449	101	B0-U0-G2	9839	105	B0-U0-G2	
	5W	70	10902	116	B4-U0-G2	11199	119	B4-U0-G2	12269	131	B4-U0-G2	12775	136	B4-U0-G2	
	FT	70	11141	119	B2-U0-G2	11444	122	B2-U0-G2	12538	133	B2-U0-G3	13055	139	B2-U0-G3	
	FT IL	70	7207	77	B0-U0-G2	7403	79	B0-U0-G2	8110	86	B0-U0-G2	8445	90	B0-U0-G2	
	FTA	70	11304	120	B2-U0-G2	11612	124	B2-U0-G2	12722	135	B2-U0-G2	13247	141	B2-U0-G2	
FTA IL	70	8286	88	B1-U0-G1	8511	91	B1-U0-G1	9325	99	B1-U0-G1	9710	103	B1-U0-G1		
18L	2	70	16714	112	B3-U0-G3	17168	115	B3-U0-G3	18809	126	B3-U0-G3	19586	131	B3-U0-G3	150
	2 IL	70	10379	69	B1-U0-G2	10662	71	B1-U0-G2	11681	78	B1-U0-G2	12163	81	B1-U0-G2	
	3	70	17158	115	B2-U0-G3	17625	118	B2-U0-G3	19310	129	B3-U0-G3	20107	134	B3-U0-G3	
	3 IL	70	12578	84	B1-U0-G3	12920	86	B1-U0-G3	14155	95	B1-U0-G3	14739	99	B1-U0-G3	
	5W	70	16331	109	B4-U0-G2	16776	112	B4-U0-G2	18379	123	B4-U0-G2	19138	128	B5-U0-G3	
	FT	70	16689	112	B3-U0-G3	17143	115	B3-U0-G3	18781	126	B3-U0-G4	19557	131	B3-U0-G4	
	FT IL	70	10795	72	B1-U0-G2	11089	74	B1-U0-G2	12149	81	B1-U0-G3	12651	85	B1-U0-G3	
	FTA	70	16934	113	B3-U0-G3	17395	116	B3-U0-G3	19058	127	B3-U0-G3	19844	133	B3-U0-G3	
FTA IL	70	12412	83	B1-U0-G1	12750	85	B1-U0-G2	13969	93	B1-U0-G2	14546	97	B1-U0-G2		
24L	2	70	20880	112	B3-U0-G3	22701	121	B4-U0-G3	24276	130	B4-U0-G3	24784	133	B4-U0-G3	187
	2 IL	70	13100	70	B1-U0-G2	14243	76	B1-U0-G2	15231	81	B1-U0-G2	15550	83	B1-U0-G2	
	3	70	21739	116	B3-U0-G3	23636	126	B3-U0-G4	25275	135	B3-U0-G4	25804	138	B3-U0-G4	
	3 IL	70	15828	85	B1-U0-G3	17209	92	B1-U0-G3	18403	98	B1-U0-G4	18788	100	B1-U0-G4	
	5W	70	20632	110	B5-U0-G3	22432	120	B5-U0-G3	23988	128	B5-U0-G3	24490	131	B5-U0-G3	
	FT	70	21611	116	B3-U0-G4	23496	126	B3-U0-G4	25126	134	B3-U0-G4	25652	137	B3-U0-G4	
	FT IL	70	13692	73	B1-U0-G3	14886	80	B1-U0-G3	15919	85	B1-U0-G3	16252	87	B1-U0-G3	
	FTA	70	21496	115	B3-U0-G3	23371	125	B3-U0-G3	24992	134	B3-U0-G3	25515	136	B3-U0-G3	
FTA IL	70	15226	81	B1-U0-G2	16555	89	B1-U0-G2	17703	95	B2-U0-G2	18073	97	B2-U0-G2		
30L	2	70	26581	108	B4-U0-G3	28900	117	B4-U0-G3	30905	125	B4-U0-G3	31551	128	B4-U0-G3	247
	2 IL	70	16677	68	B1-U0-G2	18132	73	B1-U0-G2	19390	79	B1-U0-G2	19796	80	B1-U0-G2	
	3	70	27675	112	B3-U0-G4	30089	122	B3-U0-G4	32176	130	B3-U0-G4	32850	133	B3-U0-G4	
	3 IL	70	20150	82	B1-U0-G4	21908	89	B1-U0-G4	23428	95	B1-U0-G4	23918	97	B1-U0-G4	
	5W	70	26266	106	B5-U0-G3	28557	116	B5-U0-G3	30538	124	B5-U0-G4	31177	126	B5-U0-G4	
	FT	70	27512	111	B3-U0-G4	29912	121	B3-U0-G4	31987	130	B3-U0-G4	32656	132	B3-U0-G5	
	FT IL	70	17430	71	B1-U0-G3	18951	77	B1-U0-G4	20266	82	B1-U0-G4	20690	84	B1-U0-G4	
	FTA	70	27365	111	B3-U0-G3	29752	120	B4-U0-G3	31816	129	B4-U0-G3	32482	132	B4-U0-G3	
FTA IL	70	19384	78	B2-U0-G2	21075	85	B2-U0-G2	22537	91	B2-U0-G2	23008	93	B2-U0-G2		
36L	2	70	32214	102	B4-U0-G3	35025	111	B4-U0-G3	37454	118	B4-U0-G3	38238	121	B4-U0-G4	317
	2 IL	70	20212	64	B1-U0-G2	21975	69	B1-U0-G3	23499	74	B2-U0-G3	23991	76	B2-U0-G3	
	3	70	33540	106	B3-U0-G4	36466	115	B3-U0-G5	38996	123	B3-U0-G5	39812	126	B3-U0-G5	
	3 IL	70	24421	77	B1-U0-G4	26551	84	B1-U0-G4	28393	90	B1-U0-G4	28987	92	B1-U0-G5	
	5W	70	31832	101	B5-U0-G4	34609	109	B5-U0-G4	37010	117	B5-U0-G4	37785	119	B5-U0-G4	
	FT	70	33342	105	B3-U0-G5	36251	114	B3-U0-G5	38766	122	B4-U0-G5	39577	125	B4-U0-G5	
	FT IL	70	21125	67	B1-U0-G4	22968	73	B1-U0-G4	24561	78	B1-U0-G4	25075	79	B1-U0-G4	
	FTA	70	33164	105	B4-U0-G3	36058	114	B4-U0-G4	38559	122	B4-U0-G4	39366	124	B4-U0-G3	
FTA IL	70	23492	74	B2-U0-G2	25541	81	B2-U0-G2	27313	86	B2-U0-G2	27885	88	B2-U0-G2		
42L	2	70	36785	94	B4-U0-G3	39994	103	B5-U0-G4	42768	110	B5-U0-G4	43663	112	B5-U0-G4	390
	2 IL	70	23079	59	B1-U0-G3	25093	64	B2-U0-G3	26833	69	B2-U0-G3	27395	70	B2-U0-G3	
	3	70	38299	98	B3-U0-G5	41640	107	B4-U0-G5	44528	114	B4-U0-G5	45460	117	B4-U0-G5	
	3 IL	70	27886	72	B1-U0-G4	30319	78	B1-U0-G5	32422	83	B1-U0-G5	33100	85	B1-U0-G5	
	5W	70	36349	93	B5-U0-G4	39520	101	B5-U0-G4	42261	108	B5-U0-G4	43145	111	B5-U0-G4	
	FT	70	38073	98	B4-U0-G5	41395	106	B4-U0-G5	44266	114	B4-U0-G5	45192	116	B4-U0-G5	
	FT IL	70	24122	62	B1-U0-G4	26226	67	B1-U0-G4	28045	72	B1-U0-G4	28632	73	B1-U0-G4	
	FTA	70	37870	97	B4-U0-G4	41174	106	B4-U0-G4	44030	113	B4-U0-G4	44951	115	B4-U0-G4	
FTA IL	70	26825	69	B2-U0-G2	29165	75	B2-U0-G2	31188	80	B2-U0-G2	31841	82	B2-U0-G2		

*LED Chips are frequently updated therefore values are nominal

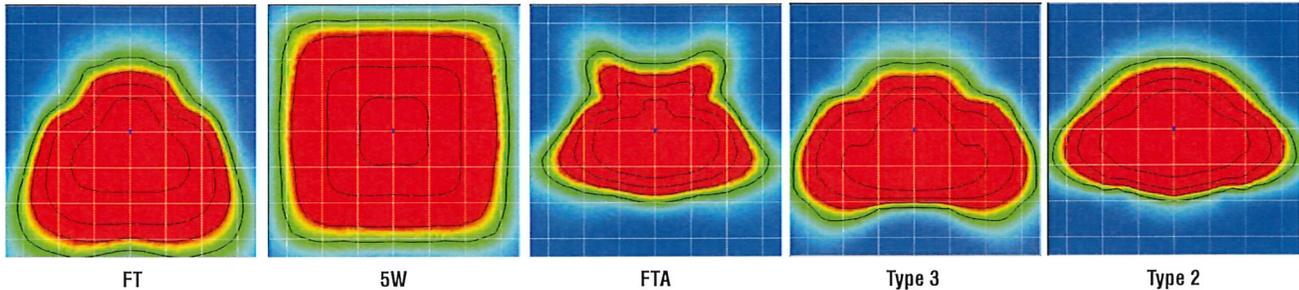
Specifications and dimensions subject to change without notice.



Slice Medium - SLM Outdoor LED Area Light

Performance (Cont.)

All published luminaire photometric testing performed to IESNA LM-79 standards. ISO footcandle plots below demonstrate the Slice (SLM) light patterns only. Not for total fixture output. For complete specifications and IES files, see website.



Ordering Guide

TYPICAL ORDER EXAMPLE: **SLM LED 36L SIL FTA UNV DIM 50 70CRI ALSGS04 BRZ IL**

Luminaire Prefix	Light Source	Lumen Package*	Light Output	Distribution	Orientation ¹	Voltage	Driver
SLM Slice Medium	LED	9L - 9,000 lms 12L - 12,000 lms 18L - 18,000 lms 24L - 24,000 lms 30L - 30,000 lms 36L - 36,000 lms 42L - 42,000 lms *Consult factory for programmable wattages and lumen packages	SIL - Silicone	2 - Type 2 3 - Type 3 5W - Type 5 Wide FT - Forward Throw FTA - Forward Throw Automotive	(blank) - standard L - Optics rotated left 90 R - Optics rotated right 90	UNV - Universal Voltage (120-277V) HV - High Voltage (347-480V)	DIM - 0-10V Dimming (0-10%)

Color Temp	Color Rendering	Controls (Choose One)	Finish	Options
50 - 5,000 CCT 40 - 4,000 CCT 30 - 3,000 CCT ² 27 - 2,700 CCT ² AMB - Phosphor Converted Amber ^{2,3}	70CRI - 70 CRI 80CRI - 80 CRI ²	<p><u>(Blank) - None</u></p> <p><u>Wireless Controls System</u></p> ALSG - AirLink Synapse Control System ⁴ ALSCH - AirLink Synapse Control System Host / Satellite ^{4,5} ALSGS01 - AirLink Synapse Control System with 8-12' Motion Sensor ⁴ ALSCHS01 - AirLink Synapse Control System Host / Satellite with 8-12' Motion Sensor ^{4,5} ALSGS02 - AirLink Synapse Control System with 12-20' Motion Sensor ⁴ ALSCHS02 - AirLink Synapse Control System Host / Satellite with 12-20' Motion Sensor ^{4,5} ALSGS04 - AirLink Synapse Control System with 20-40' Motion Sensor ⁴ ALSCHS04 - AirLink Synapse Control System Host / Satellite with 20-40' Motion Sensor ^{4,5} <p><u>Stand-Alone Controls</u></p> EXT - 0-10v Dimming (from external signal) IMS0M1 - Integral Motion Sensor 8-12' 120-277V ^{4,6} IMS0M2 - Integral Motion Sensor 12-20' 120-277V ^{4,6} IMS0M4 - Integral Motion Sensor 20-40' 120-277V ^{4,6} IMS0M1HV - Integral Motion Sensor 8-12' 347-480V ⁶ IMS0M2HV - Integral Motion Sensor 12-20' 347-480V ⁶ IMS0M4HV - Integral Motion Sensor 20-40' 347-480V ⁶ CR7P - 7 Pin Control Receptacle ANSI C136.41 ⁷ <p><u>Button Type Photocells</u></p> PCI120 - 120V PCI208-277 - 208 - 277V PCI347 - 347V	BRZ - Bronze BLK - Black GPT - Graphite MSV - Metallic Silver WHT - White PLP - Platinum Plus SVG - Satin Verde Green	<p><u>(Blank) - None</u></p> IL - Integral Louver HSS ¹



Slice Medium - SLM Outdoor LED Area Light

Accessory Ordering Information⁸

Description	Order Number	Description	Order Number
PC120 Photocell for use with CR7P option (120V) ⁹	122514	DFK208, 240 Double Fusing (208V, 240V)	DFK240
PC208-277 Photocell for use with CR7P option (208V, 240V, 277V) ⁹	122515	DFK480 Double Fusing (480V)	DFK480
PC347 Photocell for use with CR7P option (347V) ⁹	122516	DFK347 Double Fusing (347V)	DFK347
PC480 Photocell for use with CR7P option (480V) ⁹	1225180	X5RPP - Round Pole Adapter for 5" Poles ¹⁰	379968CLR
ALSC UNV TL5 - Airlink 5Pin Twist Lock Controller ^{4,9}	661409	IL - Integral Louver HSS	684812
ALSC UNV TL7 - Airlink 7Pin Twist Lock Controller ^{4,9}	661410	Universal Mounting Bracket (UMB) ¹⁰	684616CLR
PMOS24 - 24V Pole-Mount Occupancy Sensor (ALSC/H Compatible) ¹⁰	663284CLR	Adjustable Slip Fitter (ASF) ¹⁰	688138CLR
IMS/PC Remote Configurator Tool	584929	Pole Quick Mount Bracket - Square Pole ¹⁰	687073CLR
X3RPP - Round Pole Adapter for 3" Round Tapered Poles ¹⁰	408273CLR	Pole Quick Mount Bracket - 4-5" Round Pole ¹⁰	689903CLR
X4RPP - Round Pole Adapter for 4" Poles ¹⁰	379967CLR	15° Tilt Pole Quick Mount Bracket - Square Pole ¹⁰	688003CLR
FK120 Single Fusing (120V)	FK120	15° Tilt Pole Quick Mount Bracket - 4-5" Round Pole ¹⁰	689905CLR
FK277 Single Fusing (277V)	FK277	BKS X80 WM * CLR Wall Mount Bracket ¹⁰	382132CLR

FOOTNOTES:

- 1 - Not available on "Type V" distribution.
- 2 - Consult Factory for availability.
- 3 - Only available in 9L and 12L Lumen Packages
- 4 - Not available in HV.
- 5 - Consult Factory for Site Layout
- 6 - IMS is field adjustable, via a hand held Remote Configurator Tool, which must be ordered separately. See Accessory Ordering Information.

7 - Control device must be ordered separately. 7 pin standard. See Accessory Ordering Information.

8 - Accessories are shipped separately and field installed.

9 - Factory installed CR7P option required. See Options.

10 - "CLR" denotes finish. See Finish options.

Accessories/Options

Integral Louver (IL)

Accessory Integral Louver available for improved back-light control without sacrificing street side performance. LSI's Integral Louver (IL) option delivers backlight control that significantly reduces light spill behind the pole for applications with pole locations close to adjacent properties. The integrated louvers' design maximizes forward-reflected light while - reducing glare, maintaining the optical distribution selected, and most importantly, eliminating light trespass. The Integral louver rotates with the optical distribution.

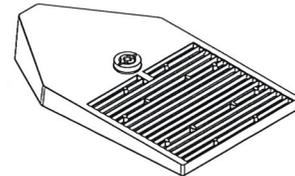
Luminaire Shown with Integral Louver (IL)



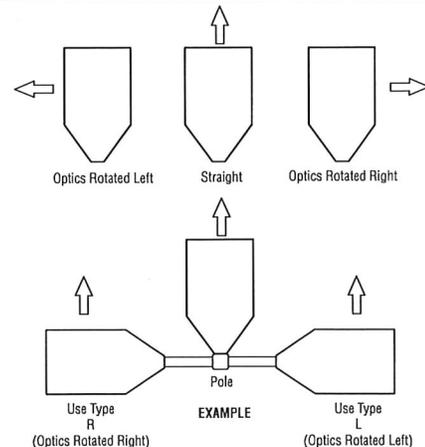
7 Pin Photoelectric Control

7-pin ANSI C136.41-2013 control receptacle option available for twist lock photocontrols or wireless control modules. Control accessories sold separately. Dimming leads from the receptacle will be connected to the driver dimming leads (Consult factory for alternate wiring).

Fixture Shown with CR7P



Optics Rotation





Slice Medium - SLM Outdoor LED Area Light

Stand-alone Controls: Occupancy Sensor (IMS)

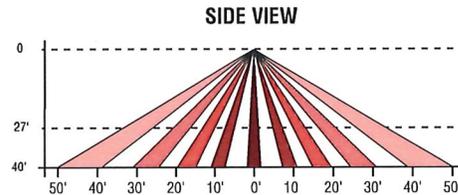
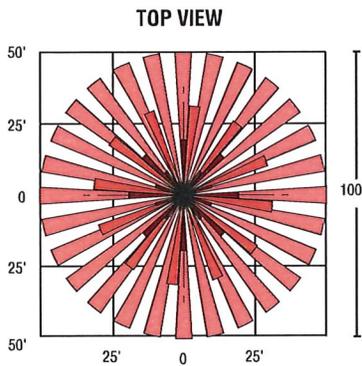
The integral passive infrared motion sensor activates switching of luminaire light levels. Standard Factory settings: High level light is activated and increased to full bright upon detection of motion. Lowlight level (10% maximum drive current) is activated when target zone is absent of motion activity for ~5 minutes. See coverage diagram for detection cone.

The Remote Configurator Tool allows for easy and safe programming of each luminaire from ground level. See the [Remote Configurator User Guide](#) for programming instructions.

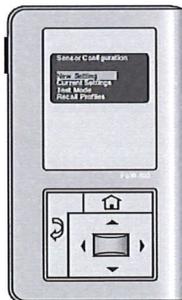
When ordering the Stand-alone Occupancy Sensor on the fixture, you must include IMS (see ordering guide for mounting height options) as the controls option in the fixture nomenclature.

To order as a motion sensor with the AirLink Wireless Control System, see ordering guide under "Wireless Controls System" and select the ALSCS controls option with the desired mounting height.

IMS Coverage Diagrams



Remote Configurator Tool



Luminaire Shown with IMS





Slice Medium - SLM Outdoor LED Area Light



The AirLink enabled by Synapse Wireless Lighting Control System is the perfect solution for commercial, industrial and municipal applications, such as: auto dealerships, parking lots, garages, shopping complexes and warehouses.

AirLink utilizes robust wireless communication via 2.4 GHz Self-Healing Mesh Network which not only increases reliability and accuracy of system, but also eliminates single point of failure.

The flexibility of the system make it perfect for new construction and retrofit projects. The user-friendly AirLink web application is accessible through any device with an internet connection and allows for complete customization of the system's features.

Some capabilities of the system include: occupancy/vacancy sensing, daylight harvesting, scheduling, high-end trim, dimming, zone control, BMS integration and energy monitoring.

The AirLink System

Wireless controls & sensors



Centralized control & integration



Site Manager Controller



Gateway Module



WiFi, Cellular or Ethernet Connection

Simple-to-use software



AirLink Site Manger: Lighting control web app

Contact LSI Controls



Sales
controls.sales@lsi-industries.com



Support
controls.support@lsi-industries.com
1 (800) 436-7800 (support, option 8)

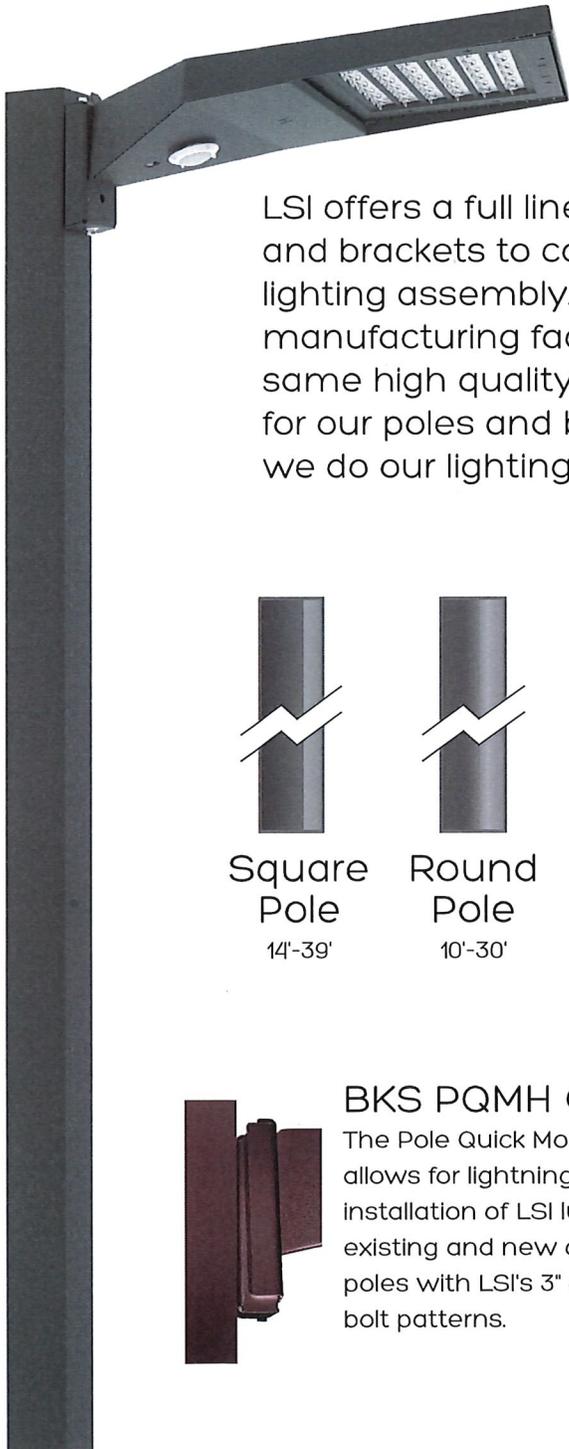


More information
For more information on AirLink, visit our website at www.lsi-airlink.com



Slice Medium - SLM Outdoor LED Area Light

poles & Brackets

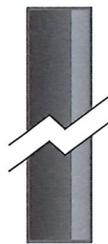


LSI offers a full line of poles and brackets to complete your lighting assembly. Our USA manufacturing facility has the same high quality standards for our poles and brackets as we do our lighting fixtures.



BKA UMB CLR

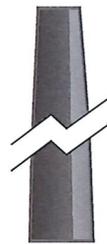
The 3G rated Universal Mounting Bracket (UMB) allows for seamless integration of LSI Luminaires onto existing or new construction poles. The UMB bracket was designed specifically for square or round (tapered/straight) poles with (2) mounting hole spaces between 3.5"-5".



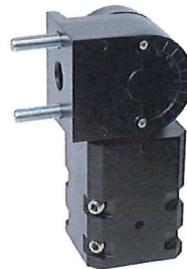
Square Pole
14'-39'



Round Pole
10'-30'

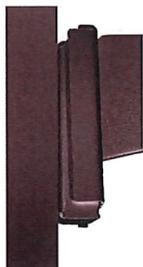


Tapered Pole
20'-39'



BKA ASF CLR

The adjustable Slip Fitter is a 3G rated rugged die cast aluminum adapter to mount LSI luminaires onto a 2" (51mm) IP, 2.375" (60mm) O.D. tenon. The Adjustable Slip Fitter can be rotated 180° allowing for tilting LSI luminaires up to 45° and 90° when using a vertical tenon.



BKS PQMH CLR

The Pole Quick Mount Bracket allows for lightning fast installation of LSI luminaires onto existing and new construction poles with LSI's 3" or 5" standard bolt patterns.



BKS PQM15 CLR

The Pole Quick Mount Bracket allows for preset 15° uptilt of LSI luminaires for greater throw of light and increased vertical illumination aswell as fast installation onto poles with LSI's 3" or 5" bolt pattern.

LED PATRIOT® WALL SCNCE (XPWS3)



US patent 7828456, 8002428 and CAN 2736757 & 2736757 and MX patent 29631 and ISRL 49679 and AUS 2008312668 and US & Int'l. patents pending

SMARTTEC™ -LSI drivers feature integral sensor which reduces drive current, when ambient temperatures exceed rated temperature

ENERGY SAVING CONTROL OPTIONS - DIM- 0-10 volt dimming enabled with controls by others.

OPTIONAL INTEGRAL MOTION SENSOR - Passive infrared motion sensor activates switching of luminaire light levels. High level light is activated when passersby enter target zone and increased to full bright in 1-2 seconds. Low light level (30% of maximum drive current) is activated when target zone is absent of motion activity for 5 minutes and is gradually ramped down (10 seconds) to low level. Sensor detection range 110° horizontal x 93° vertical x 10 meters maximum distance.

EXPECTED LIFE - Minimum 60,000 hours to 100,000 hours depending upon the ambient temperature of the installation location. See LSI web site for specific guidance.

LEDS - Available with 28 or 48 select high-brightness LEDs in Cool White (5000K) or Neutral White (4000K) color temperature, 70 CRI.

OPTICS/DISTRIBUTIONS - Ultra-high efficiency reflectors provide three distributions. Choose from Wide Throw (WT), Forward Throw (FT) or Wall Wash (WW).

HOUSING - One-piece die-cast aluminum housing is smoothly contoured rectangular shape. Mounting hardware is stainless steel or electro-zinc plated steel. Housing and optical unit are sealed with extruded silicone gasket; supply conductors with molded EPDM bushing.

OPTICAL UNIT - Clear tempered optical-grade flat glass lens sealed to the aluminum optic housing creates an IP65 rated unit. Pressure stabilizing breather allows super-tight protection while preventing cycling from building up internal pressures and vacuums that can stress optical unit seals.

WALL MOUNTING - Galvanized-steel universal wall mounting plate easily mounts directly to 4" octagonal or square junction box. EPDM gasket is supplied to be installed between mounting plate and junction box, sealing junction box from entrance of water. Universal plate permits fixture to be mounted in uplighting (indoor only) or downlighting position.

POLE MOUNTING - XPMA (for square) or XPMAR (for round) allows mounting to poles in single and D180 configurations. Use with 3" reduced drilling pattern.

ELECTRICAL - Two-stage surge protection (including separate surge protection built into electronic driver) meets IEEE C62.41.2-2002, Location Category C. Available with universal voltage power supply 120-277VAC (50/60Hz input) or 347-480VAC.

DRIVER - Available in 350mA and 450mA drive currents (Drive currents are factory programmed). Components are fully encased in potting material for IP65 moisture resistance. Driver complies with IEC and FCC standards. Driver can be easily accessed.

EMERGENCY OPTIONS - Optional integral emergency battery-back-up options are available. BB option operates in 0°C to 60°C ambient temperature and CWBB operates in -20°C to 60°C ambient temperature. When primary AC power failure occurs, both options operate 10 LEDs for minimum of 90 minutes.

OPERATING TEMPERATURE - -40°C to +50°C (-40°F to +122°F)

FINISH - Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling.

WARRANTY - LSI LED fixtures carry a limited 5-year warranty.

PHOTOMETRICS - Please visit our web site at www.lsi-industries.com for detailed photometric data.

SHIPPING WEIGHT (in carton) - 30 lbs./13.6Kg

LISTING - ETL listed to ANSI/UL1598, UL8750 and other U.S. and international safety standards. Suitable for wet locations in downlight position. Optional Class 1 Division 2 (groups A, B, C & D) hazardous location rating is available (Select HL option). For a list of the specific products in this series that are DLC listed, please consult the LED Lighting section of our website or the Design Lights website at www.designlights.org.

DOE LIGHTING FACTS

Department of Energy has verified representative product test data and results in accordance with its Lighting Facts Program. Visit www.lightingfacts.com for specific catalog strings.

LIGHT OUTPUT - XPWS3		Distribution/Lumens (Nominal)				
		Milliamps	# of LEDs	Type FT	Type WT	Type WW
Cool White	350 mA	28	3100	3000	3200	34
		48	5100	5100	5200	55
	450 mA	28	3700	3600	3800	44
		48	6200	6100	6300	72
Neutral White	350 mA	28	2900	2900	3100	34
		48	4900	4800	4900	55
	450 mA	28	3500	3500	3700	44
		48	5800	5700	5800	72

LED Chips are frequently updated therefore values may increase.

Also available in traditional light sources

This product, or selected versions of this product, meet the standards listed below. Please consult factory for your specific requirements.



Project Name _____ Fixture Type _____

Catalog # _____

07/28/16

© 2016

LSI INDUSTRIES INC.

LED PATRIOT® WALL SCNCE (XPWS3)

LUMINAIRE ORDERING INFORMATION

TYPICAL ORDER EXAMPLE: **XPWS3 FT LED 48 450 CW UE WHT BB**

Prefix	Distribution	Light Source	# of LEDs	Drive Current	Color Temperature	Input Voltage	Finish	Optional Controls	Optional Sensor/Options
XPWS3 - LED Patriot Wall Sconce	WT - Wide Throw FT - Forward Throw WW - Wall Wash	LED	28 48	350 - 350mA 450 - 450mA	CW - Cool White (5000K) NW - Neutral White (4000K)	UE - Universal Voltage (120-277) 347-480	BLK - Black BRZ - Bronze GPT - Graphite MSV - Metallic Silver PLP - Platinum Plus SVG - Satin Verde Green WHT - White	Wireless Control System^{1,2} (blank) - None PCM - Platinum Control System PCMH - Host/Satellite Platinum Control System GCM - Gold Control System GCMH - Host/Satellite Gold Control System DIM - 0-10 volt dimming (required for satellite fixtures) Stand-Alone Control (blank) - None DIM - 0-10 volt dimming ³ (from external signal)	Sensor IMS - Integral Motion Sensor ⁴ PCI120 - 120V Button-Type Photocell ⁵ PCI208 - 208V Button-Type Photocell ⁵ PCI240 - 240V Button-Type Photocell ⁵ PCI277 - 277V Button-Type Photocell ⁵ PCI347 - 347V Button-Type Photocell ⁵ Options BB - Battery Back-up ⁶ CWBB - Cold Weather Battery Back-up ⁶ with (2) 35 Watt Halogen Lamps ⁷ HL - Class 1, Division 2 Hazardous Location Rating, ETL Listed to UL84 ⁸ XPMA - Pole Mounting Adaptor w/ Fixture Back Plate for Use with Square Poles ⁹ XPMAR4 - Pole Mounting Adaptor w/ Fixture Back Plate for Use with 4" O.D. Round Poles ⁹ XPMAR5 - Pole Mounting Adaptor w/ Fixture Back Plate for Use with 5" O.D. Round Poles ⁹

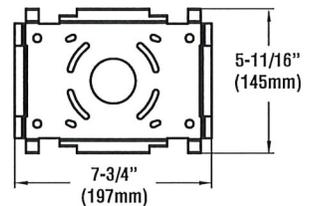
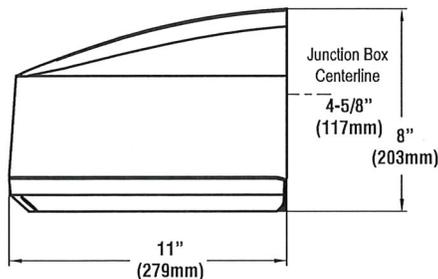
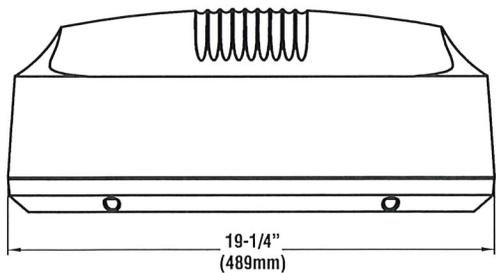
ACCESSORY ORDERING INFORMATION¹ (Accessories are field installed)

Description	Order Number	Description	Order Number
XPWS3 Polycarbonate Shield	244657	DFK208, 240 - Double Fusing	DFK208,240 ¹⁰
XPWS3 SW BLK - Surface Wiring Box (Available in black only)	356915BLK	DFK480 - Double Fusing	DFK480 ¹⁰
FK120 - Single Fusing	FK120 ¹⁰	FK347 - Single Fusing	FK347 ¹⁰
FK277 - Single Fusing	FK277 ¹⁰		

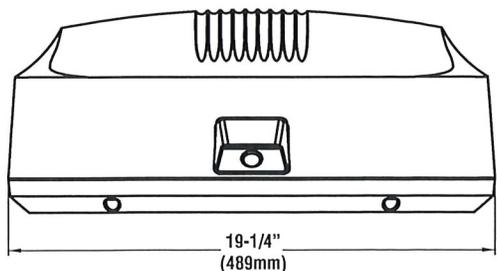
FOOTNOTES:

- For wireless controls information and accessories, see Controls section.
- Requires a SiteManager and override switch. Not compatible with battery back-up, IMS, EMR2 or HL Option.
- Not compatible with IMS option.
- Not compatible with wireless controls system or DIM.
- Not compatible with EMR2 or HL option.
- Available with UE voltage only. Not compatible with wireless controls system, EMR2 or HL option.
- Utilizes GZ4 sockets. 12 volt separate circuits required. Not available with wireless controls system, battery back-up, photocell, HL, XPMA or XPMAR option.
- Not available with wireless controls system, battery back-up, photocell or EMR2 option.
- Not available with EMR2 option. Designed for 3" reduced drilling pattern. For S or D180 mounting configuration only.
- Fusing to be installed in a compatible junction box supplied by contractor.

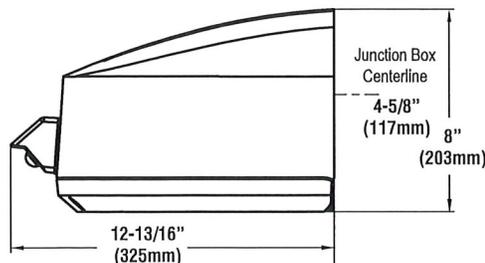
DIMENSIONS



Universal Mounting Plate



Shown with IMS Option



Project Name _____ Fixture Type _____
Catalog # _____

07/28/16

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BUG LISTING

XPWS3 - Type FT

Drive Current	Color Temp.*	Lumens	Watts	LER	BUG Rating
350	CW	3055	34	90	B1-U0-G1
		5094	55	93	B1-U0-G1
	NW	2919	34	86	B1-U0-G1
		4863	55	88	B1-U0-G1
450	CW	3730	44	85	B1-U0-G1
		6159	72	86	B2-U0-G1
	NW	3529	44	80	B1-U0-G1
		5775	72	80	B1-U0-G1

XPWS3 - Type WT

Drive Current	Color Temp.*	Lumens	Watts	LER	BUG Rating
350	CW	2977	34	88	B1-U0-G1
		5095	55	93	B2-U0-G1
	NW	2873	34	86	B1-U0-G1
		4791	55	87	B1-U0-G1
450	CW	3636	44	83	B1-U0-G1
		6144	72	85	B2-U0-G1
	NW	3465	44	79	B1-U0-G1
		5678	72	79	B2-U0-G1

XPWS3 - Type WW

Drive Current	Color Temp.*	Lumens	Watts	LER	BUG Rating
350	CW	3161	34	93	B2-U0-G0
		5209	55	95	B2-U0-G0
	NW	3074	34	90	B1-U0-G0
		4881	55	89	B2-U0-G0
450	CW	3844	44	87	B2-U0-G0
		6315	72	88	B2-U0-G0
	NW	3708	44	84	B2-U0-G0
		5751	71	81	B2-U0-G0

* Color Temperature: NW-4000K, CW-5000K



Project Name _____ Fixture Type _____
 Catalog # _____



**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 | Board of Zoning Appeals |
| <input checked="" 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 type="checkbox"/> Final Development Plan | <input type="checkbox"/> Subdivision Variance | |

Subdivision/Project Name Burger King Address 1034 State Route 37
 Acreage 1.14 Building Square Footage 2,981 Number of Lots 1 Number of Units _____
 Zoning District/Land Use B-3 Proposed Zoning/Land Use B-3 Parcel # 519-342-03-019-001

Applicant Name Carrols Corporation Contact Person Amanda Aldridge
 Applicant Address 968 James Street, Syracuse, NY 13203
 Phone 901-515-6865 Fax _____ E-mail aaldrige@carrols.com

Owner Name Buehler Food Markets Inc Contact Person _____
 Owner Address 1401 Old Mansfield Road, Wooster, OH 44691
 Phone _____ Fax _____ E-mail _____

Engineer/Architect/Attorney The Mannik & Smith Group, Inc. Contact Person Steve Fox, Melissa Miller
 Address 1160 Dublin Road, Suite 100, Columbus, OH 43215
 Phone 614-441-4222 Fax _____ E-mail sfox@manniksmithgroup.com,
mamiller@manniksmithgroup.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.

Scott C. Buehler Owner Signature Scott C. Buehler Owner Printed Name

 Signature Agent Printed Name

Sworn to before me and in my presence on this 21 day of December, 2018



Trula J. Lycans
 Notary Public, State of Ohio
 My Commission Expires April 11, 2020
Trula J. Lycans
 Notary Public



MEMORANDUM

TO: City Council
FROM: R. Thomas Homan, City Manager
DATE: February 6, 2019
RE: Agenda Discussion Items

The agenda for the February 11, 2019 City Council meeting includes discussion items relating to a tobacco ban in parks, massage establishments, and the proposal received by Main Street Delaware regarding the former engineering building.

Smoking Ban

Council last discussed the issue of a tobacco free parks system on July 9, 2018. At that time, an outright ban on the use of tobacco products in public parks was proposed. While Council had some concerns with an outright ban, there was support for limiting the use of tobacco within 50 feet of a park/rental facility. Staff is ready to submit this modified legislation but wants to confirm this approach with Council first.

Massage Establishments

Staff has prepared legislation that would regulate new massage establishments by requiring proof of state licensure. This would be required before a certificate of zoning is issued. This extra layer of scrutiny would deter illegal activity within the City. A draft of the Ordinance is attached. If Council is agreeable, it can be included in Council's February 25th agenda, with a public hearing at the March 11 meeting. This would provide staff adequate time for notification to parties who should be invited to the hearing.

Main Street Delaware Proposal

The proposal to move Main Street's office to the engineering building, which I believe has merit, needs to be discussed by Council to determine if there is interest in exploring it further. Main Street Executive Director, Susie Bibler, will be on hand to answer any questions. See the enclosed proposal which was previously provided to Council on January 17, 2019.

ORDINANCE NO. 19-

AN ORDINANCE REQUESTING THAT NO PERSON SHALL USE ANY FORM OF TOBACCO WITHIN 50 FEET OF RECREATIONAL FACILITIES OF CITY PARKS. TOBACCO USE INCLUDES SMOKING, E-CIGARETTES, OTHER SMOKING DEVICES AND INGESTIBLE FORMS. RECREATIONAL FACILITIES INCLUDE PLAYGROUNDS, ATHLETIC FIELDS, AQUATIC AREAS, PICNIC SHELTERS AND RESTROOMS. THE HIDDEN VALLEY GOLF COURSE SHALL BE EXEMPT FROM THIS SMOKING BAN.

WHEREAS, City Council created the Parks and Recreation Advisory Board to advise Council and to work with the City Planning Commission on problems and needs in the field of parks and recreation; and

WHEREAS, the Parks and Recreation Advisory Board believes that tobacco use in the proximity of children and adults engaging in or watching outdoor recreational activities at the City of Delaware Parks is detrimental to their health and can be offensive to those using such facilities; and

WHEREAS, the Parks and Recreation Advisory Board believes parents, leaders, and officials involved in recreation are role models for youth and can have a positive effect on the lifestyle choices they make; and

WHEREAS, cigarettes, once consumed in public spaces, are often discarded on the ground requiring additional maintenance expenses, diminish the beauty of City parks and recreational facilities, and pose a risk to toddlers and animals due to ingestion; and

WHEREAS, according to the Centers for Disease Control and Prevention (CDC), tobacco use is the leading cause of preventable disease, disability, and death in the United States¹; and

WHEREAS, in 2006, the United States Surgeon General determined that there is no safe amount of secondhand smoke; breathing secondhand smoke is a known cause of sudden infant death syndrome (SIDS). Children are also more likely to have lung problems, ear infections, and severe asthma from being around smoke; Secondhand smoke causes heart disease and lung cancer²; and

¹ Centers for Disease Control and Prevention, Smoking and Tobacco Use Fast Facts, https://www.cdc.gov/tobacco/data_statistics/facts_sheets/fast_facts/index.htm(last visited July 2, 2018).

² U.S. DEPT OF HEALTH & HUMAN SERVS., THE HEALTH CONSEQUENCES OF INVOLUNTARY EXPOSURE TO TOBACCO SMOKE; A REPORT OF THE SURGEON GENERAL (2006) <https://www.surgeongeneral.gov/library/reports/secondhand-smoke-consumer.pdf>

WHEREAS, the Parks and Recreation Advisory Board determines that the prohibition of tobacco use at the City of Delaware Parks recreational facilities serves to protect the health, safety and welfare of the citizens of the City of Delaware and visitors to the City's parks; and

WHEREAS, the Parks and Recreation Advisory Board met on June 19, 2018 to consider input from stakeholders, Parks and Recreation Advisory Board representatives, and City staff; and

WHEREAS, based on the Parks and Recreation Advisory Board motion to recommend the following ordinance update:

NO PERSON SHALL USE ANY FORM OF TOBACCO AT OR ON ANY CITY OF DELAWARE PARK OWNED OR OPERATED INDOOR AND/OR OUTDOOR RECREATIONAL FACILITIES. TOBACCO USE INCLUDES E-CIGARETTES, OTHER SMOKING DEVICES AND INGESTIBLE FORMS. THESE FACILITIES INCLUDE PLAYGROUNDS, ATHLETIC FIELDS, AQUATIC AREAS, PICNIC SHELTERS AND RESTROOMS. THE HIDDEN VALLEY GOLF COURSE SHALL BE EXEMPT FROM THIS SMOKING BAN.

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

SECTION 1. That the recommendations of City Council's Parks and Recreation Advisory Board, as identified above, are hereby adopted by City Council and made part of the Official Record of the City of Delaware.

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 Ohio Revised Code.

VOTE ON RULE SUSPENSION:

YEAS___NAYS___
ABSTAIN ___

PASSED: _____, 2019

YEAS___NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

DRAFT



FACT SHEET

AGENDA ITEM NO:

DATE:

ORDINANCE NO:

RESOLUTION NO: 19-_____

READING: FIRST

PUBLIC HEARING: YES

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Darren Shulman, City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING CHAPTER 1121 AND 1143 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE AND DECLARING AN EMERGENCY

BACKGROUND:

Pursuant to R.C. 715.61, the City of Delaware can regulate massage establishments. Various municipalities in Ohio have adopted regulatory frameworks of various levels of complexity, as detailed in the memorandum prepared by staff and disseminated to Council on September 7, 2018. Following Council's directive to explore regulatory options via the City's zoning code, staff has developed the following ordinance. "Licensed massage establishments" are specifically defined at a permitted use within the B-1 Limited Business, B-2 Central Business, B-3 Community Business, and B-4 General Business districts in 1143.02 of the Planning and Zoning code. This is where they previously were a permitted use as "health and allied services," and does not expand or contract the districts where they are permitted. To receive the necessary certificate of zoning compliance from the City's planning and community development department to commence this use under Ordinance 1127.02, an applicant must certify that massage treatments will be provided by an individual licensed by the State Medical Board of Ohio to practice "massage therapy" or under the supervision of such a licensee. This new ordinance specifically excepts massage treatments that may be provided incidentally to medical or chiropractic treatment, so as not to over-regulate unrelated businesses.

REASON WHY LEGISLATION IS NEEDED:

While most massage establishments are legitimate businesses, massage establishments can unfortunately provide a convenient “front” for illegal activities and human-trafficking. By requiring that new massage establishments provide proof of State licensure to practice massage therapy, before being issued a certificate of zoning compliance, this ordinance adds an extra layer of scrutiny to deter illegal activity, within an established regulatory framework.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

Darren Shulman, City Attorney

RECOMMENDATION:

ATTACHMENT(S)

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 1121 AND 1143 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF DELAWARE AND DECLARING AN EMERGENCY

WHEREAS, the City of Delaware has both the duty and authority to enact ordinances to protect the health, safety, and welfare of those within its borders; and

WHEREAS, massage services are offered independently or as part of medical or cosmetological services which require appropriate regulations to insure the health, safety, and welfare of citizens and avoid nuisances; and

WHEREAS, pursuant to R.C. 715.61, “Any municipal corporation may regulate and license...all persons engaged in the trade, business, or profession of ... massaging”; and

WHEREAS, Council has determined it to be in the best interest of the health, safety, and welfare of the community to ensure that businesses that offer massage services are operated by individuals who have undergone State licensure; and

WHEREAS, multiple divisions of the State of Ohio already provide comprehensive health and safety requirements as part of occupational licenses that are relevant to massage services, including (but not limited to) the state medical board’s licensing and regulation of massage therapy in accordance with R.C. 4731.15 and related sanctions.

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

SECTION 1. That Chapter 1121.02 of the Planning and Zoning Code is amended as follows.

1121.02 – Definitions.

(b)(96.1) MASSAGE means the use of any method on, or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating, pressing, compressing, percussing, stretching, rotating, heating, cooling, or stimulating of, the external soft parts of a living human body, which may be performed with direct or indirect human contact, or with the aid of an apparatus, appliance, or other tool or object.

(b)(96.2) MASSAGE TREATMENT means providing for a fee or any consideration whatsoever any of the following services:

(1) Massage;

(2) The application of liniments, antiseptics, oils, powders, creams, lotions, ointments, hot or cold liquids or solid objects, or other similar treatments.

(b)(96.3) LICENSED MASSAGE ESTABLISHMENT means any establishment having a fixed place of business where a person or entity advertises the availability of, offers, provides, or permits to be carried on, massage treatments. Prior to issuance of a certificate of zoning compliance for a licensed massage establishment, the applicant must certify to the City that all massage treatments shall be provided by individuals licensed by the State Medical Board of Ohio pursuant to R.C. 4731.15 to practice “massage therapy” or individuals under the supervision of those so licensed pursuant to R.C. 4731.15.

(A) A “Massage establishment” does not include any establishment where massage treatment is provided as a portion of services provided by individuals licensed by, or under the supervision of individuals licensed by, any of the following:

(1) The Ohio State Cosmetology and Barber Board or its predecessors pursuant to R.C. 4709 or 4713;

(2) The State of Ohio Board of Nursing pursuant to R.C. 4723;

(3) The Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board pursuant to R.C. 4755;

(4) The Ohio State Chiropractic Board pursuant to R.C. 4734;

(5) The State Medical Board of Ohio pursuant to R.C. 4730 or R.C. 4762; except those licensed pursuant to R.C. 4731.15 to practice “massage therapy.”

Susie Bibler

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Caroline Pusateri

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www.mainstreetdelaware.com

BOARD MEMBERS

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Sean Hughes

Jeff Kirby

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Ashli Nixon

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Terri Lynne Smiles

January 7, 2019

Re: Proposal to purchase or lease 20 E William Street

Dear Mr. Homan,

Main Street Delaware's success has led to the organization outgrowing its current space located at 20 East Winter Street. This proposal is a request to purchase or enter a long-term lease of the City owned property located at 20 East William Street, historically known as the Sheets Building. This proposal seeks to achieve the following mutually beneficial goals and objectives:

1. **Expand Main Street's services offerings:** Main Street currently works one on one with business and building owners to lighten the burden of government by providing free design and development consultation, business training, and support. Current services are limited by available space for educational programming that would support further investment into downtown businesses and real estate.
2. **Provide a public welcome center:** Downtown is the living room of our community. Main Street seeks to provide a memorable, comfortable, and welcoming place where all citizens and visitors can feel at home. To this end, Main Street can provide visitors information about local businesses, upcoming events, and opportunities. Main Street can also offer restroom facilities to visitors during operating hours.
3. **Restore and maintain a historical building:** Downtown Delaware consists of a cohesive grouping of late 19th and early 20th century buildings that create a sense of place and connection to local history. The subject property contributes to the historic downtown fabric; however, having been constructed for residential purposes, the building is not ideal for modern commercial business uses. Main Street's occupancy can put the building to its highest and best use.
4. **Improve public infrastructure:** Recent and ongoing Main Street projects include improvements to "shortcut alley", sidewalk cleanup, and building graffiti removal. These projects are limited by individual project fundraising efforts and volunteer coordination and availability. Main Street would like to increase beautification and improvement efforts. Main Street is currently exploring options to provide enhanced services

-Giving People a Vibrant Downtown Experience-

to property owners for improvements to the public right-of-way through a property owner supported assessment. Services may include sidewalk repairs and litter, graffiti, and snow removal, as well as public safety and communication. Expansion of services will require additional support spaces unavailable at Main Street's current location.

Main Street Delaware is a 501(c)(3), non-profit economic development organization that advocates specifically for the downtown business district. As an entirely volunteer run organization we clock over 4,750 volunteer hours per year and bring 5,000 -15,000 people downtown for shopping and entertainment every month. Additionally, Main Street themed events strengthen community ties through outreach opportunities for the schools and university, fire and police, nonprofits and private businesses.

Main Street Delaware's proposal is based on comparable terms outlined in the Lease between the City of Delaware and Delaware Community Space, LLC, also known as Co-Hatch. According to the Lease, Co-Hatch is leasing 9,386 sf at a rate of approximately \$8.31/sf annually for a period up to 20 years and is responsible for the cost of utilities, taxes, insurance, and maintenance; and the City is providing \$1,185,686.00 or \$126/sf to improve the building.

The Delaware County Auditor website lists 3,016 square feet of above ground space at 20 E William Street. \$8.31/sf multiplied by 3,016 square feet equals a rent rate of \$26,601 per year (\$2,217 per month plus expenses) over the 20-year term; and 3,016 square feet multiplied by \$126/sf equals \$308,016.00 in City provided improvements to the building.

Main Street proposes the following options:

Purchase Option: \$308,016.00 over 20 years discounted back to present day equals approximately \$150,000.00 which we believe is also comparable to the value of an old house in need of significant updates located in the desirable Northwest neighborhood. Main Street proposes to purchase the building for a mutually agreeable price and terms. Main Street is willing to grant the City a right-of-first-refusal to purchase the building back should Main Street at any time in the future decide to sell the property.

Lease Option: Main Street will forgo asking the City to bear the expense to improve the space for the option to lease the building for up to 20 years at a rate of \$0 per month and be responsible for the cost of utilities, insurance, and maintenance on the building.

This proposal is not intended to create any legal rights or obligations between Main Street Delaware or the City of Delaware, but rather to summarize the basic terms that may interest the City.

We look forward to continuing this discussion with you to create a welcoming and more prosperous downtown.

Sincerely,

Susie Bibler, Executive Director
Main Street Board of Directors

TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: February 7, 2019

1. **Calendar**

See Attached

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

N/A

3. **Bi-Weekly Meetings**

January 23

* Finance Committee Meeting

January 24

* OCMA Board Meeting

January 25

* ICMA Columbus 2022 Conference Planning

January 28

* Delaware County Commissioners Meeting

* Rotary

* City Council Meeting

* Joint Meeting with Delaware City School

January 31

* Ohio Wesleyan University – Office of President Rock Jones

* Family Promise Event

February 2

* Dreaming a Greener Delaware – Working Summit

February 4

* Rotary – Youth Exchange Committee

* Delaware Chamber Annual Dinner

February 5

* CIC Meeting

* Liberty Casting and Sustainable Delaware Meeting

February 6

* Main Street Delaware Heritage Ohio Annual Accreditation

February 7

* Citizen’s Academy – Council/Manager Form of Government

February

2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 First Friday	2
3	4	5 Public Works/Public Utilities 6:00 pm	6 Planning Commission 6:30 pm	7	8	9
10	11 City Council 7:00 pm	12	13 BZA 6:30 pm-canceled	14	15	16
17	18 Parking & Safety 6:00 pm -canceled	19	20	21	22	23
24	25 City Council 7:00 pm	26 Shade Tree Commission 6:30 pm	27 Historic Preservation Commission 6:30 pm	28		