

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 9 20 19

The regular meeting of Council held December 9, 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 (exited the meeting at 7:07 p.m.), 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 Reverend Tracy Sumner, followed by the Pledge of Allegiance.

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, Lory Johnson, Tax Administrator, Rob Alger, City Accountant, 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 25, 2019, as recorded and transcribed.

APPROVAL of the Motion Summary of the work session of Council held on December 2, 2019, as recorded and transcribed.

**Motion:** Mrs. Keller motioned to approve the Motion Summary of the regular meeting of Council held November 25, 2019, and the work session of Council held December 2, 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 Planning Commission meeting held on November 6, 2019, as recorded and transcribed.
- B. Resolution No. 19-52, a resolution authorizing the City Manager to enter into a cooperative agreement with Delaware County to establish a Regional Central Traffic Signal Software System (CTSSS) used by both jurisdictions.
- C. Resolution No. 19-53, a resolution authorizing the City Manager to enter into a cooperative agreement with Delaware County to jointly fund computer aided dispatch software and services.

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

Mr. Jones exited the meeting due to a family emergency at 7:07 p.m.

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

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

Mike Rush  
778 Canal Street  
Delaware, Ohio

Mr. Rush thanked Chief Donahue and Chief Pijanowski for the quick response to the fire at the warehouse on Park Avenue and Curtis Street.

Susie Bibler  
Main Street Delaware, Executive Director  
20 East Winter Street

RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 9 20 19

Delaware, Ohio

Caroline Pusateri
Main Street Delaware, Program Coordinator
20 East Winter Street
Delaware, Ohio

Ms. Bibler thanked staff for the assistance for Main Street's Home for the Holiday event.

Ralph Hodges
Arts Castle
190 West Winter Street
Delaware, Ohio

Mr. Hodges discussed the importance of the Community Promotions Grant and how the funds help the Art's Castle meet their mission to serve the community. Mr. Hodges discussed that many surrounding communities art facilities are funded entirely by the community. He discussed the impact of arts to the quality of life.

ITEM 7: COMMITTEE REPORT

Mrs. Keller discussed the Community Promotions Committee and that she had met earlier with Mr. Hodges. She informed Council that he was unaware of the recommended amount of funds and requested that in the future applicants are notified of this amount. She also suggested looking at revising the scoring criteria.

Vice-Mayor Shafer informed Council that the Parking and Safety meeting for December has been canceled.

Motion to Excuse: Mrs. Keller motioned to excuse Mr. Jones, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 8: CONSIDERATION OF A LIQUOR PERMIT TREX

A. 219 South Sandusky Street, LLC, 219 S. Sandusky St, Delaware, Ohio 43015. Permit Class D-5

Motion: Vice-Mayor Shafer motioned to approve the liquor permit TREX and liquor permit without objection, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

ITEM 9: ORDINANCE NO. 19-75 [Public Hearing and First Reading]

AND ORDINANCE AMENDING CHAPTER 192, SECTION 192.03 OF DELAWARE'S CODIFIED ORDINANCES.

The Clerk read the ordinance for the first time.

There was no public participation.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 19-75, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 9 20 19

**Motion:** Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-75, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 19-75, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

**ITEM 10: ORDINANCE NO. 19-69** [Public Hearing and Second Reading]

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

The Clerk read the ordinance for the second time.

**PUBLIC PARTICIPATION:**

Brett Latta  
376 North Sandusky Street  
Delaware, Ohio

Mr. Latta voiced his support to revisit a tax increase designated for roads. He recommended that the levy not be a permanent increase and was willing to be on a citizen group.

A. Finance Department – Rob Alger

Mr. Alger discussed the Finance Departments responsibilities in the different departments. He informed Council that there are no additional staff requests. Wages and Benefits are increasing in 2020 due to the retirement and subsequent pay out of the Finance Director. Postage is increased due to certified postage requirements. Income Tax Refunds are up from 2019 budget because of recent changes in municipal income tax law. New initiatives were discussed including the new tax software that went live on December 3, 2019. The new ERP system implementation to begin in 2020.

B. City Manager's Office- Lee Yoakum

Mr. Yoakum discussed the personnel request to make the part-time Communications Specialist position full time. He reviewed initiatives that includes a economic development marketing campaign, website face lift to be completed in-house, increase of video story-telling, drone training program, and support for recreation services.

C. Legal – Darren Shulman, City Attorney

Mr. Shulman reviewed changes to the Organizational Chart including the change of Legal Aid PPT position from an intern position. An update on the Paralegal position that was created was provided and that this position has taken over much of the public records request. There have been 55 requests since March 11, 2019 and the average response time is 5.43 days. He did inform Council that the Police Department continues to handle their own public records requests. New initiatives were discussed with an increase in the budget to cover a potential upgrade to WestlawEdge with Practical Law. Mr. Shulman discussed staffing changes

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 9 2019

throughout 2019 and the service his staff was able to provide throughout the transition.

Council discussed appropriating funds towards traffic and calming measures. Mr. Ferrigno discussed that an additional \$19,000 would allow for the recommended Parking and Safety Committee traffic and calming measures in 2019. Mr. Homan discussed appropriating in 2019 for new playground equipment at Mingo to avoid an expected price increase in 2020. A discussion was held regarding the East William Street project. A discussion was held regarding the Community Promotion Funds and can funds be distributed to the citizen led committees for the Fourth of July and the Veteran's Parade to assist with the required liability insurance. Mr. Homan discussed checking with the risk managers regarding the liability insurance.

Mr. Stelzer discussed Financial Management Policies. These policies include the Operating Budget Policies, Reserve Policies, Capital Improvement Program Policies, Debt Management Policies, Revenue Policies and Purchasing Policies. He discussed the Reserve Policy and that in the past the Finance Committee agreed that the City will maintain a targeted fund balance of 17% of the estimated annual expenditures in the General Fund as a reserve. The 17% is an estimated two months of expenditures of the City. He discussed the projected year end balance. Also reviewed was a summary of outstanding debt.

**ITEM 11: ORDINANCE NO. 19-65** [Third 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 third time. Mr. Ferrigno provided an update regarding a meeting with the EPA.

**Motion:** Mrs. Keller motioned to adopt Ordinance No. 19-65, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

**ITEM 12: ORDINANCE NO. 19-66** [Third 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 third time.

**Motion:** Mrs. Keller motioned to adopt Ordinance No. 19-66, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 9 20 19

ITEM 13: ORDINANCE NO. 19-70 [Second 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 Marianne Hemmeter

The Clerk read the ordinance in to the record for the second time.

PRESENTOR:

Judge Marianne Hemmeter 70 North Union Street Delaware, Ohio

ITEM 14: ORDINANCE NO. 19-71 [Second 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 AND EMERGENCY.

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

ITEM 15: 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 second time. Council to take Ordinance No. 19-72 to a third reading.

ITEM 16: ORDINANCE NO. 19-73 [Second Reading] AN ORDINANCE AMENDING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time. Council to take Ordinance No. 19-73 to a third reading.

ITEM 17: ORDINANCE NO. 19-74 [Second Reading] AN ORDINANCE ESTABLISHING THE SALARY AND BENEFITS OF THE COUNCIL CLERK AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time. Council to take Ordinance No. 19-74 to a third reading.

ITEM 18: ORDINANCE NO. 19-76 [First Reading] AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR DELAWARE CITY SCHOOLS FOR AN EXPANSION TO SCHULTZ ELEMENTARY SCHOOL LOCATED AT 499 APPLGATE LANE ON PROPERTY ZONED R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT) WHICH ENCOMPASSES APPROXIMATELY 36.47 ACRES.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 19-76 to a second reading.

ITEM 19: ORDINANCE NO. 19-77 [First Reading]

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 9 20 19

AN ORDINANCE FOR WESTPORT HOMES APPROVING AN AMENDED PRELIMINARY SUBDIVISION PLAT FOR SPRINGER WOODS SECTION 3 ON APPROXIMATELY 47.5 ACRES CONTAINING 121 SINGLE FAMILY LOTS ON PROPERTY ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON THE NORTH SIDE OF WEST WILLIAM STREET (US36) AND SOUTH OF WARRENSBURG ROAD.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 19-77 to a second reading.

ITEM 20: ORDINANCE NO. 19-78 [First Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY MEDROCK LLC FOR WILLOWBROOK SECTION 3 CONTAINING 88 SINGLE FAMILY LOTS ON APPROXIMATELY 22.5 ACRES ON PROPERTY ZONED R-3 AND R-6 (ONE FAMILY RESIDENTIAL DISTRICT AND MULTI-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON THE NORTH AND SOUTH SIDE OF BOULDER DRIVE BETWEEN MINTON DRIVE AND FIRESTONE DRIVE.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 19-78 to a second reading.

ITEM 21: ORDINANCE NO. 19-79 [First Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY MEDROCK LLC FOR WILLOWBROOK SECTION 3 CONTAINING 88 SINGLE FAMILY LOTS ON APPROXIMATELY 22.5 ACRES ON PROPERTY ZONED R-3 AND R-6 (ONE FAMILY RESIDENTIAL DISTRICT AND MULTI-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON THE NORTH AND SOUTH SIDE OF BOULDER DRIVE BETWEEN MINTON DRIVE AND FIRESTONE DRIVE.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 19-79 to a second reading.

ITEM 22: ORDINANCE NO. 19-80 [First Reading]

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$16,500,000 FOR THE PURPOSE OF PAYING THE COSTS OF REFUNDING BONDS PREVIOUSLY ISSUED BY THE CITY FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE CITY'S MUNICIPAL RECREATION FACILITIES, INCLUDING THE CONSTRUCTION OF A RECREATION CENTER TO PROVIDE FITNESS, TRACK, SWIMMING, AND INDOOR AND OUTDOOR MULTI-PURPOSE FACILITIES, AND ATHLETIC FIELDS, AND THE CONSTRUCTION, RENOVATION AND IMPROVEMENT OF OTHER MUNICIPAL RECREATION FACILITIES, INCLUDING THE PROVISIONS OF FURNISHINGS AND EQUIPMENT FOR THE CENTER AND ALL OF SUCH OTHER FACILITIES, AND ACQUIRING RELATED INTERESTS IN REAL PROPERTY AND OTHERWISE IMPROVING THE SAME, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, 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. 19-80, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 9 2019

**Motion:** Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-80, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 19-80, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

Mayor Riggle requested a break at 8:11 p.m. and reconvened the meeting at 8:19 p.m.

## **ITEM 23: CITY MANAGER'S REPORT**

Mr. Homan provided an update regarding the presentation from Delaware NOW and that he is trying to confirm that MKSK will be able to provide the presentation at the January 6 Work Session. He provided an update regarding the Simon Kenton Boy Scouts of American land that was for sale. Also discussed was the leaking roof at SWCI and requested a report of the leak. Mrs. Keller voiced a concern as landlords whose responsibility it is to fix the leak. He informed Council that follow up interviews with Pros Consulting will occur in January and that the Cheshire Trail extension was completed.

## **ITEM 24: COUNCIL COMMENTS**

Vice-Mayor Shafer discussed doing a review in March for budget figures to adjust the CIP.

Mayor Riggle provided information on the Wreaths Across America that will be Saturday, December 14 at Oak Grove Cemetery.

## **ITEM 25: ADJOURNMENT**

**Motion:** Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 9:41 p.m.

  
\_\_\_\_\_  
Mayor Carolyn Kay Riggle

  
\_\_\_\_\_  
Elaine McCloskey, Council Clerk