

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held November 25 20 19

6:30 P.M. EXECUTIVE SESSION: Vice-Mayor Shafer motioned to enter into executive session at 6:31 p.m. This motion was seconded by Mrs. Keller 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 Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle. Following the discussion at 6:545 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 November 25, 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 Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Shafer, and Mayor Riggle who presided. The invocation was given by Council Clerk Elaine McCloskey, followed by the Pledge of Allegiance led by The American Heritage Girls.

Staff Present: Bruce Pijanowski, Police Chief, Darren Shulman, City Attorney, Blake Jordan, Public Utilities Director, Bill Ferrigno, Public Works Director/City Engineer, Dean Stelzer, Finance Director, Alycia Ballone, Budget Analyst, Ted Miller, Parks and Natural Resource 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 November 11, 2019, as recorded and transcribed.

APPROVAL of the Motion Summary of the organizational meeting of Council held on November 18, 2019, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held November 11, 2019, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the organizational meeting of Council held November 18, 2019, seconded by Mrs. Keller. 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 September 11, 2019, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Parks and Recreation Advisory Board meeting held on September 17, 2019, as recorded and transcribed.
- C. Resolution No. 19-50, a resolution appointing the initial city appointed member of the Board of Directors of the Berkshire Township Joint Economic Development District No. 2.

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held November 25 2019

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

ITEM 7: COMMITTEE REPORT

ITEM 8: DIRECTOR'S UPDATE

A. Dave Efland – Planning and Community Development Director

ITEM 9: CONSIDERATION OF A LIQUOR PERMIT TRANSFER

A. To Penn Strikes LLC DBA Colony Lanes, 451 Pennsylvania Avenue, Delaware, Ohio 43015 from Dwight and Patricia Green DBA Colony Lanes, 451 Pennsylvania Avenue, Delaware, Ohio 43015. Permit Class: D1

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

B. To Olivina Taproom, LLC DBA Olivina Taproom, 44 South Sandusky Street, Delaware, Ohio 43015, from Mystic Golf and Games LLC, 1159 Columbus Pike, Delaware, Ohio, 43015. Permit Class D2

Motion: Mrs. Keller motioned approve the liquor transfer without objection, seconded by Mr. Farrell. Motion approved by a 7-0 vote.

ITEM 10: CONSIDERATION OF A NEW LIQUOR PERMIT

A. Olivina Taproom, LLC DBA Olivina Taproom, 44 South Sandusky Street, Delaware, Ohio 43015. Permit Class D3

Motion: Vice-Mayor Shafer motioned approve the liquor permit without objection, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 11: ORDINANCE NO. 19-69 [Public Hearing and First Reading]

AN ORDINANCE MAKING APPROPRIATIONS FOR THE YEAR 2020 AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time. There was no public comment. Ms. Ballone discussed the plan to introduce the Citizen Budget program in January and provide a finalized report later in 2020.

ITEM 12: ORDINANCE NO. 19-63 [Second Reading]

AN ORDINANCE ACCEPTING THE ANNEXATION OF 43.847± ACRES OF LAND MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS "A" AND "B" FOR THE ANNEXATION KNOWN AS THE EVANS FARM DELAWARE, LLC ANNEXATION BY ANDREW WECKER, AGENT FOR THE PETITIONERS.

The Clerk read the ordinance for the second time. Mr. Shulman discussed the issue relating to the inclusion of the property into the Delaware South New Community Authority and that Evans Farm is already included within its own NCA. He discussed that there was a request by the Applicant to table Ordinance No. 19-63 until January 13, 2019.

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held November 25 2019

Motion: Vice-Mayor Shafer motioned to table Ordinance No. 19-63 until January 13, 2020, seconded by Mr. Jones.. Motion approved by a 7-0 vote.

ITEM 13: ORDINANCE NO. 19-65 [Second Reading]

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN REQUEST BY T & R PROPERTIES FOR THE ENCLAVE AT THE RAVINES AT OLENTANGY CONTAINING 87 SINGLE FAMILY ATTACHED UNITS ON APPROXIMATELY 14.906 ACRES ON PROPERTY ZONED R-6 PMU (MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) LOCATED ON THE NORTH SIDE OF CURVE ROAD AND WEST OF ROCHDALE RUN.

The Clerk read the ordinance for the second time. Mr. Ferrigno clarified the EPA requirements to notify landowners within a certain distance. He informed Council that there will be a meeting on December 9 with the EPA to discuss the gas monitoring plan and future notification requirements. Mr. Hellinger voiced a concern over liability to the City and requested that Council wait to take action until after the December 9 meeting with the EPA. Mr. Ferrigno did inform Council that the meeting with the EPA was to be more proactive and determine if a trench would be required in the future what the design would need to be. Mayor Riggle voiced a concern that the movement of dirt and redirection of water during construction could cause issues with the gas and requested that this be discussed at the meeting. Mrs. Keller voiced a concern received by a resident at the Enclaves at Adalee regarding sidewalk and street conditions.

APPLICANT:

RJ Sabatino
T&R Properties
2705 Donna Drive
Columbus, Ohio

Motion: Vice-Mayor Shafer motioned to suspend the rules, seconded by Mr. Jones. Motion failed by a 3-3 (Keller, Farrell, Hellinger)-1 (Riggle). Prior to the completion of the vote, Mr. Shulman discussed the need for five affirmative votes for a rules suspension to be approved.

ITEM 14: ORDINANCE NO. 19-66 [Second Reading]

AN ORDINANCE APPROVING A PRELIMINARY SUBDIVISION PLAT REQUEST BY T & R PROPERTIES FOR THE ENCLAVE AT THE RAVINES AT OLENTANGY CONTAINING 87 SINGLE FAMILY ATTACHED UNITS ON APPROXIMATELY 14.906 ACRES ON PROPERTY ZONED R-6 PMU (MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) LOCATED ON THE NORTH SIDE OF CURVE ROAD AND WEST OF ROCHDALE RUN.

The Clerk read the ordinance for the second time. Council to take Ordinance No. 19-66 to a third reading.

ITEM 15: ORDINANCE NO. 19-67 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A DEVELOPMENT TEXT AMENDMENT FOR DELAWARE DEVELOPMENT PLAN LTD., FOR COUGHLIN'S CROSSING TO SUB-AREAS 2, 5, AND 6 ON APPROXIMATELY 80 ACRES

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held November 25 20 19

LOCATED EAST OF US 23, WEST OF STRATFORD ROAD, NORTH OF MEEKER WAY AND SOUTH OF ELLIOT ESTATES SUBDIVISION AND ZONED A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT).

The Clerk read the ordinance for the second time.

APPLICANT:

Connie Klema
P.O. Box 991
Pataskala, Ohio

Mrs. Keller discussed the smaller square footage units and that she was concerned that it may set a precedence but that there were few units in the development at this footage. Ms. Klema discussed the complimentary use of the Carriage Houses in the development.

PUBLIC COMMENT:

Mary Burke
146 Hull Drive
Delaware, Ohio

Ms. Burke voiced a question regarding the potential for development around the bike path.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 19-67, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-67, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 16: ORDINANCE NO. 19-68 [Second Reading]

AN ORDINANCE APPROVING AN AMENDED PRELIMINARY DEVELOPMENT PLAN FOR DELAWARE DEVELOPMENT PLAT, LTD., FOR COUGHLIN'S CROSSING SUB-AREAS 2, 5, AND 6 ON APPROXIMATELY 8- ACRES LOCATED EAST OF US 23, WEST OF STRATFORD ROAD, NORTH OF MEEKER WAY AND SOUTH OF ELLIOT ESTATES SUBDIVISION AND ZONED A-1 PMU (AGRICULTURAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT).

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 19-68, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-68, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 17: RESOLUTION NO. 19-51 [First Reading]

A RESOLUTION OF NO OBJECTION TO THE EXPANSION OF THE CONCORD/SCIOTO COMMUNITY AUTHORITY, A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE.

The Clerk read the resolution for the first time.

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held November 25 2019

Motion: Mr. Jones motioned to adopt Resolution No. 19-51, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 18: ORDINANCE NO. 19-70 [First Reading]
AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES, AND DECLARING AN EMERGENCY.

A. 2020 Budget Presentation by Judge David Sunderman and Cindy Dinovo, Clerk of Courts

The Clerk read the ordinance in to the record for the first time. The Clerk was notified that Judge Marianne Hemmeter will be presenting at the December 9, 2019 Council meeting. Council to take Ordinance No. 19-70 to a second reading.

PRESENTOR:
Cindy Dinovo, Clerk of Courts
70 North Union Street
Delaware, Ohio

ITEM 19: ORDINANCE NO. 19-71 [First Reading]
AN ORDINANCE AMENDING ORDINANCE NO. 18-111, ESTABLISHING THE PAY AND BENEFITS FOR VARIOUS PART-TIME AND INTERMITTENT/SEASONAL EMPLOYEES OF THE CITY OF DELAWARE AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 19-71 to a second reading.

ITEM 20: ORDINANCE NO. 19-72 [Second Reading]
AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 19-72 to a second reading.

ITEM 21: FINANCE DIRECTOR'S REPORT

ITEM 22: CITY MANAGER'S REPORT

Mr. Homan provided an update regarding the renovation of City Hall, the upcoming Sakata art exchange exhibit, and that he attended a presentation at Willowbrook with Councilwoman Keller.

ITEM 23: COUNCIL COMMENTS

Mayor Riggle informed Council that there was a conference call held with officials at Baumholder to discuss future visits.

ITEM 24: ADJOURNMENT

Motion: Vice-Mayor Shafer motioned to adjourn the meeting, seconded by Mr. Jones. The meeting adjourned at 9:05 p.m.

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held November 25 2019



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk