

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held April 8 20 19

6:30 EXECUTIVE SESSION: Vice-Mayor Shafer motioned to enter into executive session at 6:30 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: First Ward Chris Jones, Second Ward Lisa Keller (arrived 6:44 p.m.), Third Ward Jim Browning, Fourth Ward Kyle Rohrer, At-Large George Hellinger, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle. Following the discussion at 6:58 p.m., it was moved by Vice-Mayor Shafer that Council move into Open session, seconded by Mr. Jones and approved by a 7-0 vote.

The regular meeting of Council held April 8, 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, Third Ward Jim Browning, Fourth Ward Kyle Rohrer, At-Large George Hellinger, Vice-Mayor Shafer, and Mayor Carolyn Kay Riggle (exited the meeting at 8:57 p.m.) who presided. The invocation was given by Pastor David Soliday, followed by the Pledge of Allegiance.

Staff Present: Chris Ballard, Assistant City Prosecutor, Lee Yoakum, Community Affairs Coordinator, Dean Stelzer, Finance Director, Matt Weber, Deputy City Engineer, Lance Schultz, Zoning Administrator, Bruce Pijanowski, Police Chief, Jackie Walker, Assistant City Manager, and Tom Homan, City Manager

ITEM 4: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held on March 25, 2019, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held March 25, 2019, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Planning Commission meeting held on March 6, 2019, as recorded and transcribed.
- B. Resolution No. 19-18, a resolution appointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointments.

Motion: Mr. Browning motioned to approve the Consent Agenda, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

ITEM 7: COMMITTEE REPORT

Mr. Hellinger informed Council that there was a Finance Committee Meeting on April 3.

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Mayor Riggle informed Council that the Planning Commission met on April 3 and there is an upcoming Sister City Advisory Board meeting on April 9.

ITEM 8: PRESENTATIONS

- A. Proclamation for Child Abuse Prevention and Sexual Assault Awareness Month; presented to Helpline of Delaware and Morrow Counties
- B. Second Ward Community Initiative Update - Karriejoi Coit, Executive Director

PRESENTORS:

Karriejoi Coit
Second Ward Community Initiative, Executive Director
50 Ross Street
Delaware, Ohio

Harry Hart
Second Ward Community Initiative, President
29 David Street
Delaware, Ohio

ITEM 9: ORDINANCE NO. 19-07 [Fourth Reading]

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

The Clerk read the ordinance for the fourth time. Council to take Ordinance No. 19-07 to a fifth reading.

ITEM 10: ORDINANCE NO. 19-08 [Continued Public Hearing and Third Reading]

AN ORDINANCE PROHIBITING SMOKING WITHIN 50 FEET OF RECREATIONAL FACILITIES IN CITY PARKS.

The Clerk read the ordinance for the third time.

PUBLIC PARTICIPATION:

Paul Damron
578 Ablemarle Circle
Delaware, Ohio

Mr. Damron spoke in support of the ordinance.

Brittany Sinzinger
6 Maple Street
Delaware, Ohio

Ms. Sinzinger spoke in support of a full ban throughout the parks.

Angela MacWhinney
Parks and Recreational Advisory Board, Delaware School Representative
107 Griswold Street
Delaware, Ohio

Ms. MacWhinney voiced her support for a complete ban of all tobacco

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and nicotine products throughout all parks.

Robert Dalton
Parks and Recreational Advisory Board Member, Third Ward
Representative
224 Kitdare Drive
Delaware, Ohio

Mr. Dalton voiced his support for a smoking ban throughout parks.

Councilman Hellinger read a statement into the record. A discussion was held with Council regarding the current legislation. The original request for a complete smoking ban throughout all parks by the Parks and Recreation advisory Board was reviewed. It was reviewed that this board did not include Hidden Valley Golf Course in their recommendation. Council directed staff to rewrite the legislation to ban smoking products throughout the parks, excluding Hidden Valley Golf Course and smokeless tobacco products.

ITEM 11: RESOLUTION NO. 19-16 [Second Reading]
A RESOLUTION EXPRESSING COUNCIL'S DIRECTION REGARDING THE SPECIAL EVENTS POLICY ENHANCEMENTS.

The Clerk read the resolution for the second time.

Motion: Mrs. Keller motioned to approve Resolution No. 19-16, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 12: ORDINANCE NO. 19-12 [First Reading]
AN ORDINANCE FOR KROGER GREAT LAKES DISTRIBUTION CENTER APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR A BUILDING EXPANSION TO THE KROGER DISTRIBUTION CENTER AT 2000 NUTTER FARMS LANE ON APPROXIMATELY 162.29 ACRES AND ZONED M-2 (GENERAL MANUFACTURING DISTRICT) WITH TEXT LIMITATIONS.

The Clerk read the ordinance for the first time.

APPLICANT:
Andrew Gardner
Bird & Bull Engineering
6628 Burbank Place
Westerville, Ohio

Randy Broome
AIA Architect
8294 Highway 92, Suite 210
Woodstock, Georgia

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 19-12, seconded by Mr. Hellinger. Motion approved by a 6-1 (Keller) vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 19-12, seconded by Mr. Hellinger. Motion approved by a 7-0 vote.

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ITEM 13: ORDINANCE NO. 19-13 [First Reading] AN ORDINANCE FOR MANOS PROPERTIES FOR APPROVING A FINAL DEVELOPMENT PLAN FOR THE WESLEYAN INN AT 235 WEST WILLIAM STREET ON APPROXIMATELY 0.72 ACRES AND ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT).

The Clerk read the ordinance for the first time. Council to take Ordinance No. 19-13 to a second reading.

APPLICANT: Joe Clase Plan 4 Land, LLC 10 West North Street Ostrander, Ohio

ITEM 14: ORDINANCE NO. 19-14 [First Reading] AN ORDINANCE FOR THE ROCKWELL COMPANY APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR THE FOOD TRUCK DEPOT AT 59 POTTER STREET ON APPROXIMATELY 1.066 ACRES AND ZONED R-4 (GENERAL BUSINESS DISTRICT).

The Clerk read the ordinance for the first time.

APPLICANT: Paul Rockwell 7491 Calhoun Rd. Ostrander, Ohio

Motion: Mr. Rohrer motioned to suspend the rules for Ordinance No. 19-14, seconded by Vice-Mayor Shafer. Motion approved by a 6-1 (Keller) vote.

Motion: Mr. Rohrer motioned to adopt Ordinance No. 19-14, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 15: ORDINANCE NO. 19-15 [First Reading] AN ORDINANCE SUPPLEMENTING THE 2019 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR THE EAST WILLIAM STREET ROAD IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 19-15, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-15, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-15, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 16: ORDINANCE NO. 19-16 [First Reading] AN ORDINANCE SUPPLEMENTING THE 2019 APPROPRIATIONS ORDINANCE TO PROVIDE FUNDING FOR THE RENOVATION OF THE

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CITY HALL ANNEX AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 19-16, seconded by Mr. Browning. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-16, seconded by Mr. Browning. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-16, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 17: ORDINANCE NO. 19-17 [First Reading]
AN ORDINANCE SUPPLEMENTING THE 2019 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR LOCAL ROAD RESURFACING WORK, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 19-17, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-17, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-17, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Mayor Riggle exited the meeting at 8:57 p.m.

ITEM 18: RESOLUTION NO. 19-19 [First Reading]
A RESOLUTION ESTABLISHING RESTRICTIONS AND FEES FOR USE OF PUBLIC PARKING SPACES DESIGNATED FOR ELECTRIC VEHICLE CHARGING.

The Clerk read the resolution for the first time.

Motion: Mrs. Keller motioned to suspend the rules for Resolution No. 19-19, seconded by Mr. Jones. Motion approved by a 6-0 vote.

ITEM 19: CITY MANAGER'S REPORT

Mr. Homan provided information on the upcoming dedication to Fire Station 304. He discussed the need for future legislation regarding the SWCI Lease Agreement.

ITEM 20: COUNCIL COMMENTS

Mrs. Keller informed Council that she will be meeting with constituent, Cheryl Hutchinson, and others relating to their concerns over The Wesleyan Inn on April 15. She also informed Council that she was part of meeting with representatives from the YMCA to discuss rates and citizen discounts.

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Vice-Mayor Shafer provided an update on the new automated parking in the downtown area.

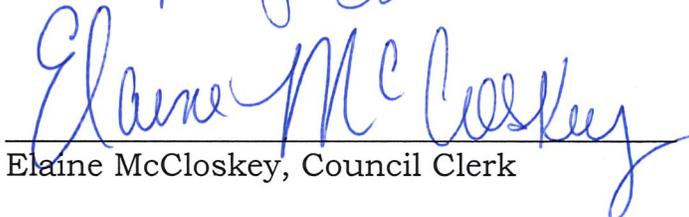
Mrs. Keller motioned to re-enter into executive session at 9:07 p.m. This motion was seconded by Mr. Browning and approved by a 6-0 vote. Council met in executive session pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (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: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Jim Browning, Fourth Ward Kyle Rohrer, At-Large George Hellinger, and Vice-Mayor Kent Shafer. Absent from the discussion was Mayor Carolyn Kay Riggle. Following the discussion at 6:58 p.m., it was moved by Vice-Mayor Shafer that Council move into Open session, seconded by Mr. Jones and approved by a 6-0 vote.

ITEM 21: ADJOURNMENT

Motion: Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 9:26 p.m.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk