

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held April 22 2019

6:30 EXECUTIVE SESSION: Vice-Mayor Shafer motioned to enter into executive session at 6:30 p.m. This motion was seconded by Mr. Rohrer and approved by a 7-0 vote. Council met in executive session pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance. Council conducted a discussion of those items with the following members present: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Jim Browning, Fourth Ward Kyle Rohrer, At-Large George Hellinger, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle. Following the discussion at 6:59 p.m., it was moved by Vice-Mayor Shafer that Council move into Open session, seconded by Mrs. Keller and approved by a 7-0 vote.

The regular meeting of Council held April 22, 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, who presided. The invocation was given by Pastor Jason Allison of Terra Nova, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Lee Yoakum, Community Affairs Coordinator, Dean Stelzer, Finance Director, Dave Efland, Planning and Community Development Director, Ted Miller, Parks and Natural Resources Director, 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 April 8, 2019, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held April 8, 2019, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 5: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Board of Zoning Appeals meeting held on March 13, 2019, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Sister City Advisory Board meeting held on January 9, 2019 as recorded and transcribed.
- C. Resolution No. 19-20, a resolution authorizing the extension of the school zone for Conger Elementary School to 300 feet east of the easternmost school property line on East Winter Street which extends onto East Central Avenue (SR-37) for westbound traffic.

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

ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS

PUBLIC PARTICIPATION:
Chaitanya Tatineni

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561 Buena Park Drive
Delaware, Ohio 43015

Mr. Tatineni discussed that he is a representative of a local cricket club and is looking for assistance in securing a cricket field in the City of Delaware. His club is currently utilizing fields in Hilliard and Dublin. He discussed the need for the pitch to be a permanent fixture.

ITEM 7: COMMITTEE REPORT

Mr. Jones provided information regarding the date for the May 7, Public Works/Public Utilities meeting.

Mayor Riggle requested that the Clerk provide an update regarding the April 9 Sister City Advisory Board Meeting. Information was provided regarding the upcoming art exchange with Sakata.

ITEM 8: PRESENTATIONS

- A. Annual Shade Tree Commission Report and Arbor Day Proclamation

PRESENTOR:

Dave Carey
Shade Tree Commission Representative
251 Crystal Petal Drive
Delaware, Ohio

Mayor Riggle questioned about the trees that are growing around the overhead wires in the Northwest Neighborhood and if they may need to be exchanged for a different type of tree.

- B. Delaware General Health District Update – Sheila Hiddleson, Health Commissioner

PRESENTORS:

Sheila Hiddleson, Health Commissioner
Delaware General Health District
1-3 West Winter Street
Delaware, Ohio

Travis Irvan, Disease Control & Response Program Manager
Delaware General Health District
1-3 West Winter Street
Delaware, Ohio

ITEM 9: STAFF UPDATE 7 PRESENTATION

- A. Ted Miller, Director of Parks and Natural Resources

ITEM 10: CONSIDERATION OF TRANSFER OF LIQUOR PERMITS

- A. From Sheila McKee-Fisher DBA Kintz Bar & Grill & Patios, 77 Lake Street 1st Floor, Delaware, Ohio 43015 to Invest in Holmes, LLC & Patios, 77 Lake Street 1st Floor, Delaware, Ohio 43015. Permit Class: D2, D2X, D3

Motion: Vice-Mayor Shafer motioned to accept the liquor permit without objection, seconded by Mr. Jones. Motion approved by a 7-0 vote.

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B. From Delaware Market LLC DBA Delaware Market 17 East William Street, Delaware, Ohio 43015 to OMMY Petroleum LLC DBA OMMY Petroleum, 17 East William Street, Delaware, Ohio 43015. Permit Class: C1, C2

Motion: Vice-Mayor Shafer motioned to accept the liquor permit without objection, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 11: CONSIDERATION OF TRANSFER OF LIQUOR PERMITS

A. AVI Foodsystems Inc. DBA Hamilton William Campus Center, 40 Rowland Avenue, Delaware, Ohio 43015. Permit Class: D5I

Motion: Vice-Mayor Shafer motioned to accept the liquor permit without objection, seconded by Mr. Jones. Motion approved by a 7-0 vote.

B. Huy Tran, 820 Sunbury Road #604, Delaware, Ohio 43015. Permit Class: D2

Motion: Vice-Mayor Shafer motioned to accept the liquor permit without objection, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 12: ORDINANCE NO. 19-07 [Fifth 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 fifth time. Council to take Ordinance No. 19-07 to a sixth reading.

ITEM 13: ORDINANCE NO. 19-08 [Fourth Reading]

AN ORDINANCE PROHIBITING SMOKING IN CITY PARKS.

The Clerk read the ordinance for the fourth time.

Motion: Mrs. Keller motioned to approve Ordinance No. 19-08, seconded by Mr. Hellinger. Motion approved by a 6-1 (Shafer) vote.

ITEM 14: ORDINANCE NO. 19-13 [Second 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 second time.

APPLICANT:

Jim Manos
5973 Macewen Court
Dublin, Ohio 43017

Jeffrey Brown
Smith & Hale LLC
37 West Broad Street, Suite 460
Columbus, Ohio 43215

Councilwoman Keller informed the applicant of concerns relayed to her

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by neighbors. She voiced their concerns on needing additional buffering for headlights and if the lighting will be Dark Sky compliant. Mr. Manos discussed that he will be providing landscaping to the adjacent property and that the property was cleaned up of any rubbish.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 19-13, seconded by Mr. Jones. Motion approved by a 6-1 (Keller) vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-13, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 15: RESOLUTION NO. 19-21 [First Reading] A RESOLUTION APPROVING THE DELAWARE COUNTY ALL HAZARD MITIGATION PLAN AS SUBMITTED BY DELAWARE COUNTY.

The Clerk read the resolution for the first time.

Motion: Mrs. Keller motioned to adopt Resolution No. 19-21, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 16: RESOLUTION NO. 19-22 [First Reading] A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE OHIOHEALTH CORPORATION.

The Clerk read the resolution for the first time.

Motion: Mr. Jones motioned to adopt Resolution No. 19-22, seconded by Mr. Browning. Motion approved by a 7-0 vote.

ITEM 17: ORDINANCE NO. 19-18 [First Reading] AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN REQUESTING A RECLASSIFICATION OF THE GOLF COURSE SUPERINTENDENT AT A M8 PAY GRADE TO A GOLF COURSE SUPERVISOR AT A M5 PAY GRADE.

The Clerk read the ordinance for the first time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 19-22, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 19-22, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 18: DISCUSSION of Transparency Initiative

Council reviewed the Transparency Initiative that was provided to them by Councilman Hellinger.

ITEM 19: FINANCE DIRECTOR'S REPORT

ITEM 20: CITY MANAGER'S REPORT

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Mr. Homan discussed that they have received applicants for the Assistant City Manager position. He informed Council that he will be out of town for the June 10 Council meeting.

ITEM 21: COUNCIL COMMENTS

Mr. Jones discussed difficulty filing City Income Taxes online.

Mrs. Keller discussed that she had no issues supporting the Transparency Initiative discussed earlier in the meeting.

Mr. Rohrer informed Council that he will not be running for City Council again and that he has closed his campaign fund.

Mayor Riggle requested a recap regarding the ending of the Cemetery Master Plan meeting. She informed Council that there will be a May 6 Work Session, with executive session at 6:00 p.m., and the meeting to begin at 6:30 p.m.

ITEM 22: ADJOURNMENT

Motion: Mr. Jones motioned to adjourn the meeting. The meeting adjourned at 8:49 p.m.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk