

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held July 22 20 19

The regular meeting of Council held July 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 Nicol Ghazi of the Islamic Center of Delaware County, followed by the Pledge of Allegiance.

Staff Present: Darren Shulman, City Attorney, Bill Ferrigno, Public Works Director/City Engineer, Sean Hughes, Economic Development Director, Dean Stelzer, Finance Director, Dave Efland, Planning and Community Development Director, Kyle Kridler, 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 July 8, 2019, as recorded and transcribed.

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

#### **ITEM 5: CONSENT AGENDA**

- A. Acceptance of the Motion Summary of the Board of Zoning Appeal meeting held on April 10, 2019, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Planning Commission meeting held on June 5, 2019, as recorded and transcribed.
- C. Resolution No. 19-32, a resolution authorizing the City Manager to prepare and submit an application to participate in the Ohio Public Works Commission (OPWC) Local Transportation Improvements (LTIP) Grant Program (Round 34), and to execute contracts as required for the Belle Avenue Resurfacing and West William Street (US 36) Base Repair Project.
- D. Resolution No. 19-33, a resolution authorizing the City Manager to enter into a cooperation agreement with Delaware County for an application to the Ohio Public Works Commission (OPWC) for the pavement resurfacing and rehabilitation of Belle Avenue and West William Street (Round 34 Application).

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

#### **ITEM 6: LETTERS, PETITIONS, AND PUBLIC COMMENTS**

##### **PUBLIC COMMENT:**

Hong Nguyen  
128 Bridgeport Way  
Delaware, Ohio 43015

Ms. Nguyen read a statement into the record and provided the Clerk a copy of the statement. She voiced concerns over music playing during Fourth of July celebrations, First Friday's and the need to encourage more local vendors, local taxes, energy conservation and the need for more sustainable energy, and the need for affordable housing and a homeless shelter.

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**ITEM 7: COMMITTEE REPORT**

**ITEM 8: PRESENTATION**

- A. Update from the Delaware General Health District – Sheila Hiddleson, Health Commissioner

Ms. Hiddleson discussed the upcoming plans to move locations, a report on overdose deaths, and mosquito illness statistics. She discussed the T21 Bill that was approved for the State of Ohio which requires individuals to be 21 years or older to purchase tobacco products.

**ITEM 9: DIRECTOR UPDATE**

- A. Sean Hughes, Economic Development Director

**ITEM 10: ORDINANCE NO. 19-38** [Second Reading]  
 AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS IN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC 5709.40(B); PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED; AND AUTHORIZING SCHOOL COMPENSATION PAYMENT.

The Clerk read the ordinance for the second time.

**Motion:** Mr. Jones motioned to suspend the rules for Ordinance No. 19-38, seconded by Vice-Mayor Shafer. Motion approved with a 7-0 vote.

**Motion:** Mr. Jones motioned to adopt Ordinance No. 19-38, seconded by Vice-Mayor Shafer. Motion approved with a 7-0 vote.

**ITEM 11: ORDINANCE NO. 19-39** [Second Reading]  
 AN ORDINANCE SUPPLEMENTING THE 2019 APPROPRIATIONS ORDINANCE IN THE AMOUNT OF \$10,000 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PARTICIPATE INTO AN AGREEMENT TO PARTICIPATE IN A REGIONAL HOUSING STRATEGY.

The Clerk read the ordinance for the second time.

**Motion:** Mr. Jones motioned to suspend the rules for Ordinance No. 19-39, seconded by Vice-Mayor Shafer. Motion approved with a 7-0 vote.

**Motion:** Mr. Jones motioned to adopt Ordinance No. 19-39, seconded by Vice-Mayor Shafer. Motion approved with a 7-0 vote.

**ITEM 12: RESOLUTION NO. 19-34** [First Reading]  
 A RESOLUTION ACCEPTING NEGOTIATED CHANGES TO THE FRATERNAL ORDER OF POLICE (FOP) PATROL AND SUPERVISORS AGREEMENTS WITH THE CITY OF DELAWARE.

The Clerk read the resolution for the first time. Council to take Resolution No. 19-34 to a second reading.

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**ITEM 13: ORDINANCE NO. 19-43** [First Reading]

AN ORDINANCE FOR STRONGHOLD CONSTRUCTION APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR STRONGHOLD INDUSTRIAL PARK LOCATED AT 1327 LONDON ROAD ON APPROXIMATELY 6.2 ACRES ZONED M-2 (GENERAL MANUFACTURING DISTRICT).

The Clerk read the ordinance for the first time.

**APPLICANT:**

Doug Kuepfer  
Stronghold Construction  
35 Grace Drive  
Powell, Ohio

**Motion:** Mr. Jones motioned to suspend the rules for Ordinance No. 19-43, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Jones motioned to adopt Ordinance No. 19-43, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 14: ETHICS TRAINING FOR ELECTED OFFICIALS**

Mr. Shulman provided the training for Council.

**ITEM 15. FINANCE DIRECTOR'S REPORT**

**ITEM 16: CITY MANAGER'S REPORT**

Mr. Homan provided a reminder that the YMCA Advisory Board will have a meeting on July 23. He discussed the upcoming Ironman event and how the public will be notified of street closures through Ironman staff and the City.

**ITEM 17: COUNCIL COMMENTS**

Mrs. Keller questioned how the DORA event went at the recent car show. Staff informed that there were no incidents. The DORA was not readily used at the car show due to the excessive heat. Mayor Riggle and reported that some businesses seemed to not know that there was a DORA event and discussed how we can improve communication. Mrs. Keller discussed expanding the DORA to be held on all Friday and Saturdays.

Mr. Browning informed Council that he will not be seeking reelection this November.

Mr. Hellinger discussed his concerns regarding the American flags that were hung over the bike path and the need for a city policy on what can be placed on city property, who is responsible for the maintenance and the duration. Mr. Shulman discussed if an area is open for expression then the City cannot discriminate on others right to free speech. He discussed that the City can make the decision and that he can help draft a policy. Vice-Mayor Shafer discussed that the American Flag flies on all government flags. Mrs. Keller thanked Mayor Riggle for hanging the flags and felt it showed community pride.

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**Motion:** Mrs. Keller motioned that the Mayor may hang the flag of our nation, that people have fought for and died anywhere and anytime. This motion was not seconded.

Mr. Hellinger discussed how the banners flown in the downtown area has a policy and barrier to entry. Mayor Riggle discussed that she paid privately for the flags and hung them up on her time.

Vice-Mayor Shafer discussed the state passed law for vehicle registration fee to help with road maintenance. He recommended a resolution to start the process for the City of Delaware.

## **ITEM 18: ADJOURNMENT**

**Motion:** Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 8:46 p.m.

  
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Mayor Carolyn Kay Riggle

  
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Elaine McCloskey, Council Clerk