

**CITY OF DELAWARE
CITY COUNCIL
CITY COUNCIL CHAMBERS
1 SOUTH SANDUSKY STREET
7:00 P.M.**

AGENDA

7:00 P.M. REGULAR MEETING

January 13, 2020

1. ROLL CALL
2. INVOCATION – Pastor Jason Allison, Press Church
3. PLEDGE OF ALLEGIANCE
4. APPROVAL of the Motion Summary of the Year End Meeting of Council held on December 19, 2019, as recorded and transcribed.
5. CONSENT AGENDA
 - A. Resolution No. 20-01, a resolution appointing Council Members to various committees, commissions, and/or boards.
 - B. Resolution No. 20-02, a resolution cancelling the second regular meeting of City Council May 25, 2020, due to the Memorial Day Holiday.
 - C. Resolution No. 20-03, a resolution appointing members to various boards, commissions, and/or committees, and specifying the term of the appointment.
 - D. Resolution No. 20-04, a resolution authorizing the City Manager to enter into a Programmatic Agreement between the City of Delaware and the Ohio State Historic Preservation Office to renew delegated environmental review responsibilities, expiring December 31, 2024.
 - E. Resolution No. 20-05, a resolution approving a Traffic Calming Pilot Program for Carson Farms Boulevard.
 - F. Resolution No. 20-06, a resolution approving a Traffic Calming Pilot Program for Cobblestone Drive.
6. LETTERS, PETITIONS, AND PUBLIC COMMENTS
7. COMMITTEE REPORTS

8. PRESENTATION
 - A. MORPC 2020-2050 Metropolitan Transportation Plan presented by Maria Schaper, MORPC Transportation Planning Manager
9. CONSIDERATION OF A LIQUOR PERMIT TRANSFER
 - A. From Asahi Japanese Steakhouse LLC DBA Asahi Japanese Steakhouse, 1139 Columbus Pike, Delaware, Ohio 43015 to Asahi Restaurant Group LLC DBA Asahi Japanese Restaurant, 1139 Columbus Pike, Delaware, Ohio 43015. Permit Classes: D1, D2, D3
10. CONSIDERATION of Resolution No. 20-07, a resolution honoring the life of Dr. Martin Luther King, Jr.
11. THIRD READING of Ordinance No. 19-63, 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. (This ordinance was tabled at the November 25, 2019 until January 13, 2020 meeting date)
12. CITY MANAGER'S REPORT/UPDATES
 - A. Report on a 4-Way Stop Sign at Executive Blvd. and Rutherford Ave. (See attached reports from Bill Ferrigno, Public Works Director/City Engineer and Jessica Ormeroid, Project Engineer)
 - B. West Hull Drive Traffic Calming Pilot Initiative (See attached report)
13. COUNCIL COMMENTS
14. ADJOURNMENT

RECORD OF PROCEEDINGS

Minutes of Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held December 19 20 19

6:30 P.M. EXECUTIVE SESSION: Vice-Mayor Shafer motioned to enter into executive session at 6:34 p.m. This motion was seconded by Mrs. Keller 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 Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle (arrived at 6:40 p.m.). Following the discussion at 6:57 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 year-end meeting of Council held December 19, 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 City Council Clerk, Elaine McCloskey, followed by the Pledge of Allegiance.

Staff Present: Blake Jordan, Public Utilities Director, Dean Stelzer, Finance Director, 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 December 9, 2019, as recorded and transcribed.

APPROVAL of the Motion Summary of the work session of Council held on December 5, 2019, as recorded and transcribed.

Motion: Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held December 9, 2019, and the work session of Council held December 5, 2019, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 5: CONSENT AGENDA

A. Acceptance of the Motion Summary of the Records Commission meeting held on November 18, 2018, as recorded and transcribed.

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:

Konrad Young
758 Executive Blvd.
Delaware, Ohio

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Held December 19 20 19

Mr. Young voiced a concern over the speeding on Executive Blvd especially in the straight away. He recommended a stop sign on Rutherford and Executive to help slow down drivers. Vice-Mayor Shafer requested that the City Manager ask the staff to reconsider this intersection.

ITEM 7: COMMITTEE REPORT

Mrs. Keller provided an update regarding the YMCA and the relationship with the City of Delaware.

ITEM 8: CONSIDERATION OF A LIQUOR PERMIT RELATING TO STOCKHOLDER CHANGE

A. Scoreboard Pub & Grill 2017 LLC DBA Scoreboard Pub and Grill, 6 Troy Road & Patio, Delaware, Ohio 43015. Permit Class: D5

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

ITEM 9: ORDINANCE NO. 19-69 AMENDED [Third Reading]
AN ORDINANCE MAKING APPROPRIATIONS FOR THE YEAR 2020 AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the third time.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-69, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-69 as amended, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 10: ORDINANCE NO. 19-70 [Third Reading]
AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES AND DECLARING AN EMERGENCY.

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

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-69, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-69 as amended, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 11: ORDINANCE NO. 19-71 [Third 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 third time.

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Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-71, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-71, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 12: ORDINANCE NO. 19-72 [Third 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 third time.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-72, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-72, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 13: ORDINANCE NO. 19-73 [Third Reading]
AN ORDINANCE AMENDING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the third time.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-73, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-73, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 14: ORDINANCE NO. 19-74 [Third Reading]
AN ORDINANCE ESTABLISHING THE SALARY AND BENEFITS OF THE COUNCIL CLERK AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the third time.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-74, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-74, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 15: ORDINANCE NO. 19-76 [Second 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 second time.

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APPLICANT:

Zach Price
Triad Architects
328 North Liberty Street
Delaware, Ohio

Mr. Homan provided an update on the agreement with Delaware City Schools on their financial contribution towards the road construction project. Mrs. Keller questioned if there was any consideration for more parking. Mr. Price addressed her concerns and informed them that there was not plans for parking expansion and that they had observed the current parking trends. Mr. Efland to have further conversations with the schools on the parking.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 19-76, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-76, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 16: ORDINANCE NO. 19-77 [Second Reading]

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 second time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 19-77, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-77, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 17: ORDINANCE NO. 19-78 [Second 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 second time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 19-78, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 19-78, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 18: ORDINANCE NO. 19-79 [Second Reading]

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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 second time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 19-79, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 19-79, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

ITEM 19: ORDINANCE NO. 19-81 [First Reading]
AN ORDINANCE SUPPLEMENTING THE 2019 APPROPRIATIONS ORDINANCE 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. 19-81, seconded by Mr. Farrell. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 19-81, seconded by Mr. Farrell. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 19-81, seconded by Mr. Farrell. Motion approved by a 7-0 vote.

ITEM 20: CITY MANAGER’S REPORT

Mr. Homan reminded Council of the January 6, 2020 Work Session. Orientation for the new council representatives will be held on December 30 and there are plans to invite them to the Citizens Academy. He provided an update regarding the State of the City.

ITEM 21: COUNCIL COMMENTS

Mrs. Keller requested that there be a representative from DelawareNOW during the Council work session to discuss the study.

Mr. Hoffman discussed the concerns voiced earlier in the meeting from Mr. Young and that he is not sure what the technical analysis would be to have stop sign placed, but that the concerns were valid.

Mr. Hellinger discussed that much of speeding in neighborhoods is from residents that live there and the best way to alleviate speed concerns is for residents to drive the speed limit.

ITEM 22: ADJOURNMENT

Motion: Vice- Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 7:49 p.m.

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Held December 19 2019

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM A DATE: 01/13/2020
ORDINANCE NO: RESOLUTION NO: 20-01
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: Carolyn Kay Riggle, Mayor

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION APPOINTING COUNCIL MEMBERS TO VARIOUS COMMITTEES, COMMISSIONS, AND/OR BOARDS.

BACKGROUND:

N/A

REASON WHY LEGISLATION IS NEEDED:

Mayoral appointments are required to be confirmed by City Council

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

Carolyn Kay Riggle, Mayor

RECOMMENDATION:

ATTACHMENT(S)

RESOLUTION NO. 20-01

A RESOLUTION APPOINTING COUNCIL MEMBERS TO
VARIOUS COMMITTEES, COMMISSIONS, AND/OR
BOARDS.

WHEREAS, Council Members are to be appointed to serve on various Committees, Commissions and Boards by the Mayor of the City of Delaware and confirmed by Council; and

WHEREAS, the Mayor made Council appointments and Council has confirmed said appointments.

NOW, THEREFORE, BE IT RESOLVED: by the Council of the City of Delaware that:

SECTION 1. The following Council appointments are hereby made:

1. **Carolyn Kay Riggle, Mayor**
Airport Commission
Planning Commission
Sister City Advisory Board
Community Promotions
Municipal Court Liaison
Intergovernmental Committee
Health Department
Tax Incentive Review Council
MORPC – Alternate
DKMM - Alternate
2. **Kent Shafer, Vice-Mayor**
Finance Committee
Parking and Safety Committee
Civil Service Commission Liaison
MORPC
3. **George Hellinger, At-Large**
Finance Committee
Public Works/Public Utilities Committee
YMCA Advisory Board
4. **Chris Jones, First Ward**
Finance Committee
Parks & Recreation Advisory Board
Public Works/Public Utilities Committee
Recreation Levy Sub-Committee

5. **Lisa Keller, Second Ward**
 Historic Preservation Commission
 Parking and Safety Committee
 Community Promotions
 YMCA Advisory Board
 Recreation Levy Sub-Committee

6. **Cory Hoffman, Third Ward**
 Board of Zoning Appeals
 Public Works/Public Utilities Committee
 Youth in Government
 Recreation Levy Sub-Committee

7. **Drew Farrell, Fourth Ward**
 Parking and Safety Committee
 Shade Tree Commission Liaison
 Community Promotions
 City School Board Liaison
 Recreation Levy Sub-Committee

SECTION 2. The regular meeting schedules for Planning Commission, Board of Zoning Appeals, Airport Commission, Public Works/Public Utilities Committee, Parks and Recreation Advisory Board, Historic Preservation Commission, Parking and Safety Committee, Civil Service Commission, Sister City Advisory Board, Shade Tree Commission, Finance Committee, YMCA Advisory Board Committee and Recreation Levy Sub-Committee shall be:

1. Planning Commission – First and Third Wednesday (if necessary) of the month at 6:30 p.m.
2. Board of Zoning Appeals – Second Wednesday of the month at 6:30 p.m.
3. Airport Commission – January, April, July, and October (Third Thursday of the month) at 6:30 p.m.
4. Public Works/Public Utilities Committee – February, May, August, and November (First Tuesday of the month) at 6:00 p.m.
5. Parking and Safety Committee – February, April, June, August, October, and December (Third Monday of the month) at 6:00 p.m.
6. Historic Preservation Commission – Fourth Wednesday of the month at 6:30 p.m.
7. Shade Tree Commission –February, April, June, August, October (Fourth Tuesday of month) at 6:30 p.m.
8. Parks and Recreation Advisory Board – January, March, May, July, September, November (Third Tuesday of month) at 6:30 p.m.



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM B DATE: 01/13/2020
ORDINANCE NO: RESOLUTION NO: 20-02
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: ----

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION CANCELLING THE SECOND REGULAR MEETING OF CITY COUNCIL MAY 25, 2020, DUE TO THE MEMORIAL DAY HOLIDAY.

BACKGROUND:

The second regular meeting in May of City Council falls on May 25 which is Memorial Day and city offices are closed.

REASON WHY LEGISLATION IS NEEDED:

This legislation provides notice to the public of a deviation from the regular meeting schedule.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

Carolyn Kay Riggle, Mayor

RECOMMENDATION:

Approval

ATTACHMENT(S)



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM C DATE: 01/13/2020
ORDINANCE NO: RESOLUTION NO: 20-03
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: ---

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS, COMMISSIONS, AND/OR COMMITTEES, AND SPECIFYING THE TERM OF THE APPOINTMENTS.

BACKGROUND:

REASON WHY LEGISLATION IS NEEDED:

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):

Carolyn Kay Riggle, Mayor

RECOMMENDATION:

ATTACHMENT(S)

RESOLUTION NO. 20-03

A RESOLUTION APPOINTING MEMBERS TO VARIOUS
BOARDS, COMMISSIONS, AND/OR COMMITTEES, AND
SPECIFYING THE TERM OF THE APPOINTMENTS.

WHEREAS, Members are to be appointed to serve on various Committees, Commissions and Boards by the Mayor of the City of Delaware and confirmed by Council; and

WHEREAS, the Mayor has appointed, and Council has confirmed the following appointments.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Delaware that:

SECTION 1. The following appointments are hereby made:

1. Civil Service Commission – Mary Jane Santos-Appointment for unexpired term (term expiring June 30, 2021)

SECTION 2. This resolution shall be effective immediately upon its passage.

PASSED: _____, 2020

YEAS ____ NAYS ____
ABSTAIN ____

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM D DATE: 01/13/2020
ORDINANCE NO: RESOLUTION NO: 20-04
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: David Efland, Planning & Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROGRAMMATIC AGREEMENT BETWEEN THE CITY OF DELAWARE AND THE OHIO STATE HISTORIC PRESERVATION OFFICE TO RENEW DELEGATED ENVIRONMENTAL REVIEW RESPONSIBILITIES, EXPIRING DECEMBER 31, 2024.

BACKGROUND:

As a community in good standing, this Agreement allows for continued local review by City Staff of smaller projects funded by certain federal programs in terms of federally required historical significance. It is a renewal of previous agreements the City has signed in the past with the Ohio State Historic Preservation Office (SHPO) and extends the coordination agreement period for another five years to December 31, 2024. The existing Agreement technically expired at the end of 2019.

The City of Delaware is required to enter into this Programmatic Agreement and follow the procedures outlined in it, thereby meeting its obligations to the federal regulations that consider the effects of federally assisted projects on historic properties. It also allows somewhat more timely reviews and more local control to the extent possible. The funding sources covered by the Agreement include Community Development Block Grant (CDBG), Home Investment Partnership (HOME), or any other funds offered through the Ohio Development Services Agency (ODSA).

SHPO requires the signature of the City Manager on the Agreement. This resolution grants authorization to renew this intergovernmental agreement. It is to be returned to SHPO for execution prior to February 1, 2020.

REASON WHY LEGISLATION IS NEEDED:

SHPO requires the signature of the City Manager on the Agreement, and the resolution grants authorization to renew this intergovernmental agreement.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning & Community Development Director

RECOMMENDATION:

Staff recommends approval as presented. The Agreement is a renewal of previous agreements the City has signed with the State Historic Preservation Office and extends the agreement period for another five years to December 31, 2024.

ATTACHMENT(S)

Programmatic Agreement for Coordination between the City of Delaware and the Ohio State Historic Preservation Office for the Administration of Programs Using HUD Allocated Funds with Delegated Review Responsibilities Authorized Under 24 CFR Part 58

**PROGRAMMATIC AGREEMENT
for Coordination
between**

The City of Delaware

and the

Ohio State Historic Preservation Office

for the

**Administration of Programs Using HUD Allocated Funds with Delegated Review
Responsibilities Authorized Under 24 CFR Part 58**

WHEREAS, the U.S. Department of Housing and Urban Development (“HUD”) has allocated Community Development Block Grant (CDBG) and other funds to the State of Ohio Development Services Agency (“State”); and

WHEREAS, the State has awarded CDBG and other funds to The City of Delaware (hereinafter referred to as “grantee”); and

WHEREAS, the funding sources covered by this Programmatic Agreement may include, but are not limited to CDBG, Home Investment Partnership (HOME), Economic Development Initiative (EDI), Emergency Shelter Grants, Supportive Housing, Housing Opportunities for Persons with AIDS (HOPWA), and Neighborhood Stabilization Program (NSP) Grants; and

WHEREAS, in accordance with 24 CFR Part 58, the grantee assumes responsibility for environmental review, decision-making, and actions that would otherwise apply to HUD under the National Environmental Policy Act (NEPA) and other provisions of law and this agreement coordinates the analysis and review of projects as provided under 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108), in order to meet the purposes and requirements of both statutes in a timely and efficient manner; and

WHEREAS, the grantee has determined that the undertakings it carries out using the above-listed HUD funding sources may affect properties that are listed in or eligible for listing in the National Register of Historic Places (“National Register”); and

WHEREAS, the grantee has consulted with the Ohio State Historic Preservation Officer (SHPO) regarding the development of this agreement pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (“NHPA”) (54 U.S.C. § 306108); and

WHEREAS, the grantee and the SHPO agree that by following the procedures outlined in this agreement, the grantee will be able to meet its obligations pursuant to 36 CFR Part 800 to take into account the effects of federally assisted projects on historic properties and provide the ACHP with an opportunity to comment.

NOW, THEREFORE, the grantee and the SHPO have agreed to carry out their respective responsibilities pursuant to Section 106 and Section 110(f) of the NHPA and the regulations at 36 CFR Part 800, in accordance with the following stipulations:

STIPULATIONS

I. New Construction & Archaeology

New construction is **not** exempt and must be submitted to the SHPO for review.

In the event the grantee plans any ground disturbance as part of a rehabilitation, new construction, site improvement, or other undertaking, the grantee will consult with the SHPO to determine whether the undertaking will affect an archaeological property eligible for or listed in the National Register. This stipulation shall not be interpreted to include a limited subset of ground-disturbing activities that are exempt from review, as described in Stipulation II.B.2.

II. Exempt Activities

- A. If the grantee determines that an undertaking only involves buildings that are less than fifty years old, or if the undertaking includes only exempt activities (as defined by Stipulations II. B., II. C., and II. D), then the undertaking shall be deemed exempt from further review. Such undertakings will require no review under the terms of this agreement because these activities will generally not affect historic properties.
 1. This stipulation may include the demolition of buildings less than fifty years old, so long as the building has not previously been determined to be eligible for listing or listed in the National Register of Historic Places.
 2. The grantee will keep documentation of this decision to exempt specific undertakings in its files and compile a complete list of exempt undertakings annually, as required in Stipulation VIII.
- B. If the proposed undertaking falls within one of the following categories, the activities shall be deemed exempt:
 1. Non-Construction Work and Development, General Exclusions
 - a. Public service program that does not physically impact buildings or sites.
 - b. Architectural and engineering design fees and other non-construction fees and costs.

- c. Rental or purchase of equipment that does not physically impact buildings or sites.
- d. Temporary board-up, bracing, or shoring of a property, provided that it is installed without permanent damage to the building or site.
- e. Mortgage refinancing or purchasing of a property where no change in use, new construction, or rehabilitation will occur.
- f. Acquisition of vacant land when no subsequent redevelopment of the property is anticipated (including land banking).
- g. Acquisition of land with demolition or rehabilitation of buildings that are less than fifty years old (including land banking).
- h. Rehabilitation of mobile and manufactured homes.
- i. Loans used to fund rehabilitations of buildings less than fifty years old.

2. Site Work

- a. Repair, line painting, paving, resurfacing, and maintenance of existing streets, roads, alleys, parking lots, sidewalks, curbs, ramps, and driveways where no change in width, surfaces, or vertical alignment to drainage is to occur; the replacement in kind of concrete sidewalks where no change in width occurs.
- b. New curb cuts and simple accessibility improvements at roadway crossings to meet ADA requirements. Any improvements that require retaining walls or multiple levels shall be submitted for review.
- c. Maintenance and repair of existing landscape features, including planting, fences, retaining walls, and walkways.
- d. Installation of exterior lighting fixtures on poles outside of individual properties, including parking lots, sidewalks, and freestanding yard lights; installation of new or replacement lighting fixtures that are to be attached to a building less than fifty years old. This exemption is not meant to include street lighting that will serve multiple properties.
- e. Installation of emergency public warning sirens on existing poles and new poles; installation of emergency public warning sirens to a building less than than fifty years old.
- f. Within previously excavated trenches, the repair, maintenance, or replacement of existing residential water and sanitary sewer connections and lines. This exemption does not apply to the installation of water or sewer main lines, but only to connections between individual properties and existing public systems.
- g. Repair, in kind replacement, or reconstruction of existing catch basins.

- h. Replacement of utility meters on buildings in the same location as existing.
3. Exterior Rehabilitation
- a. Rebuilding of existing wheelchair ramps, or installation of new ramps on secondary building elevations where the building is not located on a corner lot.
 - b. Repair (not replacement) of porches, cornices, exterior siding, doors, windows, balustrades, stairs, or other trim as long as any new materials matches existing features in composition, design, color, texture, and other visual and physical qualities.
 - c. Foundation repair. Repointing of foundation masonry is exempt only on secondary elevations. If the building is on a corner lot, repointing of foundation masonry is not exempt on the elevations that face the streets.
 - d. Exterior scraping with non-destructive means and painting of wood siding, features, and trim; exterior painting of masonry, if existing surfaces are already painted. This does not apply to the use of lead encapsulate paint. No abrasive cleaning is permitted for the removal of any building materials.
 - e. Caulking, reglazing, and weather-stripping.
 - f. Installation of screens and storm windows, provided that they:
 - i. Completely fill the original window opening.
 - ii. Match the meeting rail or other major divisions.
 - iii. Interior storms must not cause damage to the original interior trim.
 - iv. Interior storms must be designed to seal completely so as to protect the primary window from condensation.
 - g. Installation of storm doors, if they are undecorated and have a painted finish to match existing trim or the existing door.
 - h. Repair or replacement of asphalt, fiberglass, and asbestos shingle roof covering with the same materials as long as the shape of the roof is not changed.
 - i. Replacement of a flat roof not visible from a public right-of-way as long as the shape of the roof is not changed.
 - j. Repair or replacement of metal gutters and downspouts; and relining, repainting, and repair of box gutters. This does not apply to the replacement of box gutters.
4. Interior Rehabilitation
- a. Repair (not replacement) of existing interior walls, floors, ceilings, decorative plaster, or woodwork, provided the work is limited to repainting, in-kind patching, refinishing, or repapering.
 - b. Installation of attic insulation.
 - c. Repair (not replacement) of existing interior walls, floors, ceilings, decorative plaster, or woodwork, provided the work is limited to repainting, in-kind patching, refinishing, or repapering.

- d. Kitchen and bathroom remodeling if no walls, windows, or doors are removed or relocated so as to alter the floor plan. Venting allowed through roof or secondary wall.
 - e. Installation of new furnace, boiler or water heater; furnace cleaning or repair.
 - f. Installation or repair of all electrical, plumbing, heating, ventilation, and air conditioning systems as long as no alteration is made to structural features or decorative features.
 - g. Installation of new ceiling openings for attic access or pull-down stairs; removal and sealing up of obsolete pull-down stairs.
 - h. Asbestos abatement activities that do not involve removal or alteration of structural or decorative features.
 - i. Lead paint hazard abatement such as HEPA cleaning and HUD approved paint removal or stabilization. Any decorative features shall be treated with care and retained for re-installation after treatment.
- C. Activities defined in 24 CFR Section 58.34 of the “Environmental Review Procedures for Entities Assuming HUD Environmental Review Responsibilities, as amended” are exempt from review under this agreement.
- D. Activities defined in 24 CFR Section 58.35(b) of the “Environmental Review Procedures for Entities Assuming HUD Environmental Review Responsibilities, as amended” are exempt from review under this agreement.

III. Project Review

- A. If the grantee determines that an undertaking will involve any activities that are not exempt under Stipulation II, the grantee will, in accordance with 36 CFR Part 800, consult with the SHPO before starting the undertaking by submitting the following documentation to the SHPO:
1. Project location, including a map;
 2. Project description, including work write-ups, plans, or specifications, as appropriate;
 3. Color photographs of all elevations of the building or site;
 4. Date any buildings in the project area were built;
 5. Statement of whether any properties in the project area are listed in or eligible for listing in the National Register;
 6. If there are listed or eligible properties, a statement of whether and how the undertaking will affect the historic properties.
- B. This submission should include, and the SHPO will consider, the following information if it explains the grantee’s decisions regarding National Register eligibility and effect:
1. Condition assessments for various historic elements;
 2. An explanation of the goals of the undertaking;

3. Alternative treatments considered and cost estimates for each;
 4. Life cycle maintenance costs related to each alternative;
 5. Proposed measures to mitigate or minimize adverse effects;
 6. Available marketing studies; and
 7. Any other information that warrants consideration.
- C. At the discretion of the grantee, SHPO's Section 106 Project Summary Form can be used to satisfy Stipulation III A & B.
- D. The SHPO will respond, in accordance with 36 CFR Part 800, to the grantee within 30 days after receiving the project documentation by stating that:
1. The SHPO concurs with the grantee's decision about eligibility and effect;
 2. The SHPO disagrees with the grantee's decision about eligibility and effect; or
 3. The SHPO needs more information in order to concur or disagree with the grantee's decision about eligibility or effect.
- E. If the SHPO and the grantee agree that the undertaking will have no effect on properties that are listed in or eligible for listing in the National Register, the grantee will retain the SHPO's letter in its project file and the review process, in accordance with 36 CFR Part 800, will be complete.
- F. If the SHPO and the grantee agree that the undertaking will have an effect on properties that are listed in or eligible for listing in the National Register, the grantee will follow the standard process described in 36 CFR Part 800 to complete consultation.
- G. Any disagreements regarding the National Register eligibility of historic properties may be resolved through the grantee requesting a Determination of Eligibility from the Keeper of the National Register of Historic Places, as described in 36 CFR Part 63. Any disagreements regarding project effects shall be resolved as described in 36 CFR Part 800.6. The grantee or SHPO may elect to invite the ACHP to participate or provide its opinion, if they determine it to be appropriate.

IV. Technical Assistance and Educational Activities

Staff in the SHPO's Resource Protection and Reviews Department will provide technical assistance, consultation, and training of grantee staff as required by the grantee or as proposed by the SHPO in order to assist the grantee in carrying out the terms of this agreement. SHPO may also request that appropriate members of the grantee's staff should attend training specifically in the use and interpretation of this agreement, or the overall regulatory process described in 36 CFR Part 800.

V. Public Involvement and Participation

- A. In accordance with citizen participation requirements for State-administered HUD programs (24 CFR Section 570.486), the grantee will seek public input and notify the public of proposed actions.
 - 1. The grantee will, at a minimum, hold two public hearings to seek public comment regarding the planning and implementation of State-administered HUD programs. The first public hearing will address basic program parameters, and the second public hearing will provide specific information regarding proposed activities. Notice of both hearings will be published 10 days in advance in a newspaper of general circulation.
 - 2. The grantee will hold an additional public hearing if a State-administered HUD program is amended. The Amendment Public Hearing provides citizens with an opportunity to review and comment on a substantial change in the program. Notice of an Amendment Public Hearing will be published 10 days in advance in a newspaper of general circulation.
- B. The public notification procedures outlined in 24 CFR Part 58 for a Notice of Intent to Request Release of Funds (NOI/RROF) and Finding of No Significant Impact (FONSI) require the grantee to make information about individual projects available for public inspection, and to consider the views of the public and consulting parties in decision-making about individual projects
- C. For individual projects located in locally designated districts or those that may affect locally listed properties, the appropriate local review board will be presented with information regarding the proposed project for consideration as part of their regularly scheduled hearing, along with any project alternatives considered.

VI. Post Review Discovery

- A. In the event that historic properties are discovered or unanticipated effects on historic properties found after completion of the Section 106 process, the grantee will follow the process established at 36 CFR Part 800.13. In all cases of discovery or unanticipated effects, the grantee will contact SHPO as soon as practicable and provide sufficient information so that SHPO can make meaningful comments and recommendations.
- B. In the event that human remains are discovered during the development or construction of any project subject to this agreement, construction will cease in the area of the discovery. The grantee will contact SHPO and the County Sheriff and/or County Coroner within 48 hours. The grantee will also consult with SHPO, DSA and the County Sheriff and/or Coroner to develop and carry out a treatment plan for the care and disposition of human remains.
- C. When the human remains are determined to be of Native American Indian origin, the treatment plan will also be developed in consultation with appropriate federally recognized Native American Indian Tribes. The grantee may call upon

representatives of DSA and HUD for assistance in conducting meaningful and respectful discussions with tribal representatives.

VII. Dispute Resolution

Should any party to this agreement object at any time to any actions proposed or the manner in which the terms of this agreement are implemented, the grantee shall consult with such party to resolve the objection. If the grantee determines that such objection cannot be resolved, the grantee will:

- A. Forward all documentation relevant to the dispute, including the grantee's proposed resolution, to the ACHP. The ACHP shall provide the grantee with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the grantee shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. The grantee will then proceed according to its final decision.
- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the grantee may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the grantee shall prepare a written response that takes into account any timely comments regarding the dispute, and provide them and the ACHP with a copy of such written response.
- C. The grantee's responsibility to carry out all other actions subject to the terms of this agreement that are not the subject of the dispute remain unchanged.

VIII. Monitoring

- A. Within 30 days after the end of each calendar year that this agreement is in force, the grantee will submit to the SHPO a list of undertakings exempted from review under Stipulation II of this agreement.
 1. For each exempted undertaking the list will include the project location, the age of the building or its date of construction, a full description of each activity undertaken, PA Stipulation used to exempt project from review and name and title of grantee staff member who exempted project from review. The description shall include a list of the work done as well as how the work was done, such as: window sash repaired and repainting.
 2. The grantee should also include in their submission three (3) random samples of exempt projects, on buildings (50) years or older, with copies of the information that was available to support the project's consideration under the terms of this agreement.
- B. If the grantee did not exempt any undertakings from review under the terms of this agreement during the calendar year, it still must inform the SHPO of the lack of exemptions by letter notification.

IX. Definitions

The definitions provided in the National Historic Preservation Act and the regulations at 36 CFR Part 800 apply to terms used throughout this agreement, such as “historic property” and “effect.”

X. Amendment & Duration

This agreement will continue in full force until December 31, 2024 and may be reviewed for modifications, termination, or renewal before this date has passed. At the request of either party, this agreement may be reviewed for modifications at any time. This PA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all of the signatories is filed with the ACHP.

XI. Emergencies

A. In the event that the grantee determines that a project must be completed on an emergency basis due to an imminent threat to life or property or in response to a natural disaster or emergency, the grantee may set aside the timeline established in Stipulation III to facilitate expedited review by the SHPO.

1. The grantee shall notify the SHPO in advance by phone of its intention to submit a project for emergency review.
 - a. Cover letter describing the nature of the emergency and the proposed treatment. Emergency nature of review shall be noted in bold in reference line.
 - b. The address of the property and the nature of the emergency
 - c. Recent photographs of the property
 - d. A signed copy of any local order compelling immediate action
 - e. An Ohio Historic Inventory Form or other documentation regarding the National Register eligibility of the affected property
2. The SHPO shall promptly notify the grantee of its concurrence with the grantee’s effect determination or may request additional information to complete the review. SHPO may recommend to grantee that resolution of adverse effects requiring the execution of a Memorandum of Agreement is necessary, but may agree to grantee’s recommendation to defer completion of such an agreement until the necessary emergency actions have been taken.

Execution of this PA by the grantee and SHPO and implementation of its terms evidence that the grantee has taken into account the effects of its undertakings on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:

The City of Delaware

Signature

Date

R. Thomas Homan
City Manager

Contact Information

City of Delaware
1 South Sandusky Street
Delaware, OH 43015
CMO@delawareohio.net
740-203-1000

State Historic Preservation Office

Signature

Date

Diana Welling
Deputy State Historic Preservation Officer for
Resource Protection and Review

Contact Information:
800 East 17th Avenue
Columbus, OH 43211
dwelling@ohiohistory.org
614-298-2000



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM E DATE: 1/13/2020

ORDINANCE NO: RESOLUTION NO: 20-05

READING: FIRST PUBLIC HEARING:

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, P.E., Public Works Director/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION APPROVING A TRAFFIC CALMING PILOT PROGRAM FOR CARSON FARMS BOULEVARD.

BACKGROUND:

Residents have voiced concerns of motorist speeding along Carson Farms Boulevard. Staff completed a recent speed study and found that the 85th percentile speed, combined for both directions, on Carson Farms Boulevard to be 33 mph. Staff also reviewed the accident history from 2014-2018 and noted that there has not been any accidents related to speed. Based on the documented speeds, staff is recommending the installation of pavement markings (centerline and edge line) along Carson Farms Boulevard from just south of West William Street to Hayfield Drive and the installation of dynamic speed feedback signs for the northbound and southbound directions between Limetree Drive and Brushmore Court. These traffic calming measures will be implemented in the spring of 2020 as a 12 month traffic calming pilot program, after which a report on the effectiveness of both measures combined will be provided to City Council.

REASON WHY LEGISLATION IS NEEDED:

The installation of traffic calming measures utilizing City funding requires City Council authorization.

COMMITTEE RECOMMENDATION:

The action is being taken as a result of the Parking and Safety Committee recommendation at the October 21, 2019 meeting.

FISCAL IMPACT(S):

The cost for the installation of traffic calming measures is estimated at \$12,000 (\$5,000 for the pavement markings and \$7,000 for the dynamic speed feedback signs) to come out of the Public Works Traffic Division 2020 Annual Professional Services budget.

POLICY CHANGES:

None

PRESENTER(S):

William L. Ferrigno, P.E., Public Works Director/City Engineer

RECOMMENDATION:

Approval

ATTACHMENT(S)

N/A

RESOLUTION NO. 20-05

A RESOLUTION APPROVING A TRAFFIC CALMING PILOT PROGRAM FOR CARSON FARMS BOULEVARD.

WHEREAS, residents of Carson Farms Boulevard have requested City Council address the speed of vehicles driving on Carson Farms Boulevard; and

WHEREAS, staff has conducted traffic studies and researched potential solutions; and

WHEREAS, pavement markings and dynamic speed feedback signs are a potential way to reduce motorist speed; and

WHEREAS, in the Traffic Calming Guide for Neighborhood Streets adopted in 2019, the addition of pavement markings and dynamic speed feedback signs are recommended Traffic Calming Measures on local and collector streets under certain circumstances; and

WHEREAS, the cost of the pilot program will be paid for by the City.

WHEREAS, the Parking and Safety Committee has endorsed these improvements by a 3-0 vote at the October 21, 2019 meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL FOR THE CITY OF DELAWARE, STATE OF OHIO:

SECTION 1. City Council approves the use of pavement markings and dynamic speed feedback signs on Carson Farms Boulevard as a 12 month pilot program to reduce speed, after which a report on its effectiveness will be provided to City Council.

SECTION 2. That this resolution shall take effect and be in force immediately after its passage.

VOTE ON AMENDMENT:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2020

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM F DATE: 1/13/2020

ORDINANCE NO: RESOLUTION NO: 20-06

READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: William L. Ferrigno, P.E., Public Works Director/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION APPROVING A TRAFFIC CALMING PILOT PROGRAM FOR COBBLESTONE DRIVE.

BACKGROUND:

Residents have voiced concerns of motorist speeding along Cobblestone Drive over the past 10 years. This has been an ongoing complaint that resulted in a multi-way stop being installed at Cobblestone Drive and Carson Farms Boulevard/Hayfield Drive in 2015. Since then, motorists speeding issues has still been a top complaint/concern of residents living along Cobblestone Drive and within the entire neighborhood. Staff completed a recent speed study and found that the 85th percentile speed, combined for both directions, on Cobblestone Drive to be 34 mph. Staff also reviewed the accident history from 2015-2018 and noted that there have been four (4) accidents that are possibly related to speed. Based on the documented speeds, staff is recommending the installation of pavement markings (centerline and edge line) along Cobblestone Dr from South Houk Road to Rockcreek Drive and the installation of dynamic speed feedback signs for the westbound and eastbound directions between Canal Street and Ridgefield Drive/Minton Drive. These traffic calming measures will be implemented in the spring of 2020 as a 12 month traffic calming pilot program, after which a report on the effectiveness of both measures combined will be provided to City Council.

REASON WHY LEGISLATION IS NEEDED:

The installation of traffic calming measures utilizing City funding requires City Council authorization.

COMMITTEE RECOMMENDATION:

The action is being taken as a result of the Parking and Safety Committee recommendation at the October 21, 2019 meeting.

FISCAL IMPACT(S):

The cost for the installation of traffic calming measures is estimated at \$22,000 (\$15,000 for the pavement markings and \$7,000 for the dynamic speed feedback signs) to come out of the Public Works Traffic Division 2020 Annual Professional Services budget.

POLICY CHANGES:

None

PRESENTER(S):

William L. Ferrigno, P.E., Public Works Director/City Engineer

RECOMMENDATION:

Approval

ATTACHMENT(S)

N/A

RESOLUTION NO. 20-06

A RESOLUTION APPROVING A TRAFFIC CALMING PILOT PROGRAM FOR COBBLESTONE DRIVE.

WHEREAS, residents of Cobblestone Drive have requested City Council address the speed of vehicles driving on Cobblestone Drive; and

WHEREAS, staff has conducted traffic studies and researched potential solutions; and

WHEREAS, pavement markings and dynamic speed feedback signs are a potential way to reduce motorist speed; and

WHEREAS, in the Traffic Calming Guide for Neighborhood Streets adopted in 2019, the addition of pavement markings and dynamic speed feedback signs are recommended Traffic Calming Measures on local and collector streets under certain circumstances; and

WHEREAS, the cost of the pilot program will be paid for by the City.

WHEREAS, the Parking and Safety Committee has endorsed these improvements by a 3-0 vote at the October 21, 2019 meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL FOR THE CITY OF DELAWARE, STATE OF OHIO:

SECTION 1. City Council approves the use of pavement markings and dynamic speed feedback signs on Cobblestone Drive as a 12 month pilot program to reduce speed, after which a report on its effectiveness will be provided to City Council.

SECTION 2. That this resolution shall take effect and be in force immediately after its passage.

VOTE ON AMENDMENT:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2020

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



MID-OHIO REGIONAL
MORPC
PLANNING COMMISSION



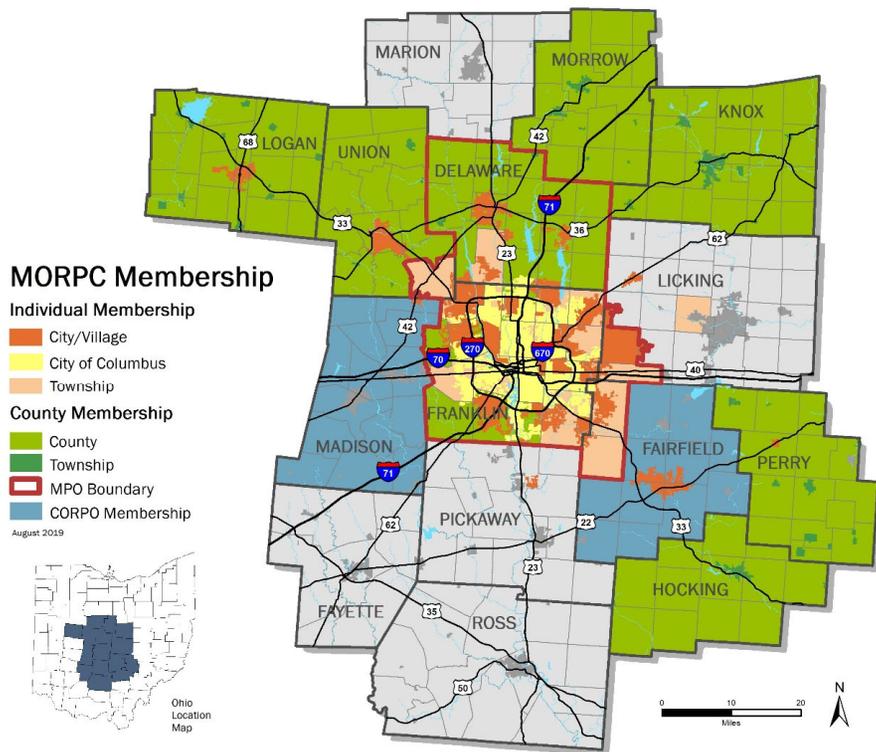
REGIONAL TRANSPORTATION PRIORITIES

PUBLIC COMMENT PERIOD

2020-2050 COLUMBUS AREA METROPOLITAN TRANSPORTATION PLAN



WHO IS MORPC?



- Transportation & Infrastructure Development
- Planning & Sustainability
- Data & Mapping
- Residential Services
- Government Affairs
- Communications & Engagement

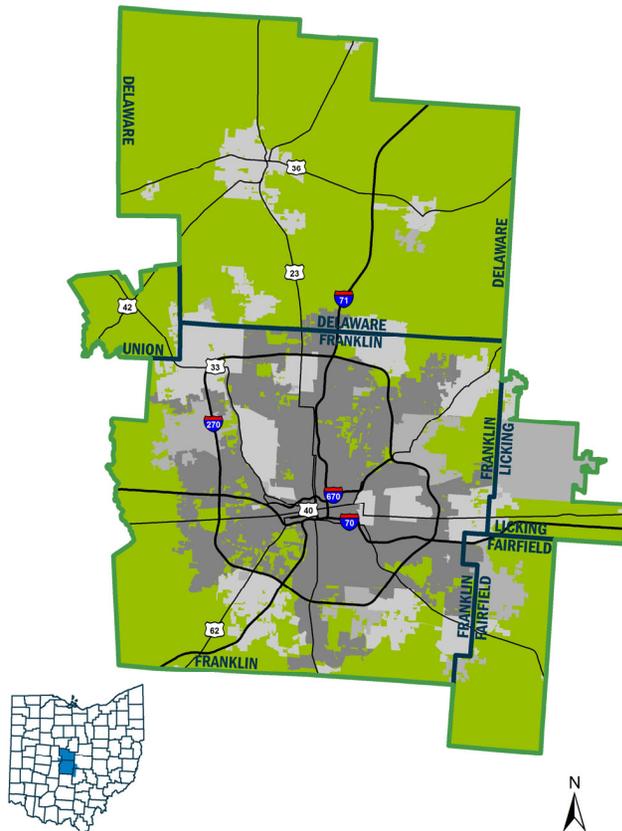


WHAT IS THE METROPOLITAN TRANSPORTATION PLAN (MTP)?

- Identifies regional transportation strategies and projects
- Long-range (20+ years)
- Fiscally constrained
- Formal document submitted to ODOT and USDOT every 4 years



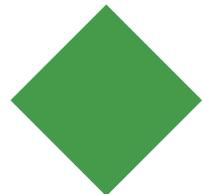
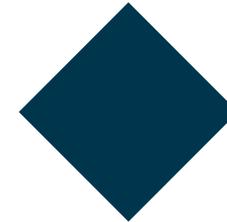
METROPOLITAN PLANNING AREA



The Metropolitan Transportation Plan includes only communities within the official MPO boundary.

WHY IS IT IMPORTANT?

- Central Ohio is growing
 - Demographics are changing
 - Preferences are changing
 - Demands on the transportation system are changing
- *Transportation projects must be on MTP to be eligible for federal funding*

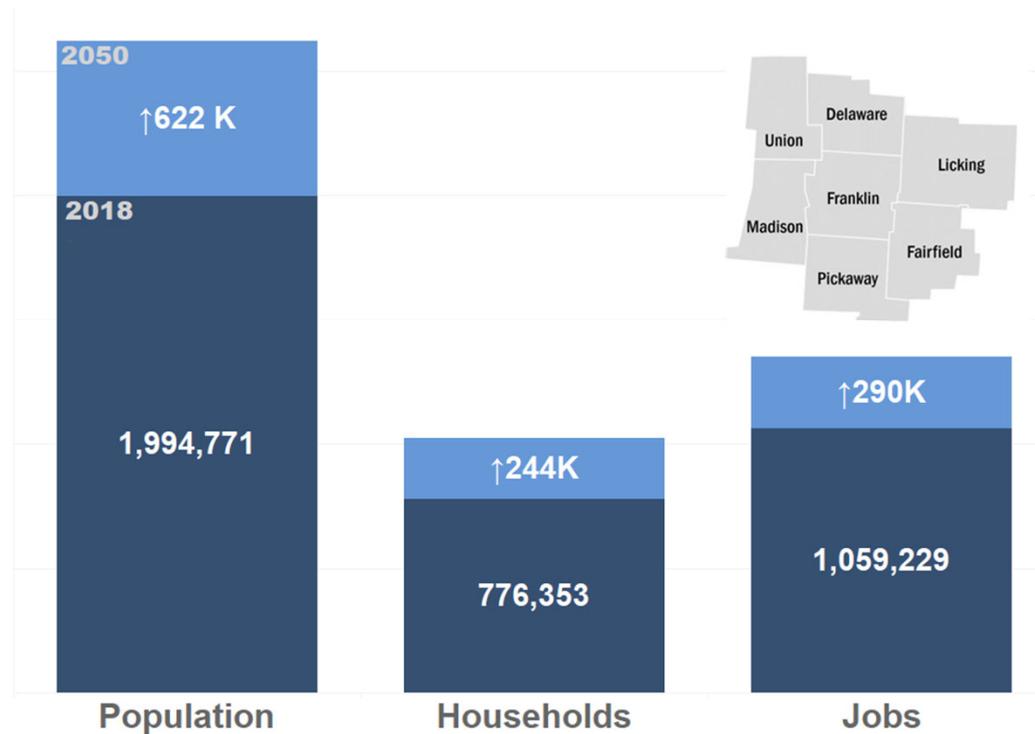




POPULATION & EMPLOYMENT FORECASTS

Projected Growth

7-County Central Ohio Region





PREFERENCES ARE CHANGING

We want options.



Smaller Homes



Walkability



Amenities



More Mobility



Green Space



REGIONAL GOALS

REDUCE PER CAPITA ENERGY CONSUMPTION AND PROMOTE ALTERNATIVE FUEL RESOURCES TO INCREASE AFFORDABILITY AND RESILIENCE OF REGIONAL ENERGY SUPPLIES



PROTECT NATURAL RESOURCES AND MITIGATE INFRASTRUCTURE VULNERABILITIES TO MAINTAIN A HEALTHY ECOSYSTEM AND COMMUNITY



POSITION CENTRAL OHIO TO ATTRACT AND RETAIN ECONOMIC OPPORTUNITY TO PROSPER AS A REGION AND COMPETE GLOBALLY



CREATE SUSTAINABLE NEIGHBORHOODS TO IMPROVE RESIDENTS' QUALITY OF LIFE

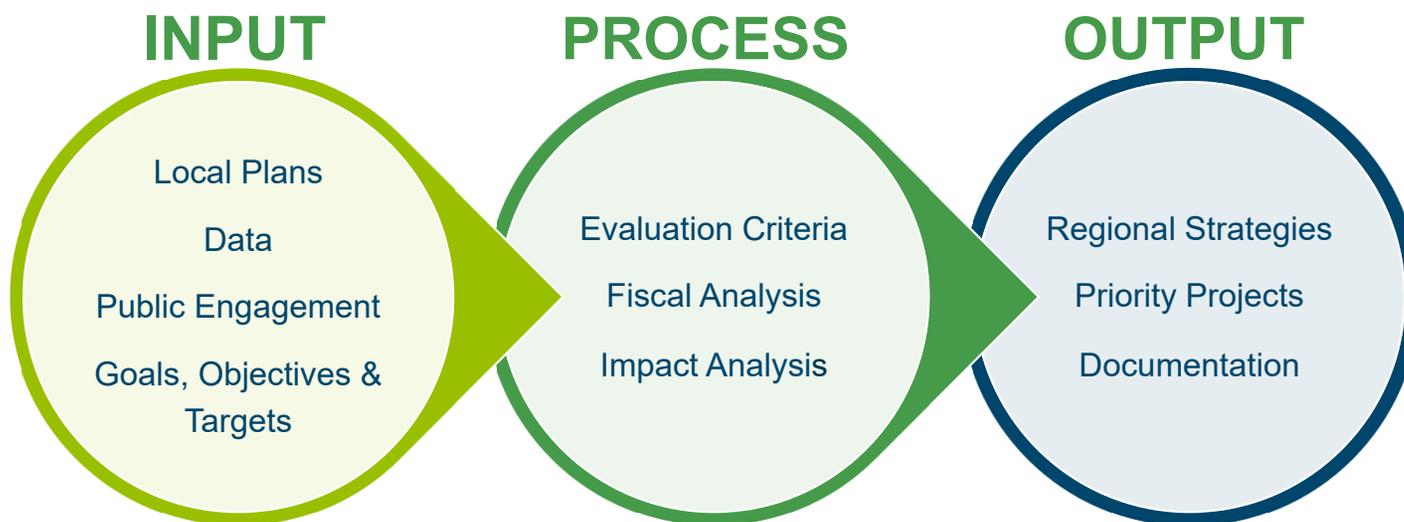


INCREASE REGIONAL COLLABORATION AND EMPLOY INNOVATIVE TRANSPORTATION SOLUTIONS TO MAXIMIZE THE RETURN ON PUBLIC EXPENDITURES



USE PUBLIC INVESTMENTS TO BENEFIT THE HEALTH, SAFETY, AND WELFARE OF PEOPLE



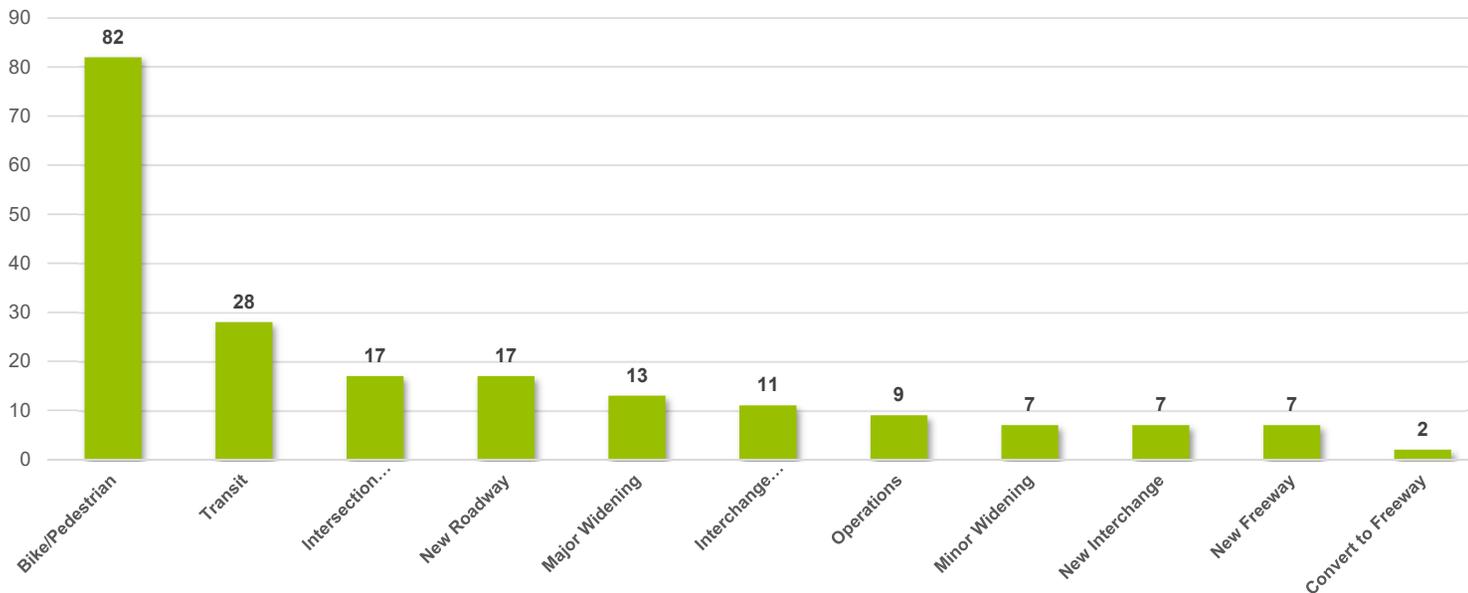




STRATEGY & PROJECT IDENTIFICATION

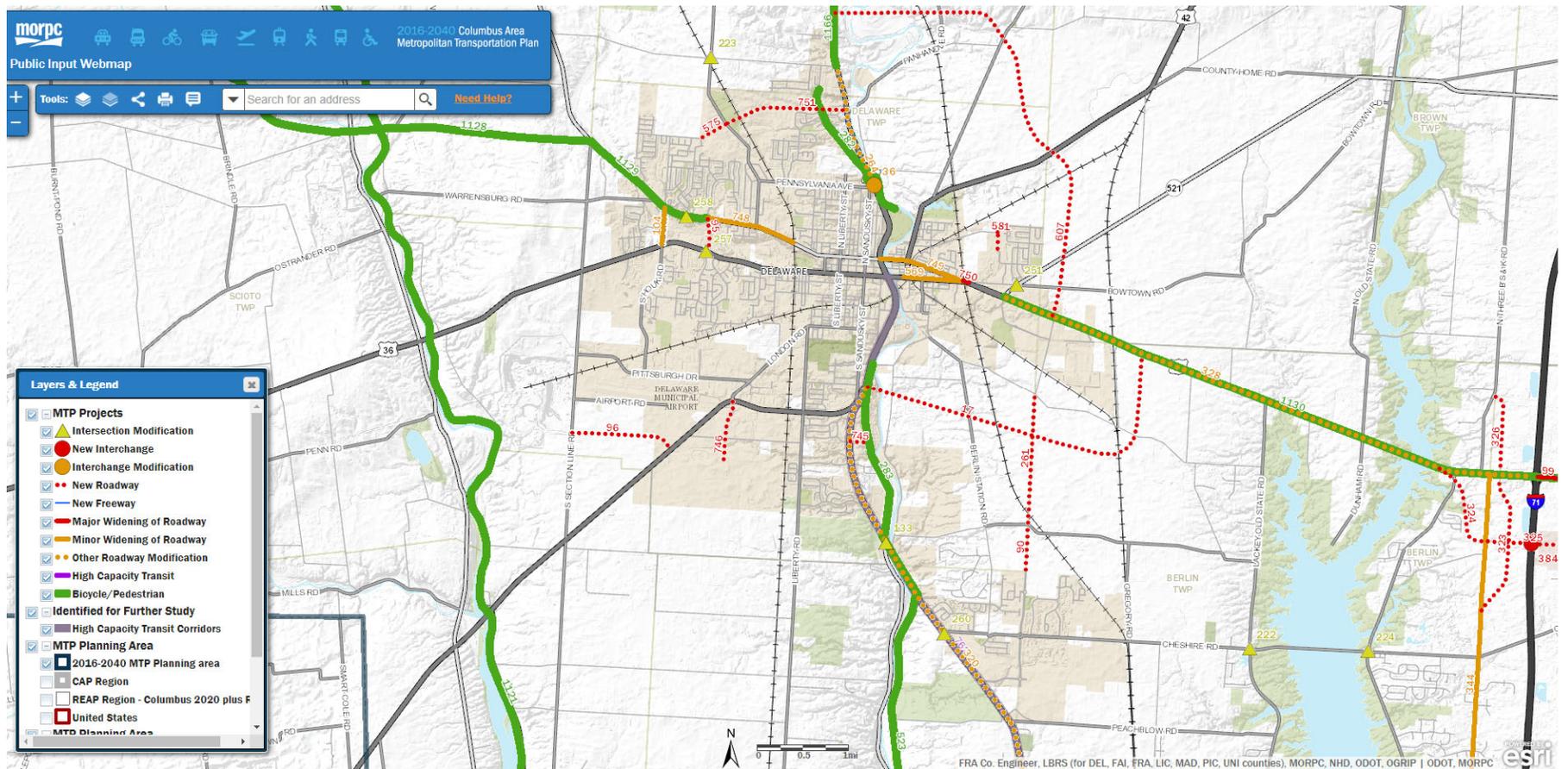
- Most suggested project type: Stand-alone Bike & Pedestrian
- All candidate projects viewable here: <https://www.morpc.org/mtp2050/>

Suggested Projects by Type





2016-2040 MTP PROJECTS



REGIONAL STRATEGIES

- System Management
 - Physical Preservation
 - Operations
 - Safety & Security
 - Demand Management
- System Development
 - Bike & Pedestrian Infrastructure
 - Transit Infrastructure
 - Freight Rail Infrastructure
 - Multimodal Infrastructure Connections
 - Roadway Infrastructure

2020-2050 COLUMBUS AREA METROPOLITAN TRANSPORTATION PLAN



MID-OHIO REGIONAL
MORPC
PLANNING COMMISSION



NEXT STEPS

- December 2019 –February 2020
 - Community presentations
 - Draft document available in February
 - February 26, 2020 - Public Open House at MORPC
- April 3, 2020 – Public comment period closes
- May 2020 – Plan Adoption

WHAT ARE WE ASKING OF YOU?

- Review & Comment
 - Draft plan
 - Comment period ends April 3, 2020
- Contact
 - mtp@morpc.org
 - For hard copies or translated materials:
 - bschneck@morpc.org
 - 614-233-4130
- Information
 - www.morpc.org/mtp





MID-OHIO REGIONAL
MORPC
PLANNING COMMISSION

MTP PROJECT LEAD:

Maria Schaper, AICP

TRANSPORTATION PLANNING MANAGER

MSCHAPER@morpc.org

P. 614.233.4153

111 Liberty Street, Suite 100
Columbus, OH 43215

www.morpc.org

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

0006427		TRFO	ASAHI JAPANESE STEAKHOUSE LLC DBA ASAHI JAPANESE STEAKHOUSE 1139 COLUMBUS PIKE DELAWARE OH 43015
PERMIT NUMBER		TYPE	
02	01	2019	
ISSUE DATE			
12	10	2019	
FILING DATE			
D1	D2	D3	
PERMIT CLASSES			
21	022	B	F23431
TAX DISTRICT		RECEIPT NO.	

FROM 12/12/2019

0006425			ASAHI RESTAURANT GROUP LLC DBA ASAHI JAPANESE RESTAURANT 1139 COLUMBUS PIKE DELAWARE OH 43015
PERMIT NUMBER		TYPE	
02	01	2019	
ISSUE DATE			
12	10	2019	
FILING DATE			
D1	D2	D3	
PERMIT CLASSES			
21	022		
TAX DISTRICT		RECEIPT NO.	



MAILED 12/12/2019

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/13/2020

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

B TRFO 0006427

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF DELAWARE CITY COUNCIL
1 SOUTH SANDUSKY ST
DELAWARE OHIO 43015

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. **For best results, search only ONE criteria at a time.** If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

	SEARCH CRITERIA
Permit Number	<input type="text" value="0006427"/>
Permit Name / DBA	<input type="text"/>
Member / Officer Name	<input type="text"/>

[Search](#)[Reset](#)[Main Menu](#)

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 0006427; Name: ASAHI JAPANESE STEAKHOUSE LLC; DBA: DBA ASAHI JAPANESE STEAKHOUSE; Address: 1139 COLUMBUS PIKE DELAWARE 43015		
SHIYUN CHEN	MANAGE MEM	PRESIDENT

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

[Commerce Home](#) | [Press Room](#) | [CPI Policy](#) | [Privacy Statement](#) | [Public Records Request Policy](#) | [Disclaimer](#) | [Employment](#) | [Contacts](#)



Delaware Police Department Liquor Permit Report

DPD Report Number L-19-13		Investigating Officer Ofc. Nick Barth #71	
Applicant (Primary Shareholder) Shiyun Chen		Company Name: Asahi Japanese Steakhouse LLC DBA: Asahi Japanese Steakhouse	
Common Name Asahi Japanese Steakhouse		Address 1139 Columbus Pike Delaware, OH 43015	
Applicant Phone Number 740-362-7885		Applicant E-Mail Address: viccjq@gmail.com	
<input checked="" type="checkbox"/> Existing Business	Type of Business Restaurant	Notification Type: TRFO	Date of Report December 17, 2019
<input type="checkbox"/> New Business (Supplement Attached)			
Permit Type			
<input type="checkbox"/> C1/C2X Beer only in original sealed container for carry out only. <input type="checkbox"/> C2 Wine and mixed beverages in sealed containers for carry out. <input checked="" type="checkbox"/> D1/D2X Beer only for on premises consumption or in sealed containers for carry out. <input checked="" type="checkbox"/> D2 Wine and mixed beverages for on premises consumption or in sealed containers for carryout. <input type="checkbox"/> D4 Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am. <input type="checkbox"/> D5 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am. <input checked="" type="checkbox"/> Other D3 Spirituous liquor for on premises consumption only until 1:00am.			

Location Information

Churches, Libraries and or schools within 500 feet <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	School, church or library objection <input type="checkbox"/> Yes (Supplement Attached) <input type="checkbox"/> No Note: Objections are only permitted for <i>new permits</i> .
Police Calls for Service in past 12 months: 1	Number of Police Reports in past 12 months: 0
Calls for Service excluding calls not related to the business in past 12 months: 0	Location is excessive drain on Police Resources: <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No
Nuisance Abatement Pending <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Accessible by Law Enforcement <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Site compliance checked by Dept. of Commerce <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Private Club (Restricted Access Door) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Applicant Information

Records Checked <input type="checkbox"/> Ohio Law Enforcement Gateway <input checked="" type="checkbox"/> Delaware Police Department Database	
Applicant has an active warrant <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Record located for Liquor Law Violation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Local Record on file <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criminal History Checked by Dept. of Commerce <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Problem History with DPD <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No	Contact made with Applicant <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Determination on Objection

<input checked="" type="checkbox"/> The Delaware Police Department does not find a legislative basis for requesting a hearing to object to the issuance of a liquor permit for this business.

<input type="checkbox"/> The Delaware Police Department recommends requesting a hearing into the issuance of a liquor permit for this business, due to one or more of the following criteria for objection as set forth by the Ohio Revised Code. <ul style="list-style-type: none"> <input type="checkbox"/> Site does not conform to local building, safety and health codes (excluding zoning). <input type="checkbox"/> Law enforcement or state agents do not have ready access to the premises where alcoholic beverages are being served. <input type="checkbox"/> Physical location causes a public nuisance. <input type="checkbox"/> Site has been officially classified as a nuisance according to State Law. <input type="checkbox"/> Conviction of a crime by the applicant that relates to operating a liquor establishment. <input type="checkbox"/> Past improper operation of a location with a liquor permit. <input type="checkbox"/> Misrepresentation of material fact on the application. <input type="checkbox"/> Addiction of the applicant to alcohol or narcotics. <input type="checkbox"/> Formal objection by specific types of other locations to which the site is in certain proximity. <input type="checkbox"/> Conviction of the applicant of food stamp or WIC fraud.



Delaware Police Department Liquor Permit Report

(Supplement Attached)

Supplement

Supplement Type

New Business Description

Police Department Objection

Community Objection

Other :

On December 17, 2019, I was assigned the Liquor Permit background in regards to the attached permit. In reviewing the permit paperwork we received from the Division of Liquor Control, it appeared the permit pertained to a transfer of the license from one managing member to another. There also appeared to be a slight modification of the name of the LLC on the permit. The previous managing member listed on the old permit was Jianbin Chen and it was being transferred to Shiyun Chen. The LLC changed from Asahi Restaurant Group LLC to Asahi Japanese Steakhouse LLC. I was able to make contact with Shiyun Chen at the business. He confirmed the changes and said nothing else would be changing with the business or how it was operated.

On this same date, I spoke with the Ohio Department of Liquor Control and inquired if the business had any previous violations and I was told no.

In reviewing departmental interactions with the business over the past 12 months, I found that there had only been one call for service associated with the business. That call for service was self-initiated by an officer after a vehicle was located behind the business after normal hours. The vehicle was found to belong to Shiyun and was not an issue. Based on this, the business has not been an excessive drain on police resources or a nuisance.

Given the above, I see no reason to contest the change in the liquor permit.

Det. Nick Barab #71 12-17-19
 Investigating Officer Signature Date

Det. D. M. W. #56 12/18/2019
 Supervisor Signature Date



Department
of Commerce

Mike DeWine, Governor
Jon Husted, Lt. Governor

Division of Liquor Control
Sheryl Maxfield, Director

RECEIVED

JAN 08 2020

December 30, 2019

CLERK OF DELAWARE CITY COUNCIL
1 SOUTH SANDUSKY ST
DELAWARE OHIO 43015

Re: **TRFO D1 D2 D3 PERMIT #0006427**
ASAHI JAPANESE STEAKHOUSE LLC
DBA ASAHI JAPANESE STEAKHOUSE
1139 COLUMBUS PIKE
DELAWARE OH 43015

Dear Legislative Authority:

In reference to the above captioned application, and your request, a 30-day extension has been granted from **January 13, 2020 to February 13, 2020.**

If you should have any questions concerning this matter, please feel free to contact this office at the below address or phone number.

Licensing Processing Section

DM:mj 

Rev. 6-06



FACT SHEET

AGENDA ITEM NO: 10

DATE: 1/13/2020

ORDINANCE NO:

RESOLUTION NO: 20-07

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: -----

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION HONORING THE LIFE OF DR. MARTIN LUTHER KING, JR.

BACKGROUND:

This resolution will be recognized by the Martin Luther King (MLK) Celebration Committee at the upcoming MLK Breakfast on January 20.

REASON WHY LEGISLATION IS NEEDED:

N/A

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

Carolyn Kay Riggle, Mayor

RECOMMENDATION:

RESOLUTION NO. 20-07

A RESOLUTION HONORING THE LIFE OF DR. MARTIN LUTHER KING, JR.

WHEREAS, the third Monday in January of each year has been set aside as a day to celebrate the life and dream of Martin Luther King, Jr., and

WHEREAS, this day should also be seen as a day to reaffirm the American ideals of freedom, justice and opportunity for all; as a day for love, not hate; for understanding, not anger; for peace, not war; and

WHEREAS, on this important holiday people of all races, religions and classes in life may put aside their differences and join in a spirit of togetherness, and

WHEREAS, this is a day for our nation, our state, and the City of Delaware to pay tribute to Dr. Martin Luther King, Jr., who awakened in us the best qualities of the American spirit, and

WHEREAS, this is a day for nations of the world to cease all violent actions, seek nonviolent solutions and demonstrate that peace is not just a dream but a real possibility.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That this resolution shall take effect and be in force immediately after its passage.

PASSED: _____, 2020

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 11

DATE: 01/13/2020

ORDINANCE NO: 19-63

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dave Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

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.

BACKGROUND:

01/13/2020 UPDATE: On December 27, 2019, the Applicant shared a projection of possible revenues should Evans Farm be a part of the Delaware South NCA. The intent behind this projection would be an equivalent financial contribution made by the Applicant. Staff is currently reviewing these projections.

11/18/2019 UPDATE: In consultation with the applicant's attorney, staff has determined that the date the annexation must be voted on is March 9, 2020, which is a significant extension from the previously calculated date. The City continues to work with the applicant on a resolution to the overlapping of New Community Authorities.

This process involves several steps and actions by the County and City in order for an annexation to ultimately be accepted by the City. The City took the first city step in the process which required determination of services the City could provide – the Resolution of Services passed August 12, 2019 via Resolution 19-

37. The legislation before City Council currently is the final acceptance of annexation which would bring the property into the City. City Council must decide to accept, accept with conditions, or deny the annexation. If no action is taken by the ORC dictated time frame ending on March 9, 2020, ORC dictates that the annexation will be automatically denied. The Applicant has brought a concept plan forward to Planning Commission for initial feedback which was generally well received by the Commission. The Applicant has previously stated they wished to begin their zoning, preliminary plan, and preliminary plat process prior to annexation acceptance though Staff has not received applicants as of the date of writing. At this time the earliest hearing date for these if applied for today would be the January 6, 2020 Planning Commission meeting.

Perhaps the most important issue remaining to be agreed upon with the annexation is related to the inclusion of the property into the Delaware South New Community Authority as other properties are within this southeast area of the community. Evans Farm is already included within its own NCA which is a complicating factor in this discussion. City administration has offered the Applicant several alternatives that would address the issue but no conclusion has been reached as of the time of writing. The options presented include: (1) Pay the present value of the expected Delaware South NCA revenue that would have been collected if they joined the Delaware South NCA; (2) Direct the existing Evans Farm NCA to pay the City what the Delaware South NCA charge would collect until the Delaware South NCA debt is paid.

Multiple readings of this annexation are anticipated as a result. Because the final ORC required deadline is March 9, 2020, Council's 3/19/20 is the final meeting date at which a decision would need to be made to avoid an automatic ORC denial of the annexation.

Finally, as was noted in the Fact Sheet for the Resolution of Services for this annexation, Staff suggests several conditions of annexation that will provide certainty and clarity to the City as well as the Applicant:

1. The applicant shall include the property in the Delaware South New Community Authority or make an equivalent financial contribution as determined by the City.
2. A \$1,000 per dwelling unit additional transportation fee shall be required similar to other properties in the area to ensure needed transportation improvements in the area.
3. The property is within the South East Highland trunk sewer district requiring an additional sewer capacity charge of \$3,200 per dwelling unit in addition to the standard and customary capacity fees of the city in effect at the time of permitting.
4. The extension of any needed infrastructure for water, sewer, or roadways shall be at the cost to the development and as required by the City through the normal and customary development review process.

5. Transportation considerations to be determined in final form through the zoning and development review process:
 - a. Road connectivity shall be required to adjacent property.
 - b. Any roadway connections to Peachblow Rd. shall be coordinated with the Delaware County Engineer as well as the city.

REASON WHY LEGISLATION IS NEEDED:

The Ohio Revised Code provides the process that annexations must follow throughout Ohio. This legislation is the final City step in the process to formally accept the annexation of the property. The City has until March 9, 2020 to pass this acceptance of annexation Ordinance or it is considered by ORC to be denied.

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):

Dave Efland, Planning and Community Development Director

RECOMMENDATION:

ATTACHMENT(S)

County Resolution
Petition
Map
City Resolution

ORDINANCE NO. 19-63

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.

WHEREAS, Andrew Wecker, agent for the petitioners, has filed with the Delaware County Commissioners for annexation of 43.847 acres of land, more or less, the description and map are attached hereto as Exhibits A and B; and

WHEREAS, Andrew Wecker, as agent for the petitioners on August 5, 2019 delivered to the Clerk of the Delaware City Council the notice of his filing of the annexation petition with the Board of County Commissioners of Delaware County and its clerk on August 5, 2019; and

WHEREAS, the Ohio Revised Code requires that within 20 days following the date the petition is filed, the City Council shall, by resolution, adopt a statement as to what services, if any, the City will provide and an approximate date by which it will provide them to the territory proposed for annexation, upon annexation, which was completed when City Council passed a Resolution of Services on August 12, 2019 via Resolution 19-37; and

WHEREAS, the proposed annexation applied for in the petition to the Delaware County Commissioners has been approved, by them for annexation to the City of Delaware on September 5, 2019 (See attached). The territory to be annexed is described in the attached Exhibits “A” and “B”; and

WHEREAS, the certified transcript of the proceedings for annexation, with an accurate map of the territory, together with the petition of annexation and other papers relating to the proceedings of the County Commissioners, are on file with the Clerk of Council, and have been for more than sixty days.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That Council hereby accepts the annexation of 43.847 acres of land, description and plat of which are hereby attached as Exhibits “A” and “B” on the annexation known as the Evans Farm Delaware, LLC by Andrew Wecker, agent for the petitioners with the following conditions that:

1. The applicant shall include the property in the Delaware South New Community Authority or make an equivalent financial contribution as determined by the City.

2. A \$1,000 per dwelling unit additional transportation fee shall be required similar to other properties in the area to ensure needed transportation improvements in the area.
3. The property is within the South East Highland trunk sewer district requiring an additional sewer capacity charge of \$3,200 per dwelling unit in addition to the standard and customary capacity fees of the city in effect at the time of permitting.
4. The extension of any needed infrastructure for water, sewer, or roadways shall be at the cost to the development and as required by the City through the normal and customary development review process.
5. Transportation considerations to be determined in final form through the zoning and development review process:
 - a. Road connectivity shall be required to adjacent property.
 - b. Any roadway connections to Peachblow Rd. shall be coordinated with the Delaware County Engineer as well as the city.

SECTION 2. That the Clerk of Council is directed to make five copies of this ordinance, to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof. The Clerk shall then forthwith deliver one copy to the Secretary of State, and shall file notice of annexation with the Board of Elections, the County Auditor, the County Recorder, and the County Engineer within thirty days after it becomes effective, and the Clerk shall do all other things required by law.

SECTION 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

PASSED: _____, 2020

YEAS___ NAYS___
ABSTAIN ____

ATTEST: _____
CITY CLERK

MAYOR



Delaware County Commissioners

Jeff Benton
Barb Lewis
Gary Merrell

County Administrator
Michael Frommer

Deputy Administrator
Dawn Huston

Clerk to the Commissioners
Jennifer Walraven

September 6, 2019

RECEIVED

SEP 9 2019

City of Delaware
Attn: Elaine McCloskey
1 South Sandusky Street
Delaware, Ohio 43015

RE: Annexation of 43.847 acres
Berlin Township to the City of Delaware

Dear Ms. McCloskey:

The Delaware County Commissioners in Regular Session on September 5, 2019 adopted a Resolution granting Prayer of Petition for 43.847 acres, more or less, from Berlin Township to the City of Delaware.

I am herewith forwarding a certified copy of the Commissioners' Journal Resolution, a copy of the annexation petition and a copy of all other papers in the Commissioners' annexation folder.

If you have questions, please call me at 740-833-2105.

Sincerely,

Sarah Dinovo,
Assistant Clerk to the Commissioners



Delaware County Commissioners

Jeff Benton
Barb Lewis
Gary Merrell

County Administrator
Michael Frommer

Deputy Administrator
Dawn Huston

Clerk to the Commissioners
Jennifer Walraven

RESOLUTION NO. 19-776

IN THE MATTER OF ACKNOWLEDGING RECEIPT OF ANNEXATION PETITION FROM AGENT FOR THE PETITIONER, ANDREW WECKER, ESQ., ATTORNEY AT LAW, REQUESTING ANNEXATION OF 43.847 ACRES OF LAND IN BERLIN TOWNSHIP TO THE CITY OF DELAWARE:

It was moved by Mr. Benton, seconded by Mr. Merrell to acknowledge that on August 5, 2019, the Clerk to the Board of Commissioners received a petition requesting annexation of 43.847 acres from Berlin Township to the City of Delaware.

Vote on Motion Mrs. Lewis Aye Mr. Benton Aye Mr. Merrell Aye

I, Sarah Dinovo, Assistant Clerk to the Board of Commissioners hereby certify that the foregoing is a true and correct copy of a resolution of the Board of Commissioners of Delaware County duly adopted August 12, 2019 and appearing upon the official records of the said Board.

Sarah Dinovo
Assistant Clerk to the Commissioners



Delaware County Commissioners

Jeff Benton
Barb Lewis
Gary Merrell

County Administrator
Michael Frommer

Deputy Administrator
Dawn Huston

Clerk to the Commissioners
Jennifer Walraven

RESOLUTION NO. 19-859

IN THE MATTER OF GRANTING ANNEXATION PETITION, FROM AGENT FOR THE PETITIONER, ANDREW WECKER ESQ., ATTORNEY AT LAW, REQUESTING ANNEXATION OF 43.847 ACRES OF LAND IN BERLIN TOWNSHIP TO THE CITY OF DELAWARE:

It was moved by Mr. Merrell, seconded by Mr. Benton to approve the following resolution:

WHEREAS, on August 5, 2019, the Clerk to the Board of the Delaware County Commissioners received an annexation petition filed by Andrew Wecker Esq., Attorney At Law , agent for the petitioners, requesting annexation of 43.847 acres, more or less, from Berlin Township to the City of Delaware; and

WHEREAS, pursuant to section 709.023 of the Revised Code, if the Municipality or Township does not file an objection within 25 days after filing of the annexation petition, the Board at its next regular session shall enter upon its journal a resolution granting the proposed annexation; and

WHEREAS, 25 days have passed and the Clerk of the Board has not received an objection from the City of Delaware or the Township of Berlin;

NOW, THEREFORE, BE IT RESOLVED that the Delaware County Board of Commissioners grants the petition requesting annexation of 43.847 acres, more or less, from Berlin Township to the City of Delaware.

Vote on Motion

Mr. Benton

Aye

Mr. Merrell

Aye

Mrs. Lewis

Absent

Jeff Benton
County Commissioner

Absent

Barb Lewis
County Commissioner

Gary Merrell
County Commissioner



RESOLUTION CERTIFICATION

I, Elaine McCloskey, being the duly appointed as Clerk of City Council of Delaware, Ohio, do hereby swear and attest that the attached document is a true and correct copy of Resolution No. 19-37 as passed on August 12, 2019 by the Delaware City Council.



Elaine McCloskey
Elaine McCloskey
Clerk of City Council

RECEIVED
2019 AUG 13 PM 2:31
DELAWARE COUNTY COMMISSIONERS

This Resolution Certification dated this 13 day of August in the year 2019.

RESOLUTION NO. 19-37

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF DELAWARE WILL PROVIDE TO 43.847± ACRES OF LAND, MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO FOR THE ANNEXATION KNOWN AS THE EVANS FARM DELAWARE, LLC ANNEXATION BY ANDREW WECKER, AGENT FOR THE PETITIONERS.

WHEREAS, Andrew Wecker, agent for the petitioners, has filed with the Delaware County Commissioners for annexation of 43.847 acres of land, more or less, the description and map are attached hereto, and

WHEREAS, Andrew Wecker, as agent for the petitioners on August 5, 2019 delivered to the Clerk of the Delaware City Council the notice of his filing of the annexation petition with the Board of County Commissioners of Delaware County and its clerk on August 5, 2019, and

WHEREAS, the Ohio Revised Code, Section 709.023 (c), requires that within 20 days following the date the petition is filed, the City Council shall, by resolution, adopt a statement as to what services, if any, the City will provide and an approximate date by which it will provide them to the territory proposed for annexation, upon annexation.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That upon annexation to the City of Delaware of 43.847± acres more or less as delineated on the attached Exhibits, the City will provide the following services by the approximate date indicated as to each, provided all necessary lines, hydrants, and other apparatus are installed by the property owner as required by the City and said services shall be provided under the same conditions and same costs as they are provided to other residents in the City of Delaware:

- (a) Water - upon acceptance of annexation
- (b) Sanitary Sewer - upon acceptance of annexation
- (c) Refuse – upon acceptance of annexation
- (d) Fire – upon acceptance of annexation
- (e) Police – upon acceptance of annexation
- (f) Road maintenance-upon acceptance of annexation

SECTION 2. That the Council of the City of Delaware, pursuant to Ohio Revised Code Section 709.023(D), hereby consents to the annexation.

SECTION 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 4. That the Clerk of Council shall prepare and furnish to the agent for the petitioners a certified copy of this resolution and file with the Delaware County Board of County Commissioners on or before 20 days from the filing of the annexation petition.

SECTION 5. That if the territory is annexed and becomes subject to zoning by the City of Delaware and the City permits uses in the annexed territory that the City determines are clearly incompatible with the uses permitted under the current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the Council of the City of Delaware will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed and the adjacent land remaining within the township for purposes of this ordinance, buffer includes open space, landscaping, fences, walls, and other structured elements; streets and street rights of way; and bicycle and pedestrian paths and sidewalks.

SECTION 6. That this resolution shall take effect and be in force immediately after this passage.

PASSED: August 12, 2019

YEAS 4 NAYS 1
ABSTAIN

ATTEST:

Glenn McCuskey
CITY CLERK

Cliff K. Ruggs
MAYOR

Manos, Martin & Pergram Co., LPA

Attorneys at Law

50 North Sandusky Street
Delaware, Ohio 43015-1926
Fax 740-362-3288

Andrew P. Wecker
740-363-1313, ext. 217
e-mail: awecker@mmpdlaw.com

August 5, 2019

HAND-DELIVERED

Ms. Jennifer M. Walraven
Clerk to the Board of County Commissioners
101 North Sandusky Street, 1st Floor
Delaware, OH 43015

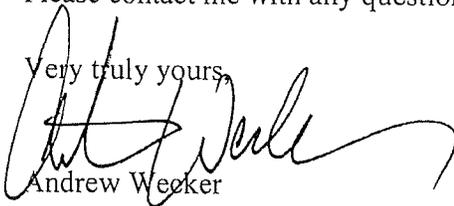
Dear Jennifer:

RE: Annexation Petition for 43.545 acres by Evans Farm Delaware, LLC

Enclosed are the original and seven copies of a petition for annexation and the approved legal description and drawing, as well as the list of adjacent property owners. Also enclosed is this law firm's check in the amount of \$250 payable to the Delaware Board of County Commissioners.

Please contact me with any questions. Thank you.

Very truly yours,



Andrew Wecker

tjh

Enclosures

c/enc. Evans Farm Delaware, LLC (via email)

c Stephen D. Martin, Esq.

(T13162-145)

RECEIVED
DELAWARE COUNTY
BOARD OF COUNTY COMMISSIONERS
AUG 13 2019 10:04 AM

RECEIPT

No. 152734

DATE August 5, 2019

FROM Manos, Martin, Legram \$ 250.00

FOR RENT _____ DOLLARS

FOR annexation of 43.545 acres Berlin Twp to City of Delaware

ACCT.	
PAID	
DUE	

CASH
 CHECK
 MONEY ORDER
 CREDIT CARD

FROM _____ TO _____

BY *Samuel K. Windsor* A-1152 F-4161



MANOS, MARTIN & PERGRAM CO., LPA

CLIENT ADVANCES ACCOUNT
50 NORTH SANDUSKY STREET
DELAWARE, OH 43015-1956
(740) 363-1313

8/2/2019

PAY TO THE ORDER OF Delaware Board of County Commissioners

\$ **250.00

Two Hundred Fifty Only*****

DOLL

Verena O. Huffman
AUTHORIZED SIGNATURE

MEMO Annexation Petition, 13162-145

⑈009678⑈ ⑈044⑈03086⑈ ⑈0550⑈

PETITION FOR ANNEXATION – EXPEDITED TYPE 2

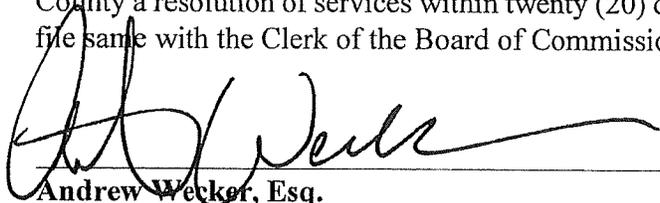
I, the undersigned, being the sole owner of 43.847± acres of real estate in the territory hereinafter described, hereby petitions for the annexation of the following described territory from **Berlin Township** to the **City of Delaware**, Delaware County, Ohio, being filed under **Sections 709.021(A)** and **709.023(A)** of the Revised Code of Ohio.

Petitioner has attached hereto and made a part of this petition a legal description of the perimeter of the territory sought to be annexed, marked as **Exhibit “A”**, as prepared by Daniel L. Quick, P.S., Registered Surveyor No. 7803.

Petitioner has attached hereto and made a part of this petition an accurate map or plat of the territory sought to be annexed, marked **Exhibit “B”**, also as prepared by Daniel L. Quick, P.S., Registered Surveyor No. 7803. Among other things as noted on Exhibit “A” and Exhibit “B”, the described territory is contiguous with the **City of Delaware**, Ohio.

Andrew Wecker, Esq., attorney at law, is hereby appointed agent for the undersigned Petition as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition, with specific authorization to correct any discrepancy or mistake noted by the Delaware County Engineer in examination of the Petition or the Exhibits to the Petition. Any such amendment shall be made by the presentation of amended description and map to the Board of County Commissioners on, before, or after the date set for hearing on this Petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, increase or deletion or other things or action for granting of this Petition shall be made in the Petition, description and plat by said agent without further expressed consent of the Petition.

The City of Delaware will pass and submit to the Board of Commissioners of Delaware County a resolution of services within twenty (20) days of the date of the filing of this Petition and file same with the Clerk of the Board of Commissioners of Delaware County, Ohio.



Andrew Wecker, Esq.

Manos, Martin & Pergram Co., LPA
50 North Sandusky Street
Delaware, OH 43015

740-363-1313 phone / 740-362-3288 fax
awecker@mmpdlaw.com

Return original to:

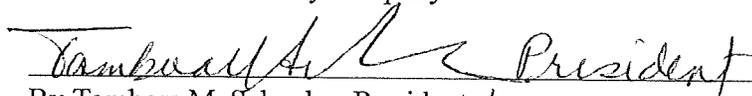
Clerk of the Board of the Delaware County Commissioners
101 North Sandusky Street, Delaware, OH 43015

"WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR IN EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE. ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT OUT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE."

SIGNATURE OF PETITIONER, TYPED NAME AND ADDRESS

DATE

EVANS FARM DELAWARE, LLC
an Ohio limited liability company

 President

8/15/2019

By Tambera M. Schueler, President
P. O. Box 694
Lewis Center, OH 43035-0694

ATTACHMENTS:

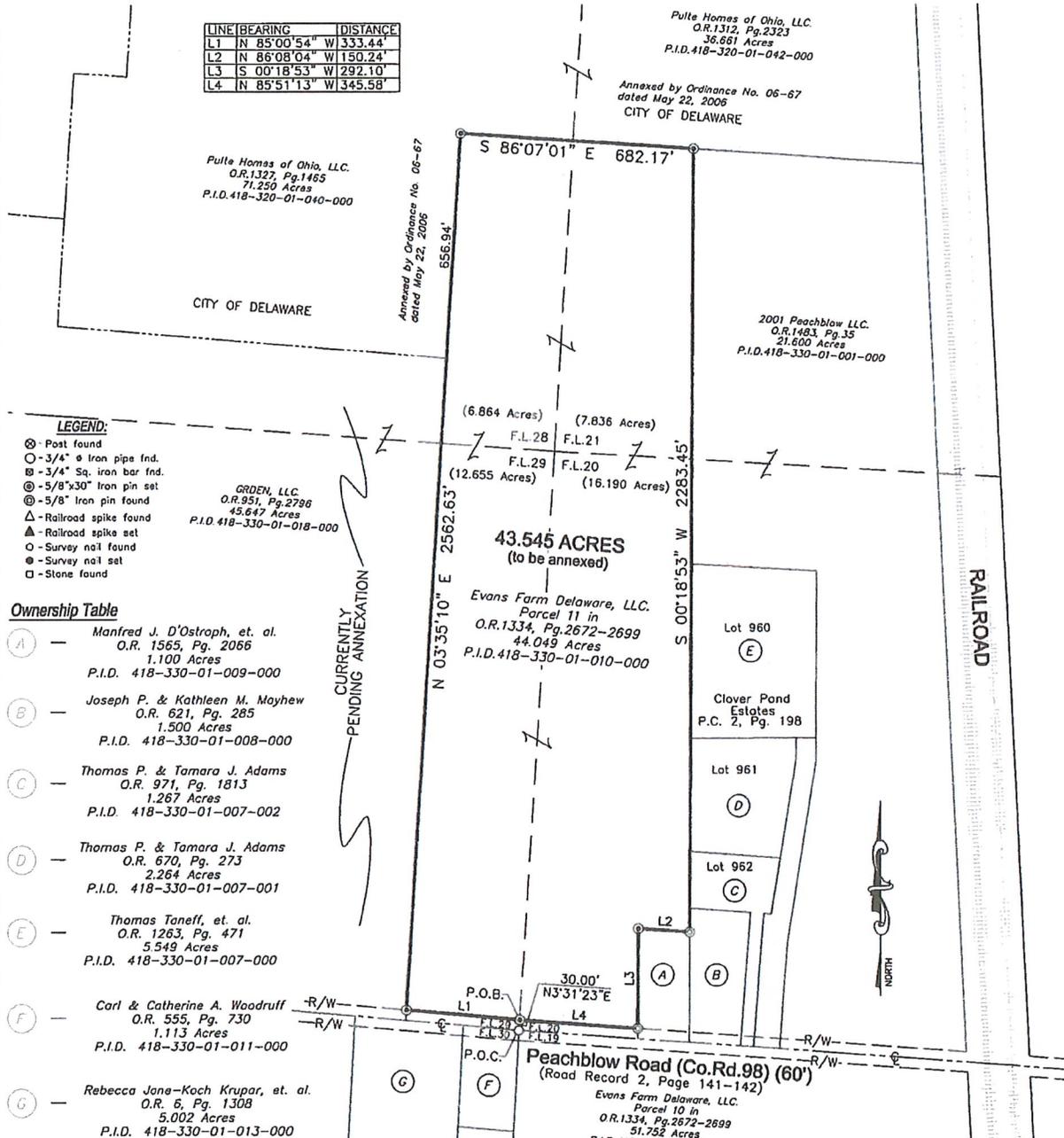
Exhibit "A" – Legal Description of 43.847 Acre Tract for Annexation to the City of Delaware from the Township of Berlin by Daniel L. Quick, P.S., Registered Surveyor No. 7803, Korda/Nemeth Engineering, Inc.

Exhibit "B" – Map of Territory to be Annexed Type II Annexation Plat by Daniel L. Quick, P.S., Registered Surveyor No. 7803, Korda/Nemeth Engineering, Inc.

MAP OF TERRITORY TO BE ANNEXED TO THE CITY OF DELAWARE, OHIO
 BEING PART OF FARM LOTS 20, 21, 28, AND 29, SECTION 3, TOWNSHIP 4, RANGE 18,
 U.S.M.L., BERLIN TOWNSHIP, DELAWARE COUNTY, STATE OF OHIO.

Basis of Bearings: The bearings shown upon this plat are referenced to the Ohio State Plane Coordinate System, North Zone, NAD83 (NSRS 2011) and with centerline of Peachblow Road being N 85° 51' 13" W.

LINE	BEARING	DISTANCE
L1	N 85°00'54" W	333.44'
L2	N 86°08'04" W	150.24'
L3	S 00°18'53" W	292.10'
L4	N 85°51'13" W	345.58'



- LEGEND:**
- ⊙ Post found
 - 3/4" ⌀ Iron pipe fnd.
 - ⊠ 3/4" Sq. iron bar fnd.
 - ⊙ 5/8"x30" Iron pin set
 - ⊙ 5/8" Iron pin found
 - △ Railroad spike found
 - ▲ Railroad spike set
 - Survey nail found
 - Survey nail set
 - Stone found

Ownership Table

- (A) — Manfred J. D'Ostroph, et. al.
O.R. 1565, Pg. 2066
1.100 Acres
P.I.D. 418-330-01-009-000
- (B) — Joseph P. & Kathleen M. Mayhew
O.R. 621, Pg. 285
1.500 Acres
P.I.D. 418-330-01-008-000
- (C) — Thomas P. & Tamara J. Adams
O.R. 971, Pg. 1813
1.267 Acres
P.I.D. 418-330-01-007-002
- (D) — Thomas P. & Tamara J. Adams
O.R. 670, Pg. 273
2.264 Acres
P.I.D. 418-330-01-007-001
- (E) — Thomas Taneff, et. al.
O.R. 1263, Pg. 471
5.549 Acres
P.I.D. 418-330-01-007-000
- (F) — Carl & Catherine A. Woodruff
O.R. 555, Pg. 730
1.113 Acres
P.I.D. 418-330-01-011-000
- (G) — Rebecca Jane-Koch Krupar, et. al.
O.R. 6, Pg. 1308
5.002 Acres
P.I.D. 418-330-01-013-000

DELAWARE COUNTY ENGINEER
 Map Department
 I hereby certify that this document is a true copy of the original on file in the Map Department.
 CHRIS E. BAUSERMAN, P.E., P.S.
 COUNTY ENGINEER
 7/24/19
 Date

CERTIFICATION:

I hereby certify that this plat is a true and correct representation of an area of land to be annexed into the City of Delaware, Ohio.

6/27/19
 REGISTERED SURVEYOR NO. 7803 DATE



NOTES:

- 1) Total acreage of the territory is 43.545 acres.
- 2) There are no County Roads within the territory however 679.02 feet of County Road 98 borders the territory along the south.
- 3) The total length of contiguity with the City of Delaware is 1339.11 feet.
- 4) The total length of the perimeter of the territory is 6549.61'.
- 5) The percentage of perimeter contiguity is 20.14%.
- 6) No island of unincorporated area is being created by this annexation.
- 7) This map is based on an actual field survey performed by Kordo/Nemeth Engineering Inc.

Scale 1" = 300 feet
 0 75 150 300 600

REFERENCES:

- 1) Road Record 2, Page 141-142
- 2) Survey by Tony W. Meachom date 06-23-98

Survey requested by: Evans Farm Development, LLC

Map of territory to be annexed to
 the City of Delaware, Ohio

KORDA Korda/Nemeth Engineering, Inc. - Consulting Engineers
 1820 Woodloch Drive, Suite 200 - Columbus, Ohio 43218-7070
 TEL 614-887-1800 FAX 614-887-8891 WEB www.korda.com

DATE	JOB#
6/27/19	2018-7010
7/25/19	DRAWN
	CLO
DWG.	CHK'D
	TWT





Description of territory to be annexed to the City of Delaware, Ohio

Situated in the State of Ohio, County of Delaware, Township of Berlin, Farm Lots 20, 21, 28 and 29, Section 3, Township 4, Range 18 in the United States Military Lands and being part of the 44.049 acre tract conveyed to Evans Farm Delaware, LLC by deed of record in Official Record 1334, Page 2672-2699 and being further described as follows:

Commencing at a ¾" diameter iron pipe found at the common corner of Farm Lot 19, Farm Lot 20, Farm Lot 29 and Farm Lot 30 in Section 3, Township 4, Range 18, USML, said point being in the grantors southerly line and in the centerline of Peachblow Road (County Road 98) (60 feet wide);

Thence along the common line between Farm Lot 20 and Farm Lot 29, North 3°31'23" East for a distance of 30.00 feet to an iron pin set in the northerly right of way line of Peachblow Road and being the **Point of Beginning**;

Thence along the northerly right of way line of Peachblow Road and being 30 feet distant from and parallel to the centerline of Peachblow Road and the southerly line of Farm Lot 29, **North 85°00'54" West** a distance of **333.44 feet** to an iron pin set in the grantor's westerly line and in the easterly line of a 45.647 acre tract conveyed to GRDEN, LLC by deed of record in Official Record 951, Page 2796;

Thence along the easterly line of said 45.647 acre tract, the grantor's westerly line and the easterly line of a 71.250 acre tract conveyed to Pulte Homes of Ohio, LLC by deed of record in Official Record 1327, Page 1465, **North 03°35'10" East** a distance of **2562.63 feet** to an iron pin set at the grantor's northwesterly corner;

Thence along the grantor's northerly line, the southerly line of said 71.250 acre tract, the southerly line of a 36.661 acre tract conveyed to Pulte Homes of Ohio, LLC by deed of record in Official Record 1312, Page 2323, **South 86°07'01" East** a distance of **682.17 feet** to an iron pin set at the grantor's northeasterly corner and the northwesterly corner of a 21.60 acre tract conveyed to 2001 Peachblow LLC by deed of record in Official Record 1483, Page 35;

Thence along the grantor's easterly line, the westerly line of said 21.60 acre tract, the westerly line of Clover Pond Estates Subdivision (Plat Cabinet 2, Slide 198) and the westerly line of a 1.50 acre tract conveyed to Joseph P. and Kathleen M. Mayhew by deed of record in Official Record 621, Page 285, **South 00°18'53" West** a distance of **2283.45 feet** to a 5/8" diameter iron pin found at the northeasterly corner of a 1.10 acre tract conveyed to Manfred J. D'Ostroph, et. al. by deed of record in Official Record 1565, Page 2066;



Thence along the grantor's southerly line and the northerly line of said 1.10 acre tract **North 86°08'04" West** a distance of **150.24 feet** to an iron pin set at the northwesterly corner of said 1.10 acre tract;

Thence along the grantor's easterly line and the westerly line of said 1.10 acre tract **South 00°18'53" West** a distance of **292.10 feet** a 5/8" diameter iron pin found in the northerly right of way line of Peachblow Road;

Thence along the northerly right of way line of Peachblow Road and being 30 feet distant from and parallel to the centerline of Peachblow Road and the southerly line of Farm Lot 20, **North 85°51'13" West** a distance of **345.58 feet** to the **Point of Beginning** and containing **43.545 acres**, more or less, and subject to all other legal easements and rights of way.

Of the above described tract, all 43.545 acres, more or less, is located within Auditor's Parcel Number 418-330-01-010-000. Of the above described tract, 16.190 acres, more or less, is located within Farm Lot 20, 7.836 acres, more or less, is located within Farm Lot 21, 6.864 acres, more or less, is located within Farm Lot 28, 12.655 acres, more or less, is located within Farm Lot 29.

The basis of bearing of North 85°51'13" West on the centerline of Peachblow Road is referenced to the Ohio State Plane Coordinate System North Zone NAD 83 (NSRS 2011).

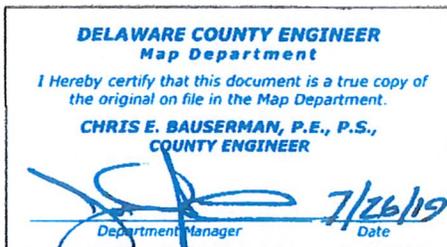
All iron pins set are 30" x 5/8" rebars with a yellow plastic identification cap bearing the inscription "Korda Engineering" and PS 7803".

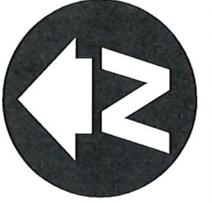
This description was prepared by Daniel L. Quick, Ohio Professional Surveyor No. 7803 from an actual field survey performed by Korda/Nemeth Engineering Inc. This instrument was prepared for an annexation request and it's use for any other purpose is strictly prohibited.

Daniel L. Quick, PS 7803
Korda/Nemeth Engineering, Inc.

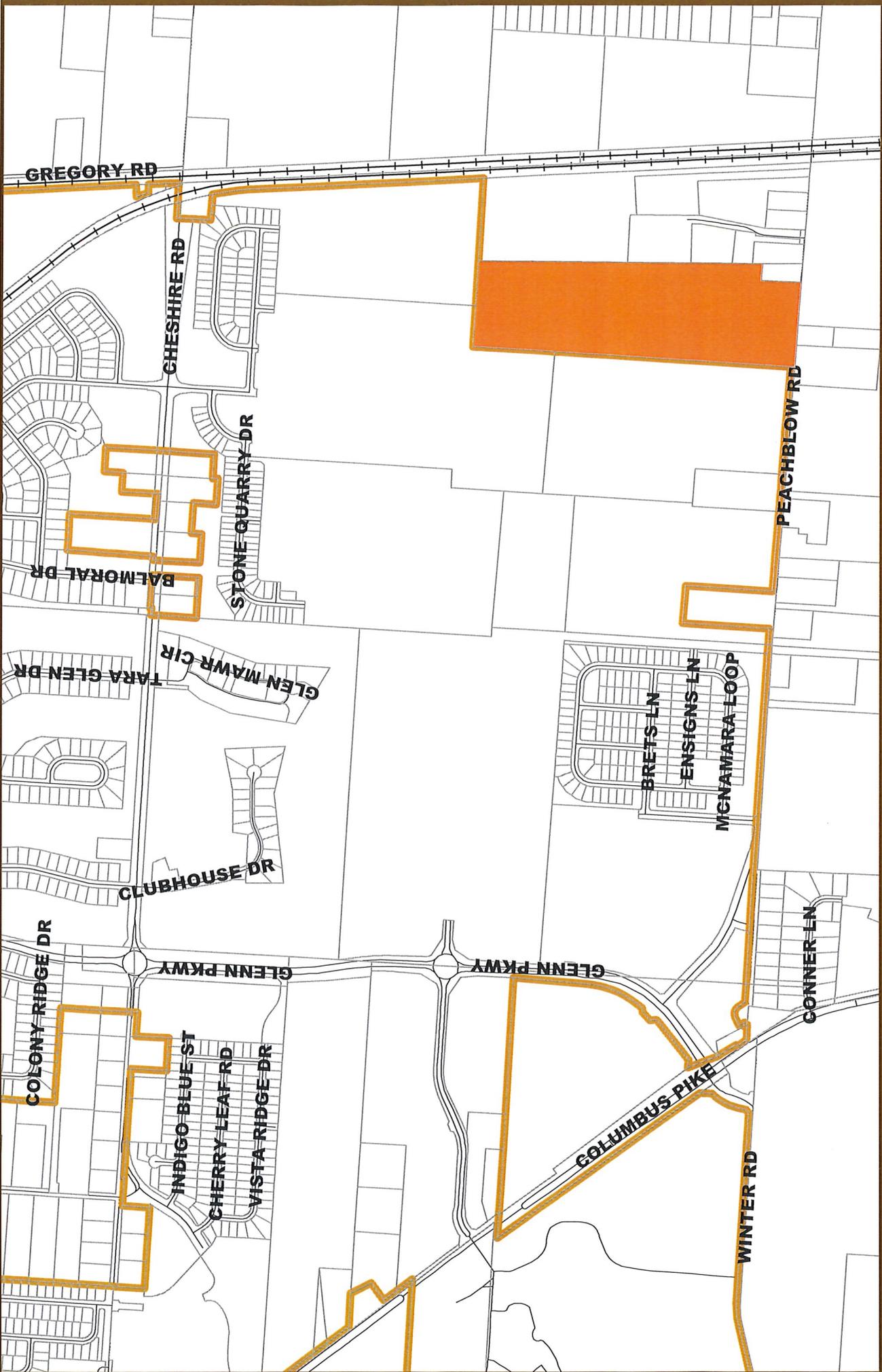
June 27, 2019

Date
Rev: 7/25/19





Evans Farms LLC
Annexation Location Map



Annexation Petition

**Adjacent Property Owners
To Parcel No. 418-330-01-010-000**

Owner	Parcel No.	Taxpayer/Tax Mailing Address
2001 Peachblow LLC	418-330-01-001-000	2001 Peachblow Road Lewis Center, OH 43035-9297
Thomas P. Adams and Tamara J. Adams	418-330-01-007-001	1795 Peachblow Road Lewis Center, OH 43035-9103
Manfred J. D'Ostroph and Marla K. Gaskill, Trustees	418-330-01-009-000	1765 Peachblow Road Lewis Center, OH 43035-9103
GRDEN LLC	418-330-01-018-000	10590 Wellington Boulevard Powell, OH 43065-8766
Kenney Asset Management, LLC	418-330-01-014-000	470 Olde Worthington Road Westerville, OH 43082-7957
Rebecca Jane Krupar and James Matthew Koch	418-330-01-013-000	1522 Peachblow Road Lewis Center, OH 43035-9102
Joseph P. Mayhew and Kathleen M. Mayhew	418-330-01-008-000	1787 Peachblow Road Lewis Center, OH 43035-9103
Pulte Homes of Ohio, LLC	418-320-01-040-000 418-320-01-042-000	4900 Tuttle Crossing Boulevard Dublin, OH 43016-1532
Thomas Taneff and Hollie M. Cox, Co-Trustees	418-330-01-007-000	1799 Peachblow Road Lewis Center, OH 43035-9103
Carl Woodruff and Catherine A. Woodruff	418-330-01-011-000	1600 Peachblow Road Lewis Center, OH 43035-9102

TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: January 9, 2020

1. **Update:** Following Mr. Young's request for a 4-way stop sign at the intersection of Executive Blvd. and Rutherford Avenue, I requested an analysis from staff on the current conditions of this intersection at Executive Blvd. Attached are the reports from staff and their recommendations. In addition, Council will also find a report from Bill Ferrigno on the West Hull Drive Traffic Calming Pilot Initiative.

2. **Calendar**
See Attached

2. **Per Section 73 Of The City Charter The City Manager Is To Report Contract Agreements**
N/A

3. **Manager Meetings/Events**
December 5
 Burger King Ribbon Cutting
 Budget Work Session
December 6
 ICMA 2022 Planning
 First Friday
December 9
 Rotary
 City Council Meeting
December 11
 Berkshire JEDD Board Meeting
December 12
 MORPC Meeting
December 13
 City of Delaware Management Retreat
 Judge Sunderman Retirement
 City Holiday Party
December 16
 Records Commission Meeting
 Rotary
December 17
 Strand Board Meeting
December 18
 Police Sergeant Swearing-In Ceremony

December 19
 Council Year-End Meeting
December 30
 Rotary
January 6
 Rotary
 Council Work Session

4. Required Reading/Attachments
 - A. Memo from Bill Ferrigno regarding Executive Blvd.
 - B. Memo from Jessica Ormeroid regarding Multi-Way Stop Warrant
 - C. Memo from Bill Ferrigno regarding West Hull Dr. Pilot Initiative

MEMORANDUM

TO: R. Thomas Homan, City Manager
Delaware City Council

FROM: William L. Ferrigno, P.E., Director of Public Works/City Engineer

DATE: January 2, 2020

RE: Executive Boulevard Speeding Complaints

In response to recent complaints regarding motorist speed along Executive Blvd. near the Rutherford Avenue intersection, staff of the Public Works department completed field review, speed data collection and accident history analysis to determine what measures if any are supportable in this area to improving traffic calming. As part of the initial complaint, a specific request to install an all-way stop sign at the intersection was made. The attached memorandum developed by City Traffic Engineer Jessica Ormeroid, was completed in early December detailing the findings and recommendations concerning the request for the addition of the stop sign on Executive Blvd. Explanation is provided why the addition of a stop sign does not meet any of the criteria as established in the Ohio Manual of Uniform Traffic Control Devices, which serves as the legal governing regulation concerning placement of stop signs in Ohio under ORC 4511.11. This information was shared with the originator of the initial complaint on December 4, 2019. It should be further noted that a recent accident in the area was determined to be driver fault and not the result of roadway geometry or excessive speed.

The completed field work did show that both average speeds and 85th percentile vehicle speeds exceeded the 25 mph posted speed limit, with the 85th percentile speed calculated at 33-34 mph. The recently adopted Traffic Calming Guide indicates that at these speeds, traffic calming measures should be considered and could include additional signage and striping, speed feedback signs, curb bump outs and increased enforcement. It is recommended that double-yellow centerlines be added along Executive Blvd. to increase motorist awareness through the curved sections and subsequently reduce lane drift and speed. The addition of white edge lines are also recommended to continue the pilot study of how 'lane narrowing' impacts motorist behavior in a neighborhood predominately travelled by local residents. The addition of speed feedback signs near the Rutherford Avenue

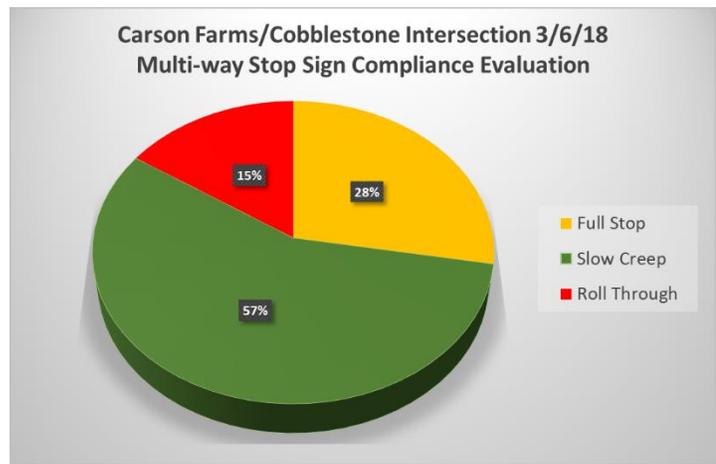


intersection are recommended in lieu of unwarranted all-way stop signs. The feedback signs serve to provide a publicly visible indication of a violation in process, a condition that motorists may generally try to avoid, and thus slow in the presence of the flashing warning. The estimated cost to purchase and install a pair of solar powered signs is \$7,000 and could be completed by Public Works staff. Once installed, additional traffic counts would continue along Executive Blvd. to determine the efficacy in the speed feedback signs and striping in reducing motorist speed through this neighborhood.

Although the OMUTCD criteria for establishing an all-way stop condition is not met under sections 2B.07, and recognizing that section 2B.04 specifically states that “STOP signs should not be used for speed control”, City Council did adopt policy in 2003 (Res 03-79) that provided neighborhoods with the ability to petition for the addition of stop signs. The policy was carried forward and included as part of the 2019 Traffic Calming Guidelines. The policy allows for the approval of a stop sign request by City Council on a neighborhood street with high 85th percent speeds, support of City officials, and with the support of at least 75% of the neighborhood.

Before considering the approval of a stop sign that does not meet minimal OMUTCD criteria, the following points should be understood.

- Motorist compliance with stop signs is reduced at locations where stop signs fail to meet established criteria. (See example of Carson Farms/Cobblestone installation)
- Motorist speed only slows at the location of the stop sign, but remains unchanged or can increase in areas adjacent to the stop sign.



- An increase in risk and injury may be experienced by the more vulnerable members of the community including elderly and children with reduced motorist compliance.
- Adding a stop sign along a well-established traffic route that has been functioning with an acceptable safety record can lead to a potential increase in accident risk as motorists accustomed to the route unintentionally overlook the change in condition and continue through the intersection without stopping.
- A notable increase in traffic noise from stopping and accelerating vehicles will be present in the area adjacent to the stop sign.



MEMORANDUM

TO: William L. Ferrigno, PE
Matthew B. Weber, P.E.
FROM: Jessica Ormeroid, PE, PTOE
DATE: 12/2/2019
RE: Executive Boulevard & Rutherford Avenue Multi-way Stop Analysis

Below please find my review of the existing conditions at the intersection of Executive Boulevard and Rutherford Avenue with regard to a multi-way stop sign warrant analysis as established by the Ohio Manual of Uniform Traffic Control Devices (OMUTCD), most current edition.

The following criteria should be considered in the engineering study for a multi-way stop sign installation:

- A. Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.
- B. Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.
- C. Minimum Volumes:
 - 1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour of any 8 hours of an average day, and
 - 2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to the minor street vehicular traffic of at least 30 seconds per vehicle during the highest hour, but
 - 3. If the 85th percentile approach speed of the major street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.
- D. Where no single criterion is satisfied, but where the Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.

Option:

Other criteria that may be considered in an engineering study include:

- A. The need to control left turn conflicts;
- B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
- C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop, and
- D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.

Summary of Results based on above criteria:

- A. Based on 24-hour count taken on 10/23/19-10/25/19 for Executive Boulevard and Rutherford Avenue, this intersection does not meet any of the signal warrants outlined in Chapter 4C of the OMUTCD.
- B. The accident history for this intersection shows no intersection related accidents in the past 12-months. This doesn't meet five or more crashes in a 12-month period.
- C. Minimum Volumes:
 - 1. Based on 24-hour count taken 10/23/19-10/25/19, Executive Boulevard doesn't meet this condition for any hours of the day. See attached counts.
 - 2. Based on the eastbound 24-hour count (approach entering the intersection) taken 10/23/19, Rutherford Avenue doesn't meet this condition for any hours of the day. See attached counts.
 - 3. Based on the stealth speed data obtained on 10/22/19-10/24/19, the 85th percentile speed is 33-34 mph. This doesn't exceed 40 mph so this section will not apply to this intersection.
- D. Based on the accident history and 24-hour count data for both roadways, B, C.1 and C.2 are not satisfied at 80 percent of the minimum values.

Option:

- A. There are no major issues with left turn conflicts at this intersection.
- B. There are no major issues with vehicle/pedestrian conflicts at this intersection given that there are not typically high pedestrian volumes at the intersection.
- C. There is a clear line of sight for traffic turning off of Rutherford Avenue onto Executive Boulevard.
- D. Based on the 24-hour traffic counts, these two roadways are not classified as the same type of roadway. Executive Boulevard is classified as a Collector with an ADT of 1336 and Rutherford Avenue is classified as a Local with an ADT of 397. Therefore, each roadway has different operating characteristics.

Based on the above summary of results, a multi-way stop at the Executive Boulevard and Rutherford Avenue intersection is not warranted nor recommended at this time.

In addition to the above analysis, the speeds and accident history was compiled and reviewed for the entire length of Executive Boulevard from Pennsylvania Avenue to Woodhaul Court. As noted above, the 85th percentile speeds were found to be 33-34 mph and there have been six (6) accidents along the curved sections of this roadway. Due to these findings, it is recommended that traffic calming countermeasures be implemented to narrow the travel lanes and encourage lower speeds and to reduce the risk of accidents along the curved sections of the roadway. Per the Traffic Calming Guide for Neighborhood Streets, such countermeasure could include pavement markings (centerline and edge line striping) and the installation of dynamic speed feedback signs.

City of Delaware Public Works Department

440 E. William St.
Delaware, Ohio 43015

Site Code: 06122015
Station ID:
746 Executive Blvd.
Taylor Ave.
Latitude: 0' 0.0000 South

Start Time	23-Oct-19		24-Oct-19		25-Oct-19		26-Oct-19		27-Oct-19		28-Oct-19		29-Oct-19		Week Average	
	Southbound	Northbound	Southbound	Northbound												
12:00 AM	*	*	1	0	*	*	*	*	*	*	*	*	*	*	1	0
01:00	*	*	1	5	*	*	*	*	*	*	*	*	*	*	1	5
02:00	*	*	1	0	*	*	*	*	*	*	*	*	*	*	1	0
03:00	*	*	2	0	*	*	*	*	*	*	*	*	*	*	2	0
04:00	*	*	2	1	*	*	*	*	*	*	*	*	*	*	2	1
05:00	*	*	10	11	*	*	*	*	*	*	*	*	*	*	10	11
06:00	*	*	22	46	*	*	*	*	*	*	*	*	*	*	22	46
07:00	*	*	55	66	*	*	*	*	*	*	*	*	*	*	55	66
08:00	*	*	38	46	*	*	*	*	*	*	*	*	*	*	38	46
09:00	*	*	16	27	*	*	*	*	*	*	*	*	*	*	16	27
10:00	*	*	19	32	*	*	*	*	*	*	*	*	*	*	19	32
11:00	*	*	33	29	*	*	*	*	*	*	*	*	*	*	33	29
12:00 PM	29	25	5	18	*	*	*	*	*	*	*	*	*	*	17	22
01:00	21	30	*	*	*	*	*	*	*	*	*	*	*	*	21	30
02:00	34	38	*	*	*	*	*	*	*	*	*	*	*	*	34	38
03:00	53	73	*	*	*	*	*	*	*	*	*	*	*	*	53	73
04:00	55	49	*	*	*	*	*	*	*	*	*	*	*	*	55	49
05:00	72	74	*	*	*	*	*	*	*	*	*	*	*	*	72	74
06:00	57	66	*	*	*	*	*	*	*	*	*	*	*	*	57	66
07:00	34	56	*	*	*	*	*	*	*	*	*	*	*	*	34	56
08:00	28	37	*	*	*	*	*	*	*	*	*	*	*	*	28	37
09:00	21	18	*	*	*	*	*	*	*	*	*	*	*	*	21	18
10:00	8	6	*	*	*	*	*	*	*	*	*	*	*	*	8	6
11:00	3	1	*	*	*	*	*	*	*	*	*	*	*	*	3	1
Total Day	415	473	205	281	0	0	0	0	0	0	0	0	0	0	603	733
AM Peak Vol.	-	-	55	66	-	-	-	-	-	-	-	-	-	-	55	66
PM Peak Vol.	72	74	5	18	-	-	-	-	-	-	-	-	-	-	72	74

Comb. Total 888 486 0 0 0 0 0 1336

ADT ADT 1,336 AADT 1,336

MEMORANDUM

TO: R. Thomas Homan, City Manager
Delaware City Council

FROM: William L. Ferrigno, P.E., Director of Public Works/City Engineer

DATE: January 2, 2020

RE: West Hull Drive Traffic Calming Pilot Initiative Update

West Hull Drive was designed and constructed as a collector street that runs between Liberty Road and US 23, directly north of the Delaware Community Plaza. Motorists accessing the plaza from the north entrance account for up to 80% of the daily traffic along West Hull Drive, which at times can reach 3,000 vehicles per day. Studies indicate that the average vehicle speed travelling along West Hull Drive is 27-29 mph with an 85th percentile speeds of 31-33 mph. Analysis determined that the only effective means to reduce traffic volumes along West Hull Drive would involve restricting public access at either end of the street and/or in or out of the north commercial access drive. This approach however was not supported by City Council nor the local public weighing in on the issue at the time.

As an alternative, direction was given to consider the implementation of traffic calming measures to slow traffic travelling along West Hull Drive. The recently adopted Traffic Calming Guide provides several options including signage and striping, speed feedback signs, curb bump outs and additional enforcement. In mid-August, additional double-yellow centerline striping, and white edge line striping were added to the pavement of West Hull Drive as part of a pilot traffic calming initiative. Similar striping added along Buehler Drive in 2018 has resulted in reduced accidents through the Nottingham Park curve area. In this case the striping defines the allowable travel lanes limiting motorists from drifting across both lanes and thus, slowing traffic as it travels the curved section.



Following initial installation of striping on West Hull Drive, several speed studies were completed to monitor impacts on traffic. To date, the 'lane narrowing' effect introduced by the additional striping on West Hull Drive has not yielded notable impact on either vehicle speed or volumes. Counts following the installation of the striping yield average speeds between 26 and 29 mph and 85th percentile speeds fluctuating between 31 and 33 mph. It is conceivable that the makeup of traffic on a particular street has some bearing on the efficacy of the traffic calming measures in place. For instance, motorists travelling through their own neighborhood may be more inclined to react favorably to the traffic calming measures while those only passing through may be less inclined to observe and react favorably. In the case of West Hull Drive, 80% of the traffic is pass-through and as such the motorists may be less inclined to be concerned over their presence or vehicle speed when travelling through that neighborhood. For this reason, the use of striped center and edge lines should continue to be piloted in other neighborhoods such as Cobblestone Drive and Executive Blvd. where most of the traffic travelling those routes are likely to be residents. Additional striping applications will be closely monitored as they are implemented through 2020 and beyond.

The Traffic Calming Guide also suggest for streets with 85th percent speeds exceeding 5 mph over posted speeds that the placement of permanent speed feedback units may provide some benefit in reducing motorist speed. The signs serve to provide a publicly visible indication of a violation in process, a condition that motorists may generally try to avoid, and thus slow down in the presence of the flashing warning. Placing a pair of speed feedback signs approximately half way between Liberty Road and the Hull Court intersection should be considered at this point as a next step. The signs, mounted below a standard speed limit sign, indicate the approaching vehicle speed and begin to flash when a vehicle exceeds 6 mph over the posted speed. The maximum speed displayed would be 40 mph to discourage the undesirable behavior of purposefully registering high vehicle speeds on the feedback display. The signs are capable of collecting vehicle counts and volume data which will provide valuable feedback for future evaluation of the efficacy of the units. The estimated cost to purchase and install a pair of solar powered signs is \$7,000, and could be completed by Public Works staff. Once installed, additional traffic counts would continue along West Hull Drive to determine the efficacy in the speed feedback signs in reducing motorist speed through this neighborhood.



January

2020

Monthly Meeting Schedule

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 City Offices Closed: New Years Day	2	3	4
5	6 Council Work Session 6:30 p.m.	7	8 BZA 6:30 p.m. canceled	9	10	11
12	13 Council 7 p.m.	14 Sister City 6:00 p.m.	15 Planning Commission 6:30 p.m.	16 Airport Commission 6:30 p.m.	17	18
19	20 City Offices Closed: Martin Luther King Jr. Day	21	22 HPC 6:30 p.m.	23 Parks and Recreation Board Meeting 6:30 p.m.	24	25
26	27 Council 7 p.m.	28	29	30	31	

*** Parks and Recreation Advisory Board Meeting will be held on January 23 to allow for board to meet with Pros Consulting.