

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

**AGENDA**

**6:30 P.M.** Leap Year Birthday Celebration & Proclamation

**7:00 P.M.**

**February 24, 2020**

1. ROLL CALL
2. INVOCATION – Reverend Sylvester Onyeachonam, St. Mary
3. PLEDGE OF ALLEGIANCE
4. APPROVAL of the Motion Summaries of the regular meeting and joint meeting of Council held on February 10, 2020, as recorded and transcribed.

APPROVAL of the Motion Summary of the work session meeting of Council held on February 3, 2020, as recorded and transcribed.

5. CONSENT AGENDA
  - A. Acceptance of the Motion Summary of the Finance Committee meeting held on August 19, 2019, as recorded and transcribed.
  - B. Resolution No. 20-17, a resolution authorizing the City Manager to sign a Memorandum of Understanding with the Delaware-Morrow Mental Health and Recovery Services Board.
6. LETTERS, PETITIONS, AND PUBLIC COMMENTS
7. COMMITTEE REPORTS
8. DIRECTOR'S UPDATE
  - A. Susie Daily, Chief Information Officer
9. SIXTH 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.

10. CONTINUATION OF FEBRUARY 10, 2020 PUBLIC HEARING AND THIRD READING of Ordinance No. 20-01, an ordinance levying a \$5.00 Motor Vehicle License Charge as authorized by Section 4504.173 of the Ohio Revised Code.
11. 7:30 P.M. PUBLIC HEARING AND SECOND READING of Ordinance No. 20-05, an ordinance amending Section 901 of the City of Delaware Codified Ordinances to bring the rules and regulations into conformance with the current right of way best management practices.
12. 7:35 P.M. PUBLIC HEARING AND SECOND READING of Ordinance No. 20-06, an ordinance revising Section 909 of the City of Delaware Code of Ordinances establishing General Rules and Regulations for the maintenance and repair of sidewalk within public right of way.
13. SECOND READING of Ordinance No. 20-07, an ordinance approving a Preliminary Development Plan request for the Delaware General Health District for a new office building at 470 South Sandusky Street on approximately 9.4 acres on property zoned PO/I (Planned Office/Institutional District).
14. SECOND READING of Ordinance No. 20-08, an ordinance approving a Combined Preliminary and Final Development Plan for K2 Development for Glenwood Commons Shopping Center for an approximate 96,100 square foot retail building located at 1180 Sunbury Road and zoned B-3 PMU (Community Business District with a Planned Mixed-Use Overlay District) on approximately 14.198 acres.
15. SECOND READING of Ordinance No. 20-09, an ordinance supplementing the 2020 Appropriations Ordinance to provide additional funding for Pavement Maintenance Projects and declaring an emergency.
16. SECOND READING of Resolution No. 20-16, a resolution accepting negotiated changes to the Fraternal Order of Police, Office and Clerical Employees (FOP Clerical) Agreement with the City of Delaware.
17. CONSIDERATION of Resolution No. 20-18, a resolution approving Dynamic Speed Feedback Signs for Hull Drive.
18. CONSIDERATION of Resolution No. 20-19, a resolution approving a Traffic Calming Pilot Program for Executive Boulevard.
19. CONSIDERATION of Resolution No. 20-20, a resolution of necessity for

construction or repair of sidewalks for the 2020 Downtown Sidewalk Maintenance Program.

20. CONSIDERATION of Resolution No. 20-21, a resolution of necessity for construction or repair of sidewalks for the 2020 Sidewalk Maintenance Program.
21. FINANCE DIRECTOR'S REPORT
22. CITY MANAGER'S REPORT
  - A. Discussion on recommendation regarding pool rates for Jack Florance Pool (see enclosed report).
23. COUNCIL COMMENTS
24. ADJOURNMENT

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held February 3 20 20

The work session meeting of Council held February 3, 2020 was called to order at 6:30 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.

Staff Present: Blake Jordan, Public Utilities Director, Justin Nahvi, Finance Director, Bruce Pijanowski, Police Chief, Sean Hughes, Economic Development Director, Dave Efland, Planning and Community Development Director, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

## **ITEM 2: PUBLIC COMMENT**

There was no public comment.

## **ITEM 3: REVIEW AND DISCUSSION OF COUNCIL'S PRIORITIES AND CITY MANAGER'S 2020 WORK PROGRAM**

Mr. Homan discussed the goals for the Work Session and to review and confirm Council priorities from the Spring 2019 Retreat. He reviewed the Mission and Vision Statement that was created at the 2013 Council Retreat. The Four Pillars of Healthy Economy, Great Community, Safe City, and Effective Government. Mr. Homan reviewed the six top priorities for Council that were established based on the four pillars at the 2019 Retreat.

Priority One relates to white collared jobs. Mr. Kridler discussed the continued opportunities to market and brand the community. He discussed the downtown is a place to develop these jobs as it is in walking distance to food and entertainment. The plan to focus on prime office areas was discussed including the downtown area, Riverfront District, Southern Gateway, and Sawmill Parkway. Mayor Riggle voiced a concern over the lack of parking in the downtown area. Mr. Kridler discussed that a parking structure would need to be part of the plan. Mr. Hoffman discussed the debt financing role for a parking structure. Mr. Homan discussed the current parking system, where individuals can purchase a parking permit, but that there are no guarantees for a spot. A parking structure can help alleviate this issue and patrons can purchase a spot in the garage. Mr. Efland discussed the Comprehensive Plan focus on the Sawmill Parkway area. He discussed the consideration of it being a mixed-use area with potential transitional housing and not all industrial. Mr. Hughes discussed his goals for Economic Development and that the plan is always to increase from previous goals.

Priority Two relates to Development Opportunities including the near east side, Sawmill Parkway, the Airport. Mr. Homan discussed that there is progress with the Airport Strategic Business Plan. A discussion was held on the County's role in the airport and that many other counties play a more active role in their airports. Mr. Homan discussed the need to take the airport to a next level and increase marketing to make it more profitable. Mayor Riggle discussed issues brought up at the recent Airport Commission meeting that included the leasing issues with T-Hangar tenants. Mr. Ferrigno also discussed the issue on having more aircrafts in the area require more service levels and that staffing at the airport is understaffed currently. He discussed the plan to increase

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advertising more to be a refueling area. He stated update to runways is usually grant funded, but updates to T-Hangars and terminal buildings is the responsibility of the City. Mayor Riggle discussed what can the County add to the airport other than financial assistance. Mr. Hellinger discussed that other successful airports have destination business-based areas and that our airport is located more industrial area. He discussed the need to have regional offices located here that might utilize the airport and help to develop the southern area of the City.

Priority Three relates to transportation. Mr. Homan discussed the past failed income tax levy. With the failed levy staff looked at why it failed and started Access Delaware to increase communication. Four years later there is still a financial gap even with the Permissive Fee and Gas Tax. Mr. Ferrigno discussed the Roadway Maintenance Program Cost. Traffic maintenance has a sustainable cost at \$475,000 a year, street maintenance has a sustainable cost at \$1,230,000 a year, and street paving has a sustainable cost of 3,000,000/year. There is an estimated funding gap of \$1.6 million per year for these program costs. He discussed that there is a \$8 million dollar backlog with road maintenance. He discussed that local roads should be resurfaced at about every 25 years. Collector roads are at a 20-year resurfaced and arterial roads would be recommended to be resurfaced every 15 years. Mrs. Keller discussed the increase of roads that have been built and with the increase of population and increase of income tax why is the City not able to get ahead. She voiced a concern on why the City is still considering annexation into the city. Mr. Ferrigno discussed that the funding for new developments road funding is not tied to new housing. There is other funding needs and a designated amount is not tied to the road maintenance. Mr. Homan discussed the need for direction on this priority. Mr. Farrell questioned how many years would it take to catch up on the backlog. Mr. Ferrigno that there is more than one way to distribute the funds towards the backlog either replace the worse needed roads and not complete as much on the list or do many of the smaller needs. Mr. Farrell voiced a concern that voters for a road levy will vote positive for projects that will affect them only. Vice-Mayor Shafer discussed his preference that the Permissive Fee funds be focused on traffic safety needs. Mr. Ferrigno discussed that through Access Delaware the public has found that the public wants trust that the funds will go to what it is designated to and that designated the funds to a specific need would be helpful. A discussion was held on the residents that are part of the NCA's. Mr. Homan discussed that many of the residents in the newer southern parts of the City belong to an NCA and the challenge to get their support for road projects.

Priority Four relates to parking in the downtown. Vice-Mayor Shafer discussed that the studies shown that the most desirable parking areas need to be the most expensive and the least desirable the least expensive. He discussed that staff is working on how to manager existing capacity. He discussed the cost to the City to process parking tickets. He discussed that the thought of a parking structure is still being worked on by staff. He is hoping to present around April the information and recommendations on a Downtown Parking Strategy to Council.

Priority Five relates to Attainable Housing. Mr. Efland discussed that research shows the need to focus on traditional affordable housing along

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with higher end housing. The City has been working on getting higher end housing although the study discussed executive level housing that the City really does not have. MORPC Housing Task Force discussed how to get more attainable affordable housing. He discussed the metrics on figuring out affordable housing and that the median income for the City has continued to increase. The lowest 30% of income has also increased. Mr. Efland discussed that the market for attainable housing is not traditional moderate to low income housing. This number shifts with the change in median income. He discussed the importance to look at the type of jobs that could be brought into the City and find appropriate housing to meet the need to keep the employees living in the community. He discussed having higher density apartments have a percentage of apartments considered being attainable housing.

Priority Six relates to Greenways. Mr. Homan discussed the increased demand to connect the pathways throughout the City. Mr. Miller has been working a Greenway Committee to develop a Greenway Plan. He discussed the work for the Bruce Road path. Mr. Miller provided a conceptual plan for connectivity. He discussed working with Delaware County on preserving greenways. Also reviewed was the Delaware Run Greenway.

Council requested to continue to the discussion at the March Work Session. Mrs. Keller questioned if there was any new development with the corridor study that was presented to Council in January. Mr. Homan informed Council that there was no formal follow up request from the group to the City. Mr. Farrell recommended that the Comprehensive Plan needs to be in place before moving forward. Mayor Riggle discussed that she would not recommend turning over corridor to the Finance Authority as Orange Township has. Mr. Hellinger discussed that the City is largely developed along the corridor. Vice-Mayor Shafer discussed that it was a concept plan and was to help the townships south on US 23 and to help with zoning consistency. He discussed their lack of resources and staffing.

#### **ITEM 4: ADJOURNMENT**

**Motion:** Mayor Riggle motioned to adjourn the meeting. The meeting adjourned at 8:22 p.m.

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

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Elaine McCloskey, Council Clerk

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The regular meeting of Council was held February 10, 2020 and was called to order at 6:00 p.m., in Council Chambers. The following members of Council were present: First Ward Chris Jones, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Riggle who presided. Absent from the meeting was Second Ward Lisa Keller. The invocation was delivered by Pastor Kale Booher, with Life Point Church, followed by the Pledge of Allegiance.

Staff Present: Bill Ferrigno, Public Works Director/City Engineer, Blake Jordan, Public Utilities Director, Justin Nahvi, Finance Director, Darren Shulman, City Attorney, Bruce Pijanowski, Police Chief, Sean Hughes, Economic Development Director, Ted Miller, Parks and Natural Resource Director, Dave Efland, Planning and Community Development Director, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

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

#### **ITEM 4: APPROVAL OF MINUTES**

APPROVAL of the Motion Summary of the regular meeting of Council held on January 27, 2020, as recorded and transcribed.

**Motion:** Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held on January 27, 2020, as recorded and transcribed, seconded by Mr. Jones. Motion approved by a 6-0 vote.

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

- A. Acceptance of the Motion Summary of the Parks and Recreation Advisory Board meeting held on November 19, 2019, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Public Works/Public Utilities meeting held on August 6, 2019, as recorded and transcribed.
- C. Acceptance of the Motion Summary of the Planning Commission meeting held on January 15, 2020, as recorded and transcribed.
- D. Establish February 24, 2020 @ 7:30 p.m. as a date and time for a second reading and public hearing for Ordinance No. 20-05, an ordinance amending Section 901 of the City of Delaware Codified Ordinances to bring the rules and regulations into conformance with the current right of way best management practices.
- E. Establish February 24, 2020 @ 7:35 p.m. as a date and time for a second reading and public hearing for Ordinance No. 20-06, an ordinance revising Section 909 of the City of Delaware Code of Ordinances establishing General Rules and Regulations for the maintenance and repair of sidewalk within public right of way.

**Motion:** Vice-Mayor Shafer motioned to approve the Consent Agenda, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

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

##### Public Participation:

Jodi Breakey  
241 Lexington Blvd  
Delaware, Ohio

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David Griffin  
259 Lexington Blvd  
Delaware, Ohio

Ms. Breakey and Mr. Griffin voiced concerns over the senior discount policy for the smaller toters. Ms. Breakey discussed that she is a single individual that does not need the large toter for trash but does not qualify for the discount due to her age. She states that she has used a smaller toter for the past 10 years, but she pays the full toter price. Mr. Griffin discussed that he uses the smaller toter also and is a senior citizen but does not qualify for the discount as he is a senior. Ms. Breakey recommended that there be the same cost for small toters and a cost for the large toters that are available to everyone.

Paul Hollar  
P.O. Box 394  
Sunbury, Ohio

Mr. Hollar presented a gift to Council of a photograph from the 2017 All Horse Parade.

**ITEM 7: COMMITTEE REPORTS**

Mr. Jones informed Council that there was a Public Works/Public Utilities meeting held on February 4, 2020 and many items discussed are on the current agenda and future agendas.

Mr. Hoffman discussed that the need for funding for streets was discussed at the Public Works/Public Utilities meeting. Mr. Hoffman also discussed a community forum presentation at the Library regarding Opioid Addiction.

Mr. Hellinger informed Council that there will be a Finance Committee meeting on February 11.

Vice-Mayor Shafer informed Council that the February Parking and Safety meeting was canceled, but that he is working with staff on downtown parking issues. He will be attending a MORPC meeting with the City Manager on February 13.

Mayor Riggle discussed that she attended the February 5 Planning Commission meeting.

**ITEM 8: ORDINANCE NO. 19-63** [Fifth Reading]

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

The Clerk read the ordinance for the first time. Council to take Ordinance No. 19-63 to a sixth reading.

**ITEM 9: ORDINANCE NO. 20-01** [Public Hearing and Second Reading]

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AN ORDINANCE LEVYING A \$5.00 MOTOR VEHICLE LICENSE CHARGE AS AUTHORIZED BY SECTION 4504.173 OF THE OHIO REVISED CODE.

The Clerk read the ordinance for the second time. Council to take Ordinance 20-01 to a third reading and allow for continued public comment.

Mr. Ferrigno reviewed the 2020 Roadway Maintenance Program and discussed what work would create a sustainable roadway maintenance program. He reviewed the maintenance expenditures vs. funding and discussed the funding gap. The funding gap is related to the 300% increase in road paving material costs, 67% increase in street networks, and more streetlights and traffic signals that require maintenance and repairs. There are currently over 100 residential street rated as 'Poor' and are in need of immediate resurfacing. He discussed the need to prioritize the existing streets to prevent further deterioration and the paving guidelines/recommendations for residential, collector and arterial streets.

Vice-Mayor Shafer recommended that language be added to separate the funds for traffic and safety needs only. Mr. Homan discussed having separate legislation for the request. Mr. Jones also recommended that the funds be used for only specific purposes. Mr. Farrell and Mr. Hellinger voiced concerns over the timing of the legislation and the public perception if passed and the City comes before the public at a later time for a transportation funding levy.

**ITEM 10: ORDINANCE NO. 20-05** [First Reading]

AN ORDINANCE AMENDING SECTION 901 OF THE CITY OF DELAWARE CODIFIED ORDINANCES TO BRING THE RULES AND REGULATIONS INTO CONFORMANCE WITH THE CURRENT RIGHT OF WAY BEST MANAGEMENT PRACTICES.

The Clerk read the ordinance for the first time. A public hearing and second reading for Ordinance No. 20-05 has been scheduled for February 24, 2020 at 7:30 p.m.

**ITEM 11: ORDINANCE NO. 20-06** [First Reading]

AN ORDINANCE REVISING SECTION 909 OF THE CITY OF DELAWARE CODE OF ORDINANCES ESTABLISHING GENERAL RULES AND REGULATIONS FOR THE MAINTENANCE AND REPAIR OF SIDEWALK WITHIN PUBLIC RIGHT OF WAY.

The Clerk read the ordinance for the first time. A public hearing and second reading for Ordinance No. 20-06 has been scheduled for February 24, 2020 at 7:35 p.m.

**ITEM 12: ORDINANCE NO. 20-07** [First Reading]

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN REQUEST FOR THE DELAWARE GENERAL HEALTH DISTRICT FOR A NEW OFFICE BUILDING AT 470 SOUTH SANDUSKY STREET ON APPROXIMATELY 9.4 ACRES ON PROPERTY ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT).

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The Clerk read the ordinance for the first time. Council to take Ordinance No. 20-07 to a second reading.

**ITEM 13: ORDINANCE NO. 20-08** [First Reading]

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR K2 DEVELOPMENT FOR GLENWOOD COMMONS SHOPPING CENTER FOR AN APPROXIMATE 96,100 SQUARE FOOT RETAIL BUILDING LOCATED AT 1180 SUNBURY ROAD AND ZONED B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) ON APPROXIMATELY 14.198 ACRES.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 20-08 to a second reading.

**ITEM 14: ORDINANCE NO. 20-09** [First Reading]

AN ORDINANCE SUPPLEMENTING THE 2020 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR PAVEMENT MAINTENANCE PROJECTS AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time. Council to take Ordinance No. 20-09 to a second reading.

**ITEM 15: RESOLUTION NO. 20-14** [First Reading]

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LOCAL PUBLIC AGENCY (LPA) AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE US 23/US 36 EXIT BIN WALL IMPROVEMENTS PROJECT (ODOT PROJECT ID NO. 98141), TO EXECUTE CONTRACTS, AND CONSTRUCT THE PROJECT.

The Clerk read the resolution for the first time.

**Motion:** Vice-Mayor Shafer motioned to approve Resolution No. 20-14, seconded by Mr. Jones. Motion approved by a 6-0 vote.

**ITEM 16: RESOLUTION NO. 20-15** [First Reading]

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LOCAL PUBLIC AGENCY (LPA) AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE RESURFACING OF PORTIONS OF STATE ROUTE 37 BETWEEN TROY ROAD AND US 36.

The Clerk read the resolution for the first time.

**Motion:** Mr. Jones motioned to approve Resolution No. 20-15, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

**ITEM 17: RESOLUTION NO. 20-16** [First Reading]

A RESOLUTION ACCEPTING NEGOTIATED CHANGES TO THE FRATERNAL ORDER OF POLICE, OFFICE AND CLERICAL EMPLOYEES (FOP CLERICAL) AGREEMENT WITH THE CITY OF DELAWARE.

The Clerk read the resolution for the first time. Council to take Resolution No. 20-16 to a second reading.

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## **ITEM 18: CITY MANAGER'S REPORT**

- A. Discussion on recommendation regarding pool rates for Jack Florance Pool (see enclosed report).

Mr. Homan discussed the recommended pool rate change for non-residents. The rate changes were reviewed by the Parks and Recreational Advisory Board. Council to further discuss the rate change recommendation.

Mr. Homan informed Council that there will be an unveiling of a marker at President Hayes birthplace on February 17. He informed Council that the Citizens Academy will be begin on February 13. Mr. Homan discussed meetings that he attended, including the COMMA meeting and the plans to meet with the County with Chief Donahue regarding EMS.

## **ITEM 19: COUNCIL COMMENTS**

Council unable to provide comments due to time limitations relating to the scheduled 7:00 joint meeting with the Delaware City School Board at the Willis Educational Center.

## **ITEM 20: ADJOURNMENT**

**Motion:** Mayor Riggle motioned to adjourn the meeting. The meeting adjourned at 6:51 p.m.

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Mayor Carolyn Kay Riggle

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Elaine McCloskey, Council Clerk

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The joint meeting with Delaware City Council and the Delaware City School Board was held February 10, 2020 and was called to order at 7:05 p.m., at the Willis Education Center. The following members of Council were present: First Ward Chris Jones, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Riggie who presided. Absent from the meeting was Second Ward Lisa Keller.

Delaware City School Board Members Present: Student Board Member Mary Grace Duffy, Ted Backus, Jayna McDaniel-Browning, Michael Wiener, Vice-President Frances O'Flaherty, and President Matt Weller

Staff Present: Bill Ferrigno, Public Works Director/City Engineer, Blake Jordan, Public Utilities Director, Justin Nahvi, Finance Director, Darren Shulman, City Attorney, Bruce Pijanowski, Police Chief, Sean Hughes, Economic Development Director, Ted Miller, Parks and Natural Resource Director, Dave Efland, Planning and Community Development Director, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

School Staff Present: Heidi Kegley, Delaware City School Superintendent, Craig Heath, Assistant City Manager, and Jason Sherman, Director of Facilities and Transportation

**ITEM 2: UPDATE ON COSI SCIENCE FESTIVAL - KYLE KRIDLER, ASSISTANT CITY MANAGER AND CRAIG HEATH, ASSISTANT SUPERINTENDENT**

Mr. Kridler and Mr. Heath discussed the COSI Science Festival. Mr. Heath discussed that the Hayes High School Robotics Team will be participating as well as the Coding Club at Dempsey Middle School.

**PRESENTOR:**

Stephen White  
COSI, Vice-President of External Affairs  
333 West Broad Street  
Columbus, Ohio 43215

Mr. White discussed the creation of the COSI Science Festival. He discussed that data shows that to get individuals to explore STEM type careers than they need to be in a more comfortable setting. This festival provides this setting and encourages individuals to consider and find interest in future STEM careers. He also discussed the COSI Stem Star award.

- A. Proclamation presented to Tajudeen Bakare, COSI STEM Star Award Recipient

**ITEM 3: 2020 DEVELOPMENT UPDATE - DAVE EFLAND, PLANNING AND COMMUNITY**

Mr. Efland discussed the APA Great Places in America award that was received by the City. He reviewed information from the Planning and Community Development Department. 2019 had the highest resident permits with 750. There were over 200 new commercial permits pulled. The estimated population is 43,000 and there has been a 24% growth since the 2010 census. Mr. Efland discussed the Delaware Together

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Steering Committee that is reviewing the Comprehensive Plan. This committee is reviewing redevelopment opportunities and areas including the near east side, the Riverfront area and S. Sandusky Corridor. Also discussed was the Schultz Elementary addition and the joint effort with the City and Schools to extend the Cobblestone/Penick Road.

Mr. Weller questioned the status of the Point Project. Mr. Homan discussed that the project is currently in environmental review and that the City is working with the railroad on the bridge alignment. He discussed that this project will be one of the largest transportation projects and state funding that was awarded to complete it.

Mr. Homan provided an update on the East Central resurfacing project and the Glenn Parkway extension.

Mrs. McDaniel Browning requested information on Coughlin's Crossing. Mr. Efland discussed the plans for apartments in the area and the focus to keep the development a mixed-use and walkable. Information was provided on the bike path connections.

#### **ITEM 4: SCHOOL DISTRICT UPDATE - HEIDI KEGLEY, SUPERINTENDENT**

Ms. Kegley discussed the current district statistics. There is currently 5,803 students enrolled in the district, with 15.4% of students with special needs and a graduation rate at 95.9% of students. She discussed alternative learning environments provided to students including the Willis Innovation Learning Lab. Ms. Kegley also discussed the increase of staff including the position of School Psychologist. The projected growth for the district is expected by 2027 to have 6,508 students. The district has seen enrollment slow down in the past 3 years. Also discussed was the Purple Star Designation at Hayes High School and that the school is recognized for their support to military families. She discussed the importance of community partnership and the need for these different partnerships with the district not receiving full funding from the State. These partnerships help to identify resources and needs to families and included the Strengthening Families of United Way, Family Resource Center, LSS Food Pantry, Delaware Library- Maker Space Annex, STEAM Lab, and the Juvenile Court Program Assessment Center.

Mr. Sherman provided an update on construction projects and timelines. Ms. Kegley discussed that there is a major focus on the Strategic Plan and the last time this plan was reviewed was in 2012. They are using an online tool to receive family input and discussion. Also discussed was upcoming ballot issues for the district in the next five years.

Mayor Riggle discussed the importance of the census and how can the school get more information out to parents. Ms. Kegley discussed that the schools are working on how to educate families on the importance of the census and how to fill it out.

#### **ITEM 5: DISCUSSION**

There was no public participation or further discussion items.

#### **ITEM 6: ADJOURNMENT**

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**Motion:** Vice-Mayor Shafer motioned to adjourn the meeting, seconded by Mr. Farrell. The meeting adjourned at 8:02 p.m.

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Mayor Carolyn Kay Riggle

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Elaine McCloskey, Council Clerk

**FINANCE COMMITTEE  
MOTION SUMMARY  
August 19, 2019**

ITEM 1. Roll Call

Chairman Hellinger called the Finance Committee meeting to order at 4:00 p.m.

Members Present: Vice-Mayor Kent Shafer, Vice-Chairman Chris Jones and Chairman George Hellinger

Staff Present: Dean Stelzer, Finance Director and Rob Alger, City Accountant

ITEM 2. Approval of the Motion Summary for the meeting held June 17, 2019 as recorded and transcribed.

**Motion:** Vice-Mayor Shafer moved to approve the Motion Summary from April 3, 2019, as recorded and transcribed, seconded by Vice-Chairman Jones. Motion approved by a 3-0 vote.

ITEM 3. REVIEW of Annual Financial Statement 2018 Audit

PRESENTOR:

Meghan Poth  
Wilson, Shannon & Snow  
10 West Locust Street  
Newark, Ohio

Ms. Poth reviewed the annual audit process and findings. She discussed the noncompliance citation and suggestions for improving operations.

ITEM 4. DISCUSSION of 2020-2024 Capital Improvement Program

Mr. Stelzer discussed the CIP and that he is encouraging directors to use the CIP process to anticipate future needs.

Mr. Jones discussed the need to look at funding for the pool and to determine if the pool needs to be expanded. He discussed how the community population has increased and if this is a capacity issue at Mingo.

Vice-Mayor Shafer discussed the need to look at replacing parking meters. He discussed that many of the meters are older and break easy. He discussed replacing the meters in the downtown with smart meters. He also discussed the need to look at placing infrastructure along Sawmill Parkway to attract potential businesses.

ITEM 5. Staff Comments

ITEM 6. Member Comments

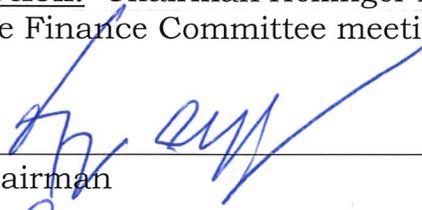
There were no other member comments.

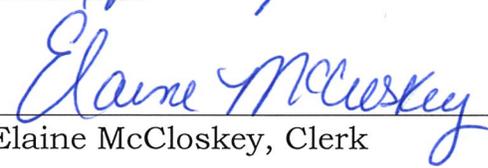
ITEM 7. Next Meeting Date

The Committee discussed having a meeting in October of 2019.

ITEM 8. Adjournment

**Motion:** Chairman Hellinger moved to adjourn the Finance Committee meeting. The Finance Committee meeting adjourned at 4:54 p.m.

  
\_\_\_\_\_  
Chairman

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



## FACT SHEET

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AGENDA ITEM NO: CONSENT ITEM B      DATE: 02/24/2020  
ORDINANCE NO:                                      RESOLUTION NO: 20-17  
READING: FIRST                                      PUBLIC HEARING: NO

---

TO:                      Mayor and Members of City Council  
FROM:                  R. Thomas Homan, City Manager  
VIA:                      Bruce Pijanowski, Police Chief

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE DELAWARE-MORROW MENTAL HEALTH AND RECOVERY SERVICES BOARD.

**BACKGROUND:**

The Delaware Police Department has a long-standing relationship with the Delaware-Morrow Mental Health and Recovery Services Board (Board) and has worked on several mental health and addiction problems with the Board. In particular, the Police Department has worked to create linkages to service agencies for people that are in crisis for mental health or addiction issues. The Board has approved a grant to the City to fund a full-time service coordinator to be employed by the Police Department. This service coordinator will expand on our ability to connect people to services on a more consistent basis. The funding is provided by the Board via Crisis flex funding from Ohio Mental Health and Addiction Services (Ohio MHAS), and includes language that the board expects to receive funding for fiscal year 2021, which they will use to extend the MOU. This funding is predicated on receiving the grant in successive years.

**REASON WHY LEGISLATION IS NEEDED:**

Authorization is required for the City Manager to sign any inter-governmental agreement.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

Personnel costs – which are funded by the grant

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Bruce Pijanowski, Chief of Police

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

Copy of MOU



**MEMORANDUM OF UNDERSTANDING BETWEEN DELAWARE-MORROW  
MENTAL HEALTH & RECOVERY SERVICES BOARD AND  
THE CITY OF DELAWARE, OHIO  
FY 2020**

**Purpose of Memorandum of Understanding:**

This Memorandum of Understanding (“MOU”) is between the Delaware-Morrow Mental Health & Recovery Services Board (“Board”), 40 N. Sandusky Street, Suite 301, Delaware, Ohio 43015 and the City of Delaware (“City”), 1 S. Sandusky Street, Delaware, Ohio 43015.

The parties have identified an opportunity to strengthen the local crisis continuum focusing on individuals who come into contact with the criminal justice system. This collaboration will involve the screening and referral of individuals in crisis situations to behavioral health professionals for services, recovery supports and appropriate follow-up with Board-affiliated providers. The City has created a position of Service Coordinator, who will be responsible for implementation of the program outlined in this MOU. The Service Coordinator will engage with individuals in the community needing crisis services and will work in collaboration with behavioral health providers and the Board to accomplish program goals. The Board has agreed to fund the City’s Service Coordinator position from a grant of Crisis Flex funds received from the Ohio Department of Mental Health and Addiction Services (“OMHASA”). Crisis Flex funds are intended to support the needs of individuals and families to prevent or stabilize a substance use or mental health crisis by providing flexible resources to local communities to fund direct crisis stabilization and crisis prevention support. The program described in this MOU is intended to accomplish the goals established by the ODMHAS.

The parties to this MOU wish to set forth their mutual understandings and respective obligations.

**Therefore, Board and City agree:**

**1. Obligations of City.**

a) The City agrees to employ a qualified individual to serve in the full-time position of *Service Coordinator* as described in the job description attached on Exhibit “A”. The Service Coordinator will perform the duties and responsibilities, now in effect or as may be hereafter modified by the City. The City agrees to consult with the Board before making any material modification to the job description so long as the position is funded by the Board. It is anticipated that the Service Coordinator position will be filled, and services will begin on or about February 1, 2020.

b) As the employer, the City is solely responsible for the selection, hiring, compensation, discipline and oversight of the individual hired to fill the Service Coordinator position. Board shall have no responsibility for the direct delivery of services to be provided by the City.

**2. Board's Grant.**

a) In consideration of the services to be provided by the City, Board agrees to fund the full-time Service Coordinator position in an amount not to exceed **\$40,000**. The grant will be utilized by the City for the professional and administrative costs incurred in retaining an employee to serve as Service Coordinator during the term of this MOU. The grant will be paid in lump sum within 30 days following the effective date of this MOU. The budget is based upon full-time employment being effective on or before February 1, 2020, and shall be prorated based on the actual hire date of the Service Coordinator. If the effective date of employment is later, the parties will adjust the grant. City agrees to advise Board if there are material changes that will affect the need for Board's financial contribution.

b) Board's grant is funded through a Crisis Flex grant received from ODMHAS. If this funding is not received from ODMHAS, in whole or in part, Board's grant to the City is subject to corresponding reduction or termination. Board will advise City should it receive notice that the grant funds may not be available in whole or in part.

**3. Memorandum Term.**

This Memorandum of Understanding shall be effective on the 1st day of February, 2020 and shall continue until June 30, 2020. Following its termination, the parties expect to renew this MOU for the period of Board's FY 2021 (7/1/2020 to 6/30/2021) in the amount of \$80,000, provided Board receives Crisis Flex funding from OhioMHAS for FY 2021.

**4. Information and Audits.**

a) The City agrees to provide such reports and data to Board as it may request to document; number of individuals served, nature of services rendered, extent of linkages of individuals served to community providers and such other information and reports as Board may request to demonstrate accomplishment of the goals and objectives of the collaboration between the parties. The City further agrees to provide any information to Board as required for Board to demonstrate compliance with the conditions of the Crisis Flex grant to the ODMHAS.

b) Both parties shall retain all documentation and public records under the laws of the State of Ohio related to the provision of funding under this MOU and provide such

documentation to the other party upon request for the requesting party to fulfill its administrative and legal requirements.

**5. Relationship of the Parties.**

The parties are autonomous and neither party is an agent, representative, employee or partner of the other. This MOU shall not be interpreted or construed to create an association, agency, employment, joint venture or partnership between the parties or to impose any liability attributable to such a relationship upon either party.

**6. Compliance with Legal Requirements.**

The parties agree to perform their respective obligations under this MOU under all federal, state and local laws and requirements.

**7. Entire Agreement.**

The parties acknowledge this MOU represents the entire agreement between the parties and supersedes any previous written or oral agreements between the parties concerning the subject of this MOU.

**8. Amendment of MOU**

No change, amendment or modification of any provision of this MOU shall be valid unless set forth in a written instrument and signed by the parties.

The undersigned agree to this Memorandum of Understanding evidenced by the signatures of their duly authorized representatives.

**DELAWARE-MORROW MENTAL  
HEALTH & RECOVERY SERVICES BOARD**

\_\_\_\_\_  
By: Deanna Brant,  
Its: Executive Director

Dated: \_\_\_\_\_

**CITY OF DELAWARE, OHIO**

\_\_\_\_\_  
R. Thomas Homan, City Manager  
City of Delaware

**Approved as to form on behalf of Board**

\_\_\_\_\_  
Jonathan C. Lewis, its counsel (#0012481)

Dated: \_\_\_\_\_

**Approved as to form on behalf of the City of Delaware**

\_\_\_\_\_  
Darren Shulman, Delaware City Attorney

Dated: \_\_\_\_\_

**AUDITOR'S CERTIFICATION**  
(ORC SECTION 5705.41(D))

The Delaware County Auditor hereby certifies that the funds required to meet the obligation set forth in this Agreement have been lawfully appropriated for such purpose and are in the county treasury or in the process of collection, free from any other encumbrances. The Delaware County Auditor also certifies that it has confirmed with the State of Ohio Auditor that the City of Delaware has no outstanding findings for recovery issued by the State of Ohio against it.

\_\_\_\_\_  
George Kaitsa, County Auditor

PR# \_\_\_\_\_

Contract # \_\_\_\_\_



## FACT SHEET

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AGENDA ITEM NO: 9

DATE: 02/24/2020

ORDINANCE NO: 19-63

RESOLUTION NO:

READING: SIXTH

PUBLIC HEARING: NO

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dave Efland, Planning and Community Development Director

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**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:**

**02/24/2020 UPDATE:** The draft included in this packet has proposed language to resolve the NCA issue discussed at prior meetings. Under this language, instead of the annexed property being placed in the NCA, the developer would make a one-time payment of \$250,000 on or before December 1, 2023. This payment would be backed by a surety (letter of credit or bond) to ensure the payment is made. The surety would be provided within seven days of Council approval of the Final Subdivision Plat and approval of engineering plans for the first phase of the development. No on-site improvements would be permitted until the surety is provided.

Staff recommends this resolution to facilitate the property becoming part of the city, because it has been within Delaware's utility planning boundary for decades, including sizing the Southeast Highland sewer and new/upgraded utility plants to accommodate this growth area. Annexation will allow logical connection of infrastructure such as the roadway, sewer, water, and stormwater

networks. Though a relatively small piece of ground by the city standards, it would complete the overall development 'picture' in the far southeast portion of our community. The Evans Farms development standards are high quality and will complement the overall growth and development of the southeast area while fulfilling many aspects of the current Comprehensive Plan. Having it developed outside the community would not only create potential complications with our annexation and utility provision policies and practices but it would likely create a different development pattern which would be directly connected to existing and planned city development thereby potentially creating awkward transitions between what, in the real world, will be direct neighbors (not separated by roadways, rail road tracks, and the like). Finally, our current Comprehensive Plan contemplated this property becoming part of the city of Delaware in many ways. Among these are, in the Growth Management section of the Plan, it is on the Potential Annexation Area map and it is part of the Cheshire Sub Area which calls for residential housing and notes that it is the southern gateway to the larger city where infrastructure and neighborhoods should be connected as much as possible – this is a refrain expressed by the public and Steering Committee for the current update of the Comprehensive Plan as well for this particular area.

**02/10/2020 UPDATE:** Negotiations continue, but no substantive update since Council's last meeting. Staff recommends continuing to a sixth reading.

**01/27/2020 UPDATE:** Please see attached memo dated January 23, 2020.

**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)**

Memo

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. **[Since the property is already encumbered with a pre-existing NCA and as a replacement for the annexed property also joining the Delaware South NCA, the developer shall make a one-time payment of \$250,000 on or before December 1, 2023. This payment may be made in cash, check, or EFT. This payment shall be secured by a letter of credit or bond (the 'surety') from an issuer selected by Developer but acceptable both as to form and issuer to the City. Surety (or payment should Developer elect to submit cash) shall be submitted to the City within seven days of approval by City Council of a Final Subdivision Plat and Approval of Engineering Plans for the first phase of development. No on-site improvements on the annexed property shall be granted until the acceptable surety or payment (should Developer elect to submit cash) is provided.]**
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



## MEMORANDUM

TO: Mayor and Members of City Council  
FROM: R. Thomas Homan, City Manager  
VIA: Alycia Ballone, Budget and Management Analyst  
DATE: January 23, 2020  
RE: Ordinance No 19-63 - Evans Farm Annexation Update

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### **Background Summary:**

The main issue requiring resolution is that of the inclusion of the proposed annexation into the Delaware South New Community Authority. Evans Farm currently is included within its own NCA at a rate of 10 mills. The land proposed to be annexed was identified by the City to be included in the South NCA, which has a rate of 7.5 mills. Rather than pass the full 17.5 mills burden onto the future homeowner, the City and the Applicant are working to find a solution beneficial to all parties and equitable to those already in the South NCA.

### **Update:**

In late December 2019, the Applicant shared a proposed payment (attached) based on their projections of the South NCA revenues. The proposal assumed a 2 percent inflation rate, a home market value of \$400,000, and a rate of completion of 10 homes in 2021 and 25 homes annually in 2022 through 2024. The revenues were calculated at 7 mills and resulted in a total proposed payment of \$194,360.

Staff reviewed this projection in early January and countered the Applicant's proposal with an alternate version (attached) making the following modifications: updating the millage to the current South NCA rate of 7.5 mills, revising the first year of collection to be 2022 which is more consistent with the construction realities likely for this site, and extending the length of the NCA to 2027 consistent with City projections. Using the Applicant's rate of construction, a market value of \$400,000 and inflation rate of 2 percent, Staff's projected NCA revenues were \$403,389.

Staff further broke the calculation down into a per house rate based on the year built to allow the developer to better align the payment required with when a building permit might be issued: \$6,624 for a 2021 build, \$5,574 for a 2022 build, \$4,503 for a 2023 build, \$3,410 for a 2024 build, \$2,296 for a 2025 build and \$1,159 for a 2026 build. Each payment would be made on a per house basis and collected with the building permit. At the rate of construction the Applicant provided, the per house rates sum to the \$403,389 in projected South NCA

revenues. Increasing the rate of construction or building the remaining 24 lots would increase the overall sum.

Staff's proposal was given to the Applicant. The Applicant has since countered the proposal with a one-time payment of \$250,000 to be made in 2023. While Staff has not had the opportunity to review this one-time payment in detail, a one-time guaranteed payment could potentially be beneficial while giving more certainty to receiving funds in the event that construction slows or stops for some unforeseen reason.

Mr. Eyerman will be attending Monday night's meeting and will be available to answer any questions.

The included attachments show both the Applicant's projections and City Staff's projections.

# City of Delaware Staff Projections

Market Value:	\$400,000
Inflation:	2%

Remaining Lots:	24
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Number of Lots Built by Year					
2021	2022	2023	2024	2025	2026
10	25	25	25	0	0

	MV of 2021 Lots	MV of 2022 Lots	MV of 2023 Lots	MV of 2024 Lots	MV of 2025 Lots	MV of 2026 Lots	Total MV	NCA Revenues @ 7.5 mills
<b>2022</b>	\$ 4,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,000,000	\$ 10,500
<b>2023</b>	\$ 4,080,000	\$ 10,200,000	\$ -	\$ -	\$ -	\$ -	\$ 14,280,000	\$ 37,485
<b>2024</b>	\$ 4,161,600	\$ 10,404,000	\$ 10,404,000	\$ -	\$ -	\$ -	\$ 24,969,600	\$ 65,545
<b>2025</b>	\$ 4,244,832	\$ 10,612,080	\$ 10,612,080	\$ 10,612,080	\$ -	\$ -	\$ 36,081,072	\$ 94,713
<b>2026</b>	\$ 4,329,729	\$ 10,824,322	\$ 10,824,322	\$ 10,824,322	\$ -	\$ -	\$ 36,802,693	\$ 96,607
<b>2027</b>	\$ 4,416,323	\$ 11,040,808	\$ 11,040,808	\$ 11,040,808	\$ -	\$ -	\$ 37,538,747	\$ 98,539
<b>Total</b>							\$	<b>403,389</b>

### Projected Rate per Lot by Year Built

	2021	2022	2023	2024	2025	2026	Total Paid
<b>per Lot Rate</b>	\$ 6,624	\$ 5,574	\$ 4,503	\$ 3,410	\$ 2,296	\$ 1,159	
<b>Total</b>	\$ 66,235	\$ 139,338	\$ 112,563	\$ 85,253	\$ -	\$ -	<b>\$ 403,389</b>

## Applicant Projections

*Evans Farm Project (Peachblow Site)*

*DRAFT*

*Projected NCA Revenues*

### *Projected Taxable Market Values (1)*

NCA Revenue Received	10 Lots - Built 2021 Market Value (2)	25 Lots - Built 2022 Market Value (2)	25 Lots - Built 2023 Market Value (2)	25 Lots - Built 2024 Market Value (2)	Total Market Value	Total NCA Revenues (7 Mills)
2023	4,000,000	0	0	0	4,000,000	9,800
2024	4,080,000	10,200,000	0	0	14,280,000	34,986
2025	4,161,600	10,404,000	10,404,000	0	24,969,600	61,176
2026	4,244,832	10,612,080	10,612,080	10,612,080	36,081,072	88,399
<b>Total</b>						<b>\$194,360</b>

*(1) Assumes 2% inflation during build out (2021 - 2024) and 1% thereafter.*

*(2) Assumes Single Family market value of \$400,000 with 10 lots completed in 2021 and 25 completed annually from 2022 to 2024.*



# 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

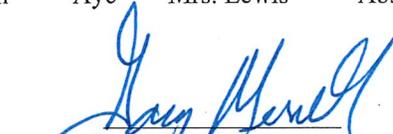
WHEREAS, 25 days have passed and the Clerk of the Board has not received an objection from the City of Delaware or the Township of Berlin;

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, 1<sup>st</sup> Floor  
Delaware, OH 43015

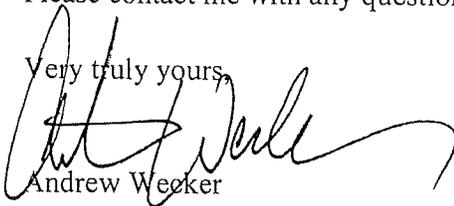
Dear Jennifer:

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. O'Neil 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

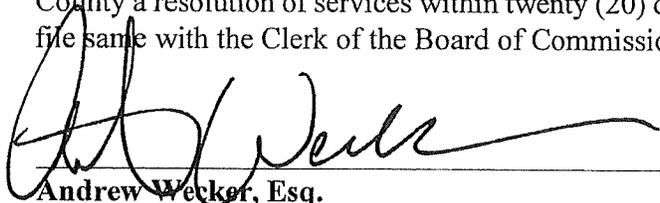
I, the undersigned, being the sole owner of 43.847± acres of real estate in the territory hereinafter described, hereby petitions for the annexation of the following described territory from **Berlin Township** to the **City of Delaware**, Delaware County, Ohio, being filed under **Sections 709.021(A)**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

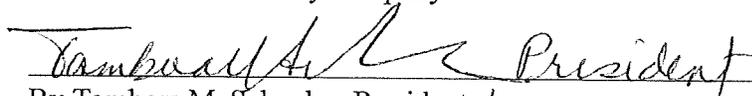
Clerk of the Board of the Delaware County Commissioners  
101 North Sandusky Street, Delaware, OH 43015

**"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:

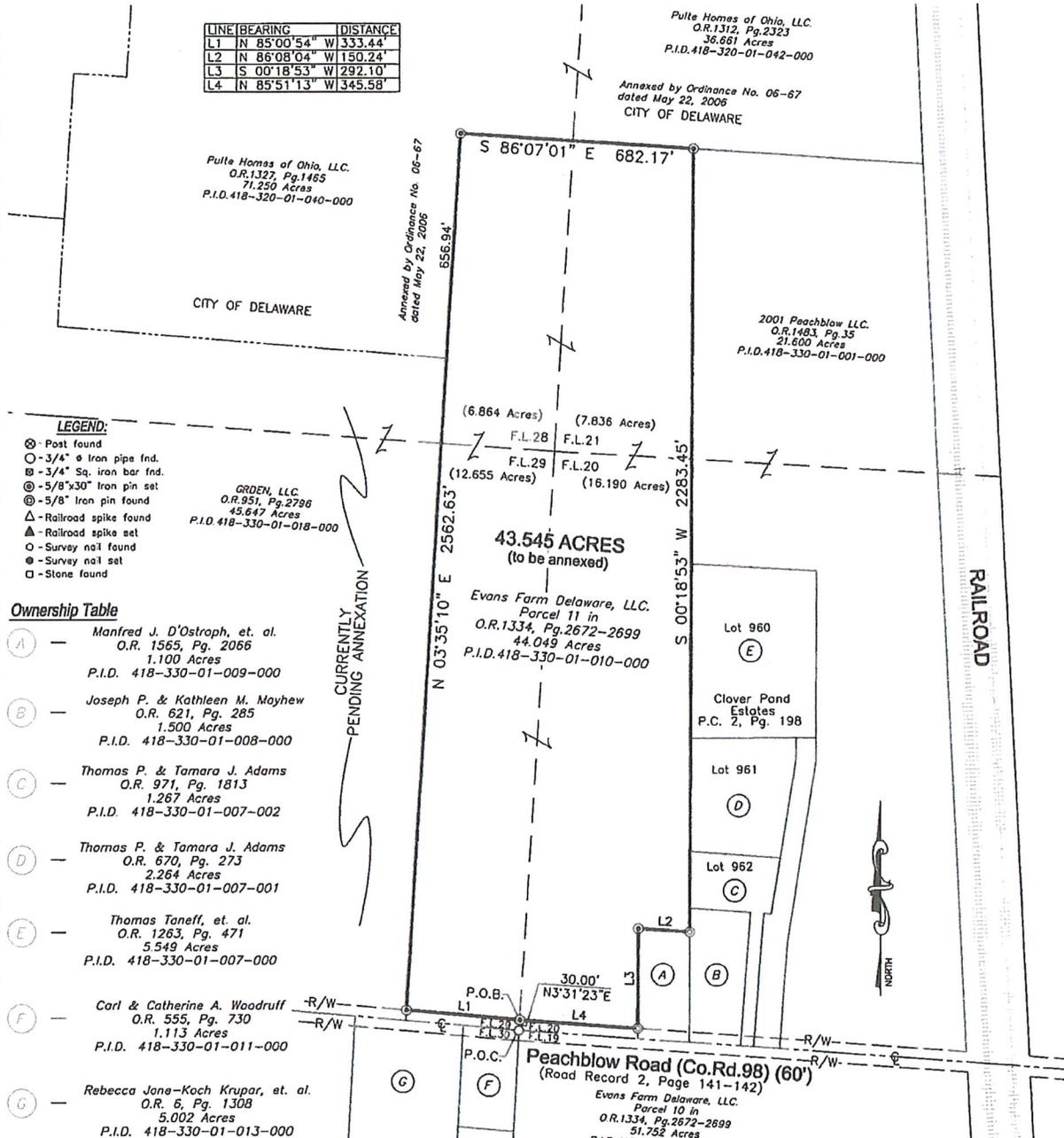
**Exhibit "A"** – Legal Description of 43.847 Acre Tract for Annexation to the City of Delaware from the Township of Berlin by Daniel L. Quick, P.S., Registered Surveyor No. 7803, Korda/Nemeth Engineering, Inc.

**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 Korda/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

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 43218-7079  
 TEL 614-887-1820 FAX 614-887-8891 WEB www.korda.com

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

Survey requested by: Evans Farm Development, LLC



### 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).

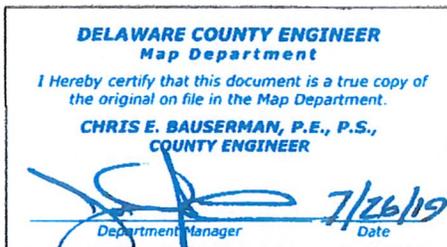
All iron pins set are 30" x 5/8" rebars with a yellow plastic identification cap bearing the inscription "Korda Engineering" and PS 7803".

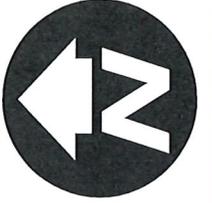
This description was prepared by Daniel L. Quick, Ohio Professional Surveyor No. 7803 from an actual field survey performed by Korda/Nemeth Engineering Inc. This instrument was prepared for an annexation request and it's use for any other purpose is strictly prohibited.

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

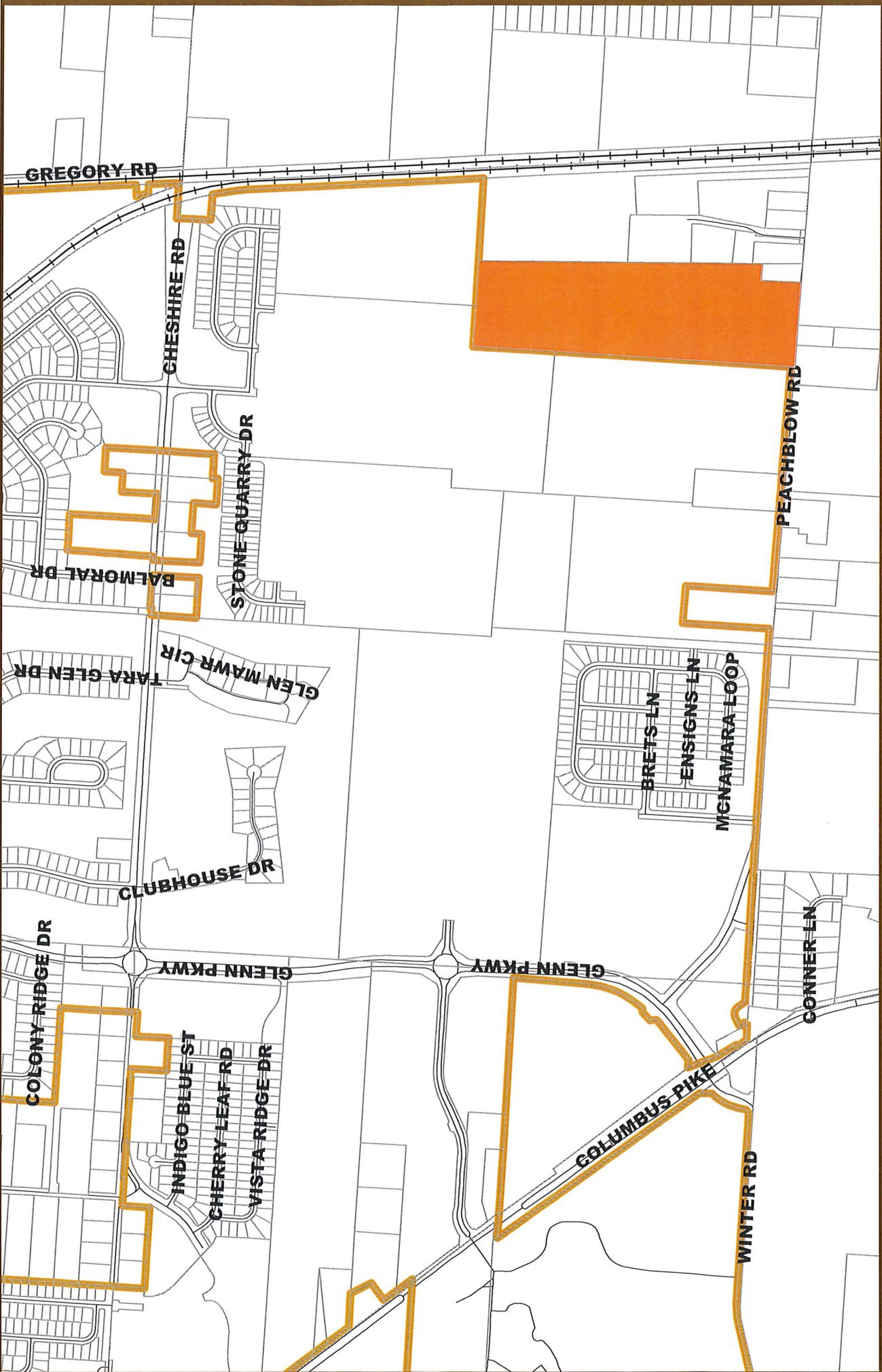
June 27, 2019

Date  
Rev: 7/25/19





Evans Farms LLC  
Annexation Location Map



**Annexation Petition**

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

<b>Owner</b>	<b>Parcel No.</b>	<b>Taxpayer/Tax Mailing Address</b>
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



## FACT SHEET

---

AGENDA ITEM NO: 10

DATE: 02/24/2020

ORDINANCE NO: 20-01

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: YES

February 10, 2020 @ 6:30 p.m.

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: ---

---

### **TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE LEVYING A \$5.00 MOTOR VEHICLE LICENSE CHARGE AS AUTHORIZED BY SECTION 4504.173 OF THE OHIO REVISED CODE.

### **BACKGROUND:**

**02/24/2020 Update:** The ordinance now reflects Council's direction that these funds be used for safety improvements including ADA accessibility, traffic calming, pedestrian crossings, and guardrail and pavement marking projects.

**02/10/2020 Update:** Staff recommends that the public hearing be continued to the February 24 Council meeting to allow for more public input.

**01/27/2020:** In 2019 the Ohio General Assembly approved legislation allowing for local jurisdictions to increase the amount of vehicle license fees collected in their respective districts. Revenue generated from the increase can be used for the maintenance and repair to the local street network. The City of Delaware's road maintenance program remains underfunded by an estimated \$1.6 million annually. The provision of adequate maintenance of all transportation elements included in street and traffic operations and roadway paving is not sustainable under existing funding limitations.

**REASON WHY LEGISLATION IS NEEDED:**

Local jurisdictions must enact legislation updating the required license fee amounts before additional fees can be collected.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

Increases annual revenues available for road maintenance by an estimated \$180,000.00

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

R. Thomas Homan, City Manager

**RECOMMENDATION:**

Approval following continued public hearing at the February 24, 2020 meeting.

**ATTACHMENT(S)**

2020 Roadway Maintenance Program (Draft)

Roadway Maintenance Fact Sheet (Draft)

Inventory of Poor & Very Poor Residential Streets in need of resurfacing

Testimony of City Manager Tom Homan from 2011 and 2017 regarding Permissive License Fees.

ORDINANCE NO. 20-01

AN ORDINANCE LEVYING A \$5.00 MOTOR VEHICLE LICENSE CHARGE AS AUTHORIZED BY SECTION 4504.173 OF THE OHIO REVISED CODE.

WHEREAS, the City is responsible for the maintenance and repair of 171 miles of local, collector and arterial streets throughout the community; and

WHEREAS, the City's Roadway Maintenance Program includes the maintenance of traffic signals, streetlights, guardrail, road signs, pavement markings, winter snow and ice removal, bikeways, public parking lots, sidewalks, curb ramps, street repairs and paving; and

WHEREAS the available revenues for roadway maintenance and repair has not kept up with the cost of providing adequate maintenance to the existing street network within the city; and

**WHEREAS, A BACKLOG OF PRIORITY MAINTENANCE IMPROVEMENTS EXIST THAT DIRECTLY IMPACT THE SAFETY OF PEDESTRIANS AND MOTORISTS, AND**

WHEREAS, an increase in the allowable license plate tax collections will provide an estimated \$180,000 in annual revenue **THAT WILL BE USED TO COMPLETE PRIORITY ROADWAY SAFETY INITIATIVES INCLUDING ADA ACCESSIBILITY, TRAFFIC CALMING, PEDESTRIAN CROSSINGS, AND GUARDRAIL AND PAVEMENT MARKING PROJECTS.**

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

SECTION 1: There is hereby levied an annual license tax upon the operation of motor vehicles on the public roads or highways of the City of Delaware, Ohio, pursuant to §4504.173 of the Ohio Revised Code for the purposes of planning, constructing, improving, maintaining, and repairing public roads, highways, and streets, and to provide additional revenue for the purposes authorized by Section 4504.173(A)(2) of the Ohio Revised Code; and to supplement revenue already available for such purposes.

SECTION 3. Such tax shall be at the rate of \$5.00 per motor vehicle per year, on each and every motor vehicle the district of registration of which, as defined in §4503.10 of the Ohio Revised Code, is in the City of Delaware, Ohio.

SECTION 4. As used in this Ordinance, the term "motor vehicle" shall

include all vehicles within the definition of motor vehicle in the Ohio Revised Code.

SECTION 5. The annual tax imposed by this ordinance shall apply to and be in effect for registrations beginning January 1, 2021, or at the earliest time legally authorized, and shall continue in effect and apply during each registration thereafter.

SECTION 6. The annual tax imposed by this ordinance shall be paid to the Registrar of Motor Vehicles of the State of Ohio, or to a Deputy Registrar, at the time of application for registration of a motor vehicle is made pursuant to the Ohio Revised Code.

SECTION 7. All revenues derived from the annual tax herein levied shall be used by the City of Delaware, Ohio for the purposes specified in this ordinance, or any other purpose authorized by state law.

SECTION 8. The Clerk of Council is directed to mail a certified copy of this Ordinance to the Bureau of Motor Vehicles, Tax Distribution Section in Columbus, Ohio upon passage.

SECTION 9. 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

# Public Works Department

## 2020 Roadway Maintenance Program

*Submitted by William L. Ferrigno, P.E., Public Works Director/City Engineer  
Revised January 21, 2020*

This update summarizes the funding resources and corresponding expenditures for the 2020 Roadway Maintenance Program, with recommendations for additional funding required to support a sustainable street, traffic and pavement maintenance operation. As growth continues across the City, the need to dedicate additional resources toward the maintenance and repair of existing highway pavement and traffic management infrastructure becomes more pressing. At existing funding levels, the Roadway Maintenance Program is not sustainable. An additional \$1.6 million in annual funding is recommended to fully support a sustainable roadway maintenance program.

2020 Roadway Maintenance Program – Funding	
Ohio Gas Tax	\$2,045,000
License Fees	\$698,000
Ohio Public Works Commission Grant (OPWC)*	\$495,000
Delaware County OPWC Grant Match*	\$150,000
<u>General Fund Revenue (Income Tax)</u>	<u>\$1,266,572</u>
<b>Total Revenues</b>	<b>\$4,654,572</b>

\*\$645,000 of the funding is available through a competitive grant application process and is not a guaranteed annual revenue source.

2020 Roadway Maintenance Program – Expenses	
<u>Street Maintenance:</u>	\$1,838,025 allocated for staffing and the maintenance and repairs to public streets including potholes, patching, crack sealing, parking lots, bikepaths, sidewalk, curbs, bridge maintenance, and snow and ice removal.
<u>Traffic Maintenance:</u>	\$966,547 for staffing and the maintenance and repairs to traffic signals, street lights, pavement markings, roadway signage and guardrails.
<u>Street Resurfacing:</u>	\$1,850,000 for paving residential and arterial streets.

## Roadway Maintenance Program – Annual Funding Levels

<u>Street Paving</u>	<u>Current</u>	<u>Recommended</u>
Pavement Resurfacing & Preservation	\$1,850,000	\$3,050,000
Alley Resurfacing	\$0	\$50,000
	<b>\$1,850,000</b>	<b>\$3,100,000</b>
<u>Street Maintenance</u>	<u>Current</u>	<u>Recommended</u>
Pavement Repairs	\$310,000	\$400,000
Pedestrian Paths & Bikeways	\$35,000	\$100,000
Public Parking Lots	\$60,000	\$130,000
Bridge Maintenance	\$50,000	\$50,000
Sidewalk & ADA Ramp Repairs	\$200,000	\$200,000
Curb Repairs	\$0	\$150,000
Snow & Ice Removal	\$200,000	\$200,000
	<b>\$855,000</b>	<b>\$1,230,000</b>
<u>Traffic Maintenance</u>	<u>Current</u>	<u>Recommended</u>
Streetlights	\$55,000	\$55,000
Street Signage	\$40,000	\$40,000
Pavement Markings	\$105,000	\$105,000
Traffic Signal System	\$185,000	\$200,000
Guardrail Maintenance	\$45,000	\$75,000
	<b>\$430,000</b>	<b>\$475,000</b>
<b>Totals</b>	<b>\$3,135,000</b>	<b>\$4,805,000</b>

The difference between the current available and proposed funding is \$1.67 million

## Roadway Maintenance Program Activities

**Street Resurfacing & Pavement Preservation** – The street network in Delaware is made up of 171 miles of Arterial, Collector and Local roadway. Based on the age and condition of Delaware’s overall street network, a sustainable pavement maintenance program requires an estimated \$3.1 million in annual funding. Each new mile of roadway constructed in Delaware increases the overall annual street resurfacing program cost by an estimated \$20,000 per year for local streets and \$28,000 for collector streets. The anticipated useful life of an asphalt pavement surface of any given street varies depending on pavement age, traffic volumes, and how well it has been preserved, and can generally be expressed in ranges from 10-15 years for arterials, 15–25 years for collectors, and 20–30 years for local residential streets. Delaying pavement maintenance work including preservation treatments and surface course replacement, ultimately results in shorter pavement life cycles, higher repair costs, and an overall increase in the cost of establishing a sustainable pavement maintenance program. Based on the current condition of Delaware’s local streets, additional funding is required to address all streets throughout the community.

The City road network has increased by 67% (68.6 miles) in the past 25 years while the cost of asphalt has more than doubled.

Annual Pavement Maintenance Costs (2020)							
Pavement Network	% City Responsibility	CL Miles	Area (SF)	Life Cycle Costs			
				AVG YRS	Area/Year	\$/SF	Annual Cost
Local Streets	100	94.31	12,890,946	25	515,638	2.93	1,510,819
Collector Streets	100	43.07	6,614,175	20	330,709	2.93	968,977
Arterials	100	10.13	2,218,158	15	147,877	3.25	480,601
SR/US Arterials	20	13.96	3,115,859	10	311,586	1.50	93,476
US23	0	9.77	3,489,002	10	N/A	N/A	0
Alleys	100	9.1	509,789	20	25,489	1.50	38,234
<b>Totals</b>		<b>171.24</b>	<b>28,328,140</b>		<b>1,331,299</b>		<b>3,092,106</b>

**Alley Maintenance** – The city has 78 public alleys with a combined length of 9.1 miles, many of which are in serious disrepair. Alleys provide primary, and in some cases, the only access for many resident’s properties, and as such, greater consideration to alley maintenance should be included as part of a sustainable pavement maintenance program. The last comprehensive alley improvements by the City were completed in the 1990’s. Alley maintenance by the City is currently limited to pothole repair and patching. Public alleys require resurfacing the same as the local residential streets, and as such should be repaved every 20-25 years.

**Pavement Maintenance & Repairs** – Annual pavement maintenance work performed by the Public Works Street crew includes pothole repairs, pavement patching, berm and edge repairs, crack filling and sealing, and pavement base repairs. Much of this work is completed by the Public Works Street crew, though contractors are used for some activities such as crack sealing and concrete repairs. Though the local and collector street network has expanded by over 70% in the last 25 years, the staffing level dedicated to the maintenance and repair of our public streets has remained stagnant. As such it becomes increasingly difficult to maintain the same level of service regarding street maintenance and repair efforts through the Street Division.

**Pedestrian & Bike Paths** - The City's inventory of pedestrian and bikeway trails continues to increase as new development and capital initiatives expand the public system. The current network totals just over 24 miles of pathway requiring ongoing maintenance, and ultimately pavement replacement. Like asphalt streets, paved paths require routine maintenance and eventually resurfacing. The majority of maintenance work over the past several years has been limited to surface sealing, crack sealing and edge repairs. Each additional mile of new bikeway constructed adds an estimated \$4,500 per year to the overall cost of network maintenance. Applying conservative estimates for the longevity of a properly maintained bikeway and assuming a pavement life cycle of 25 years, an annualized program cost of \$100,000 is estimated for the existing public pathway network.

**Public Parking Lots** – The City maintains 28 public parking lots including the downtown lots, public buildings, and park properties. The pavement requires both routine asphalt maintenance and eventual replacement as surfaces deteriorate. Parking areas are sealed and restriped every five years. Pavement replacement is anticipated every 20-30 years. Based on the current inventory of parking lots, the annualized maintenance cost is estimated at \$130,000.

The City maintains 24 miles of public pedestrian paths and bikeway, 28 public parking lots and 22 bridge structures

**Bridge Maintenance** – The City is responsible for the full maintenance and replacement responsibility of sixteen vehicular, and six multi-use path bridges. An additional eighteen State bridges within Delaware require minor maintenance by the City for items including pothole repair, crack sealing, crash barrier, striping, and signage. The City allocates \$50,000 per year to address minor bridge maintenance needs as identified through annual bridge inspections. Separate large bridge projects are identified through the 5-Year Capital Improvement Plan and include initiatives such as the Springfield Branch Trail Bridge over US23, the old clay mine rail tunnel under North Street, and the Delaware Run Bridge on Houk Road.

**Sidewalks & ADA Ramps** – The City completed the successful Safe Walks Program in 2017 capping a 10-year initiative to address residential sidewalk safety community wide. Nevertheless, sidewalks continue to deteriorate requiring ongoing maintenance. The City responds to customer driven complaint as a means to address sidewalk deficiencies throughout the community. In some cases, the repairs become the responsibility of the abutting property owner; However, the majority of

deficiencies are city responsibility and are associated with sidewalk sections heaving from the tree roots. \$150,000 has been allocated to address sidewalk repairs with an additional \$50,000 for ADA ramp repairs by the Public Works crew. An estimated 3,775 feet missing sidewalk has been identified through the last inventory with a construction cost estimated at \$280,000, though no funding is currently available to address this work.

**Curb Repairs** – Many of the City’s 174 miles of local, collector and arterials streets include both concrete and sandstone curb in various states of disrepair. The appropriate time to address curb repairs is when a street is being resurfaced, though limited funding prevents implementation of such an approach. As a result, the need to address deteriorating curb conditions continues to grow. Some communities include curb repair as part of their resurfacing program while others assess the cost of repairs to abutting property owners. Additional funding is required to include spot curb repair as part of the annual resurfacing efforts by the city.

**Snow & Ice Removal** – The Street Division is responsible for snow plowing operations throughout the winter season. This work requires on average, the application of 2,500 to 3,000 tons of road salt and 110,000 gallons of pretreatment brine solution during the winter season. Participation in the annual ODOT Road Salt Fill Program provides cost control and reliable material availability for the season. The use of salt brine allows for the more efficient, effective and reduced waste of road salt, maximizing level of service to the community while lowering environmental impacts. Because winter temperatures and precipitation vary widely in Ohio, the total materials and labor dedicated toward snow and ice management vary by year making it difficult to determine consistent budgetary needs.

**Streetlights** - The City currently maintains 2,312 streetlights, a number continually increasing with each new residential development. In addition to the cost of routine lamp, photo-eye, and ballast replacements, future cost increases are anticipated to address conduit and wiring repairs, and the re-painting of streetlight poles as the equipment ages. In 2018, the City implemented new streetlight standards requiring more energy efficient LED fixtures to be installed, replacing the former High-Pressure Sodium (HPS) lamps. The City is evaluating the cost to replace all remaining HPS lamps with LED fixtures. Such an initiative would be included as part of a future 5-Year Capital Improvement Plan and could cost upward of \$875,000.

The City maintains  
62 traffic signals,  
2,312 streetlights  
and 8,986 traffic  
control signs

**Street Signage** – The City maintains 8,986 regulatory, warning, directional and informational signs throughout the community. Retro-reflectivity standards apply to all regulatory and warning signage, of which we have a total of 3,765 (excluding parking). The City adopted the “expected sign life” methodology in 2014 to abide by the standards and has focused on regulatory and warning sign replacements on Expressway and Arterial roadways. The majority of sign maintenance and repair is performed by the Public Works Traffic crew.

**Pavement Markings** – Pavement markings on roadways have important functions in providing guidance and information to the road user, especially during reduced visibility conditions at night and/or rainy and foggy conditions. To maintain the appropriate level of highway safety, the City must maintain pavement markings by restriping arterials every 2-4 years, collectors every 6 years, and

local streets every 10 years. The majority of 'short line work' i.e. crosswalks, stop bars and pavement symbols is managed by the Traffic crew, while 'long line work' is managed through state bid contractors who has the equipment to perform the long line striping.

**Traffic Signals & Equipment** – The City maintains 62 traffic signals and 24 school zone flasher units, with two additional signals anticipated over the next two years. The total number of traffic signals and school zone flashers has doubled since the early 1990's, not including the more recent installation of RRFB's and speed feedback signs. The Traffic Division implemented a maintenance program in 2015 which includes routine maintenance/replacement of signal components. This program has greatly reduced the number of unexpected call-outs for emergency signal malfunctions; however, there is still need for additional funding to replace aged equipment.

The City maintains seven rectangular rapid flashing beacons (RRFB's) installations throughout the community and has plans to install three in 2020, and an additional three in future years at a cost of \$15,000 per pair. Study and local results support that these devices increase motorist awareness of the presence of pedestrians in crossings and as a result, a reduction in the number of accidents and injuries. The use of dynamic speed feedback signs (DSFB) offer a means to appease neighborhood concerns over speeding through the provision of visual enforcement measures, and for a relatively modest cost of \$7,000 per installation. Eligibility criteria was developed which yielded 18 identified locations for potential installation with the first permanent installations planned for 2020.

The Traffic Division is responsible for addressing maintenance of traffic operations for the 40 planned special events and approximately 10,000 utility locate requests received annually for all underground street lighting, traffic signal lines, and fiber cable owned by the City. City owned utilities must be identified and marked within 48-hours of a request being submitted. In Delaware, this activity requires 50% of a traffic technician's time on an annual basis.

**Guardrail Maintenance** – The City currently maintains an inventory of 13.6 miles of roadside barrier in various locations throughout the City. Over 85% of all roadside barrier is located on US23, US42, US36, and SR37. \$50,000 is budgeted annually for the maintenance of existing guardrail, excluding accident related guardrail repairs, generally covered through insurance claim reimbursements. The City has identified ten locations requiring an estimated 4,200 LF of new guardrail to address highway safety. These installations will protect traffic at locations that include sharp curves, steep embankments and bodies of water. The cost to complete the installations is estimated at \$130,000 and will be included in future 5-Year Capital Improvement Plans.

# The Facts about Road Maintenance in Delaware

## Additional Funding Would Help

The city needs an additional \$1.6 million in annual funding to fully support a sustainable street maintenance program

## The City Road Network has Increased by 69%

In 1995 the City maintained 102 miles of roadway. In just 25 years the total miles of roadway the City maintains has increased to 171 miles

## Is the New Gas Tax Helping?

The State enacted an additional Motor Fuels Sales Tax "Gas Tax" in 2019 providing the City with an additional \$758,000 per year for our local street maintenance program, and helping close a \$2.5 million gap in annual roadway maintenance

## Where Does the Money Go?

- Street paving
- Potholes & Patching
- Snow Plowing
- Crack sealing
- Bikeways
- Public Parking Lots
- Traffic Signals
- Street lights
- Pavement Striping
- Guardrail
- Street signs

## Your Tax Dollars Don't Go as Far

In 1995 the cost of asphalt paving was just under \$30.00 per ton. Today that figure has increased over 300% to \$90 per ton for street paving; and the cost today to pave a mile of residential street can exceed \$300,000

## What do we Maintain?

US 23	10 miles
US & State Routes	14 miles
Local Arterials	10 miles
Collector Streets	43 miles
Local streets	94 miles
Alleys	9 miles

## Street Surfaces Wears Out

Residential streets need to be repaved every 20 to 30 years depending on its condition and how well it's been maintained.

## We Need to Pave More Residential Streets in Delaware

There are currently over 100 residential streets in Delaware in need of paving at an estimated cost of \$8 million.

**Local Street Resurfacing Program (DRAFT)  
'Poor' & 'Very Poor' Rated Streets**

Revised January 22, 2020

<b>Street</b>	<b>Length(ft)</b>	<b>CL Miles</b>	<b>Area SF</b>	<b>Cost</b>
ABLEMARLE CIRLE	927	0.18	22,257	\$72,334
ASH ST	930	0.18	22,329	\$72,571
ASPEN CT	859	0.16	20,621	\$67,017
BERNARD AVE	985	0.19	19,223	\$62,474
BOULDER DR	1,320	0.25	42,255	\$137,329
BOWTOWN RD	2,897	0.55	52,138	\$169,448
BRANCH ST	748	0.14	11,963	\$38,880
BRIDGEPORT WAY	1,672	0.32	40,123	\$130,398
CALM ST	769	0.15	12,311	\$40,009
CAPITAL CT	202	0.04	5,241	\$17,035
CARLISLE AVE	294	0.06	4,710	\$15,308
CASTLETON WAY	650	0.12	16,239	\$52,777
CATHERINE ST	518	0.10	15,529	\$50,468
CHAMBERLAIN ST	684	0.13	14,366	\$46,689
CHAMBERLAIN ST	592	0.11	9,464	\$30,758
CHANNING ST	1,471	0.28	32,359	\$105,166
CHATHAM LN	174	0.03	4,527	\$14,713
CHATHAM LN E	299	0.06	7,769	\$25,251
CHATHAM LN W	326	0.06	8,466	\$27,515
COBBLESTONE DR	1,408	0.27	45,066	\$146,465
COLOMET DR	1,622	0.31	40,543	\$131,763
COURT ST	509	0.10	9,157	\$29,759
DARLINGTON RD	416	0.08	8,311	\$27,009
DAVIDSON LN	638	0.12	30,646	\$99,601
DOGWOOD DR	930	0.18	22,329	\$72,569
EAST BRANCH RD	384	0.07	9,972	\$32,409
EAST POINT XING	1,291	0.24	27,112	\$88,113
ELIZABETH ST	996	0.19	33,864	\$110,058
FAIR AVE	2,218	0.42	46,001	\$149,502
FIRESTONE DR	1,617	0.31	42,051	\$136,664
FLINTWOOD DR	735	0.14	19,114	\$62,122
FOLEY ST	255	0.05	5,103	\$16,585
FOREST AVE	1,773	0.34	49,642	\$161,335
GIBRALTAR CT	210	0.04	5,462	\$17,751
GOLD DUST DR	156	0.03	4,061	\$13,197

GRAND CIRCUIT BLVD	974	0.18	31,161	\$101,274
GRANITE CT	345	0.07	8,969	\$29,148
GRISWOLD ST	291	0.06	8,733	\$28,384
HALSTEAD CT	154	0.03	3,707	\$12,048
HAMMOND ST	362	0.07	6,523	\$21,201
HAMMOND ST	173	0.03	3,106	\$10,096
HAVENS RD	757	0.14	15,145	\$49,222
HAYES ST	772	0.15	16,209	\$52,679
HEARTHSTONE DR	2,886	0.55	75,034	\$243,861
HICKORY LN	1,351	0.26	24,314	\$79,019
HILLSIDE DR	2,399	0.45	41,451	\$134,717
HILLS-MILLER RD	796	0.15	17,513	\$56,917
KENSINGTON DR	2,452	0.46	61,289	\$199,191
LANDEMERE CT	241	0.05	5,788	\$18,812
LEWIS ST	483	0.09	14,481	\$47,062
LITTLE ST	486	0.09	14,080	\$45,759
LUSK LN	558	0.11	6,143	\$19,966
MAPLE STREET	812	0.15	17,000	\$55,250
MASON AVE	1,060	0.20	21,202	\$68,907
MINERAL CT	207	0.04	5,386	\$17,505
N FRANKLIN ST	4,102	0.78	126,263	\$410,354
N WASHINGTON ST	3,466	0.66	92,551	\$300,792
N WASHINGTON ST	1,614	0.31	38,634	\$125,562
NEIL ST	717	0.14	10,044	\$32,642
NOBLE ST	1,455	0.28	33,353	\$108,396
NORTH ST	1,386	0.26	30,482	\$99,065
NORTHHAMPTON CT	449	0.09	10,786	\$35,053
NUTTER FARMS LN	1,709	0.32	61,510	\$199,906
OAK HILL AVE	2,518	0.48	63,132	\$205,180
OHIO ST	450	0.09	7,647	\$24,854
OHIOHEALTH BLVD	786	0.15	37,706	\$122,544
ORCHARD LN	610	0.12	10,976	\$35,673
OWEN-FRALEY RD	2,295	0.43	39,010	\$126,782
PADDOCK CT	141	0.03	3,532	\$11,479
PAGE CT	236	0.04	6,130	\$19,922
PARK LN	639	0.12	11,493	\$37,353
PARKER ST	537	0.10	9,664	\$31,407
PENICK AVE	1,053	0.20	33,701	\$109,528
PERKINS ST	599	0.11	10,176	\$33,071
PICKAWAY ST	349	0.07	6,289	\$20,441
PINOAK CT	390	0.07	9,361	\$30,423
POTTER ST	1,635	0.31	39,388	\$128,010
PROVIDENCE LN	1,549	0.29	39,824	\$129,428
REID ST	1,110	0.21	19,973	\$64,914
RENNER ST	1,041	0.20	14,568	\$47,345
ROCK CREEK DR	2,840	0.54	90,879	\$295,356
ROSS ST	617	0.12	13,565	\$44,087

SHELDON ST	717	0.14	11,479	\$37,307
SMITH ST	439	0.08	7,896	\$25,661
SOUTH ST	658	0.12	11,190	\$36,368
SPRING ST	1,470	0.28	51,434	\$167,161
STILSON ST	728	0.14	11,642	\$37,837
SUNBURY RD	129	0.02	3,861	\$12,549
SUPREME CT	442	0.08	11,498	\$37,370
SYCAMORE LN	911	0.17	33,664	\$109,408
TARPY'S LN	796	0.15	14,335	\$46,590
TAYLOR AVE	429	0.08	13,730	\$44,621
THORNAPPLE TRL	565	0.11	13,551	\$44,039
TODD ST	177	0.03	3,177	\$10,327
TODD ST EXT.	683	0.13	12,300	\$39,976
TOLEDO ST	576	0.11	13,834	\$44,960
VANDEMAN AVE	735	0.14	12,497	\$40,615
VERNON AVE	4,013	0.76	45,000	\$146,250
VINE ST	873	0.17	12,218	\$39,709
W FOUNTAIN AVE	1,735	0.33	48,594	\$157,930
W HULL DR	351	0.07	11,233	\$36,507
W LINCOLN AVE	368	0.07	7,368	\$23,946
WALNUT ST	156	0.03	1,562	\$5,076
WEBB ST	600	0.11	12,000	\$38,999
WILLOW ST	449	0.09	8,535	\$27,737
WOODLAND AVE	675	0.13	13,498	\$43,869
YORK AVE	723	0.14	17,361	\$56,424
YORKSHIRE RD	907	0.17	22,668	\$73,670
		<b>19.63</b>	<b>2,454,317</b>	<b>\$7,976,531</b>

#### Notes:

Included streets have condition ratings as 'Poor' or 'Very Poor' per the 2018 pavement condition evaluation.

Average cost to repave streets in "Poor" to "Very Poor" is \$400,000 per mile including anticipated base repairs, shoulder repairs, areas of full depth replacement, pavement planing, use of SAMI, and pavement overlay.

May 24, 2011

Chairman Widener, Ranking Minority Member Skindell and members of the Finance Committee.

My name is Tom Homan, City Manager for the City of Delaware. I have been with the city for 12 years and have served at the municipal level for nearly 28 years. I also am co-chair of the Mid-Ohio Regional Planning Commission Regional Policy Roundtable.

To begin, on behalf of the City of Delaware, I want to make the following point clear: We are not going to waste the committee's time by bemoaning that fact that the Local Government Fund is going to be reduced in HB 153. We recognize the enormous challenges facing our state – and our obligation to assist.

With that as a starting point, let me quickly tell you a little about where I live. Delaware has just over 34,000 residents and celebrated its 200th birthday three years ago. We are full-service, county-seat municipality with all of the urban complexity, opportunity and challenges that come with over two centuries of existence. Located within the Columbus metro area, we are neither a first-ring suburb nor a prototypical suburban community. Rather, the City of Delaware is a separate and distinct locale, with distinct challenges apart from other more prototypical suburban locales.

Infrastructure, both public and private, is in some cases as old as the City itself and, while the quality of life is high, the City has significantly more low- and moderate-income households; as well as a higher percentage in poverty than surrounding jurisdictions. Highlighting this urban core versus

surrounding area distinction, individuals are nearly twice as likely to be in poverty if they live in the City of Delaware as opposed to living elsewhere in Delaware County.

As I said earlier, we recognize the shared sacrifice currently required. This is not a new concept for our City, amid retrenchment and reductions. We've all heard the phrase, "doing more with less." In Delaware, we're "doing more with creativity."

Reflecting that, the City of Delaware and Delaware County last year consolidated all 9-1-1 services after a decade of hard work. Let me give you one more current example of our continuing efforts to look at new and different ways of doing things:

Delaware and the YMCA of Central Ohio are exploring the possibility of having the YMCA oversee all of our city's recreation programming. This public-private partnership would be a major change in how a key quality of life service is operated and delivered, but our times call for such big ideas.

City staff always works creatively to guide the City forward, and we anticipated cuts to the Local Government Fund. But HB 153, as proposed, goes even deeper than expected, with a 50-percent cut – 25 percent in 2012 and another 25 percent in 2013. In Delaware, this would mean a loss of \$573,000 a year; coupled with discontinuation of the personal property tax reimbursement, the City would be put into the position of losing close to \$750,000, annually.

Loss of funding in this amount cannot be entirely offset through spending reductions and will impact our ability to deliver core services. The one I'd like to focus on in the next few minutes is the City's road infrastructure and its maintenance.

As a county seat, Delaware is located at the crossroads for two U.S. highways and three state routes. Together, these five represent nearly 80 lane miles, one quarter of our City's total throughway miles.

The City is responsible for 100 percent of the maintenance of these routes, including base repair, striping, signage, crack seal, potholes, snow and ice removal, mowing and guard rail repair. For resurfacing, the City is responsible for 20 percent of costs; and over the last four years we have spent nearly \$600,000 in resurfacing all or parts of the five routes.

Despite this outlay, our resurfacing program falls further behind because costs have escalated and revenues have not kept pace. The industry norm is a 20-year resurfacing cycle; with our current outlay, we face a 50-year cycle. Resurfacing costs, more than most other construction costs, have increased significantly over the last decade – the cost of standard mill/fill resurfacing has nearly doubled from 46 cents a square foot in 2001 to 90 cents in 2011 – while revenue from gas taxes and license fees has remained flat.

We currently are working with ODOT District 6 on resurfacing U.S. 36 in our City. The estimated cost is \$1.4 million. Using the state's 80/20 program, our resurfacing share will be approximately \$280,000. But the base repair cost, in which the state does not participate, will be \$400,000. This one

project, alone, could end up costing the city \$680,000 – some of which would have been supported by the Local Government Fund.

The result: Delaware will be unable to advance a single local resurfacing program in 2011 or 2012, as the costs associated with resurfacing U.S. 36 will require the majority of available funding.

Along with the Local Government Fund, a revenue source on which we depend to pay resurfacing costs comes from the motor vehicle license tax. As a municipality, we collect \$10 for license plates. This fee is capped at \$10 and last was adjusted, I believe, 24 years ago in 1987. I am requesting consideration of allowing local jurisdictions the ability to adjust this permissive fee to help fund resurfacing projects.

Additionally, current law requires cities to maintain all state routes that pass through their jurisdiction. This is a significant expense. I am requesting the following on the behalf of local governments to offer some immediate relief to local budgets:

That ODOT assume a *portion* of the cost to maintain state routes, similar to what is done for resurfacing. An ODOT-commissioned study released this week on just this subject said a *total* state takeover of maintenance wasn't feasible, primarily because of cost involved. My request is that this study serve as a starting point, not the final word, and that a formula for a more-equitable maintenance cost-share – perhaps based on total vehicular traffic – be explored.

This would be a means to ensure equality among jurisdictions throughout the state and not unfairly burden cities when, for example, compared to townships, which are not required to maintain state routes, and other cities where traffic volume is less and maintenance costs are not as great.

Delaware supports the Governor's Strategies for Local Government Reform, in particular Mandate Relief and Shared Service and Collaboration.

Mandate Relief, like mandates themselves, is well intentioned, but often misses the mark of actually providing relief, due in part to the complexity of the mandate itself. Here is one example: The state's environmental MS4 (Municipal Separate Storm Water) Program. It is federally mandated, but administered and enforced by Ohio EPA. I would suggest that local government be at the table with the administration and legislature to craft and implement mutually agreeable and reasonable measures.

As was mentioned at the outset, Delaware already is embracing shared services – in the area of 911 communications and potentially in other areas of our recreation programming operation. I support providing local governments incentives to pursue shared services. I do, however, urge caution when it comes to pooled health insurance. While this can work, it should not be mandated. Delaware has operated an ASO – Administrative Services Only – health insurance program for more than 20 years and consistently the percentage of cost increase has fallen well below the national average. I believe that Delaware's success in controlling our health insurance dollars is due to local control of the plan design. We offer wellness incentives and annual diagnostic tests that promote healthier living

behavior which, in turn, results in a more productive workforce and lower health insurance costs across the board.

Finally, I leave you with this simple but very important question: Is this proposed cut to the Local Government Fund to be forever? We are willing to share in the sacrifice; will we also share in the recovery? This was the intention of this longstanding state-local funding partnership when it was created in the 1930s at the height of the Great Depression and reinforced when the state income tax was put into place in the early 1970s.

I thank you for this opportunity to provide testimony, and ask that you carefully consider House Bill 153 and its considerable impact on your local communities.

I am happy to answer any questions.

**Tom Homan  
City Manager, City of Delaware**

**Testimony to Senate Transportation, Commerce and  
Workforce Committee March 14, 2017**

Chair LaRose and members of the Senate Transportation, Commerce and Workforce Committee, thank you for the opportunity to speak to you today about how Ohio roadways and infrastructure can be better funded – especially as it relates to local governments.

As the City of Delaware's representative on the board of the Mid-Ohio Regional Planning Commission, I chaired a task force that over six years examined local government's use of license plate fees as a means to take care of our roads and bridges, and the dedicated revenue stream these fees provide our region for those limited purposes. The task force recommended that permissive authority be granted to three entities - cities, townships and counties - by \$5 dollars each.

The license plate fee is paid when purchasing or renewing your license plate with the BMV. It is optional and can be levied by counties, municipalities and townships on vehicle registrations.

Revenue from the fee can only be used for the purpose of planning, constructing, improving, maintaining, and repairing public roads, highways, streets and bridges.

The total combined fee by all local governments (county, township or municipality) cannot exceed \$20. Unfortunately this has not been increased since 1987 – 30 years ago. Clearly, the revenue generated from license plate fees is not an “end-all, be-all” of local government funding. But at a time when costs to maintain these roads is at an all-time high, license fees are one more tool in our tool box to alleviate the strain on our funding.

We maintain that imposing license plate fees should remain an option – not a mandate – for local governments, but that the capped fee amount of \$20 should be increased by a modest amount in order to meet today’s needs and be brought up to inflation.

As this committee considers granting Ohio counties an additional \$5 permissive authority, we request that equity be extended across all boundaries, and that Ohio municipalities and townships receive the same consideration. Over the next 25 years, the estimated costs of maintaining locally owned roads and bridges are approximately \$41 billion.<sup>1</sup> The state has recommended that Ohio’s local agencies, and even metropolitan planning organizations, will need to employ an array of strategies to close the projected funding gap to address transportation needs.<sup>2</sup> It only makes sense that the state explores giving more flexibility to local municipalities to use the optional license fee as one of many tools. This option should be included as one of the Senate Transportation, Commerce and Workforce Committee’s ultimate recommendations.

In the City of Delaware, the cost of construction materials has experienced substantial increases over the past 15 years. A ton of asphalt cost \$22 in 2000; in 2016, it costs \$72 – an increase of 227 percent. As a result, the purchasing power of all funds available for transportation improvements, including license fees, is now significantly reduced.

In addition, the demands on a city like Delaware to maintain state and federal highway links within our jurisdiction hinder our ability to adequately maintain our local system without additional funding. My city includes 49 lane miles of federal and state highway to maintain. This is a full 15 percent of our local road network, requiring \$1.25 million in resurfacing and maintenance dollars. The remaining 85 percent, or 264 lane miles of local streets, must be second in priority.

The fee you are being asked to consider is not mandatory, but a permissive fee. As currently occurs, local governments will vary on how they utilize this option. For this reason, granting additional permissive authority would not be an automatic increase across the state. It is simply one more option for local communities.

We look forward to a continued conversation on license plate fees as a viable option to increase transportation funding.

Thank you for this opportunity. I am happy to answer your questions.

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<sup>1</sup> Source: *Access Ohio 2040, Ohio Dept. of Transportation; May 2014, at 11.*

<sup>2</sup> Source: *Access Ohio 2040, Ohio Dept. of Transportation; May 2014, at 11.*



## FACT SHEET

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AGENDA ITEM NO: 11

DATE: 02/24/2020

ORDINANCE NO: 20-05

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES  
February 24, 2020 @ 7:30 p.m.

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

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

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE AMENDING SECTION 901 OF THE CITY OF DELAWARE CODIFIED ORDINANCES TO BRING THE RULES AND REGULATIONS INTO CONFORMANCE WITH THE CURRENT RIGHT OF WAY BEST MANAGEMENT PRACTICES.

**BACKGROUND:**

The revision amends the language of Chapter 901 (Excavations in the city's right of way) of the City Codified Ordinances to bring the Rules & Regulations into conformance with the current best management practices employed by the city in managing the various construction activities taking place within the public right of way. Modifications serve to revise the permitting process to be in conformance with current administrative responsibilities and assignments within the Public Works Department. Amendments to language is included in regard to improving the requirements associated with the provision of acceptable maintenance of traffic plans and implementation during construction operations within the public right of way, and the associated public notification process requirements. Adjustments to right of way permitting and inspection fees are proposed under separate ordinance.

**REASON WHY LEGISLATION IS NEEDED:**

To allow for appropriate and efficient right of way permit administration, construction inspection, maintenance of traffic, and public notification for all activities within the public right of way.

**COMMITTEE RECOMMENDATION:**

Recommendation for approval by the Public Works Committee by 3-0 vote on 2/4/20 meeting.

**FISCAL IMPACT(S):**

N/A

**POLICY CHANGES:**

Includes more stringent regulation concerning the planning and implementation of adequate maintenance of traffic operations, and public notification process for private construction activities occurring within the public right of way.

**PRESENTER(S):**

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

**RECOMMENDATION:**

Approval following public hearing

**ATTACHMENT(S)**

Revise Section 901

ORDINANCE NO. 20-05

AN ORDINANCE AMENDING SECTION 901 OF THE CITY OF DELAWARE CODIFIED ORDINANCES TO BRING THE RULES AND REGULATIONS INTO CONFORMANCE WITH THE CURRENT RIGHT OF WAY BEST MANAGEMENT PRACTICES.

WHEREAS, the City of Delaware regulates excavation, construction and utility maintenance work occurring within dedicated public right of way; and

WHEREAS, changes in personnel, division of responsibilities between departments within the city, and a need for more stringent regulation of work performed within the public right of way necessitate adjustments to the procedures employed in managing right of way activities; and

WHEREAS, Chapter 901 of the STREETS, UTILITIES AND PUBLIC SERVICES CODE shall be modified to account for the current best management practices in place.

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

SECTION 1. That Chapter 901 is hereby amended to read as follows: (See Sections 901 attached hereto)

SECTION 2. 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.

VOTE ON RULE SUSPENSION:

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2020

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

## CHAPTER 901. - EXCAVATIONS<sup>(1)</sup>

### Footnotes:

--- (1) ---

**Editor's note**— [Ord. 12-71, passed Oct. 29, 2012](#), repealed the former Ch. 901, §§ 901.01—901.16, 901.99, and enacted a new Ch. 901 as set out herein. The former Ch. 901 pertained to similar subject matter and derived from Ord. 04-195, passed Dec. 13, 2004.

**Cross reference**— Barricades and warning lights - see GEN. OFF. 521.03

**State Law reference**— Power to establish and care for streets - see Ohio R.C. 715.19, 717.01, 723.01; Openings by the Municipality - see Ohio R.C. 723.02; Excavation liability - see Ohio R.C. 723.49 et seq.; Changing established grade - see Ohio R.C. 727.07; Compulsory service connections - see Ohio R.C. 729.06, 743.23, 743.37; Digging, excavating and piling earth on streets - see Ohio R.C. 5589.10

### 901.01. - General provisions.

- (a) Authority. Any person or agency desiring to excavate within or to occupy public right of way for the purpose of constructing, servicing, or maintaining public or private infrastructure or property must first obtain a **RIGHT OF WAY** ~~public way~~ permit.
- (b) Permit Activities. There are three types of activities covered by this permit:
  - (1) Excavation: For excavations within a roadway, alley, sidewalk or driveway, or the non-paved area within the right of way for any purpose whatsoever. A separate permit is required for each project submission.
  - (2) Occupancy: For partial or complete closure of any public street, alley or sidewalk with vehicles, equipment or materials for the purpose of providing maintenance, repair, or replacement to any privately owned utility, building or property at or above grade. A separate permit is required for each project submission.
  - (3) Blanket: At the sole discretion of the City, an approved **RIGHT OF WAY** ~~public way~~ permit may be designated as a blanket permit and be available to applicants that routinely occupy the public right-of-way for the maintenance or repair to privately owned aerial utilities, installation of aerial service connections, or for tree trimming services, and that are able to perform such work with minimal disruption to traffic and without any excavation within the right-of-way. Blanket permits are issued for a period of one year, beginning January 1st, and require the submission of a ten-thousand-dollar bond (\$10,000.00), letter of credit, or other surety acceptable to the City Manager. In all cases, recipients of blanket permits are subject to the requirements of the Ohio Manual of Uniform Traffic Control Devices and are responsible for notifying the City of the schedule and location of all proposed activities. **ALL ROAD AND LANE CLOSURES SHALL BE DONE IN CONFORMANCE WITH THE CITY'S MAINTENANCE OF TRAFFIC AND PUBLIC NOTIFICATION REQUIREMENTS POLICY.**
- (c) Exemptions: **RIGHT OF WAY** ~~Public way~~ permits as defined by this chapter, are not issued for the routine distribution or delivery of mail, newspapers, or services to businesses and residences such as landscaping service, furniture delivery, moving services; nor for construction activities associated with a new residential or commercial development project site, provided such activities are covered under a separately approved building permit or engineering plan; or for activities performed by the City, its contractors and agents.
- (d) Permit Application, Review and Approval: Permit applications shall be made to the City on approved forms and shall be subject to approval, approval with conditions, denial, or returned with a request for additional information and/or correction. No work may begin until a permit has been approved,

except for emergency repairs as defined in Section 901.05. Activities requiring the partial or complete closure of a public roadway or alley are subject to the additional maintenance of traffic requirements established in this chapter **AND SHALL NOT BE CONSIDERED APPROVED UNTIL ALL SUCH REQUIREMENTS HAVE BEEN SATISFIED.**

- (e) Permit Issuance: With the exception of a permit with blanket designation, permits shall be issued for a maximum period of 180 days. At the sole discretion of the City and upon request by the applicant, a permit may be extended beyond the 180-day period as may be required to complete the work.
- ~~(f) Advance Notification Requirements: The following advanced notification requirements regarding the commencement of certain permit activities shall apply to all work requiring excavation within the public right of way, or any work that requires the partial or full closure of the travel lane of any public street. Notification shall be made only after receipt of an approved permit, and by either direct communication with the City Inspector, or by submitting written notification directly to the City. Notifications must include the approved permit number, contractor name and telephone number and the proposed work schedule. Work commencing without appropriate notification may be subject to the City ordering the work to cease.
  - ~~(1) Minimum notification. A minimum 24-hour advance notification shall be made to the City for all projects requiring any excavation work whatsoever within the public right of way except for sidewalk and driveway approach work meeting the requirements of Section 901.06(a).~~
  - ~~(2) Lane closures. Prior to establishing a lane closure of any public roadway, a minimum of (3) working days advance notice shall be provided by contacting the City as indicated on the permit.~~
  - ~~(3) Full road closure. Prior to establishing implementing the complete closure of a street, a minimum of (5) working days advance notice shall be provided to the City to allow for proper notification of Safety and Emergency Forces, local industry and businesses and media as deemed necessary by the City.~~~~
- (g) Liability. The issuance of a Public Way Permit does not relieve the applicant from liability for any damage that might occur to the roadway, the public, or personal property while performing work authorized by the permit. The permit applicant is further responsible for making any and all repairs, deemed necessary by the City, to work performed that has failed within a period of one (1) year from the date the work was completed.
- (h) High Impact Areas. For purposes of this regulation, High Impact Areas are generally defined below and described as areas that may require the additional approval of other government agencies as well as special construction and restoration materials, specifications and procedures. Areas considered high impact generally include, but are not necessarily limited to US23, US36, US42, SR37, SR521 and the Downtown Streetscape Improvement Areas.

( [Ord. 12-71. Passed 10-29-12](#) )

901.02. - Form of permit application.

The **RIGHT OF WAY** ~~Public Way~~ Permit application shall include sufficient detail to adequately describe the nature of work to be performed within the public right of way, project schedule, contractors involved, impacts to surrounding properties, and any other information necessary to fully describe the proposed activities. The permit application is subject to periodic modifications at the discretion of the City.

( [Ord. 12-71. Passed 10-29-12](#) )

901.03. - Permit plans.

Whenever an excavation activity is to be performed within the right of way, the permit application shall be accompanied by detailed work plans. The plans shall be of suitable size, clarity and scale to

show the nature of the work to be performed. All existing public and private utilities within the proposed work area shall be shown on the plans, in as much as information is available from searching City and private utility records. All conflicts with any City facility shall be resolved to the satisfaction of the City.

( [Ord. 12-71. Passed 10-29-12](#) )

901.04. - Restoration.

Whenever an applicant has been granted authority to excavate in the public right of way the applicant shall be required to return the right of way to essentially the same condition it was prior to the work and by such time as indicated in the approved permit for the work. The permanent restoration of any sidewalk, tree lawn, curb, street pavement, etc. shall occur no later than thirty (30) days after the completion of any utility repair or installation activity within the public right of way except in high impact areas as defined in Section 901.01(h), which requires pavement restoration be completed within seven (7) days. Construction activity completed November through April shall have all grading and seeding issues resolved no later than May 31st.

( [Ord. 12-71. Passed 10-29-12](#) )

901.05. - Emergency repairs.

When a private utility owner or its contractor must occupy any street or public right of way in order to complete emergency repairs as further defined below, the same shall complete the work as deemed necessary and submit a **RIGHT OF WAY** ~~public way~~ permit and the associated fees, no later than the following working day. For the purpose of this section, emergency repairs shall be considered those activities which require immediate action to address imminent danger and risk to the public and/or surrounding properties, i.e. natural gas line leaks, water main breaks, downed power lines **REQUIRING IMMEDIATE RESPONSE**. The owner or contractor making emergency repairs shall notify the City of Delaware Police Department at the commencement of repair activity regarding the schedule of work, impact to traffic, and to request City assistance in managing traffic issues. The owner or contractor is responsible for furnishing, erecting and maintaining all required traffic signage, barricades, detours etc. as required by the Ohio Manual of Uniform Traffic Control Devices.

( [Ord. 12-71. Passed 10-29-12](#) )

901.06. - Inspections.

Inspection of work performed under all **RIGHT OF WAY** ~~public way~~ permits shall be completed by the City or an assigned agent. All excavation and paving activities within the public right-of-way, excluding sidewalk and driveway approach repairs, require a minimum 24-hour advance notification. Required inspections include:

- (a) Sidewalk, Driveway or Curb. Concrete forms inspection required before placement of concrete. The ~~permittee~~ **APPLICANT** shall call the ~~Planning and Community Development~~ **PUBLIC WORKS** Department by 9:00 a.m. to schedule a required inspection for that day. Specific **DATES AND** times are not guaranteed.
- (b) Utility Connections. Connections or repair to any public water line, sanitary or storm sewer requires inspection before backfill operation begins.
- (c) Backfill Compaction. Backfill installation shall be performed in accordance with City specifications and is subject to inspection and testing as directed by the City.
- (d) Final Inspection. A final inspection is required to verify conformance with permit requirements, including final grading and seeding.

- (e) It is the applicant's responsibility to schedule inspections. Failure to obtain an inspection may result in the required re-excavation and installation of the work area in the presence of proper inspection personnel. In addition, the failure of a contractor to properly notify the City of his work and to schedule inspections may result in the denial by the City of any future permit applications.

( [Ord. 12-71. Passed 10-29-12](#) )

901.07. - Maintenance of traffic.

**A MAINTENANCE OF TRAFFIC (MOT) PLAN SHALL BE PROVIDED WITH THE RIGHT OF WAY APPLICATION FOR ALL PARTIAL OR FULL CLOSURES OF A PUBLIC ROAD. ALL ROAD AND LANE CLOSURES SHALL BE DONE IN CONFORMANCE WITH THE CITY'S MAINTENANCE OF TRAFFIC AND PUBLIC NOTIFICATION REQUIREMENTS POLICY. A RIGHT OF WAY PERMIT REQUIRING AN APPROVED MOT PLAN IS NOT CONSIDERED APPROVED UNTIL THE ASSOCIATED MOT PLAN HAS BEEN SUBMITTED, REVIEWED AND APPROVED BY THE CITY. WHERE APPROVED BY THE CITY, A STANDARD OHIO MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (OMUTCD) TRAFFIC CONTROL CASE, OR AN OHIO DEPARTMENT OF TRANSPORTATION (ODOT) MAINTENANCE OF TRAFFIC STANDARD DRAWING MAY BE UTILIZED IF APPLICABLE TO THE PROJECT. HOWEVER, ALL ARTERIAL STREETS SHALL PROVIDE A CUSTOM MOT PLAN SPECIFIC TO THE PROJECT IN ACCORDANCE WITH OMUTCD REQUIREMENTS. FOR ALL FULL STREET CLOSURES, A SIGNED DETOUR MUST BE INCLUDED IN THE APPROVED MOT PLAN. WHERE THE TERM "ROAD CLOSURE" OR "CLOSURE" IS USED, IT SHALL REFER TO BOTH FULL ROAD CLOSURES AND PARTIAL ROAD CLOSURES. PARTIAL ROAD CLOSURES INCLUDE LANE CLOSURE AND SHOULDER CLOSURES.**

~~For work that requires partial or complete closure of a public street, the applicant shall submit a maintenance of traffic application and associated traffic control/detour plan with the permit application, permits identifying partial or full road closure require up to ten (10) working days to review. Work requiring lane restrictions or a road closures is subject to the additional advance notification requirements of Section 901.04(f). Maintenance of traffic applications and plans shall be reviewed by the Engineering, Public Works, Police, and Fire Departments. Traffic control devices shall be furnished, erected, maintained, and removed by the applicant, or designated representative, in accordance with guidelines published in the Ohio Department of Transportation Temporary Traffic Control Manual. Any specific condition attached to the approved permit by the City shall take precedence over both the manual and plan notes. All traffic control devices used for night work including barrels, cones, barricades etc., must be equipped with high intensity reflective film and amber flashing beacons.~~

( [Ord. 12-71. Passed 10-29-12](#) )

901.08. - Excavation in new pavement.

Excavating within pavement less than two years old shall not be permitted if alternate utility installation methods are available i.e. directional boring. In the event excavation in pavement is necessary, the applicant may be subject to additional pavement repair requirements including but not limited to full width pavement replacement, heat welding, sealing, and restriping.

( [Ord. 12-71. Passed 10-29-12](#) )

901.09. - Failure to perform.

Failure of applicant to complete any of the required work specified on an approved permit, or within the allotted time frame or to City specification may result in the City revoking the permit, issuing a stop work order, and contracting out the remaining construction activities and repairs as required. The applicant will be responsible for all administrative, material and labor costs associated with the repair in addition to any fines as identified in Section 901.99.

( [Ord. 12-71. Passed 10-29-12](#) )

901.10. - Parking meters.

Whenever the permitted activities being performed restrict the use of City Parking Meters, the applicant requesting the permit shall be responsible for contacting the City Police Department and making appropriate arrangements for specified meters to be temporarily bagged or removed as necessary for the work.

( [Ord. 12-71. Passed 10-29-12](#) )

901.11. - Steel roadway plates.

The City requires that all applicants/contractors placing steel roadway plates on any public street or alley to notify the City Public Works Department upon placement. The contractor shall supply the name and telephone contact information of a designated 24-hour emergency contact person along with the location of each plate and the approximate number of days each plate shall be in place. All plates placed over excavations are to be held in place by the use of a minimum of four pins or by the placement of bituminous asphalt continuously or all four edges and must be marked with an orange construction barrels or safety cones at the adjacent edge of pavement.

( [Ord. 12-71. Passed 10-29-12](#) )

901.12. - Emergency contact.

Prior to the commencement of any activity within the public right of way, the applicant shall provide the City with the name and phone number of a designated 24-hour emergency contact. The contact shall be authorized and capable of addressing situations that develop involving the applicants work after normal working hours or on weekends.

( [Ord. 12-71. Passed 10-29-12](#) )

901.13. - Dumpsters/storage containers.

A public way permit is required for all dumpsters, large waste receptacles and storage containers placed within the public right of way. Permits may be issued to a property owner, contractor of the vendor who supplies the units. The vendor shall be responsible for providing a dumpster or container in compliance with current City regulations. When placed on a public street, each unit shall be protected by placement of orange reflectorized barrels or safety cones to alert motorists of the presence of the unit. The name and contact information of the unit owner shall be visible on the side of each unit. This regulation does not apply to waste containers placed on private property for routine waste collection service.

( [Ord. 12-71. Passed 10-29-12](#) )

901.14. - Special duty **LAW ENFORCEMENT** police officers.

The applicant shall be responsible for requesting, scheduling, and paying for the cost of the services of **A LAW ENFORCEMENT OFFICER (LEO) UNIFORMED Special Duty Police Officers as REQUIRED BY THE MAINTENANCE OF TRAFFIC AND PUBLIC NOTIFICATION POLICY AND AS** determined necessary by the City. Applicants shall be notified prior to permit approval to discuss the requirement of special duty officers. ~~Special duty officers shall be required at all times when working within signalized street intersections.~~ The City will determine the number of officers required. City of Delaware Officers are to be utilized when available and may be requested by contacting the Delaware Police Department. **LEO'S FROM OTHER JURISDICTIONS SHALL BE USED ONLY AFTER THE DELAWARE CITY POLICE DEPARTMENT DETERMINES THAT IT CANNOT PROVIDE THE OFFICER(S) AND APPROVES THE USE OF AN LEO FROM ANOTHER JURISDICTION.**

( [Ord. 12-71. Passed 10-29-12.](#) )

901.15. - Fees and deposits. **PERMIT AND INSPECTION FEES**

**ALL PERMIT APPLICANTS SHALL BE REQUIRED TO PAY REVIEW AND INSPECTION FEES AS ESTABLISHED IN 197.02 OF THE ADMINISTRATIVE CODE.**

~~All permit applicants shall be required to pay certain fees as set forth in this section to cover the administrative costs of issuing permits and performing inspections. The fees are listed on the current Public Way Permit and Inspection Fees Schedule.~~

~~(a) — Permit Fees: Permit fees shall be charged for the following permit activities and are due at the time an approved permit is picked up.~~

- ~~• Excavation within the public right-of-way.~~
- ~~• Occupancy of a public street, alley or any part of the public right-of-way.~~
- ~~• Dumpsters/storage containers placed on a public street or within the right-of-way.~~
- ~~• Sidewalk/driveway: No fees charged for individual sidewalk or driveway permits.~~
- ~~• Blanket permit designation for work meeting the criteria of Section 901.01(b)(3).~~

~~(b) — Inspection Fees: Applicants are responsible for paying inspection fees for the following activities at the time an approved permit is picked up.~~

- ~~• Excavation within a paved roadway in which more extensive inspection coverage may be deemed necessary depending on the severity of the excavation size, depth and location.~~
- ~~• Excavation outside pavement limits but within the public right-of-way.~~

~~(c) — Additional Inspection Fees: If, in the opinion of the City, additional inspections are necessary in the form of a stand-by construction inspector being assigned to monitor the associated construction activity, the applicant shall be notified prior to approval of the permit application to discuss the inspection requirements. The applicant shall be responsible to pay for the cost of such stand-by inspection services at the current City hourly rate for construction inspection services and shall be invoiced for the total stand-by construction inspection fees once it has been determined that the work has been completed in a satisfactory manner.~~

~~(d) — Pavement Repair Deposit: A pavement repair deposit, separate from other required permit and inspection fees, may be required at the discretion of the City. These funds are utilized to cover any cost incurred by the City to modify a pavement repair that was improperly installed or otherwise constructed.~~

( [Ord. 12-71. Passed 10-29-12](#) )

**Cross reference**— Fee Schedule, § 197.02.

901.16. - Right to decline.

The City of Delaware reserves the right to decline additional permit requests by applicants that are in violation of the requirements of any provision of this chapter. No permit shall be issued until the violations are corrected to the satisfaction of the City.

( [Ord. 12-71. Passed 10-29-12](#) )

901.99. - Penalty.

Whoever violates any provision of this section shall be deemed guilty of a minor misdemeanor and fined one hundred dollars (\$100.00). Any such violation shall be considered a separate offense for each successive day continued, in accordance with this section.

( [Ord. 12-71. Passed 10-29-12](#) )



## FACT SHEET

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AGENDA ITEM NO: 12

DATE: 02/24/2020

ORDINANCE NO: 20-06

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES  
February 24, 2020 @ 7:35 p.m.

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

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

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE REVISING SECTION 909 OF THE CITY OF DELAWARE CODE OF ORDINANCES ESTABLISHING GENERAL RULES AND REGULATIONS FOR THE MAINTENANCE AND REPAIR OF SIDEWALK WITHIN PUBLIC RIGHT OF WAY.

**BACKGROUND:**

Changes to how the city manages sidewalk permitting and inspection services have occurred over the past several years necessitating updates to current regulations governing sidewalk work. With the completion of the ten-year Safe Walks initiative where over ten-thousand sections of sidewalk were repaired or replaced throughout the community, revisions to how future maintenance activity on public sidewalks are managed are included in the code update. It is important to periodically update regulations that allow for the continued repair of deficient sidewalk sections across the city as they are reported or identified through evaluation.

**REASON WHY LEGISLATION IS NEEDED:**

To allow for the continued maintenance of deficient public sidewalk throughout the community.

**COMMITTEE RECOMMENDATION:**

Recommendation for approval by the Public Works Committee by 3-0 vote on 2/4/20 meeting.

**FISCAL IMPACT(S):**

Continued maintenance of public sidewalks in accordance with available funding established in the current 5-year CIP.

**POLICY CHANGES:**

Replaces former Safe Walks maintenance initiative with simplified annual approach to sidewalk maintenance.

**PRESENTER(S):**

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

**RECOMMENDATION:**

Approval following public hearing

**ATTACHMENT(S)**

Revise Section 909

ORDINANCE NO. 20-06

AN ORDINANCE REVISING SECTION 909 OF THE CITY OF DELAWARE CODE OF ORDINANCES ESTABLISHING GENERAL RULES AND REGULATIONS FOR THE MAINTENANCE AND REPAIR OF SIDEWALK WITHIN PUBLIC RIGHT OF WAY.

WHEREAS, the City of Delaware has over one-hundred and seventy-one miles of public street, the majority of which includes public sidewalks along both sides; and

WHEREAS, the sidewalks deteriorate over time such that repairs are required to maintain a safe pedestrian access network throughout the community; and

WHEREAS, Section 729.01 of the Ohio Revised Code specifies that property owners with sidewalks and curbing abutting their property are responsible for the maintenance and repair thereof; and

WHEREAS, Chapter 909 of the City of Delaware STREETS, UTILITIES AND PUBLIC SERVICES CODE shall be modified to include updated language pertaining to the responsibilities of the property owner in the maintenance and repair of sidewalk abutting their properties and details of an annual sidewalk maintenance program administered by the City.

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

SECTION 1. That Chapter 909 is hereby replaced to read as follows:  
(See Sections 909 attached hereto)

SECTION 2. 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.

VOTE ON RULE SUSPENSION

YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2020

YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_

CITY CLERK

\_\_\_\_\_

MAYOR

## CHAPTER 909. - SIDEWALKS, CURBS AND GUTTERS<sup>61</sup>

Footnotes:

--- (5) ---

**Cross reference**— Offenses relative to sidewalks - see GEN. OFF. Ch. 521

**State Law reference**— Sidewalks and gutters - see Ohio R.C. 729.01 et seq.; Notice to construct or repair sidewalks - see Ohio R.C. 729.03 et seq.; Digging, excavating and piling earth on streets - see Ohio R.C. 5589.10

### GENERAL PROVISIONS

#### 909.01. - Authority.

Chapter 903 of the Delaware City Code authorizes the City Manager to adopt and update standard construction specifications as required. Chapter 909 of the Delaware City Code and the provisions of section 729.01 of the Ohio Revised Code, require property owners to be responsible for the maintenance, repair, and if necessary, replacement of that portion of sidewalk and curb/gutter abutting their property line against any public street or alley in order that publicly accessible sidewalks be maintained in a safe condition.

(Ord. 10-39. Passed 6-28-10)

#### 909.02. – **CONSTRUCTION, MAINTENANCE & REPAIR RESPONSIBILITY.**

The construction, maintenance and repair of sidewalks, handicap ramps, and curb/gutter is divided into specific responsibility:

- (a) Existing Sidewalk and Curb. Existing sidewalks and curbing within publicly dedicated right-of-way for public streets and alleys are the responsibility of the abutting property owner for all required maintenance, repair and replacement activities, and all associated costs thereof. Maintenance activities shall include, but not be limited to sweeping and the removal of leaves, snow, and ice as may be required to maintain a safe access for pedestrian movement.
- (b) Existing Handicap Ramps. Existing handicap ramps constructed within publicly dedicated right-of-way are the responsibility of the City to repair and replace as required, including the inclined ramp, landing area, and transition section of sidewalk. Such repairs shall be performed by the City. The daily maintenance of the handicap ramps remains the responsibility of the abutting property owner as described in subsection (a) hereof.
- (c) New Development. All new developments within the City are required to include the construction of sidewalks and handicap ramps within the public right-of-way along all public streets, and along private streets and parking areas per City specifications and as further required and defined within Section 1111.10 of the City Code.
  - (1) Single-family residential development. Residential subdivisions must include the construction of all required handicap ramps per plan as part of the initial infrastructure construction, prior to the acceptance of the public improvements by the City. The City will only inspect and approve completed handicap ramps and will not inspect forms for handicap ramps prior to the placement of concrete. The construction of sidewalk fronting residential lots may be deferred until the construction of the associated residence on any particular lot; however, in no circumstance shall the construction of the walk be deferred for a period exceeding thirty months from the date of acceptance of public improvements for that development section.
  - (2) Multi-family residential development. Multi-family developments shall include the design and construction of sidewalks that meet the current Americans with Disabilities Act Accessibility Guidelines (ADAAG) **AND PUBLIC RIGHT OF WAY ACCESS GUIDELINES**

**(PROWAG)**, and conform to City requirements. Sidewalks shown on approved plans may be constructed in phases in association with the construction of specific buildings, and are to be completed, inspected, and approved by the City prior to the occupancy of any adjacent building. **IT IS THE RESPONSIBILITY FOR THE PROPERTY OWNER, PROPERTY MANAGER OR OTHER ENTITY RESPONSIBLE FOR THE CONDITION OF THE PROPERTY TO MAINTAIN SIDEWALKS INCLUDING BUT NOT BE LIMITED TO SWEEPING, REMOVAL OF LEAVES, SNOW AND ICE, AND ALL REPAIRS AS MAY BE REQUIRED TO MAINTAIN A SAFE ACCESS FOR PEDESTRIAN MOVEMENT.**

- (3) Commercial developments. Commercial developments shall include the design and construction of sidewalks that meet the current Americans with Disabilities Act Accessibility Guidelines (ADAAG) **AND PUBLIC RIGHT OF WAY ACCESS GUIDELINES (PROWAG)** and conform to City requirements. Sidewalks shown on approved plans are to be constructed, inspected, and approved by the City prior to the occupancy of any new facility associated with the development. **IT IS THE RESPONSIBILITY FOR THE PROPERTY OWNER, PROPERTY MANAGER OR OTHER ENTITY RESPONSIBLE FOR THE CONDITION OF THE PROPERTY TO MAINTAIN SIDEWALKS INCLUDING BUT NOT BE LIMITED TO SWEEPING, REMOVAL OF LEAVES, SNOW AND ICE, AND ALL REPAIRS AS MAY BE REQUIRED TO MAINTAIN A SAFE ACCESS FOR PEDESTRIAN MOVEMENT.**
- (d) Street Tree Damage. Sidewalk within existing public right-of-way or public access easements that has been damaged by the root system of a City street tree existing within the street tree planting area between the sidewalks and pavement edge shall be the responsibility of the City for necessary repair and replacement. In the event that the repair requires significant tree roots to be cut away so that in the opinion of the City Arborist, the tree will not survive and must be removed, the City shall have the tree removed, and replace the tree with a new tree of appropriate species as recommended by the City ~~Street Tree Commission~~.
- (e) Enhanced Walkway **SURFACES** Areas. Property owners whose individual properties abut an ~~enhanced walkway~~ **SIDEWALK** that **INCLUDES ENHANCED AREAS CONSTRUCTED AT THE REQUEST OF THE CITY**, ~~has been constructed by the City as part of an area enhancement project~~, are not responsible for the repair and replacement of the enhanced portion of the walkway. Enhanced **AREAS** ~~walkways~~ include exposed brick and paver sidewalks, and ornamental tree gratings and castings.
- (f) Asphalt Walkways and Bikeways. Property owners, whose individual properties abut an asphalt pedestrian path or bikeway that has been constructed as part of the designated City bikeway and pedestrian pathway network, are not responsible for repair and replacement of the asphalt bikeways.
- (g) Utility Boxes and Appurtenances. Owners of utility access structures including meter pits, utility valve boxes, basement access doors, communication pull boxes, etc. that protrude more than ~~½-inch~~ **¼-INCH** above the adjacent sidewalk surface are responsible for adjusting such appurtenance to be flush with the sidewalk section and if necessary, replacement of the sidewalk section.

(Ord. 10-39. Passed 6-28-10)

#### CONSTRUCTION AND MAINTENANCE SPECIFICATIONS

909.03. - Design and construction specifications.

All public and private sidewalk, curbing, and handicap ramps shall be designed and constructed in conformance with the current City Design and Construction Specifications as authorized under Section 903.01 of the City Code and be in conformance with current Federal ADAAG requirements **AND PROWAG GUIDELINES.**

(Ord. 10-39. Passed 6-28-10)

909.04. - Maintenance and Repair Criteria.

The City shall apply the following criteria singly, or in combination, in the determination of whether sidewalk shall be repaired or replaced **TO RESTORE A SAFE WALKING SURFACE.**

- (a) Adjoining sections or parts thereof whose edges differ vertically by more than ~~¼-INCH one-half inch.~~
- (b) ~~Adjoining~~ **SECTIONS WITH OPEN JOINTS OR GAPS GREATER THAN ½-INCH** ~~five-eighths of an inch in width.~~
- (c) Sections **WITH LOOSE OR MISSING PIECES.** ~~that are cracked so that pieces are missing or loose.~~
- (d) ~~Sections sloping away from the street unless so constructed by design.~~
- (e) Sections with cross-slopes exceeding **2.08%** ~~three-fourths inches vertical per one foot horizontal.~~
- (f) ~~Sections that cause an abrupt change in the longitudinal grade of the sidewalk.~~
- (g) Sections with deteriorating surfaces presenting loose aggregate.
- (h) ~~Sections containing structures such as cellar doors, grates, water boxes, meter pits, which protrude above the sidewalk more than one-half inch so that they present a tripping hazard.~~
- (i) ~~Sidewalk constructed without approval of the City.~~

(Ord. 10-39. Passed 6-28-10)

INSPECTION AND REPAIR

909.05. – **INSPECTIONS** ~~General purpose.~~

The City shall conduct ~~annual~~ evaluations of the condition of existing sidewalks within public right of way for the purpose of determining the presence of ~~specific sidewalk deficiencies requiring repair~~ per the criteria established in Section 909.04 of these regulations. ~~The community shall be sub-divided into sidewalk evaluation zones which are inspected over a ten-year cycle; however any property in the City may be inspected for sidewalk deficiencies at any given time.~~ A deficiency report shall be generated in association with the sidewalk inspections that identifies deficient sections of sidewalk on specific properties, and **AN ESTIMATED COST** ~~the costs associated with making repairs.~~ ~~City Council shall consider passage of a resolution of necessity requiring property owners identified in the report to complete the required repairs within a specified time frame.~~ Notification shall be sent to the associated property owner requiring the repairs be completed.

(Ord. 10-39. Passed 6-28-10)

**909.06. – PROPERTY OWNER NOTIFICATION TO COMPLETE REPAIRS**

**THE PROPERTY OWNER SHALL BE NOTIFIED IN WRITING OF AN IDENTIFIED SIDEWALK DEFICIENCY WITHIN A SECTION OF SIDEWALK ABUTTING THEIR RESPECTIVE PROPERTY AND BE PROVIDED A TIMEFRAME BY WHICH THE DEFICIENCY SHALL BE CORRECTED IN ACCORDANCE WITH ACCEPTABLE REPAIR STANDARDS.**

**909.07. - REPAIRS BY PROPERTY OWNER.**

**PROPERTY OWNERS, OR THEIR CONTRACTOR, ARE RESPONSIBLE TO SUBMIT A COMPLETED PUBLIC RIGHT OF WAY PERMIT FOR ALL REPAIR ACTIVITY, TO SCHEDULE**

**REQUIRED PRELIMINARY AND FINAL CONSTRUCTION INSPECTIONS, AND TO COMPLETE ALL SIDEWALK REPAIRS IN ACCORDANCE WITH CURRENT CITY CONSTRUCTION SPECIFICATIONS.**

Property owners electing to complete the required repair of sidewalks identified in the notice from the City are responsible for following all current City right-of-way and construction policy, criteria, and specifications as follows:

- ~~(a) Time Frame. A property owner must have the required repairs completed by the date established in the Resolution of Necessity.~~
- ~~(b) Permits. The property owner, or their contractor, is responsible for completing and submitting the required public way permits to work within the right-of-way. Permit and inspection fees are waived for property owners making repairs to existing sidewalk under the City safe walks program or on their own.~~
- ~~(c) Inspections. The property owner, or their contractor, is responsible for scheduling the required construction inspections for the necessary sidewalk repair work, including the initial sidewalk forms inspection and final finished inspection.~~

(Ord. 10-39. Passed 6-28-10)

**909.08. - FAILURE TO COMPLETE REPAIRS/RESOLUTION OF NECESSITY**

**IN THE EVENT THAT A PROPERTY OWNER FAILS TO COMPLETE THE REQUIRED REPAIRS AS SPECIFIED IN THE INITIAL NOTIFICATION TO COMPLETE REPAIRS, THE CITY WILL CONSIDER PASSAGE OF A RESOLUTION OF NECESSITY REQUIRING THE WORK TO BE COMPLETED BY THE PROPERTY OWNER, AND IF NECESSARY, CAUSING THE WORK TO BE COMPLETED SHOULD THE PROPERTY OWNER FAIL TO COMPLETE THE WORK. PROPERTY OWNERS SHALL BE NOTIFIED BY CERTIFIED LETTER OF THE REQUIREMENTS OF THE RESOLUTION OF NECESSITY INCLUDING ESTIMATED COST OF REPAIRS, TIMEFRAME TO COMPLETE THE WORK AND THE RIGHT TO APPEAL THE REQUIREMENTS. SHOULD THE CITY MAKE REPAIRS, THE ENTIRE COST OF THE REPAIRS SHALL BE INVOICED TO THE PROPERTY OWNER, AND UPON FAILURE TO MAKE PAYMENT, ASSESS THE COSTS AGAINST THE PROPERTY OVER A FIVE (5) YEAR PERIOD AND INCLUDE INTEREST AT THE RATE OF 7%.**

~~In the event that a property owner fails to complete the required repair of deficient sections of sidewalk which abut his or her property in accordance with the time-frame prescribed by the Resolution of Necessity passed by City Council, the City shall cause the work to be completed. The entire cost of the repairs shall be invoiced to the property owner and upon failure to make payment, assessed against the property based on the actual unit costs associated with the various improvements over five (5) years at the rate of 7%.~~

(Ord. 10-39. Passed 6-28-10)

**909.09. - APPEAL PROCESS.**

The property owner may appeal the City's notice requiring the identified repairs to be made to sidewalk abutting their property by submitting a written request for further evaluation to the City.

- (a) Re-evaluation by Engineer. Upon receipt of a written appeal, a meeting will be established between the property owner and City representatives at the identified property to review the findings of the initial inspection, explain the evaluation criteria with the property owner, and answer any questions regarding the required work.
- (b) Review by Public Works Committee. If the property owner is not satisfied with the information presented during the meeting with the City representative, the property owner can request to be placed on the agenda of the next scheduled Public Works Committee meeting for additional consideration. The decision by the Public Works Committee shall be final.

(Ord. 10-39. Passed 6-28-10)

**909.10. - SIDEWALK MAINTENANCE PROGRAM.**

City Council may elect to instruct the **PUBLIC WORKS DIRECTOR** ~~Director of Engineering Services~~ to initiate and administer ~~an annual~~ **CITY WIDE** sidewalk maintenance and repair program, and to permit all property owners with identified sidewalk deficiencies requiring such repair, to electively be included and subsequently invoiced for the costs associated with completing repairs on their respective properties.

(Ord. 10-39. Passed 6-28-10)



## FACT SHEET

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AGENDA ITEM NO: 13

DATE: 02/24/2020

ORDINANCE NO: 20-07

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN REQUEST FOR THE DELAWARE GENERAL HEALTH DISTRICT FOR A NEW OFFICE BUILDING AT 470 SOUTH SANDUSKY STREET ON APPROXIMATELY 9.4 ACRES ON PROPERTY ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT).

**BACKGROUND:**

See attached report

**REASON WHY LEGISLATION IS NEEDED:**

To achieve compliance with Chapter 1129 Procedures of the zoning code.

**COMMITTEE RECOMMENDATION:**

Planning Commission approved this case 7-0 on February 5, 2020.

**FISCAL IMPACT(S):**

N/A

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

David Efland, Planning and Community Development Director

**RECOMMENDATION:**

Staff recommends approval as submitted with the documented conditions.

**ATTACHMENT(S)**

See attached

ORDINANCE NO. 20-07

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN REQUEST FOR THE DELAWARE GENERAL HEALTH DISTRICT FOR A NEW OFFICE BUILDING AT 470 SOUTH SANDUSKY STREET ON APPROXIMATELY 9.4 ACRES ON PROPERTY ZONED PO/I (PLANNED OFFICE/INSTITUTIONAL DISTRICT).

WHEREAS, the Planning Commission at its meeting of February 5, 2020 recommended approval of a Preliminary Development Plan request by the Delaware General Health District for a New Office Building at 470 South Sandusky Street on approximately 9.4 acres on property zoned PO/I (Planned Office/Institutional District) (PC Case 2020-0035).

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

SECTION 1. That the Preliminary Development Plan request by the Delaware General Health District for a New Office Building at 470 South Sandusky Street on approximately 9.4 acres on property zoned PO/I (Planned Office/Institutional District), is hereby confirmed, approved, and accepted with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The new office building shall utilize the existing northernmost curb cut from South Sandusky Street to access the development while the southernmost curb cut would be eliminated.
3. An emergency only curb cut with a gravel driveway (approved by the Fire Department) shall extend from Magnolia Drive on the western portion of the site into the development. Bollards shall (as approved by the Fire Department) shall separate the emergency access drive from Magnolia Drive.
4. The dumpster and associated enclosure shall be enclosed by brick or stone that matches the building with wood doors painted or stained to match.
5. A tree survey shall be submitted that achieves compliance with Chapter 1168 shall be submitted during the Final Development Plan process.

6. Shade trees shall be planted along South Sandusky Street per the zoning code.
7. Interior parking lot landscaping and foundation landscaping shall be planted per the zoning code.
8. Perimeter buffering adjacent to the single-family houses to the north, south and west shall be installed per the zoning code or shall obtain a variance for such.
9. Street trees along South Sandusky Street shall be planted and/or replaced per the zoning code.
10. Any landscape plans shall be reviewed and approved by the Shade Tree Commission.
11. The lighting plan shall achieve compliance with the zoning code and approved by the City.
12. Any signage shall be documented on the Final Development Plan and achieve compliance with the adopted Gateways and Corridor Plan.
13. The entire development would have to achieve compliance with the minimum engineering, public works and fire department requirements.
14. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
15. The applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval.
16. The existing house shall achieve compliance with the Ohio Building Code to be utilized for storage.

SECTION 2. 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.

VOTE ON RULE SUSPENSION:

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2020

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



**PLANNING COMMISSION / STAFF REPORT**

**CASE NUMBER:** 2020-0035

**REQUEST:** Preliminary Development Plan

**PROJECT:** Delaware General Health District

**MEETING DATE:** February 5, 2020

**APPLICANT/OWNER**

Delaware County General Health District  
30 North Franklin Street  
Delaware, Ohio 43015

**REQUEST**

2020-0035: A request by the Delaware General Health District for approval of a Preliminary Development Plan for a New Office Building at 470 South Sandusky Street on approximately 9.4 acres on property zoned PO/I (Planned Office/Institutional District).

**PROPERTY LOCATION & DESCRIPTION**

The subject 9.4-acre site is located on the west side of South Sandusky Street between English Terrace and Birch Bend at 470 South Sandusky Street. The subject site is zoned PO/I (Planned Office Institutional District) while the properties to the north and west are zoned R-3 (One-Family Residential District), the properties to the south are zoned R-3 and PO/I and the properties to the east are zoned B-3 (Community Business District).

**BACKGROUND/PROPOSAL**

In 2019, the Delaware General Health District purchased the property from Yogi Divine. This site was the former Leroy Jenkins property. The City razed the main Yogi Divine building in 2014 utilizing Moving Ohio Forward Grant money from the Ohio Attorney General’s Office but the existing house on the western portion of the site was not razed.

The General Health District is moving from their current offices in downtown Delaware and are constructing a 30,000 square foot office building with the potential to expand by 10,000 square feet to accommodate their main offices at this location. The development would utilize the northern most existing curb cut on South Sandusky Street that would extend into a 214-space parking located east and west of the proposed building which is located in the center of the linear site. An emergency only access curb cut is located on Magnolia Drive at the western portion of the site. The existing house located on the western portion of the site would remain and be utilized for storage. A detention basin is located just south of the proposed building.

**STAFF ANALYSIS**

- **COMPREHENSIVE PLAN:** The Comprehensive Plan Future Land Use Map recommends a future land use of Institutional for the subject site in the Stratford Sub-Area which is consistent with proposed institutional use.
- **ZONING:** As previously mentioned, the zoning for the subject site is PO/I which permits an office use in this zoning district. The subject office use would require Preliminary and Final Development Plan approval by the Planning Commission and City Council.
- **GENERAL ENGINEERING:** The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
- **ROADS AND ACCESS:** The new office building would utilize the existing northernmost curb cut from South Sandusky Street to access the development while the southernmost curb cut would be eliminated. An emergency only curb cut with a gravel driveway (approved by the Fire Department) would extend from Magnolia Drive on the western portion of the site into the development. Bollards (as approved by the Fire Department) would separate the emergency access drive from Magnolia Drive. Between the two aforementioned curb cuts is a 214-space parking lot that would provide access to three sides of office building. No traffic improvements would be required per the City Engineer. Ultimately, the entire development would have to achieve compliance with the minimum engineering, public works and fire department requirements.

- **PEDESTRIAN CONNECTIVITY:** There is not any proposed bike path in this area per the adopted Bicycle and Pedestrian Master Plan 2017. However, there is an existing sidewalk along the frontage of the subject site along South Sandusky Street that would have to be maintained.
- **SITE CONFIGURATION:** The proposed one story 30,000 square foot office building is located in the center of the linear 9.4 acres site with the main access to the site from South Sandusky Street and an emergency access only curb cut on Magnolia Drive. The main entrance into the building is on the east elevation while there are secondary entrances on the north and west elevations. The plans identify a future 10,000 square foot expansion on the southwestern portion of the proposed building. The site would have 214 parking spaces (while only 150 parking spaces are required for an office use) with public spaces located east of the building and employee and fleet vehicle spaces to the west of the building. The existing house just west of the proposed building would remain and be utilized as storage. The existing house would have to achieve compliance with the Ohio Building Code to be utilized for storage. Currently the house is approved for a residential use only from a building code perspective. A dumpster and associated enclosure are located just west of the building. The dumpster and associated enclosure shall be enclosed by a brick or stone wall that matches the building with wood doors painted or stained to match. A detention basin is located just south of the building. Along the northern property and western property lines are a hodgepodge of chain link and privacy fences that has been constructed by each owner over time.
- **LANDSCAPING & SCREENING:** The applicant would be required to provide a comprehensive landscape plan that would include street trees, front yard trees, interior parking lot landscaping, foundation landscaping and perimeter buffering. There are existing street trees along South Sandusky Street that would need to be maintained or replaced while shade trees would also be required to be planted in this area. Per the zoning code, perimeter buffering would be required where the site abuts single family residential houses to the north, west and south. The buffering shall be a dense landscaping of trees and/or shrubs that forms a solid, continuous visual screen within 3 years of installation or a non-living opaque structure such as a wall or solid fence that is compatible with the principal structure. The exact type and location of all landscaping requirements shall be determined during the Final Development Plan approval process. All landscaping plans shall be reviewed and approved by the Shade Tree Commission.
- **TREE REMOVAL & REPLACEMENT:** There appears to be some qualified trees (6 inches in caliper or larger) scattered throughout the site that may be removed during construction. The applicant shall provide a tree survey for the entire site that documents the type, number and caliper inches of trees that would be removed and preserved. The Final Development Plan would need to identify which trees are being preserved and eliminated and any removal and replacement would need to achieve compliance with Chapter 1168 Tree Preservation Requirements.
- **GATEWAYS & CORRIDORS PLAN:** Any proposed signage would need to be documented during the Final Development Plan approval process. Also, any monument signage shall achieve compliance with the minimum zoning requirements and the adopted Gateways & Corridors Plan.
- **LIGHTING:** The applicant provided a lighting plan that identifies 11 light poles throughout the parking lot that would be 20 feet high with cut off style light fixtures. All the light poles would be required to be black. Also, they are also identifying lighting on the building. All lighting plans would need to be submitted, reviewed and approved by the City that achieves compliance with the minimum zoning requirements.
- **BUILDING DESIGN:** The owner is proposing a one-story 30,000 square foot modern style building with a shed roof that extends into a gable style appearance. The main entrance would be on the east elevation fronting South Sandusky Street. The main entrance would have aluminum storefront double doors and window system with an expanse of windows above the main entrance. The east (front) and north elevation would have a Delaware blue vein wainscoting while the walls of the entire building would be comprised of tan vertical metal panels. The shed roof would be pitched from north to south to create an aesthetic entrance design feature. The front elevation would have several bays off windows to provide light for the office uses. The north elevation would have a secondary entrance with a canopy for vehicles near the rear of the building with several bays of window along the eastern portion of the elevation. The south elevation would have a secondary entrance with a large expanse of glass bookended by a bay of windows to provide an abundance of natural light on this elevation. The western elevation would service as the of rear of the building from a function perspective and have an overhead door, man doors and windows. The pitched roof would be

comprised of metal with several skylights to provide natural light to the entire building. The mechanical equipment on the roof appears to be screened from public view by louvers. The unique modern architecture design appears to provide an abundance of natural light to the office use and appears to achieve compliance the City design guidelines for this intuitional use. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color. Also, the applicant shall submit all building elevations along with material and color samples for all building materials for staff review and approval. Overall, staff is very supportive of this use on this site which would continue the South Sandusky Street rejuvenation and provide an anchor institution to the area.

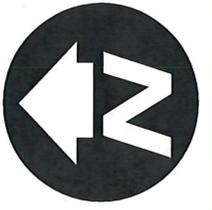
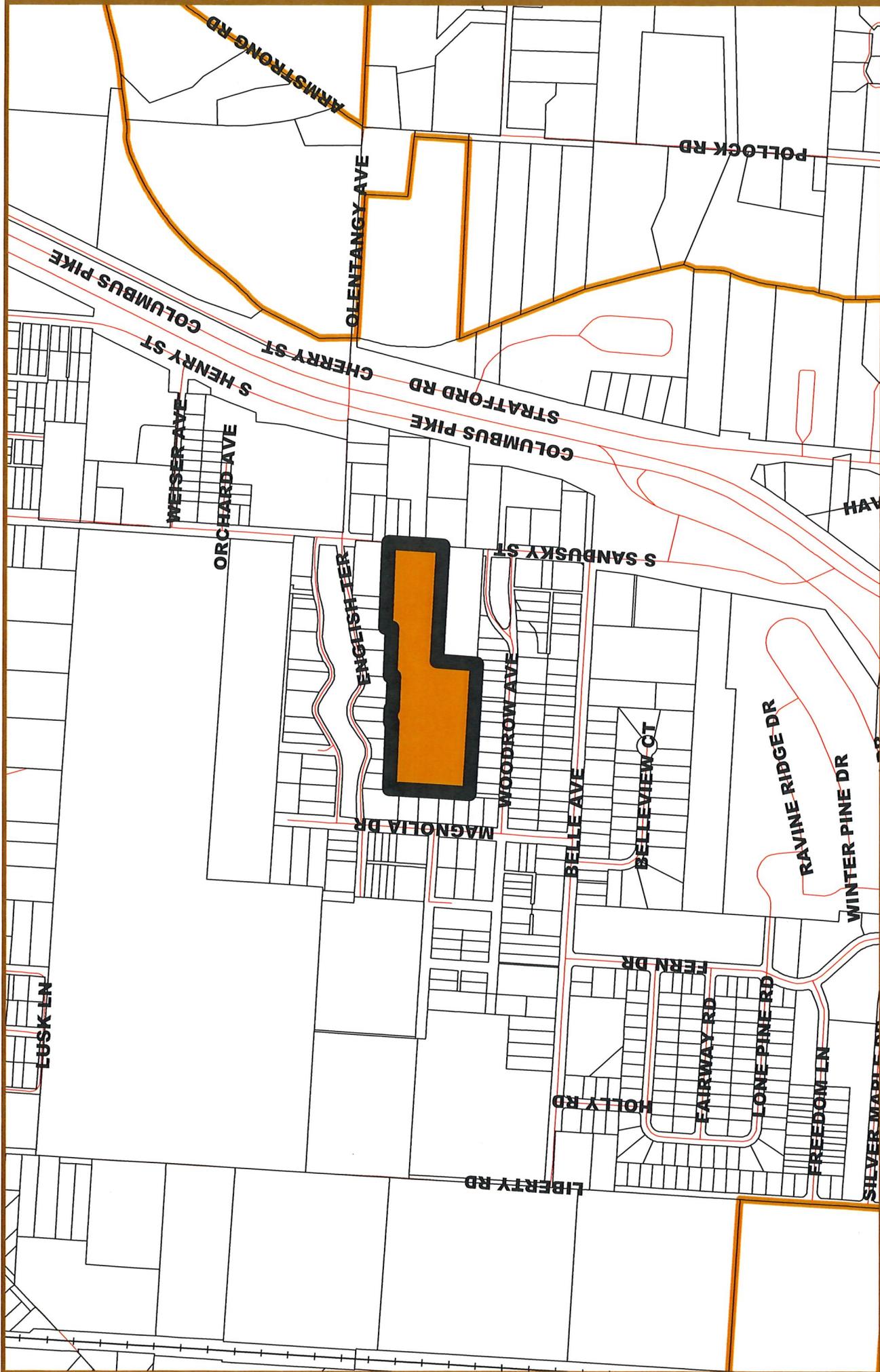
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**STAFF RECOMMENDATION (2020-0035– PRELIMINARY DEVELOPMENT PLAN)**

Staff recommends approval of a request by the Delaware General Health District for a Preliminary Development Plan for a New Office Building at 470 South Sandusky Street on approximately 9.4 acres on property zoned PO/I (Planned Office/Institutional District).

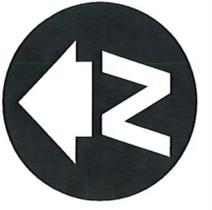
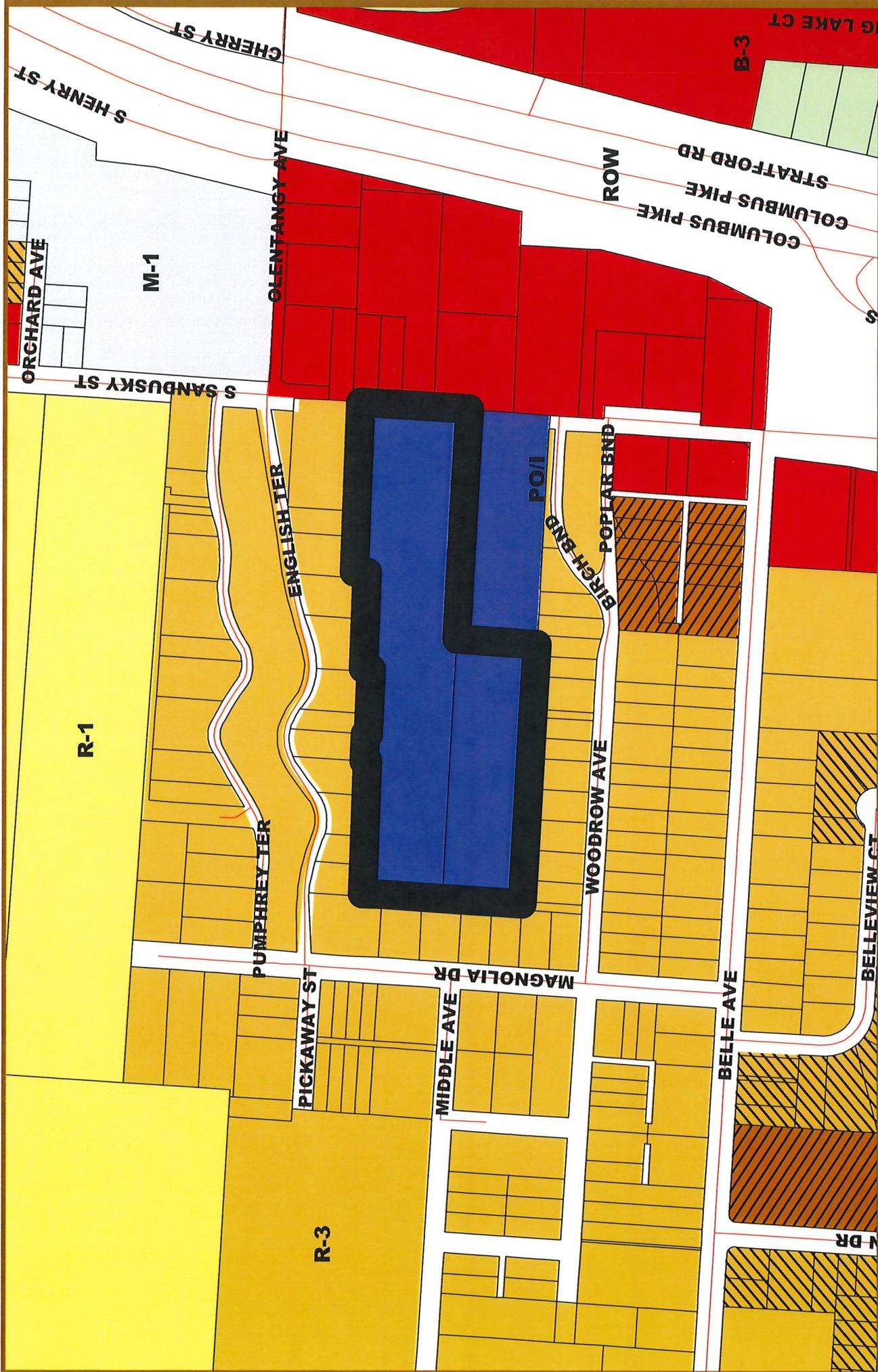
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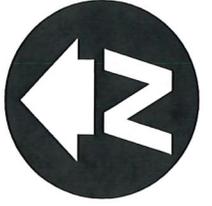
2020-0035  
 Preliminary Development Plan  
 Delaware General Health District - 470 South Sandusky Street  
 Location Map





2020-0035  
 Preliminary Development Plan  
 Delaware General Health District - 470 South Sandusky Street  
 Zoning Map





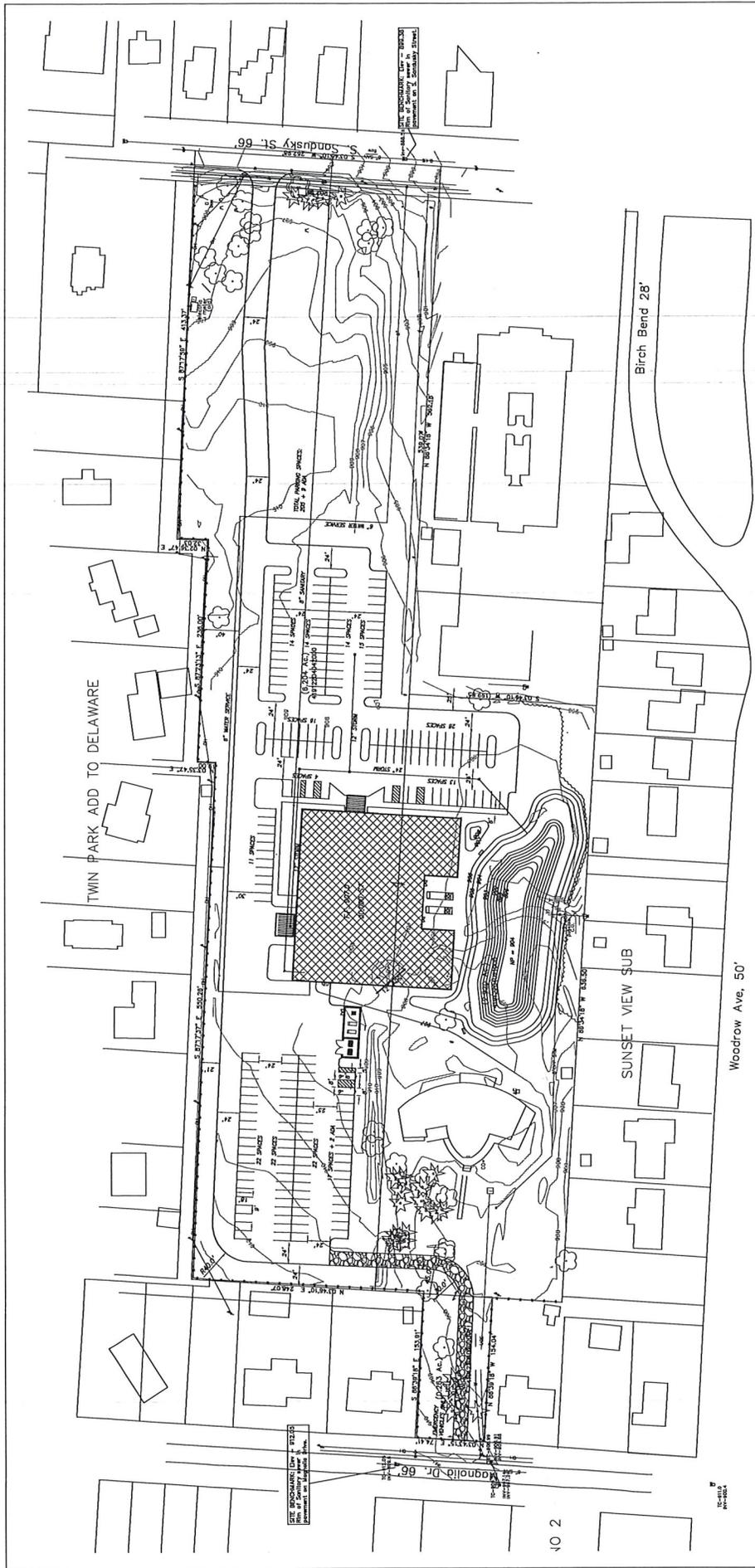
2020-0035  
 Preliminary Development Plan  
 Delaware General Health District - 470 South Sandusky Street  
 Aerial (2016) Map











**New Headquarters Building**  
 470 S Sandusky Street  
 Delaware, OH 43026

**Health District**  
 Delaware General Health District

Dwg. Coord.: JLL    Tech. Coord.: MNV # 19073

**SITE LAYOUT PLAN**    **C200**

PRELIMINARY DEVELOPMENT PLAN    JANUARY 2023



10 2

#	DATE	CHANGE DESCRIPTION

**DELAWARE GENERAL HEALTH**  
 415 JACKSON ST  
 DELAWARE, OHIO 43015

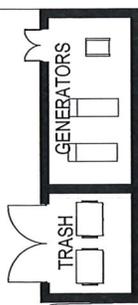
300 SPRUCE STREET  
 SUITE 300  
 COLUMBUS, OHIO 43215  
 PHONE: (614) 461-4884  
 MOODY-NOLAN  
 FAX: (614) 264-8881

**CONCEPT PLAN**

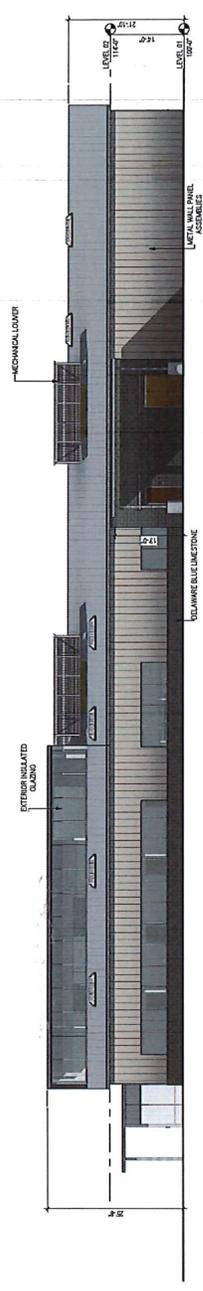
DATE	10/20/19
DRAWN BY	AMW
CHECKED BY	DMW
PROJ. #	A1
PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION	
SCHEMATIC DESIGN	



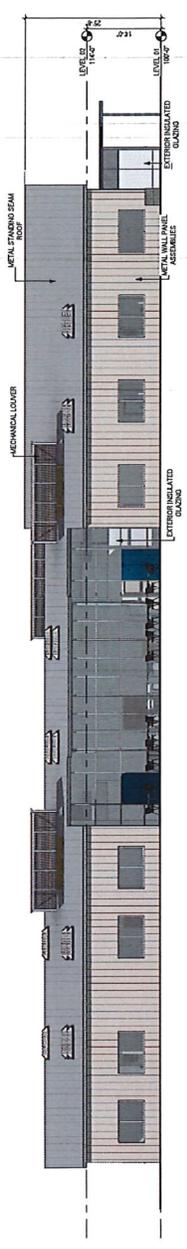
**1** PLAN FIRST FLOOR CONCEPT PLAN  
 302' x 152'



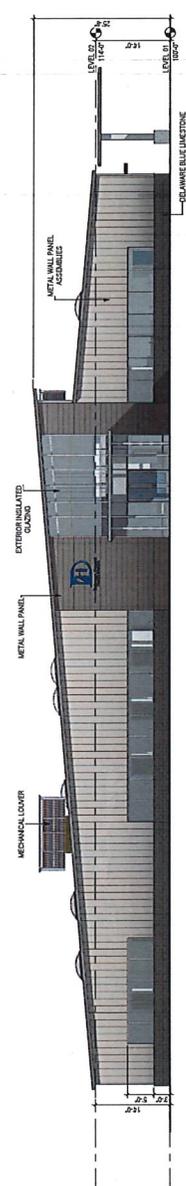
FUTURE EXPANSION  
 10,000 SF



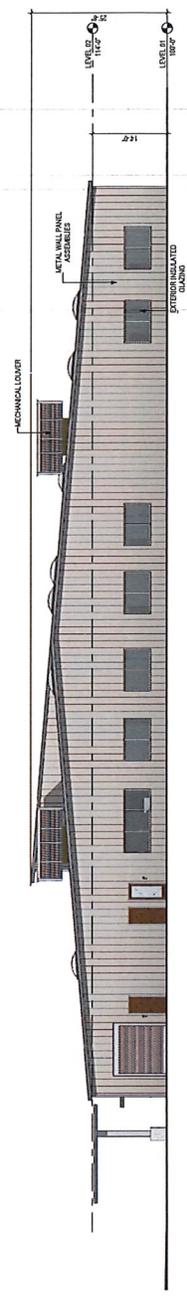
**1** NORTH ELEVATION  
3/32" = 1'-0"



**2** SOUTH ELEVATION  
3/32" = 1'-0"



**3** EAST ELEVATION  
3/32" = 1'-0"



**4** WEST ELEVATION  
3/32" = 1'-0"

#	DATE	CHANGE DESCRIPTION

**DELAWARE GENERAL HEALTH DISTRICT**  
 300 SPRUCE STREET  
 SUITE 300  
 COLUMBUS, OHIO 43215  
 PHONE: (614) 461-4854  
 FAX: (614) 282-8881

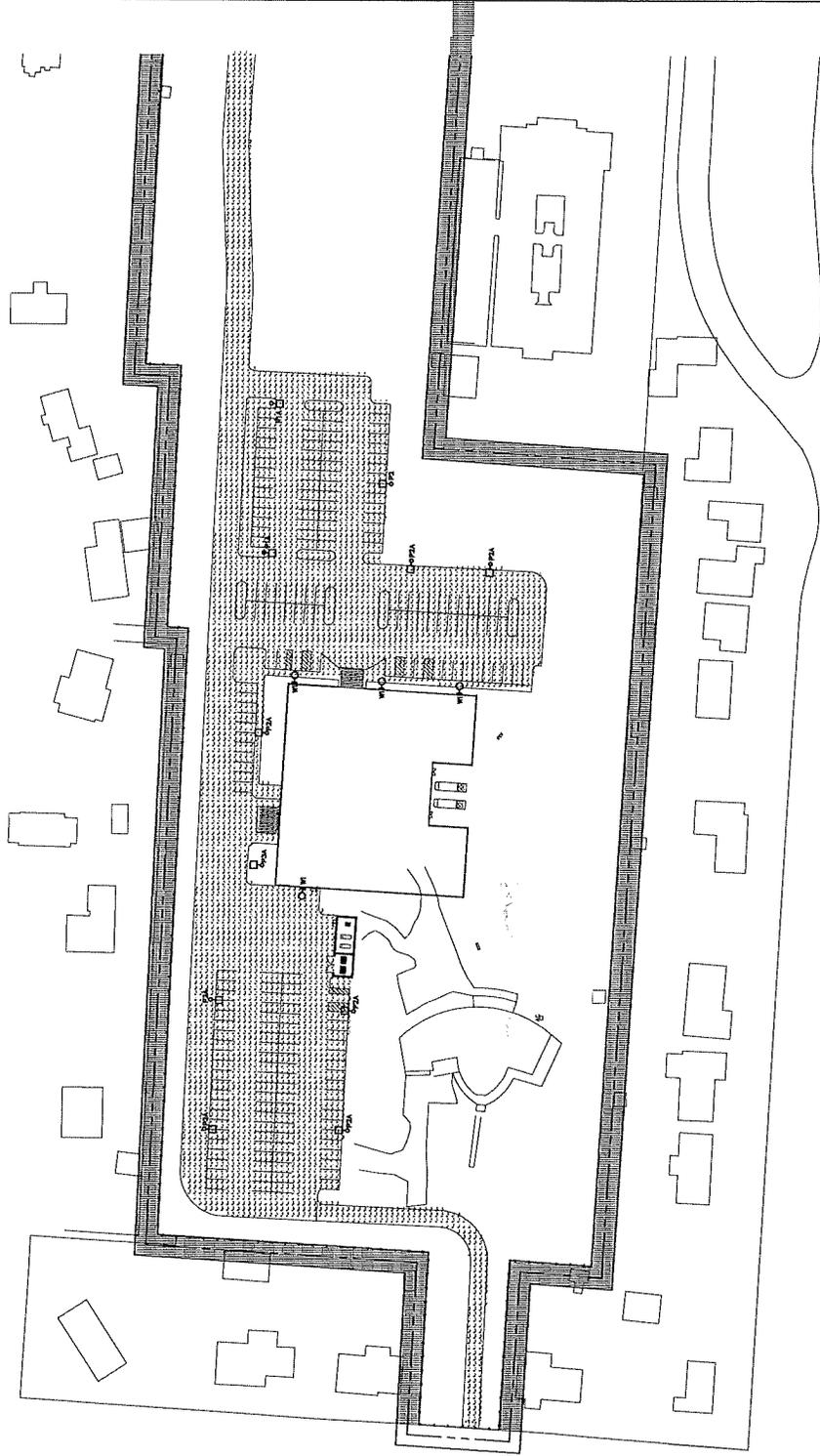
**WOODY-NOLAN**  
 ARCHITECTS  
 1022019  
 DRAWING TITLE: EXTERIOR ELEVATIONS  
 DRAWN BY: LAMM  
 CHECKED BY: CHAMBERLAIN  
 PLOT #

**EXTERIOR ELEVATIONS**

PROGRESS NOT FOR CONSTRUCTION  
**A2**  
 SCHEMATIC DESIGN

**CALCULATION SUMMARY**

DESCRIPTION	UNITS	AVERAGE	MINIMUM	MAXIMUM	MINIMUM/AVR/UMIN	MAXIMUM/AVR/UMAX
SITE	FC	0.02	0.00	0.00	N/A	N/A
PROPERTY BOUNDARY TO 1/2"=1'-0" RECORD	FC	0.02	0.00	0.00	N/A	N/A



**SITE ELECTRICAL PLAN**  
SCALE: 1" = 30'-0"

10/2019  
DRAWN BY: Adam  
CHECKED BY: Owen  
Proj. #  
**E001**  
SCHEMATIC DESIGN

PROGRESS DRAWING NOT FOR CONSTRUCTION

300 SPRUCE STREET  
SUITE 100  
COLUMBUS, OHIO 43215  
PHONE: (614) 461-4664  
FAX: (614) 280-3881

DEL AWARE GENERAL HEALTH  
DISTRICT  
425 SANDHURST ST.  
COLUMBUS, OHIO 43215

DATE: \_\_\_\_\_  
CHANGE DESCRIPTION: \_\_\_\_\_  
\_\_\_\_\_

PRATER  
Engineering Associates, Inc.  
8130 Wilson Road  
Columbus, OH 43235  
PHONE: (614) 798-4888  
FAX: (614) 798-2222

### FIXTURE SCHEDULE

SYMBOL	FIXTURE NUMBER	DESCRIPTION	MANUFACTURER	CATALOG NUMBER	LAMPS	REMARKS
□	W1	WALL MOUNTED LED DOWN LIGHT	LITONIA	DSW1 LED 200 700 40K 7M WCKET	75W LED 4500 LUMENS	12'-0" WALL MOUNTING
□	PA1	POLE MOUNTED LED SITE FIXTURE TYPE 1 DISTRIBUTION	LITONIA	DSK1 LED P1 40K 7M WCKET	150W LED 10000 LUMENS	30'-0" OVERALL MOUNTING HEIGHT FROM FINISH GRADE TO TOP OF FIXTURE
□	P2	POLE MOUNTED LED SITE FIXTURE TYPE 2 DISTRIBUTION	LITONIA	DSK2 LED P2 40K 7M WCKET	110W LED 7000 LUMENS	30'-0" OVERALL MOUNTING HEIGHT FROM FINISH GRADE TO TOP OF FIXTURE
□	PA2	POLE MOUNTED LED SITE FIXTURE TYPE 3 DISTRIBUTION	LITONIA	DSK3 LED P3 40K 7M WCKET	140W LED 9000 LUMENS	30'-0" OVERALL MOUNTING HEIGHT FROM FINISH GRADE TO TOP OF FIXTURE
□	PA3	POLE MOUNTED LED SITE FIXTURE TYPE 3 DISTRIBUTION	LITONIA	DSK4 LED P3 40K 7M WCKET	140W LED 9000 LUMENS	30'-0" OVERALL MOUNTING HEIGHT FROM FINISH GRADE TO TOP OF FIXTURE

**LED LIGHTING**

**LED LIGHTING SCHEDULE**

Model	Power (W)	Beam Angle	Mounting Height (ft)	Footcandle (fc)	Beam Diameter (ft)
DSW1	75	120	12	10	1.5
DSK1	150	120	30	10	4.5
DSK2	110	120	30	10	4.5
DSK3	140	120	30	10	4.5
DSK4	140	120	30	10	4.5

**LED LIGHTING NOTES:**

- Verify mounting height and beam angle for proper lighting distribution.
- Ensure proper electrical connections and grounding.
- Verify fixture compatibility with power supply and control system.
- Verify fixture mounting hardware and structural requirements.
- Verify fixture IP rating for environmental conditions.
- Verify fixture warranty and maintenance requirements.

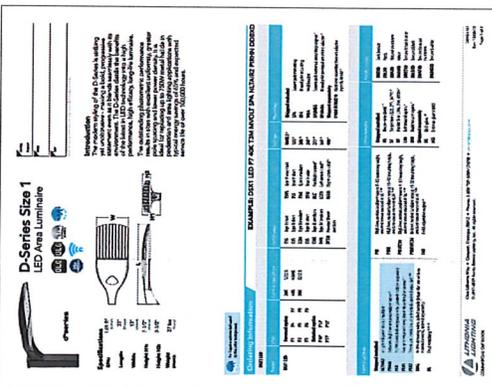
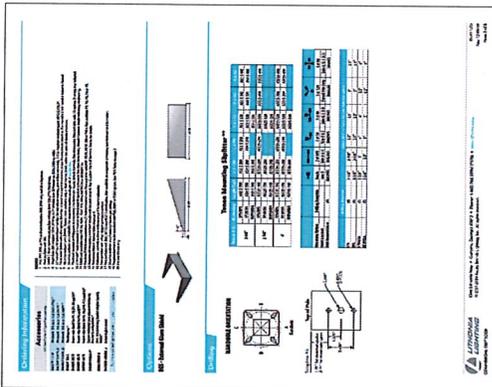
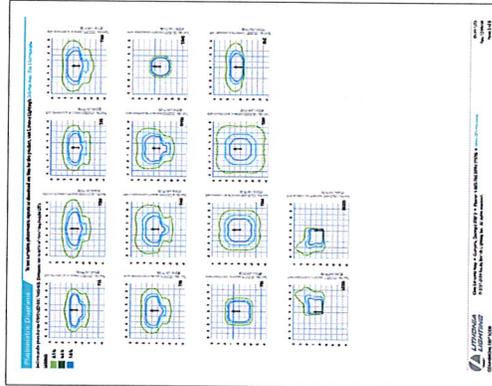
**D-Series Size 1 LED Wall Luminaire**

**LED LIGHTING SCHEDULE**

Model	Power (W)	Beam Angle	Mounting Height (ft)	Footcandle (fc)	Beam Diameter (ft)
DSW1	75	120	12	10	1.5
DSK1	150	120	30	10	4.5
DSK2	110	120	30	10	4.5
DSK3	140	120	30	10	4.5
DSK4	140	120	30	10	4.5

**LED LIGHTING NOTES:**

- Verify mounting height and beam angle for proper lighting distribution.
- Ensure proper electrical connections and grounding.
- Verify fixture compatibility with power supply and control system.
- Verify fixture mounting hardware and structural requirements.
- Verify fixture IP rating for environmental conditions.
- Verify fixture warranty and maintenance requirements.



#	DATE	CHANGE DESCRIPTION

**DELAWARE GENERAL HEALTH DISTRICT**  
 420 S. JAYLOR ST.  
 COLUMBUS, OHIO 43215

300 SPRUCE STREET  
 SUITE 300  
 COLUMBUS, OHIO 43215  
 PHONE: (614) 461-4684  
 FAX: (614) 283-8881

**SITE ELECTRICAL PLAN**

10/2019

PROGRESS DRAWING NOT FOR CONSTRUCTION

Page # **E002**

SCHEMATIC DESIGN

**PRAATER Engineering Associates, Inc.**  
 8130 Wilson Road  
 Dublin, Ohio 43017  
 (614) 798-4888  
 FAX: (614) 788-2554





## FACT SHEET

---

AGENDA ITEM NO: 14

DATE: 02/24/2020

ORDINANCE NO: 20-08

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: NO

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

---

**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR K2 DEVELOPMENT FOR GLENWOOD COMMONS SHOPPING CENTER FOR AN APPROXIMATE 96,100 SQUARE FOOT RETAIL BUILDING LOCATED AT 1180 SUNBURY ROAD AND ZONED B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) ON APPROXIMATELY 14.198 ACRES.

**BACKGROUND:**

See attached staff report. The Applicant provided revised renderings to the Commission at the February 5, 2020 meeting.

**REASON WHY LEGISLATION IS NEEDED:**

To achieve compliance with Section 1129.05 Final Development Plan requirements of the zoning code.

**COMMITTEE RECOMMENDATION:**

Planning Commission recommended approval by a vote of 7-0 on February 5, 2020 with revisions to the elevation as documented in the conditions and revised building elevations which are included in the packet.

**FISCAL IMPACT(S):**

N/A

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

David Efland, Planning and Community Development Director

**RECOMMENDATION:**

Staff recommends approval

**ATTACHMENT(S)**

Revised Renderings Dated February 5, 2020

Staff Report

ORDINANCE NO. 20-08

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR K2 DEVELOPMENT FOR GLENWOOD COMMONS SHOPPING CENTER FOR AN APPROXIMATE 96,100 SQUARE FOOT RETAIL BUILDING LOCATED AT 1180 SUNBURY ROAD AND ZONED B-3 PMU (COMMUNITY BUSINESS DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) ON APPROXIMATELY 14.198 ACRES.

WHEREAS, the Planning Commission at its meeting of February 5, 2020 recommended approval of a Combined Preliminary and Final Development Plan for K2 Development for Glenwood Commons Shopping Center for an approximate 96,100 square foot retail building located at 1180 Sunbury Road and zoned B-3 PMU (Community Business District with a Planned Mixed-Use Overlay District) on approximately 14.198 acres and (PC Case 2020-0010).

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

SECTION 1. That the Combined Preliminary and Final Development Plan for K2 Development for Glenwood Commons Shopping Center for an approximate 96,100 square foot retail building located at 1180 Sunbury Road and zoned B-3 PMU (Community Business District with a Planned Mixed-Use Overlay District) on approximately 14.198 acres, is hereby confirmed, approved, and accepted with the following conditions that:

1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The parking lot shall be brought up to grade where needed and the parking spaces re-stripped per the engineering requirements.
3. The wainscoting and pilasters (columns) on the building shall be Delaware blue vein limestone or equivalent instead of the proposed golden buckeye limestone.
4. The decorative EIFS cornice with metal coping on the Hobby Lobby Building shall be extended in at least a "stepped" cornice form to the TJ Maxx, Ulta Beauty and Five Below Buildings.

5. The western elevation of the Hobby Lobby shall be revised per the submitted plan on February 5, 2020.
6. The EIFS on the TJ Maxx and Ulta Beauty shall be permitted to be white behind the letter band only and shall be a beige color for the rest of the EIFS sign band area per staff review and approval. The China White EIFS Cornice above 5-Below shall be tan to match all other cornices.
7. The eastern elevation of the TJ Maxx shall be revised per the submitted plan on February 5, 2020.
8. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
9. All roof top mechanical equipment shall be screened from public view.
10. The applicant shall submit all building elevations along with material and color samples for all buildings for staff review and approval.
11. The dumpster enclosure(s) shall be constructed of brick or stone to match the building and have wood doors painted or stained to match.
12. The lighting plan shall be reviewed and approved by the City and all lighting shall meet the requirements of the approved development text and the current zoning code.
13. The existing interior parking lot trees, shrubs and mulch shall be upgraded and/or replaced to complement the new building.
14. Each tenant shall be responsible to submit a sign permit that shall achieve compliance with the approved Comprehensive Sign Plan and the current zoning code.
15. The future tenant space is not included in this application and shall require a separate Preliminary and Final Development Plan approval.

SECTION 2. 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.

VOTE ON RULE SUSPENSION:

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

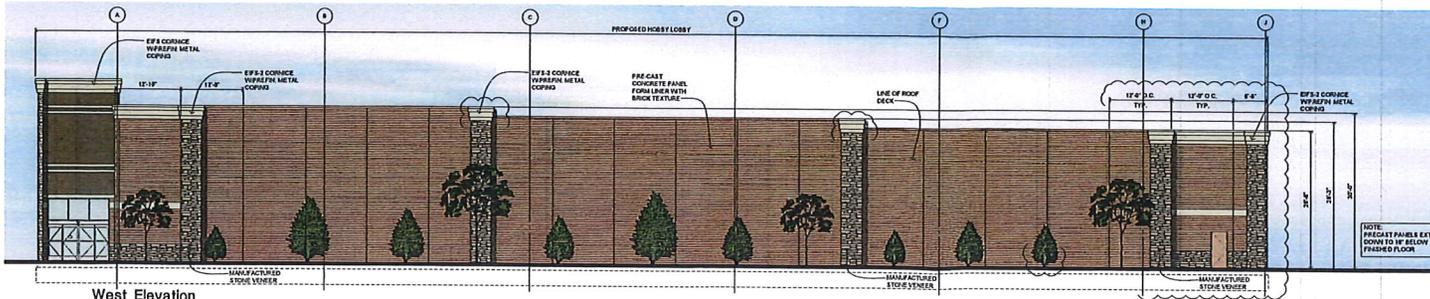
PASSED: \_\_\_\_\_, 2020

YEAS\_\_\_NAYS\_\_\_  
ABSTAIN \_\_\_

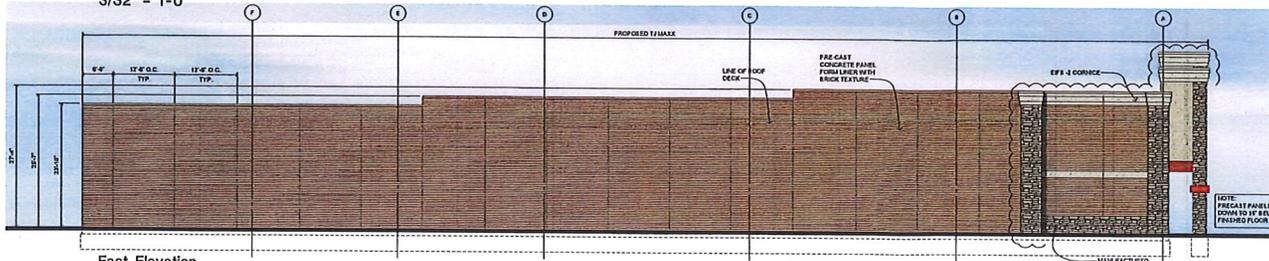
ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

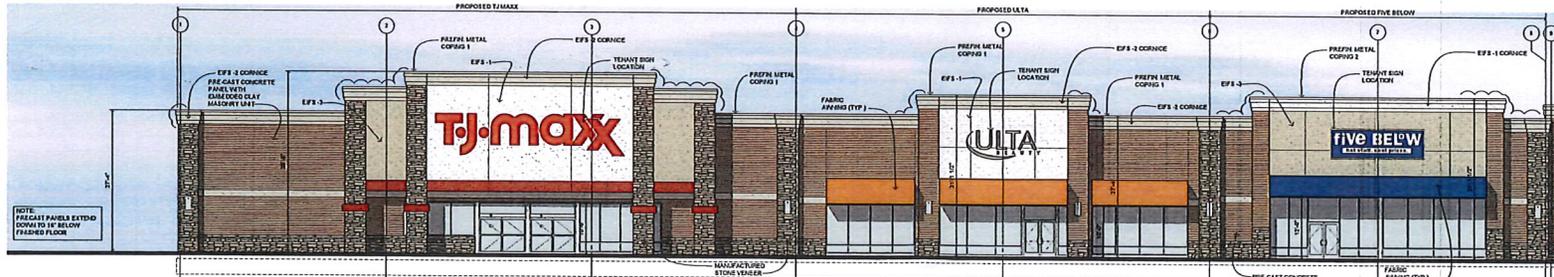


West Elevation  
3/32" = 1'-0"

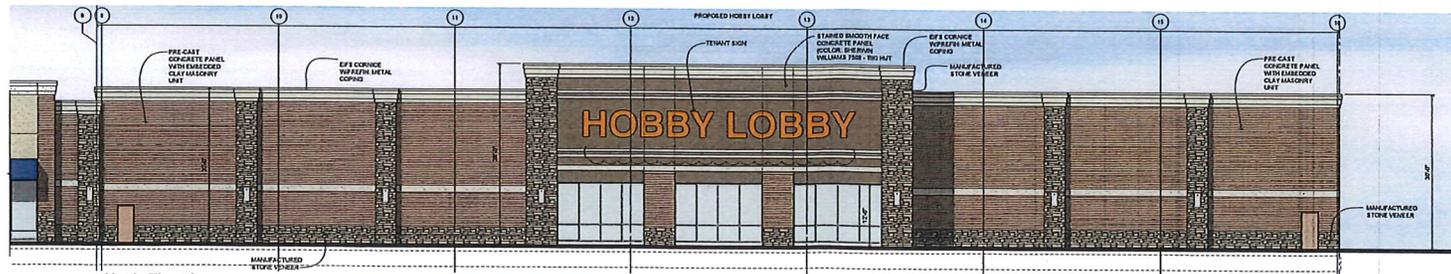


East Elevation  
3/32" = 1'-0"

Exterior Finish Schedule	
Material	Color
BRICK	ENDGOTT - SESSLET PRODUKT LIGHT GREY 1.5 X 8 FT. 11.93
MANUFACTURED STONE	CALIBUR STONE - LIMESTONE GARDEN ROCKS/VE
METAL COPING-1	EXCEPTIONAL METALS - BROWN STONE
METAL COPING-2	EXCEPTIONAL METALS - ALUMINUM
EFF-1	DRYVIT - CHINA WASTE
EFF-2	DRYVIT - SANDLEWOOD
EFF-3	DRYVIT - BUCKSKIN
ALUMINUM STOREFRONT SYSTEM	CLEAR ANODIZED ALUMINUM
GLASS/SLATE/ID	CLEAR



North Elevation  
3/32" = 1'-0"



North Elevation  
3/32" = 1'-0"

Zoning Compliance Review

PC APPROVED  
Signature  
Date 2/5/20

Issued for:  
SEA SUBMITTAL 21 DEC 2019  
OWNER REVIEW 01 JAN 2020

project:

Proposed  
Commercial Development

Sunbury Rd. & Mill Run Crossing  
Delaware, OH

Richard J. Cleve, AIA, NCARB

Consulting Architect  
ROGVOY  
ARCHITECTS

32500 TELEGRAPH ROAD  
SUITE 200  
BENGHAM FARMS, MICHIGAN  
48022-2404  
PH 248.640.7000 FX 248.640.2710  
ARCHITECTS@ROGVOY.COM

drawing:  
Exterior  
Elevations

DO NOT SCALE DRAWING

Issue date: 19 DEC 2019  
DRAWN: BDB  
CHECKED: MD  
APPROVED: MD

file number: 19027

sheet:

A-3

ISSUED FOR:  
 22A.D.000001.21.DEC.2019  
 COVER REVIEW 03 JAN 2020

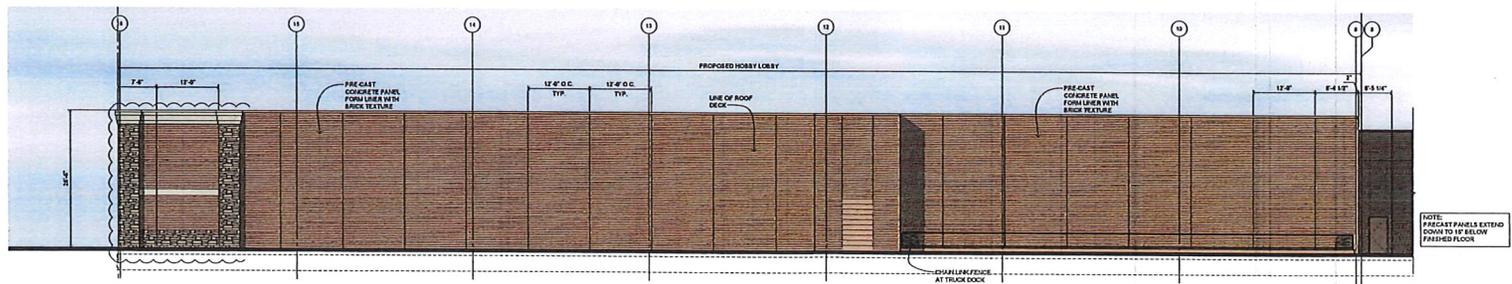
Zoning Compliance Review

PC APPROVED  
 Signature *[Signature]* Date 2/5/20

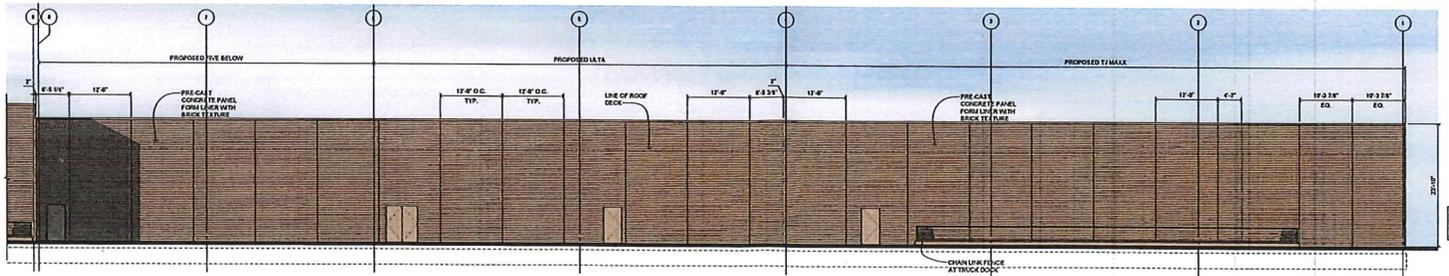
project:

Proposed  
**Commercial Development**  
 Sunbury Rd. & Mill Run Crossing  
 Delaware, OH

Material	Color
BRICK	ENDCOTT - DESSERT PROSPERITY LIGHT (8 1/2" x 3 1/2" x 11 1/8")
MANUFACTURED STONE	CULTRUSO STONE - LIMESTONE COLOR (BLOCKS)
METAL COPING-1	EXCEPTIONAL METALS - BROWN STONE
METAL COPING-2	EXCEPTIONAL METALS - ALMOND
EF3-1	DRYVIT - CHINA WHITE
EF3-2	DRYVIT - SAGEWOOD EDGE
EF3-3	DRYVIT - BLACKISH
ALUMINUM STOREFRONT SYSTEM	CLEAR ANODIZED ALUMINUM
GLASS GLAZING	CLEAR



South Elevation  
 3/32" = 1'-0"



South Elevation  
 3/32" = 1'-0"



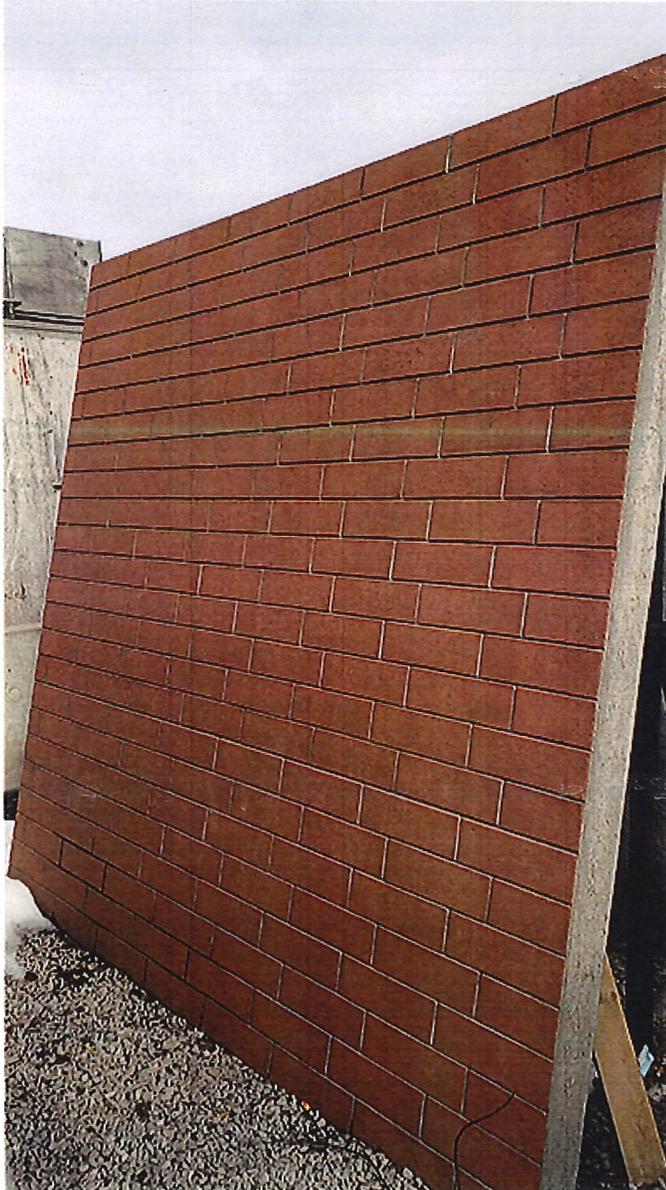
Richard J. Cleve, AIA, NCARB  
 Consulting Architect  
**ROGVOY**  
 ARCHITECTS

32500 TELEGRAPH ROAD  
 SUITE 250  
 BIRKHAM PARK, MCKINNEY  
 TEXAS 75066  
 PH 214.564.7700 FX 214.564.2710  
 ARCHITECTS@ROGVOY.COM

drawing:  
 Exterior Elevations

DO NOT SCALE DRAWING  
 issue date: 19 DEC 2019  
 drawn by: BDB  
 checked by: MD  
 approved by: MD

file number: 19027  
 sheet:



BRICK FORMLINER EXAMPLE



EMBEDDED BRICK EXAMPLE

Zoning Compliance Review

Commercial  
Development

Sunbury Rd. & Mill Run Crossing  
Delaware, Ohio  
RAPC#19027



PC APPROVED  
Signature *[Signature]* Date 2/5/20

---

**APPLICANT/OWNER**

K2 Development  
30300 Telegraph Road, Suite 280  
Bingham Farms, MI 48025

**REQUEST**

2020-0010: A request by K2 Development for approval of a Combined Preliminary and Final Development Plan at Glenwood Commons Shopping Center for an approximate 96,100 square foot Retail Building located at 1180 Sunbury Road and zoned B-3 PMU (Community Business District with a Planned Mixed-Use Overlay District) on approximately 14.198 acres.

**PROPERTY LOCATION & DESCRIPTION**

The approximate 14.198 acre site is located on the south side of US 36/37 between Mill Run Crossing and Glenn Road within the Glenwood Commons Shopping Center. Specifically, the site is the previously planned Home Depot site located between the Meijer's and Kohls. The subject site is zoned B-3 PMU (Community Business District with a Planned Mixed-Use Overlay District) as are the surrounding parcels within the Glenwood Commons Shopping Center.

**BACKGROUND/PROPOSAL**

In January 2007 City Council (Ordinance 06-142) approved a mixed-use commercial, office and residential rezoning for 150 acres which included Glenwood Commons Shopping Center. In 2013 City Council (Ordinance 01-13) approved a Zoning Amendment and Preliminary Development Plan for the Quail Pass apartment development. Since 2006 several big box buildings (Kohls, Meijer's, etc.) and a few outbuildings (Mattress Firm, Raising Cane, etc.), were constructed.

Now the developer is proposing to construct an approximate 96,100 square foot building that would include four tenants (Hobby Lobby, TJ Maxx, Ulta Beauty and Five Below) and one future tenant space (approximately 12,540 square feet) which could yield an approximate 108,640 square foot retail building that would be located between the Kohls and Meijer's on the former Home Depot site.

---

**STAFF ANALYSIS**

- **ZONING:** As previously mentioned, the zoning for the subject site is B-3 PMU. Under the current zoning, the proposed retail building is a permitted use. A Combined Preliminary and Final Development Plan approval of the application would be required by the Planning Commission and City Council. The future tenant space (approximately 12,540 square feet) is not included in this application and would require a separate Preliminary and Final Development Plan approval.
- **GENERAL ENGINEERING:** The Applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
- **ROADS AND ACCESS:** The roadway network, parking lot and utility infrastructure for Glenwood Commons Shopping Center was constructed in 2008 and the subject building (96,100 square foot) would be constructed between the Meijer's and Kohls. The rear of the building would be accessed from Mill Run Crossing from a roundabout where the loading docks, dumpsters and the like are located. Therefore, the access to the site would remain as currently constructed. Also, the parking lot would need to be seal coated, brought up to grade where needed and the parking spaces re-stripped per the engineering requirements.
- **SITE CONFIGURATION:** The applicant is proposing a 96,100 square foot building to be divided into a 55,000 square foot Hobby Lobby, an 8,500 square foot Five Below, an 10,500 square foot Ulta Beauty and 22,000 square foot TJ Maxx. The development area also allows for a 12,540 square foot future tenant space

just east of TJ Maxx. As mentioned above, the roadway network, parking lots and utility infrastructure for Glenwood Commons was constructed in 2008 and the subject building would be constructed between the Meijer's and Kohls. The approved development text (Ordinance13-01) encourages shared parking of up to 30% with the adjacent uses and the parking requirements were approved with the in the original plan. There is a significant amount of additional parking just east and west of the site in the Kohls and Meijer's parking lot. Therefore, the existing parking spaces meet the parking requirements. The Hobby Lobby and TJ Maxx would have truck docks located to the rear of the building along with dumpsters for each use. The dumpster enclosures shall be constructed of brick or stone to match the building and have wood doors painted or stained to match. This will meet the design requirements of dumpster enclosures of the rest of the shopping center. Storm water would be detained in the Glenwood Commons regional detention basins which are already constructed.

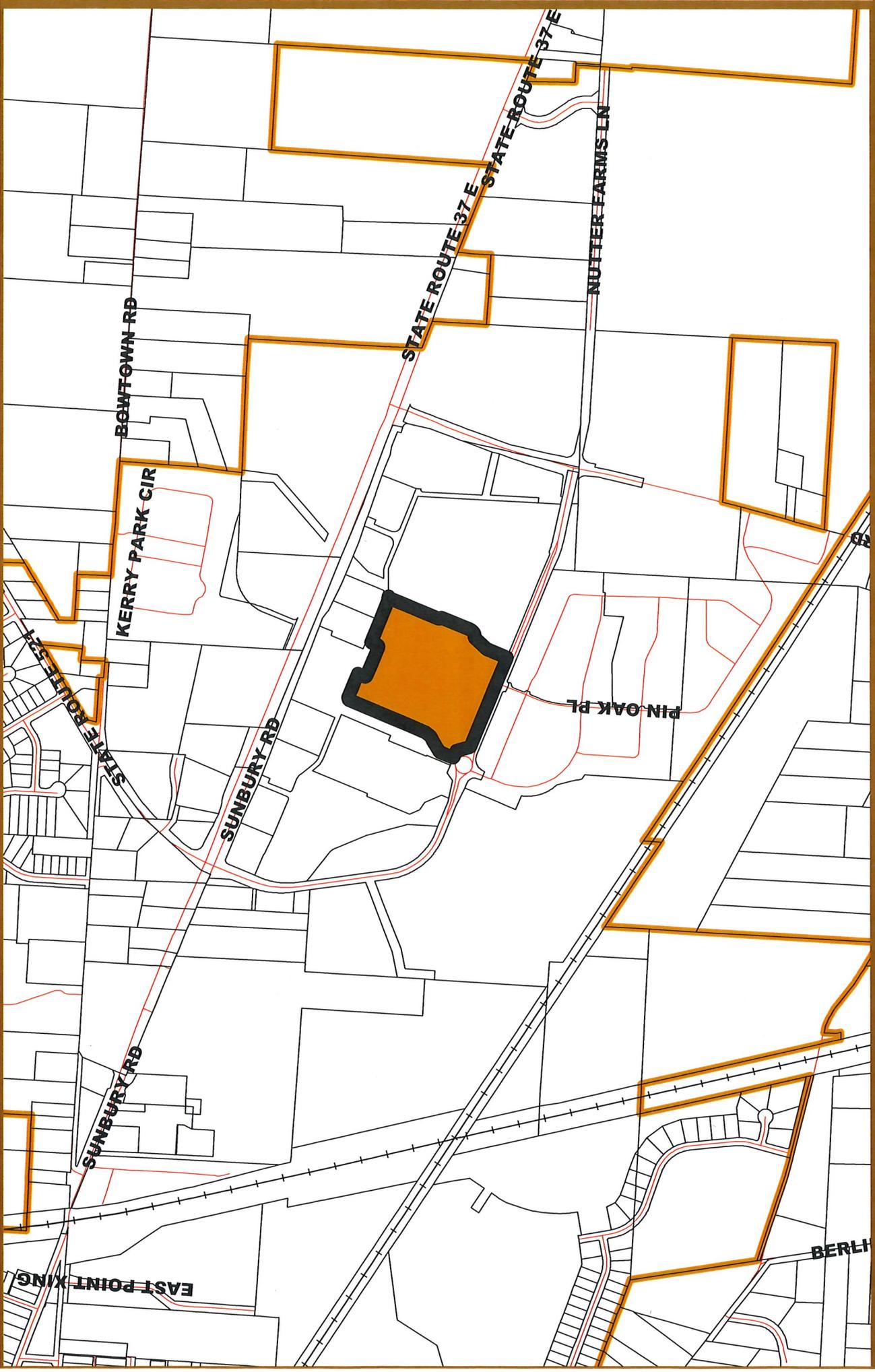
- **TREE REMOVAL & REPLACEMENT:** There is not any qualifying trees (6 inches in caliper or larger) on the subject site that would be removed.
- **LANDSCAPING & SCREENING:** When Glenwood Commons Shopping Center was constructed, the shopping center developer installed street trees along US 36/37, interior parking lot landscaping and perimeter landscaping. The applicant would have to install foundation landscaping and replace any existing landscaping that may be removed during construction. Also, the existing interior parking lot trees, shrubs and mulch shall be upgraded and/or replaced to complement the new building.
- **LIGHTING:** The developer installed the appropriate light poles and fixtures in the parking lot that achieved compliance with the development text in 2008. The applicant is installing building lights along the south and west elevations per the submitted illumination plan. The City would have to ensure the revised lighting plan achieves compliance with approved development text and the zoning code.
- **SIGNAGE:** The developer had a Comprehensive Sign Plan for Glenwood Commons per the approved development text. The Comprehensive Sign Plan governs the use and application of all signage for the development. Each tenant shall be responsible to submit a sign permit that shall achieve compliance with the approved Comprehensive Sign Plan.
- **BUILDINGS:** The entire shopping center has design standards per the approved development of the existing buildings and shall be adhered to with any new building. The proposal for the front elevations of the buildings would be comprised of pre-cast concrete panel with embedded clay masonry units that would be desert ironspot light color while the sides and rear of the building would be pre-cast concrete panel form liner with brick the texture that would be the same desert ironspot light color (see attached examples of Edicott thin brick and Versa-Brix). In general, the proposed building achieves compliance with the design requirements except for the following critical design elements that need to be amended: 1. The wainscoting and pilasters (columns) on the buildings shall be a Delaware blue vein limestone or equivalent as approved by staff instead of the proposed Golden Buckeye color; 2. The decorative EIFS cornice with metal coping on the Hobby Lobby building shall be extended in at least a "stepped" cornice form to the TJ Maxx, Ulta Beauty and Five Below buildings; 3. The western elevation of the Hobby Lobby building shall be upgraded to pre-cast concrete panel with embedded clay masonry with wainscoting and pilasters to better match the adjacent Office Depot design which is adjacent to the public drive aisle coming out of the roundabout on Mill Run Crossing; 4. The EIFS of the TJ Maxx shall be revised from the proposed China White color to a beige color to match the other buildings and conform with plan requirements of the center (Home Depot had a non-white EIFS accents for example despite their corporate colors being orange and white). Also, the amount of the EIFS material shall be reduced to be in better scale with the other developments (other buildings in the development utilized integral brick or the equivalent to the reduce the amount of EFIS around the sign area); 5. The eastern side elevation of TJ Maxx shall be pre-cast concrete panel with embedded clay masonry units that would be desert ironspot light color to match the front of the building. In addition, all roof top mechanical equipment shall be screened from public view. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.

**STAFF RECOMMENDATION (2020-0010 – COMBINED PRELIMINARY & FINAL DEVELOPMENT PLAN)**

Staff recommends approval of a request by K2 Development for a Combined Preliminary and Final Development Plan at Glenwood Commons Shopping Center for an approximate 96,100 square foot Retail Building located at 1180 Sunbury Road and zoned B-3 PMU (Community Business District with a Planned Mixed-Use Overlay District) on approximately 14.198 acres, with the following conditions that:

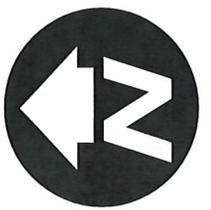
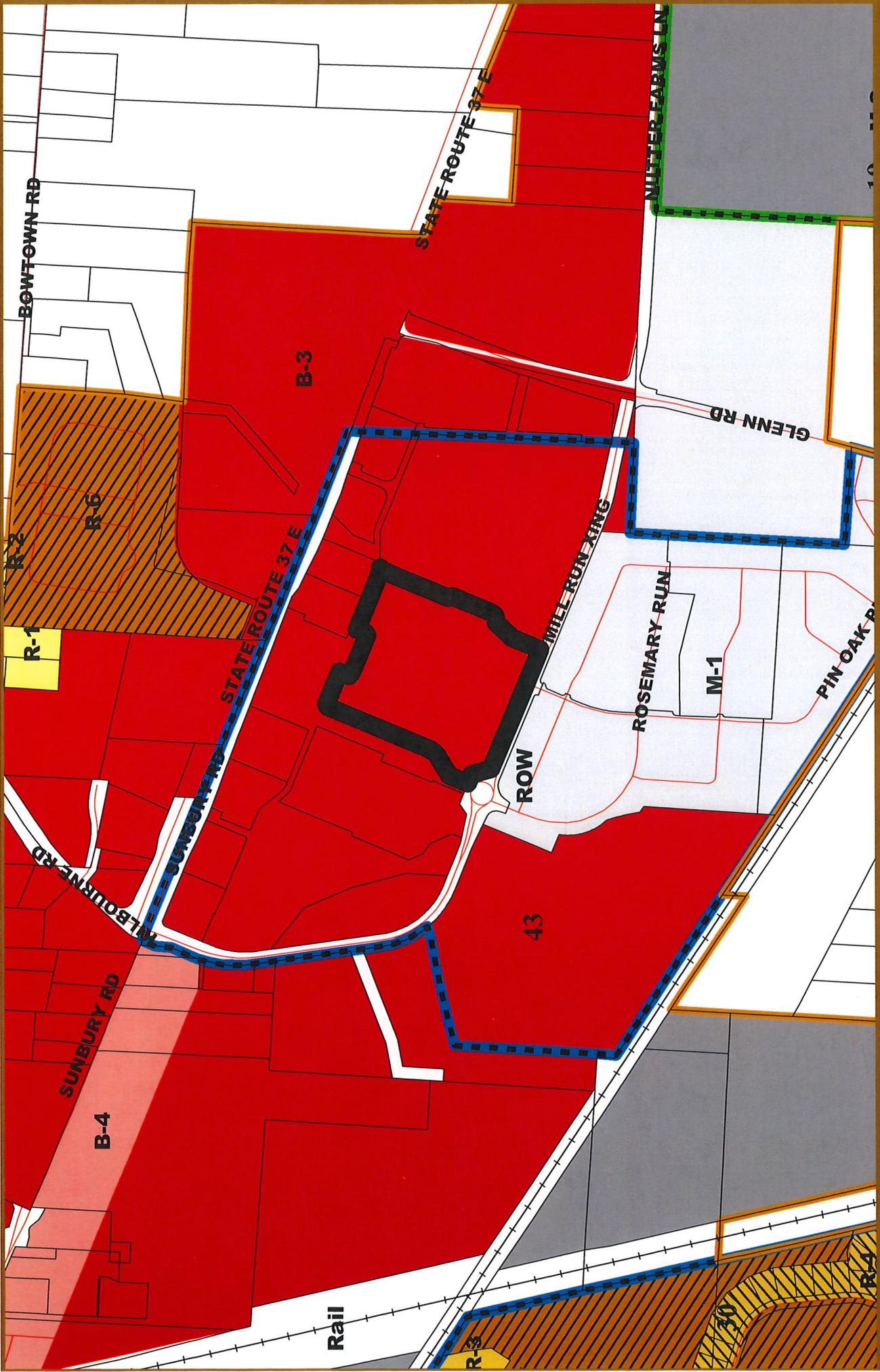
1. The applicant needs to obtain engineering approvals, including any storm water and utility issues that need to be worked out through the Engineering and Utilities Departments. All comments regarding the layout and details of the project are preliminary and subject to modification or change based on the final technical review by the Engineering Department once a complete plan set is submitted for review.
2. The parking lot shall need to be seal coated, brought up to grade where needed and the parking spaces re-stripped per the engineering requirements.
3. The wainscoting and pilasters (columns) on the building shall be Delaware blue vein limestone or equivalent instead of the proposed golden buckeye limestone.
4. The decorative EIFS cornice with metal coping on the Hobby Lobby Building shall be extended in at least a “stepped” cornice form to the TJ Maxx, Ulta Beauty and Five Below Buildings.
5. The western elevation of the Hobby Lobby building shall be upgraded to pre-cast concrete panels with embedded clay masonry with wainscoting and pilasters that would be Delaware blue vein or equivalent in color.
6. The EIFS on the TJ Maxx building shall be revised from the proposed China White color to a beige color to match the other buildings. Also, the amount of the EIFS material shall be reduced to be in better scale with the other buildings.
7. The eastern side elevation of TJ Maxx shall be pre-cast concrete panel with embedded clay masonry units that would be dessert ironspot light color to match the front elevation.
8. All building appurtenances (coping, downspouts, etc.) shall be painted to match the adjacent building color.
9. All roof top mechanical equipment shall be screened from public view.
10. The applicant shall submit all building elevations along with material and color samples for all buildings for staff review and approval.
11. The dumpster enclosure(s) shall be constructed of brick or stone to match the building and have wood doors painted or stained to match.
12. The lighting plan shall be reviewed and approved by the City and all lighting shall meet the requirements of the approved development text and the current zoning code.
13. The existing interior parking lot trees, shrubs and mulch shall be upgraded and/or replaced to complement the new building.
14. Each tenant shall be responsible to submit a sign permit that shall achieve compliance with the approved Comprehensive Sign Plan and the current zoning code.
15. The future tenant space is not included in this application and shall require a separate Preliminary and Final Development Plan approval.





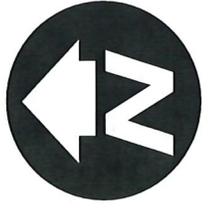
2020-0010  
 Combined Preliminary and Final Development Plan  
 Glenwood Commons Shopping Center - 1180 Sunbury Road  
 Location Map





2020-0010  
 Combined Preliminary and Final Development Plan  
 Glenwood Commons Shopping Center - 1180 Sunbury Road  
 Zoning Map





2020-0010  
 Combined Preliminary and Final Development Plan  
 Glenwood Commons Shopping Center - 1180 Sunbury Road  
 Aerial (2016) Map



























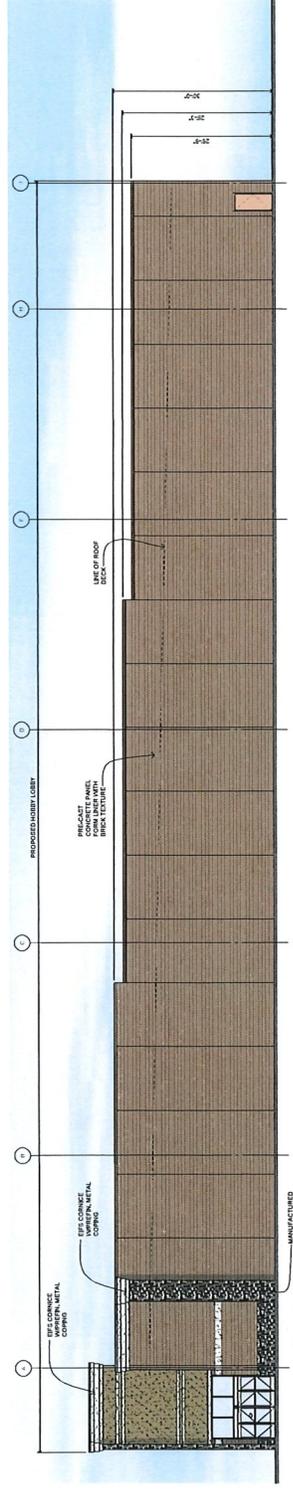


Issued for:  
 2019 SUBMITTAL 27 DEC 2019

Project:

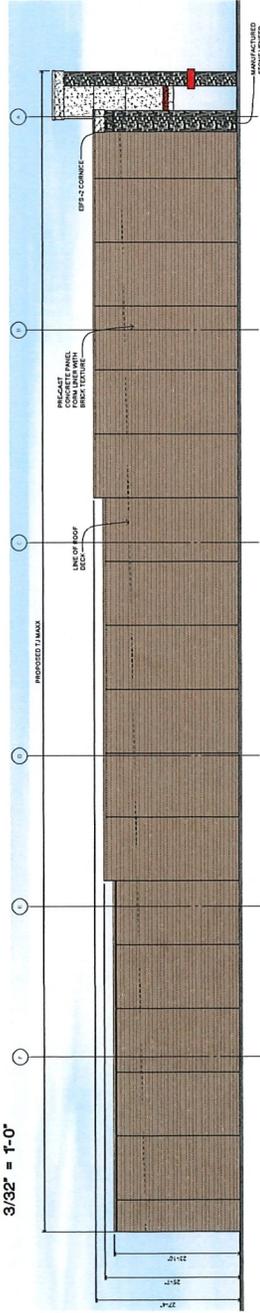
*Commercial Development*  
 Proposed  
 Sunbury Rd & Mill Run Crossing  
 Delaware, OH

Thomas J. Clark, AIA, NCARB  
 Creative Architect  
**ROGVOY**  
 ARCHITECTS  
 28200 TELEGRAPH ROAD  
 BOWLING GREEN, OH 43402-3404  
 P: 419.846.0770 F: 419.846.2770  
 ARCHITECT@ROGVOY.COM

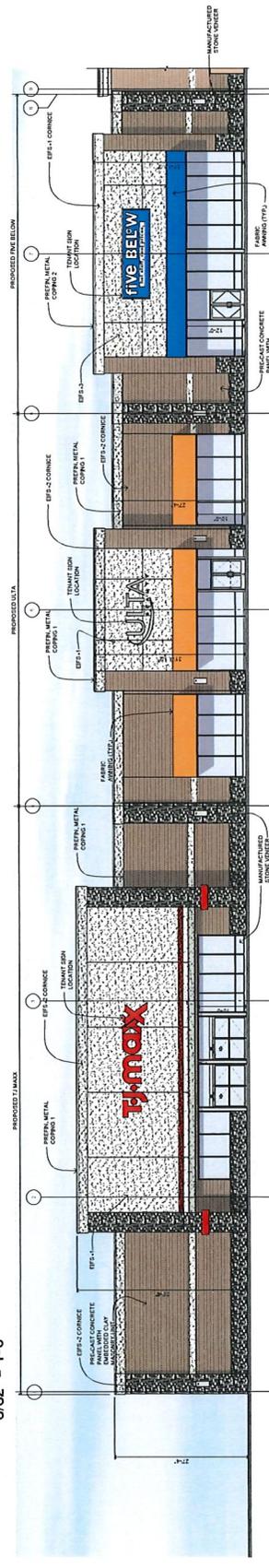


West Elevation  
 3/32" = 1'-0"

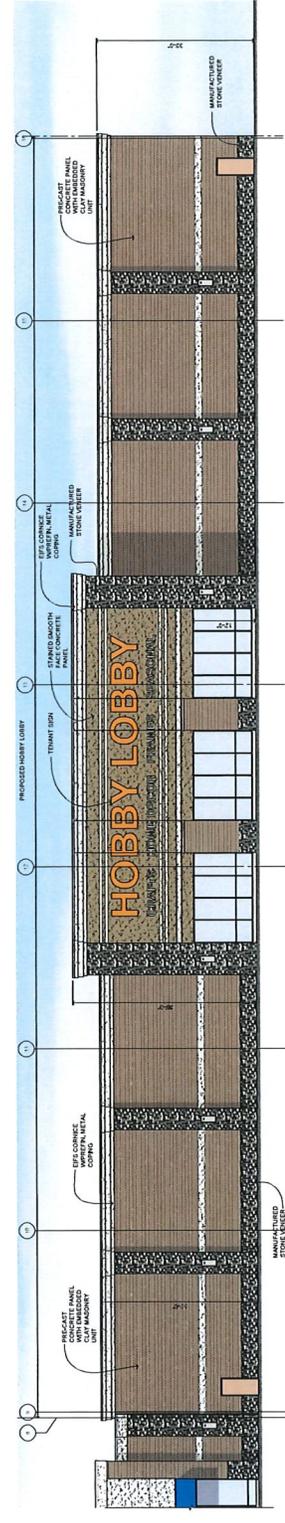
Material	Color
BRICK	ENGLISH - BLENDED PRODUCT USED CLAY 3 SHIP 11 LIP
MANUFACTURED STONE	TRAVERTINE - LIGHT LIMESTONE COOLER TONETTE
METAL COPING-1	BRONZE FINISH
METAL COPING-2	EXCEPTIONAL METALS
EPF-1	DRIFT CORN WHITE
EPF-2	DRIFT CORN WHITE
EPF-3	DRIFT CORN WHITE
ALUMINUM FINISH	CLEAR ANODIZED
GLASS/GLAZING	CLEAR



East Elevation  
 3/32" = 1'-0"



North Elevation  
 3/32" = 1'-0"



North Elevation  
 3/32" = 1'-0"

drawing:  
 Exterior Elevations  
 DO NOT SCALE DRAWING  
 Issue date: 20 DEC 2019  
 checked by: TJC  
 approved: MD  
 file number: 19027  
 sheet:

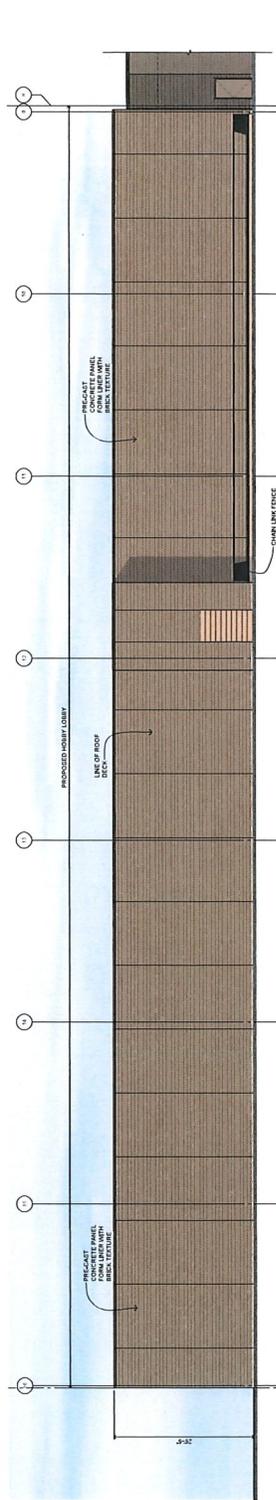
Prepared for:  
 224.001010101.01.DEC.2018

**Commercial Development**  
 Proposed  
 Sunbury Rd & Hill Run Crossing  
 Delaware, OH

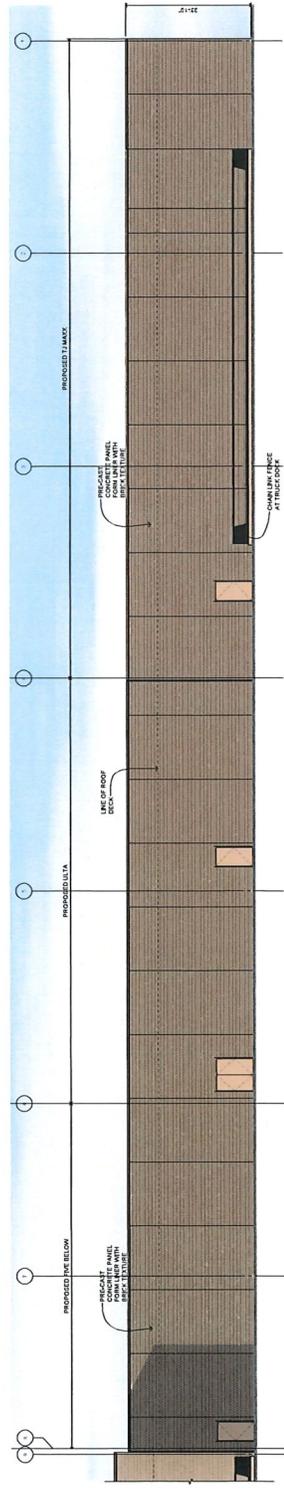
ROGVOY ARCHITECTS  
 Consulting Architects  
 25200 TELEGRAPH ROAD  
 BIRMINGHAM, ALABAMA 35244  
 PHONE: 205-988-3604  
 FAX: 205-988-3604  
 ARCHITECTS@ROGVOY.COM

Material	Color
BRICK	ENGLISH BLENDED BROWN/RED
MANUFACTURED STONE	CULTURED STONE - LIGHT TONES CULTURED GOLDEN BUCKLE CULTURED BROWN STONE
METAL CORNICE 1	BRONZE
METAL CORNICE 2	EXCEPTIONAL METALS - ALUMINUM
EPSI	DRYVT - OAK/WHITE
EPSI	DRYVT - SAGE/WOOD
EPSI	DRYVT - FICKENSH
ALUMINUM TRUCK DOOR	ALUMINUM
GLASS/ALUMINUM	CLEAR

**Exterior Finish Schedule**



South Elevation  
 3/32" = 1'-0"



South Elevation  
 3/32" = 1'-0"

drawing  
 Exterior Elevations  
 DO NOT SCALE DRAWING  
 Issue date: 20 DEC 2018  
 drawn: EDB  
 checked: MD  
 approved: MD  
 file number: 19027  
 sheet

Issued for:  
19027 Delaware Development  
19027 Delaware Development

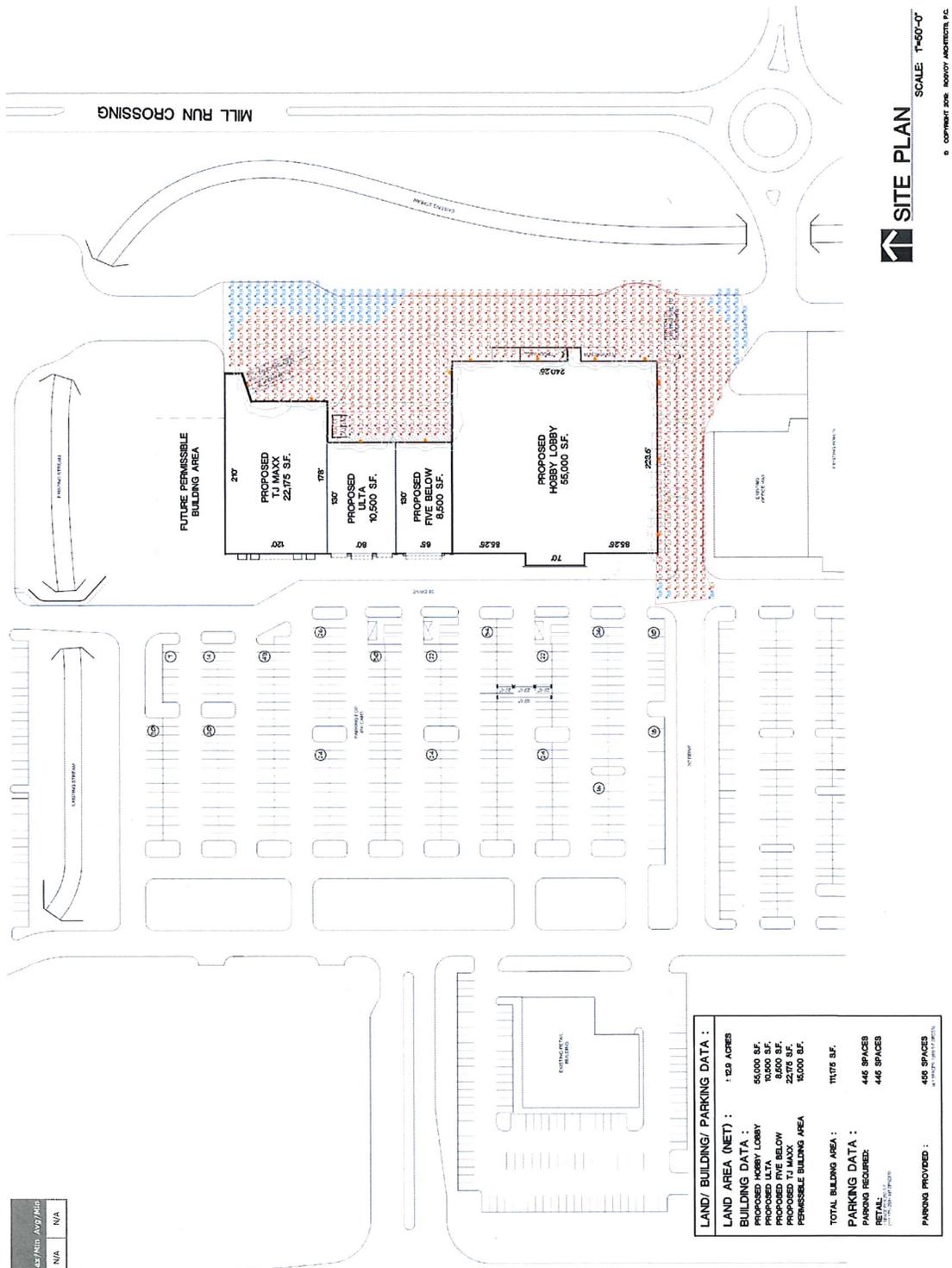
project:

Proposed  
**Commercial Development**  
Surbury Road and Mill Run Crossing  
Surbury, Delaware, Ohio

**ROGOVY**  
ARCHITECTS  
3300 TALENTMAN ROAD  
SUITE 200  
MIDDLETOWN, OHIO 44888  
PH: 441.427.7700 FAX: 441.427.7700  
WWW.ROGOVYARCHITECTS.COM

Drawings:  
**Conceptual Site Plan**  
DO NOT SCALE DRAWING  
Issue date: 17 JUL 2019  
Checked: MJD  
Approved: MJD  
In number: 19027  
Sheet: 0002

**SP-1**



**SITE PLAN** SCALE: 1"=60'-0"  
© COPYRIGHT 2009 ROGOVY ARCHITECTS, P.C.

Plan View  
Scale: 1"=60'

Symbol	Label	Image	Quantity	Notes/Remarks	Description	Material	Unit	Notes
W4			12	12	WALL LIGHTING	12	12	100%
					WALL LIGHTING			

Description	Symbol	Avg	Max	Min	Max/Min/Avg	Unit
Wall Lighting	+	0.016	6.716	0.016	N/A	N/A

LAND/ BUILDING/ PARKING DATA :	
LAND AREA (NET) :	1.29 ACRES
BUILDING DATA :	
PROPOSED T.J. MAXX	22,175 SF
PROPOSED ULTA	10,500 SF
PROPOSED FIVE BELOW	8,500 SF
PROPOSED T.J. MAXX	22,175 SF
PERMISSIBLE BUILDING AREA	10,000 SF
TOTAL BUILDING AREA :	71,350 SF
PARKING DATA :	
PARKING REQUIRED:	446 SPACES
RETAIL	446 SPACES
PARKING PROVIDED :	468 SPACES



# PROPOSED DEVELOPMENT GLENNWOOD COMMONS DELAWARE, OHIO

## COMPREHENSIVE SIGN TEXT

### PURPOSE

The purpose of this document is to define enforceable standards for governing the use and application of signs for the Glennwood Commons Shopping Center.

These standards are intended to:

- (a) Enhance and protect the economy and physical appearance of the community.
- (b) Promote and maintain a visually attractive high value retail center.
- (c) Promote the effective use of signs as a means of communication to both pedestrian and vehicular traffic within the center itself and on adjacent roadways.
- (d) Reduce any adverse effects on adjacent public and/or private property and to improve pedestrian and traffic safety.
- (e) Prohibit all signs not expressly permitted within this document.
- (f) Conformance with Zoning Code and Approved Development Text.
- (g) Unless noted otherwise in this sign text, all signs shall conform to the then current requirements of the Zoning Code and Development Text for the property. All signs and modifications thereof must obtain approval of a sign permit prior to the installation of any sign.

### PERMIT REQUIRED

No sign, including any temporary sign, shall be placed or erected without first obtaining approval of a sign and other applicable permits from the City of Delaware.

### MAIN IDENTIFICATION SIGN

There will be two freestanding Main ID signs at the center. Effective position, height, illumination, design and square footage of the Main ID signs are as proposed and shall not be modified except as approved by the City of Delaware. The Main ID signs will be allowed internal illumination. Two Main ID signs at each right in/right out entry drives along US36/SR37 as proposed.

### CENTER IDENTIFICATION SIGNS

The primary purpose of this sign shall be identification of the shopping center "Glennwood Commons", this sign will consist of a freestanding monument. Effective position, height, illumination, design and square footage of the Center ID sign is as proposed and shall not be modified except as approved by the City of Delaware. One Center ID sign located within the median at the main signalized entry drive along US36/SR37 as proposed.

### DIRECTIONAL SIGNS

Directional Signs shall include the shopping center name as well as tenant names and directional arrows, but shall not include any commercial message or tenant logos. Effective position, height, illumination, design and square footage of the Directional signs are as approved in the Final Development Plan and shall not be modified except as approved by the City of Delaware. Provision of directional signs are at Owner's discretion and will be in accordance with design parameters unless otherwise modified with approval by the City of Delaware.

### OUTPARCEL SIGNS

Each outparcel will realize a sign package as outlined below:

- (a) Signs shall be of a design consistent with the aesthetics of the shopping center.
- (b) These signs will enhance and promote safe traffic flow in and around the outparcel
- (c) Under no circumstances shall they interfere with the line of sight of vehicular traffic either exiting or entering the drive.
- (d) Freestanding signs are not permitted.
- (e) Tenants will be allowed up to a total of two wall signs as follows. One (1) per frontage of a public or private street with the sq. ft. area to be as defined in the Wall Sign section of this document.

### TEMPORARY SIGNS

- (a) Window Signs. Temporary window signs include any sign other than the name and/or logo of the business and shall not exceed twenty percent (20%) of the window in which the sign(s) is located, inclusive of any other signs. No temporary window sign shall be located at or above the door height. No signs shall be placed in any spandrel glass. For the purposes of this section, window area shall be determined measuring frame to frame (NOTE: shall not include the gross window area of the storefront).
- (b) Banners. Banners as defined in the then current City of Delaware Zoning Code shall only be authorized during the initial grand opening of the business for a seven (7) day period commencing on the day the business opens to the public.
- (c) Free-standing Signs. Temporary free-standing signs are prohibited.
- (d) Real Estate Signs. Real estate signs shall be located in the window(s) of the premises that are for sale or lease.

### PERMANENT WINDOW SIGNS

Permanent window signs include store names and logos and are permitted to be placed on storefront windows or doors. Only one such permanent window sign shall be permitted per storefront, shall not exceed four (4) inches in height, and must have a gold-leaf, silver-leaf, or etched glass appearance. Such signs shall not exceed twenty percent (20%) of the window in which the sign(s) is located, inclusive of any other signs. No signs shall be placed in any spandrel glass. For the purposes of this section, window area shall be determined measuring from frame to frame and shall not include the total window area of the storefront.

### RESTAURANT MENU SIGNS

Menu signs shall be constructed and installed in accordance with the then current City of Delaware Zoning Code.

### AWNING GRAPHICS

Awning graphics are not permitted.

**PROPOSED DEVELOPMENT  
GLENWOOD COMMONS  
DELAWARE, OHIO  
COMPREHENSIVE SIGN TEXT**

**WALL SIGNS**

Wall signs will be realized through a combination of internally and externally illuminated channel letters and dimensional graphic elements.

**Standards**

- (a) The advertising or informative content of all wall signs shall be limited to letters designating the store name or type of store only and shall not contain advertising devices, slogans, symbols or marks unless they are part of the company's logo or trademark and fit within the confines of the tenant criteria. No websites or phone numbers will be allowed unless they are part of a company's registered trademark.
- (b) One wall sign per Tenant will be allowed except as noted in tenant criteria section below.
- (c) All wall signs are to be flush mounted directly to building. Wall signs mounted on raceways will not be allowed.
- (d) Two lines of text are allowable within the confines of the tenant criteria and specifications.
- (e) All signs shall be fabricated and installed in compliance with all applicable building and electrical codes, bear a certified UL label, and carry a full one-year warranty.
- (f) Signage shall be constructed of suitable materials for weather exposure and shall conform to all applicable limitations set forth in this document. Landlord shall designate the sign company to install such signs if a conflict should arise.

**WALL SIGNS (cont)**

**Tenant Criteria**

- (a) All signage requests will need to be submitted to landlord and subject to landlord approval prior to submitting to the City.
- (b) Tenants will realize their wall signs using internally illuminated face-lit channel letters or externally illuminated and reverse channel letter (halo glow) lighting, which the latter is preferred by the City of Delaware.
- (c) All signs on the exterior portions of the demised premises of the tenant's space may be located only as designated by Landlord in the sign band (with the exception of supplemental signs). Each storefront has a designated sign band as shown on the exterior elevations. The sign band is defined as the storefront area that could receive a sign. Each storefront space will be allowed 100% of the storefront sign band height and width as depicted on the attached elevations. Unless authorized by the City of Delaware no modifications shall be made to the approved sign band size or location and only one (1) wall sign is permitted for each storefront space. The sign band for each outparcel shall be determined with the approval of the Final Development Plan for each outparcel.
- (d) Supplemental Wall Signs:
  - (1) Tenants having occupancies of 100,000 sq. ft. or greater with multiple public entrances and/or designated separate entrances shall be allowed supplemental wall signs over those entrances as proposed (i.e., Home Improvement - Lumber). Letter height on supplemental wall signage will not exceed 36" and shall be subject to the approval of the City of Delaware.
  - (2) One supplemental exterior wall sign will be allowed for each individual sublet licensee business located inside a major anchor, consisting of the 100,000 sq. ft. or greater, and no more than three such signs.

GLENWOOD COMMONS  
DELAWARE

# PROPOSED DEVELOPMENT GLENNWOOD COMMONS DELAWARE, OHIO

## COMPREHENSIVE SIGN TEXT

### EXEMPT SIGNS

#### Traffic Directionals

All traffic directional signs (stop, yield, no parking, loading zone, handicap parking, fire zone, etc.)

#### Incidental Signs

Signs that are incidental provided that they contain no commercial message and do not exceed two square feet in area. Examples of these are "ATM", "enter", "exit", restroom identification signs, etc. as approved by the City of Delaware.

#### Official Signs

Any official or public notice or warning required by a valid and applicable federal, state, or local law, regulation or ordinance, by a public utility company or by order of a court of competent jurisdiction.

#### Window Signs

Window signs indicating hours of operation may be mounted on the entry door or the window immediately adjacent to the entry door. They must encompass an area no larger than two square feet and be etched glass, gold leaf, or silver leaf in appearance.

#### Address Signs

Uniform "address" numbers for each tenant above the front entry door(s) and the rear service door. Address numbers on the front shall be centered above the entry door(s) and shall be standardized at 6" high 10'-0" off the bottom of the door located within the transom, positively cut in white "Helvetica Medium" vinyl. Signage on the back service doors shall be standardized at 6" high, 5'-0" off the bottom of the door, positively cut in white "Helvetica Medium" vinyl, and list the name and address of the store only.

#### Interior Signs

Any sign inside a building, not attached to a window or door that is not visible to a person of ordinary eyesight from outside the premises.

#### Art and Decorations

Works of art and holiday decorations with no commercial message regardless of illumination and/or animation as long as they don't interfere with safety or visibility subject to Landlord approval.

### PROHIBITED SIGNS

#### Official Signs

Any sign that copies or imitates an official sign or purports to have official status and does not.

#### Border Lighting

Any illuminated tubing or string of lights, including but not limited to those outlining property lines, open sales areas, rooflines, doors, windows, landscaping, or the edges of walls (excepting holiday lighting).

#### Permanent Contractor Advertising

The name and/or stamp of the sign contractor or sign company or both.

#### Exposed Lighting

Exposed neon or fluorescent lamps. The exception to this is outparcel tenants may be allowed exposed neon as part of a nationally recognized sign program.

#### Obscene Signs

Any sign containing obscene material.

#### Changeable Copy Signs

Changeable copy signs are not allowed except for gas pricing as proposed and approved by the City of Delaware.

#### Beacons

Any lighting that is not complementary to the aesthetics of the center or light Beacons.

#### Pennants and Streamers

Pennants, banners, flags or streamers (except as provided for in this text).

#### Flags

No flag may be used for commercial advertising including "open" and other descriptive flags.

# FRONT ELEVATION BUILDING MATERIAL EXAMPLES



[Projects](#) [Face Brick](#) [Thin Brick](#) [Pavers](#) [Tile](#) [Resources](#) [About](#) [Careers/Carrera](#)

## PROJECTS -THIN BRICK

FILTER



# SIDE AND REAR ELEVATION BUILDING MATERIAL EXAMPLE

[Home](#) [About Us](#) [Products](#) [Projects](#) [Solutions](#) [Education & Support](#) [Careers](#) [Local Rep](#) [Blog](#) [Contact Us](#)

## Target

[Previous Project](#) [Next Project](#)



Product Used: [Versa-Brix®-S](#)



Location: Speedway, KS  
Architect: [KKE Architets](#)  
Precaster: [Fabcon](#)  
Completed: 2006

[< Previous Photo](#) [Next Photo >](#)



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**CITY OF DELAWARE, OHIO  
PLANNING & COMMUNITY DEVELOPMENT  
MASTER APPLICATION FORM**



Project # \_\_\_\_\_

Case # \_\_\_\_\_

Planning Commission

- Amended Final Development Plan
- Amended Final Subdivision Plat
- Amended Preliminary Development Plan
- Amended Preliminary Subdivision Plat
- Annexation Review
- Combined Preliminary & Final Development Plan
- Comprehensive Plan Amendment
- Concept Plan
- Conditional Use Permit
- Determination of Similar Use
- Development Plan Exemption
- Final Development Plan

- Final Development Plan Extension
- Final Subdivision Plat
- Final Subdivision Plat Extension
- Floodplain Permit
- Lot Split
- Pre-annexation Agreement
- Preliminary Development Plan
- Preliminary Dev Plan Extension
- Preliminary Sub Plat
- Preliminary Sub Plat Extension
- Rezoning
- Subdivision Variance

- Substitution of a Non-Conforming Use
- Vacation-Alley
- Vacation-Easement
- Vacation-Street

Board of Zoning Appeals

- Appeal Administrative Decision or Interpretation
- Conditional Use Permit
- Substitution of Equal or Less Non-Conforming Use
- Variance

Subdivision/Project Name K2 Development - Delaware, OH Address 1180 Sunbury Rd, Delaware, OH  
 Acreage 14.198 Square Footage 618,489 Number of Lots 1 Number of Units 4 retail tenants  
 Zoning District/Land Use B-3 Proposed Zoning/Land Use B-3 Parcel # 51944404010000

Applicant Name K2 Retail Development, LLC Contact Person Kris Krstovski  
 Applicant Address 30300 Telegraph Road, Suite #280, Bingham Farms, MI 48025  
 Phone 248-859-2817 Fax \_\_\_\_\_ E-mail krisk@k-squaredinc.com  
 Owner Name K2 Retail Delaware, LLC Contact Person Kris Krstovski  
 Owner Address 30300 Telegraph Road, Suite #280, Bingham Farms, MI 48025  
 Phone 248-859-2817 Fax \_\_\_\_\_ E-mail krisk@k-squaredinc.com  
 Engineer/Architect/Attorney Michael E. Neikirk Contact Person Tiffany Lehman  
 Address 306 North Market Street, Suite 101  
 Phone 618-263-4100 Fax \_\_\_\_\_ E-mail tlehman@neikirk.us

The undersigned, do hereby verify the truth and correctness of all facts and information presented with this application and authorize field inspections by City Staff.

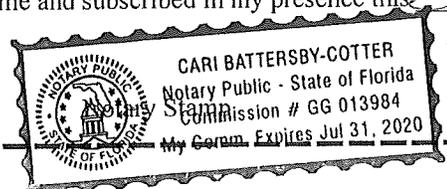
[Signature]  
Owner Signature

Kris Krstovski  
Owner Printed Name

\_\_\_\_\_  
Agent Signature

\_\_\_\_\_  
Agent Printed Name

Sworn to before me and subscribed in my presence this 31<sup>st</sup> day of December, 2019.



[Signature]  
Notary Public



## FACT SHEET

---

AGENDA ITEM NO: 15

DATE: 02/24/2020

ORDINANCE NO: 20-09

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: NO

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Justin Nahvi, Finance Director

---

**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

AN ORDINANCE SUPPLEMENTING THE 2020 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR PAVEMENT MAINTENANCE PROJECTS AND DECLARING AN EMERGENCY.

**BACKGROUND:**

The 2020 Pavement Maintenance program included \$1,918,250 in total appropriations as adopted by City Council. Within this total program budget, \$180,000 was allocated for the ODOT Urban Resurfacing project and \$650,000 was appropriated for the Local Resurfacing program.

**REASON WHY LEGISLATION IS NEEDED:**

Based on the final engineering estimates for these projects, supplemental appropriations will be required for completion as a 10% contingency funding allocation has been recognized coupled with capital project cost increases as incurred by ODOT as the funding for the previously referenced projects reflect the local share contributions.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

To financially sustain the completion of these projects, \$81,000 in supplemental appropriations will be required for the Street Maintenance &

Repair Fund in relation to the Local Resurfacing program. In addition, \$158,000 in supplemental appropriations would be needed for the Capital Improvement Fund for the ODOT Urban Resurfacing program. Presently, there is sufficient unencumbered cash balances in each fund to financially support the requested increase in appropriations.

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Justin Nahvi, Finance Director

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

Public Works Department Memorandum, 2020 Pavement Projects – Cost Summary

ORDINANCE 20-09

AN ORDINANCE SUPPLEMENTING THE 2020 APPROPRIATIONS ORDINANCE TO PROVIDE ADDITIONAL FUNDING FOR PAVEMENT MAINTENANCE PROJECTS AND DECLARING AN EMERGENCY.

WHEREAS the 2020 adopted budget included appropriations for annual pavement maintenance projects and local share contributions to the State of Ohio for roadway improvements as administered by the Ohio Department of Transportation (ODOT); and

WHEREAS the appropriations allocated for the ODOT Urban Resurfacing as well as the Local Street Resurfacing programs for the current fiscal year are insufficient as the final estimates for these projects are greater than the budgeted amount in relation to the inclusion of contingency funding and cost increases as recognized by the State; and

WHEREAS the additional cost estimates for these projects equal \$239,000; and

WHEREAS supplemental appropriations are needed to sustain the completion of these projects.

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

SECTION 1: That there is hereby appropriated from the unencumbered balance of the Street Maintenance and Repair Fund \$81,000 increasing the following account:

Local Street Resurfacing (200-2020-5530)	\$81,000
------------------------------------------	----------

SECTION 2. That there is hereby appropriated from the unencumbered balance of the Capital Improvement Fund \$158,000 increasing the following account:

ODOT Urban Resurfacing (410-4103-5531)	\$158,000
----------------------------------------	-----------

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.

SECTION 4. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City and for the further reason to provide for the maintenance of the Local Street Resurfacing program as well as the 2020 ODOT Urban Resurfacing program and as such will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

VOTE ON EMERGENCY CLAUSE

YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

PASSED: \_\_\_\_\_, 2020

YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR



## MEMORANDUM

TO: Bill Ferrigno, PE  
 FROM: Jonathan Owen, PE  
 DATE: 2/4/2020  
 RE: 2020 Pavement Maintenance Projects – Budget Needs

---

The purpose of this memo is to document the revisions to cost estimates for the following 2020 Pavement Maintenance Projects:

- ODOT Urban Resurfacing (SR 37 from Troy Road to the Point)
- 2020 Pavement Maintenance Program (OWPC)
- 2020 Pavement Maintenance Program (OPWC Traffic Signals)
- 2020 Pavement Maintenance Program (Local)
- Braumiller Road (OPWC City Share with County & Townships)
- ODOT US 23/36 Exit Bin Wall Improvements

The cost estimates provided are final estimates prior to bidding. The estimates are higher than the 2020 appropriations due to a 10% contingency being used on each project and due to ODOT’s projects increasing in costs significantly. Additional information about the two ODOT projects is included below.

Attached is an overall table summarizing the total project estimate and recommended appropriation for each project. Recommended appropriations utilized the same accounts as originally appropriated. Row (1) provides the totals for each account. Row (2) shows the amounts currently appropriated in the 2020 Budget for each account. Row (3) provides the difference between the current appropriation and the appropriation recommended. A negative value indicates a shortfall and a positive value indicates a surplus. In total, an additional \$206,750 is needed for the 2020 Pavement Maintenance Projects.

**ODOT Urban Resurfacing (SR 37 from Troy Road to the Point)**

This ODOT project includes a City share of 20% for the resurfacing costs and 100% of the base repairs costs, and represents the largest increase to the project costs. The original estimate provided by ODOT resulted in an appropriation of \$180,000 in the 2020 Budget. The final estimate from ODOT is \$307,250. A quantity of 1,200 square yards (s.y.) of base repair is included in the project. This amounts to 2.5% of the road surface area within the project limits. These base repairs are necessary to correct base failures not previously repaired by the City and base failures that have developed since the most recent round of repairs in 2019. In recent years, the City has performed the following amounts of base repairs:

Year	Base Repairs (s.y.)
2015 (contracted)	854
2017 (contracted)	586
2018 (City crews)	3,636
2019 (City crews)	2,455
<b>Total</b>	<b>7,531 (15.7% road area)</b>

### **ODOT US 23/36 Exit Bin Wall Improvements**

The only City funded portion of this ODOT project is 100% of the incremental cost of aesthetic treatments to the retaining wall ("bin wall") repairs along the US 23 northbound to US 36 exit ramp. The 2020 appropriation of \$50,000 was based on an original ODOT estimate of \$26,885 for the city portion of the project. The final ODOT estimate is \$71,340.

### **Initial Payments to ODOT for ODOT Projects.**

Initial payments to ODOT for the two ODOT projects are due Friday February 14, 2020. However, since the current City Budget does not have sufficient funds to make payment based on ODOT's final estimates, ODOT has agreed that our initial payments for these projects can be based on the amount currently appropriated, with the remainder of the City-share due no later than 30-days after the sale date (date bids are opened) for each project. The sale date for both projects is scheduled for February 27.

Therefore, I recommend making payments to ODOT of \$180,000 for the Urban Resurfacing Project (SR 37 from Troy Road to the Point), and a payment of \$50,000 for the US 23/36 Exit Bin Wall Improvements Project. After this time, the City will need to make supplemental appropriations to allow the remainder of the City's commitment to be paid no later than 30-days after the sale date.

### **Summary**

The City should strive to meet the needed funding commitments on both ODOT projects to allow these projects to be constructed this year. The only realistic ways to reduce the recommended appropriations presented here are:

- Reduce contingency amounts
- Reduce the scope of the project to resurface local streets (cut streets)
- Reduce or eliminate the bin wall aesthetic treatment



City of Delaware Ohio  
2020 Pavement Maintenance Projects - Projection of Final Project Costs

Prepared By: NEM 1/21/2020  
Checked By: JRO 2/4/2020

**2020 PAVEMENT MAINTENANCE PROJECTS - PROJECT ESTIMATES AND RECOMMENDED APPROPRIATIONS**

Project	Project Estimate	Contingency 10%	Total Project Estimate <sup>3</sup>	Recommended Appropriation by Account							Appropriation Total	
				201.0201.5534	202.0202.5530	202.0202.5556	202.0202.5538	410.4103.5555	410.4111.5501	200.2020.5530		
				State Highway	LF - Resurfacing	LF - OPWC City	LF - Bin Wall	CIP <sup>1</sup>	OPWC Traffic <sup>2</sup>	SMR - Local		
ODOT Urban Resurfacing (SR 37 from Troy Road to The Point)	\$ 307,250.00	\$ 30,725.00	\$ 338,000.00	\$ 338,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 338,000.00
2020 Pavement Maintenance Program (OPWC)	\$ 668,398.00	\$ 66,839.80	\$ 736,000.00	\$ -	\$ -	\$ 113,750.00	\$ -	\$ 622,250.00	\$ -	\$ -	\$ -	\$ 736,000.00
2020 Pavement Maintenance Program (OPWC Traffic Signals)	\$ 32,500.00	\$ 3,250.00	\$ 36,000.00	\$ -	\$ -	\$ -	\$ -	\$ 22,750.00	\$ 13,250.00	\$ -	\$ -	\$ 36,000.00
2020 Pavement Maintenance Program (Local)	\$ 846,000.00	\$ 84,600.00	\$ 931,000.00	\$ -	\$ 200,000.00	\$ -	\$ -	\$ -	\$ -	\$ 731,000.00	\$ -	\$ 931,000.00
Braumiller Road (OPWC Share with County & Townships)	\$ 4,500.00	\$ 450.00	\$ 5,000.00	\$ -	\$ -	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,000.00
ODOT US 23/36 Exit Bin Wall Improvement	\$ 71,340.00	\$ 7,134.00	\$ 79,000.00	\$ -	\$ -	\$ -	\$ 79,000.00	\$ -	\$ -	\$ -	\$ -	\$ 79,000.00
<b>Total Needed (1)</b>	<b>\$ 1,929,988.00</b>	<b>\$ 192,998.80</b>	<b>\$ 2,125,000.00</b>	<b>\$ 338,000.00</b>	<b>\$ 200,000.00</b>	<b>\$ 118,750.00</b>	<b>\$ 79,000.00</b>	<b>\$ 645,000.00</b>	<b>\$ 13,250.00</b>	<b>\$ 731,000.00</b>	<b>\$ -</b>	<b>\$ 2,125,000.00</b>
(2)	<b>2020 Appropriation (Original)</b>			\$ 180,000.00	\$ 200,000.00	\$ 180,000.00	\$ 50,000.00	\$ 645,000.00	\$ 13,250.00	\$ 650,000.00	\$ -	\$ 1,918,250.00
(3)	<b>2020 Appropriation Over/(Under) = (2) - (1)</b>			\$ (158,000.00)	\$ -	\$ 61,250.00	\$ (29,000.00)	\$ -	\$ -	\$ (81,000.00)	\$ -	\$ (206,750.00)
(4)	<b>2020 Revised Appropriation (TBD)</b>											

**Notes:**

<sup>1</sup> Account 410.4103.5555 is the CIP fund for the OPWC project. This account is reimbursable in the amount of \$495,000 from OWPC and \$150,000 from Delaware County. The reimbursable amounts cannot be increased.

<sup>2</sup> Account 410.4111.5501 has a total appropriation of \$100,000, and will be used on other traffic projects. Only the estimated total for this project was included in the 2020 Appropriation so the appropriation totals can be compared to the project only.

<sup>3</sup> Total project estimates are rounded up to the nearest \$1,000



## FACT SHEET

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AGENDA ITEM NO: 16

DATE: 02/24/2020

ORDINANCE NO:

RESOLUTION NO: 20-16

READING: SECOND

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Darren Shulman, City Attorney

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

A RESOLUTION ACCEPTING NEGOTIATED CHANGES TO THE FRATERNAL ORDER OF POLICE, OFFICE AND CLERICAL (FOP CLERICAL) EMPLOYEES AGREEMENT WITH THE CITY OF DELAWARE.

**BACKGROUND:**

This contract includes a wage package of 2.5%, 2.5%, and 2.5% for 2020-2022 and a thirty (30) minute paid lunch (increase from fifteen (15) minute).

**REASON WHY LEGISLATION IS NEEDED:**

The current contract expires December 31, 2019.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

2.5% wage increase for 2020, 2021 and 2022. Increase in paid lunch period from fifteen (15) to thirty (30) minutes has no pure cost to the city, but there is an economic value to time worked (est. avg of \$7,000 per year for all employees in the bargaining unit).

**POLICY CHANGES:**

None. Wage package is consistent with other contracts.

**PRESENTER(S):**

Darren Shulman, City Attorney

**RECOMMENDATION:**

In the past, we have approved multiple labor contracts with one piece of legislation. This isn't an option this year, as negotiations on the two remaining contracts have not been completed. Staff recommends action at the second reading.

**ATTACHMENT(S)**

Draft contract changes



AGREEMENT BETWEEN THE CITY OF  
DELAWARE



AND

FRATERNAL ORDER OF POLICE  
OFFICE AND CLERICAL



EFFECTIVE DATES  
January 1, 2020 - December 31, 2022

## ARTICLE 1

### **AGREEMENT**

#### **Section 1.**

This Agreement is made and entered into by and between the City of Delaware, (hereinafter referred to as the City,) and the Fraternal Order of Police, Ohio Labor Council, Inc. (hereinafter referred to as the Union).

#### **Section 2.**

This Agreement is made for the purpose of promoting cooperation, and orderly, constructive and harmonious relations between the City, its employees, and the Union. This Agreement is intended to formalize the issues approved by the negotiating committees of the City and the Employees Union.

#### **Section 3.**

The provisions of this Agreement establish certain rights and benefits for the Union and the employees which shall only be coextensive with the terms of this Agreement, and these rights and benefits shall cease and terminate upon the termination date of this Agreement.

#### **Section 4.**

This Agreement shall become effective upon ratification by the Union and approval by the City Council and shall remain in full force and effect until **DECEMBER 31, 2022**. Unless otherwise indicated, the terms used in this Agreement shall be interpreted in accordance with the provisions of Chapter 4117 of the Revised Code. Where this Agreement makes no specification about a matter, the City and its employees are subject to all applicable State laws or local ordinances pertaining to the wages, hours, and terms and conditions of employment for public employees.

#### **Section 5.**

If either party wishes to terminate, modify, or negotiate a successor agreement, it must serve written or electronic notice of that intention upon the other party not less than sixty (60) days prior to the expiration of this Agreement. Upon timely service of such notice, the parties shall collectively bargain in good faith in an effort to reach a successor Agreement. If no such written notice is given, this Agreement will be renewed automatically for one year.

**ARTICLE 11**

**WAGES AND PAY PLAN**

**Section 1.**

The City will implement the Pay Plan listed below which shall be in effect for the periods indicated, except that salary step advancements prescribed in the pay plan shall become effective as follows:

Step 1 at hire

Step 2 at 18 months from start date

Steps 3 - 5: 1 year following the last step; with each step being effective as of the first full pay period after the most recent Step date

The following pay rates for all Pay Grades reflect a ~~1.9~~ **2.5%** increase for ~~2016~~ **2020**, a ~~2~~ **2.5%** increase for ~~2017~~ **2021**, and a ~~2~~ **2.5%** increase for ~~2018~~ **2022** will be paid to members as follows:

<b>Pay plan for period beginning December 25, 2019</b>					
PAY GRADE HOURLY	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
1	19.81	20.60	21.39	22.28	22.99
2	20.69	21.66	22.48	23.49	24.49

<b>Pay plan for the period beginning December 23, 2020</b>					
PAY GRADE HOURLY	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
1	20.31	21.12	21.93	22.84	23.57
2	21.21	22.20	23.04	24.08	25.10

<b>Pay plan for the period beginning December 22, 2021</b>					
PAY GRADE HOURLY	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
1	20.82	21.65	22.47	23.41	24.15
2	21.74	22.75	23.62	24.68	25.73

**PAY GRADE**

I  
II

**POSITION**

Records Clerk  
Community Services Officer, Senior Records Clerk

**SECTION 2.**

Current employees as of March 1, 2007 in the records bureau/records division are to be employed in the position of Senior Records Clerk. Any future employees employed in the records bureau/records division who are not Senior Records Clerks with the City of Delaware as of March 1, 2007 shall be employed in the positions of either Records Clerk or Senior Records Clerk in the sole discretion of the City. The City shall evaluate the

needs of the Police Department and records bureau/records division and determine in its sole discretion whether any additional employees or job openings shall be in the Records Clerk or Senior Records Clerk positions. A minimum qualification for a Senior Records Clerk position shall be at least five years of service as a Records Clerk or equivalent education and job skills as determined by the Chief of Police in his or her sole discretion.

## ARTICLE 13

### HOURS OF WORK

#### Section 1.

The normal, but not guaranteed, workday for Records Clerks, Community Service Officer shall consist of an eight (8) hour or ten (10) hour workday with a ~~15~~ **thirty (30)** minute paid lunch break. The normal, but not guaranteed, workday for Dispatcher shall consist of an eight (8) hour workday with a half hour paid lunch break. The exception to this will be the ten (10) hour Dispatcher position whose normal workday shall consist of ten hours with a half-hour paid lunch break.

#### Section 2.

The normal, but not guaranteed, work week for members, with the exception of ten (10) hour shifts, shall consist of five (5) days on duty and two (2) days off, though not necessarily in the same work week. The normal, but not guaranteed, work week for members working the ten (10) hour shift shall consist of four (4) days on duty and three (3) days off, though not necessarily in the same work week. Days off shall normally be consecutive, though not necessarily in the same workweek, dependent upon staffing needs as determined by the Chief of Police.

#### Section 3.

Dispatchers and Records Clerks shall be permitted, with approval of their supervisor, to exchange a workday or shift assignment, as long as such exchange takes place within the posted schedules. Exchanges of work days or shift assignments lasting two (2) or more consecutive days, shall require the approval of the Chief of Police or his designee.

If an employee who exchanged a work day or shift assignment fails to show up for work, the employee will be prohibited from other and future exchanges.

#### Section 4.

The City recognizes the benefit to be achieved from advance notice of scheduling, and accordingly, agrees that unless unusual circumstances prohibit, the work schedule for bargaining unit members will be posted at least seven (7) weeks prior to the implementation of the schedule. Also, if changes in the posted work schedule become necessary, the effected members will be notified of such changes no less than seven (7) days in advance, if possible.

#### Section 5.

During the time changes each year, the City agrees to pay time and a half to those working the additional hour during their shift and likewise, the employees working during the shift where they are short an hour, they will take 1 hour vacation, holiday, personal or compensatory time.

## ARTICLE 22

### DUES

#### Section 1. Dues.

The City agrees to deduct from the wages of any employee who is a member of the Union all dues uniformly required. The Union will notify the City by July 1 of each year of the dues it charges and its current membership. All dues collected shall be paid over by the employer once each month to the FOP Ohio Labor Council, Inc., 222 E. Town Street, Columbus, Ohio 43215. **THE EMPLOYER SHALL PROVIDE A LIST EACH MONTH OF ALL DUES PAYING MEMBERS AS WELL AS A LIST OF ALL CURRENT EMPLOYEES.**

#### Section 2. Fair Share Fee.

- ~~A. Payroll Deduction of Fair Share Fee—The City shall deduct from the pay of members of the bargaining unit who elect not to become or remain members of the Union, a fair share fee for the Union's representation of such non-members during the term of this contract. No non-member filing a timely demand shall be required to subsidize partisan political or ideological causes, or any other endeavors not germane to the Union's work in the realm of collective bargaining and contract administration.~~
- ~~B. Notification of the Amount of Fair Share Fee—Notice of the amount of the annual fair share fee, which shall not exceed 100% of the Union dues for members, shall be transmitted by the Union to the City Finance Director prior to February 15 of each year during the term of this contract for the purpose of determining the amount to be payroll deducted. The City agrees to transmit all amounts deducted to the Union once each month, at the same time and to the same place as regular membership dues.~~
- ~~C. Procedure for Rebate—The Union represents to the City that an internal rebate procedure has been established in accordance with Section No. 4117.09(C) of the Revised Code, and that a procedure for challenging the amount of the representation fee has been established and will be given to each member of the bargaining unit who does not join the Union, and that such procedures and notice shall be in compliance with all applicable state and federal laws and the Constitutions of the United States and the State of Ohio.~~
- ~~D. Entitlement to Rebate—Upon timely demand, non-members may apply to the Union for an advance reduction/rebate of the fair share fee pursuant to the internal procedures adopted by the Union.~~
- ~~E. Indemnification of Employer—The Union shall defend, indemnify and hold harmless the City, the City Council members, the Finance Director, and any and all other officers and employees of the City against any and all claims and/or costs arising from or in any way related to the implementation and enforcement of this Article, specifically including, but not limited to, any costs arising from an action in any court or administrative agency alleging that the Union's internal rebate procedure is legally defective.~~

## ARTICLE 36

### MILITARY LEAVE

#### Section 1.

Employees of the Police Department who are members of the Ohio National Guard, U.S. Air Force Reserves, or the U.S. Army Reserves, U.S. Marine Corps Reserves, U.S. Coast Guard Reserves, or the U.S. Naval Reserves shall be granted military leave of absence with pay and shall not be required to use vacation leave when ordered to temporary active duty or when ordered to military training exercises conducted in the field for a period **OF UP TO ONE MONTH, FOR EACH FEDERAL FISCAL YEAR IN WHICH THEY ARE PERFORMING SERVICES IN THE UNIFORMED SERVICES. (FEDERAL FISCAL YEAR IS OCTOBER 1 – SEPTEMBER 30. “MONTH” FOR THE PURPOSES OF THIS ARTICLE MEANS 176 HOURS.)** ~~not to exceed 176 hours (22—8 hour working days) in any one calendar year.~~ Excepting and providing that when the Chief Executive Officer of the State of Ohio or the Chief Executive Officer of the United States declares that a state of emergency exists, then in that event the member, if ordered to active duty for purposes of that emergency, shall be paid pursuant to this section for a period **OF UP TO ONE MONTH, FOR EACH FEDERAL FISCAL YEAR IN WHICH THEY ARE PERFORMING SERVICES IN THE UNIFORMED SERVICES (FEDERAL FISCAL YEAR IS OCTOBER 1 – SEPTEMBER 30. “MONTH” FOR THE PURPOSES OF THIS ARTICLE MEANS 176 HOURS.)** ~~or periods, whether or not consecutive, not to exceed, 176 hours (22—8 hour working days) in any one calendar year.~~ A member shall be paid his regular salary for the period of time so served less whatever amount such member may receive as his military base pay. The employee is required to submit to the City an order or statement from the appropriate military commander as evidence of such duty.

#### Section 2.

Employees called or ordered to the uniformed services, as a result of an executive order issued by the President of the United States or an Act of Congress, for longer than one **MONTH, FOR EACH FEDERAL FISCAL** ~~hundred seventy six (176) hours in each calendar year~~ in which the employee performed service in the uniformed services, is entitled, during the period designated in the order or act, to a leave of absence and to be paid during each monthly pay period of that leave of absence the lesser of the following **(FEDERAL FISCAL YEAR IS OCTOBER 1 – SEPTEMBER 30. “MONTH” FOR THE PURPOSES OF THIS ARTICLE MEANS 176 HOURS.):**

- A. the difference between the employee's gross monthly wage or salary as an employee and the sum of the employee's gross uniformed pay and allowances received that month;
- B. five hundred dollars (\$500.00).

#### Section 3.

The employee shall be responsible for notifying the City upon notification to report for

military duty. During the period the employee is on leave, he/she shall be compensated for the difference between his normal rate of pay and the rate compensated for his/her military service. It is the employee's responsibility, therefore, to notify the City of the beginning/ending dates of his/her military service and military rate of pay.

Section 4.

Employees required to report for weekend/monthly drills must notify the City prior to the establishment of the next schedule. Failure to do so, on the part of the employee, will result in the time off without compensation.

Section 5.

Employees who have worked for the City long enough to complete their probationary period will be granted a leave of absence without pay to be inducted or to otherwise enter military service.

Section 6.

An appointment may be made to fill a vacancy created when an employee enters military service. However, if the person filling such a vacancy also enters military service, he or she may be reinstated to the position after completion of service only if the first employee (the original incumbent) fails to apply for reinstatement within ninety (90) days of discharge, or makes a written waiver of all rights to the position.

Section 7

An employee who re-enlists while on active duty or a commissioned officer who voluntarily enters on extended active duty beyond that required upon accepting a commission is not eligible for reinstatement.

Section 8.

Employees who are members of the Ohio National Guard will be granted emergency leave for mob, riot, flood, civil defense, or similar duties when so ordered by the Governor to assist civil authorities. Such leave will be without pay if it exceeds authorized paid military leave for the year. The leave will cover the official period of the emergency.

Section 9.

A veteran separated or discharged under honorable conditions must make application for re-employment to the former position within ninety (90) days after release from hospitalization due to in-service injury or illness which has not exceeded a period of more than one (1) year. The following procedures apply:

- A. Reinstatement must be accomplished within thirty (30) days after application is received by the City.
- B. A photostatic copy of the discharge or certificate of service must accompany all requests for reinstatement or reappointment.
- C. The veteran must be physically qualified to perform duties of the position. Where a disability sustained in the military service precludes restoration to the original

- D. position, the veteran will be placed in a position of like status and pay, compatible with his or her physical condition.
- E. A veteran is entitled to all salary benefits or other advancement accruing to the position during military absence as follows:
  - 1. Sick Leave - that amount which had been accumulated at the time of entering service.
  - 2. Vacation Leave - time spent on military leave will be counted in determining the employee's length of service, but no vacation credit will accumulate during the time spent on military leave.
  - 3. Automatic Salary Adjustment (step increases).
  - 4. Any changes in classification or pay range which would have accrued to the position if the employee had been on the job.

ARTICLE 41

**SIGNATORY AGREEMENT**

**Section 1.**

By affixing appropriate signatures below, the representatives of the Fraternal Order of Police, Ohio Labor Council and the City agree to the terms and conditions of this employment agreement. The language of said foregoing terms and conditions of employment is hereby deemed to be acceptable to both parties and recommended to be forwarded to the Delaware City Council for the necessary legislative approval, ratification and adoption.

Section 2.

Signed and dated at Delaware, Ohio, on the \_\_\_\_\_ date of February 2020.

For the City:

For the Union:

\_\_\_\_\_  
R. Thomas Homan  
City Manager

\_\_\_\_\_  
Charlotte Cooper  
Bargaining Committee Member

Approved as to Form:

\_\_\_\_\_  
Darren M. Shulman  
City Attorney

\_\_\_\_\_  
Ashley Beery  
Bargaining Committee Member

\_\_\_\_\_  
Paul Henry  
FOP/OLC Representative



## FACT SHEET

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AGENDA ITEM NO: 17

DATE: 02/24/2020

ORDINANCE NO:

RESOLUTION NO: 20-18

READING: FIRST

PUBLIC HEARING:

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

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

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

A RESOLUTION APPROVING DYNAMIC SPEED FEEDBACK SIGNS FOR HULL DRIVE.

**BACKGROUND:**

Hull Drive residents have, for many years, voiced concerns of motorist speeding combined with an abnormally high number of vehicles using the roadway - compared to other residential streets in the City. Pavement markings were installed along Hull drive in 2019 as a pilot project, to provide a "calming" effect to the street. Since the installation of the new markings, the 85<sup>th</sup> percentile speed increased. The attached memo summarizes the findings thus far for the pilot project. If the effort to reduce speeds on Hull Drive is to continue, then Public Works staff recommends installing dynamic speed feedback signs along Hull Drive in combination with increased speed limit enforcement efforts by the Police Department.

**REASON WHY LEGISLATION IS NEEDED:**

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

**COMMITTEE RECOMMENDATION:**

The proposal to install these signs was discussed in concept at the last full City Council meeting.

**FISCAL IMPACT(S):**

The purchase price for dynamic speed feedback signs is \$7000 and staff will install the signs. The monies will come out of the Public Works Traffic Division 2020 Annual Professional Services budget, or Public Works may use a set already purchased and in use (being moved around to various subdivisions).

**POLICY CHANGES:**

None

**PRESENTER(S):**

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

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

N/A

RESOLUTION NO. 20-18

A RESOLUTION APPROVING DYNAMIC SPEED FEEDBACK SIGNS FOR HULL DRIVE.

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

WHEREAS, staff has conducted traffic studies, researched potential solutions; and implemented a pilot pavement marking project along Hull Drive to reduce speeds; and

WHEREAS, the pavement markings installed in 2019 were unsuccessful in reducing speeds along Hull Drive; and

WHEREAS, dynamic speed feedback signs are another potential way to reduce motorist speed and reduce the risk of speed related accidents along the curves; 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 Measure on local and collector streets under certain circumstances; and

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

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

SECTION 1. City Council approves the use of dynamic speed feedback signs on Hull Drive as a potential way to reduce motorist 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.

PASSED: \_\_\_\_\_, 2020 YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK MAYOR

## 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

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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 85<sup>th</sup> 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 85<sup>th</sup> 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 85<sup>th</sup> 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.





## FACT SHEET

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AGENDA ITEM NO: 18

DATE: 02/24/2020

ORDINANCE NO:

RESOLUTION NO: 20-19

READING: FIRST

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

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

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

A RESOLUTION APPROVING A TRAFFIC CALMING PILOT PROGRAM FOR EXECUTIVE BOULEVARD.

**BACKGROUND:**

Residents have voiced concerns of motorist speeding along Executive Boulevard. Staff recently completed a new speed study in October 2019 and found that the 85<sup>th</sup> percentile speed combined for both directions to be 33-34 mph. This has increased substantially from the data collected in June of 2019, which reflected a 29 mph 85<sup>th</sup> percentile speed. Staff also reviewed the accident history and noted that there have been 12 accidents along Executive Boulevard from 2014-2018, with 6 of those accidents occurring in the curved sections of roadway. Staff is recommending the installation of dynamic speed feedback signs and pavement markings (centerline and edge line) along Executive Boulevard to effectively narrow the travel lanes and encourage lower speeds to reduce the risk of accidents. Pavement markings were piloted in 2017 along Buehler Drive and Lexington Boulevard and it have proved to reduce the risk of accidents along the curved section of the roadway. In addition, curve warning signs will be installed along Executive Boulevard where applicable. The proposed traffic calming measures will be installed in the spring of 2020 as a 12 month traffic calming pilot program, after which a report of their effectiveness 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. 20-19

A RESOLUTION APPROVING A TRAFFIC CALMING PILOT PROGRAM FOR EXECUTIVE BOULEVARD.

WHEREAS, residents of Executive Boulevard have requested City Council address the speed of vehicles driving and the number of accidents on Executive 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 reduce the risk of speed related accidents along the curves; 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 Measure 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 Executive Boulevard as a 12 month pilot program as a potential way to reduce motorist speed and the risk for accidents along the curved sections of roadway, 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.

PASSED: \_\_\_\_\_, 2020 YEAS\_\_\_ NAYS\_\_\_ ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_ CITY CLERK \_\_\_\_\_ MAYOR



## FACT SHEET

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AGENDA ITEM NO: 19

DATE: 02/24/2020

ORDINANCE NO:

RESOLUTION NO: 20-20

READING: FIRST

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

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

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

A RESOLUTION OF NECESSITY FOR CONSTRUCTION OR REPAIR OF SIDEWALKS FOR THE 2020 DOWNTOWN SIDEWALK MAINTENANCE PROGRAM

**BACKGROUND:**

This resolution requires property owners to make repairs to sidewalks abutting their respective properties in accordance with City Codified Ordinance Section 909 and Ohio Revised Code (ORC) Section 729. It further authorizes the City to make repairs if property owners fail to make the repairs by the stated deadline and to invoice and/or assess the property owners for the cost of the repairs. Deficient sidewalk sections were identified. See the Fiscal Impacts and Policy Changes sections below for additional background information.

For the downtown streetscape areas, the City is responsible for all streetscape areas, including tree wells and brick paver areas. The City is making additional repairs during early 2020 to tree wells and other streetscape deficiencies.

**REASON WHY LEGISLATION IS NEEDED:**

City Codified Ordinance Section 909 and ORC Section 729 requires that a Resolution of Necessity be adopted to require property owners to make repairs to abutting sidewalks, establish a date to complete the repairs, and authorize the City to make the repairs and to invoice and/or assess property owners for the cost of the repairs.

**COMMITTEE RECOMMENDATION:**

The Public Works Committee considered the Downtown Sidewalk Maintenance Program report by staff at the February 3rd meeting and voted to recommend the Resolution be presented to City Council for further consideration and action.

**FISCAL IMPACT(S):**

Sufficient funding is required to cover the cost of completing repairs that are City responsibility, as well as the full cost associated with repairs that are private property owners' responsibility. Sidewalk deficiencies that are corrected by the private property owners will decrease the cost to the City. However, it is prudent to assume that the City must cover the full cost of repairs that are private property owner responsibility, after which time the property owners will be invoiced and/or assessed for the city's cost in completing repairs on their behalf.

The approved 2020-2024 Capital Improvement Plan (CIP) includes a \$150,000 allocation for this program. The adopted 2021 City Budget includes a \$355,000 appropriation in the Capital Improvement Fund account 410-4109-5530, from which this program will be funded.

The cost estimate for this program is as follows:

<b>Responsibility</b>	<b>Area (s.f.)</b>	<b>Cost Estimate</b>
Private Property Owners	7,841	\$115,700
City	2,622	\$37,600
<b>Total</b>	<b>10,331</b>	<b>\$153,300</b>

The cost estimate is an approximate cost. Actual costs will be determined after the City advertises a construct contract, obtains bids, and awards a contract. When property owners are invoiced for the cost of repairs to sidewalks that are their responsibility, the invoice will be based on actual costs from the construction contract.

**SCHEDULE:**

The following schedule provides property owners a period of 138 days (approximately 4.5 months) from the time of notification to make the required repairs to sidewalk deficiencies. The schedule also provides for an appeals process in accordance with city code. After the deadline for property owners to make repairs passes, the City will commence making repairs to deficiencies that are City-responsibility as well as all deficiencies that property owners do not make by the deadline. Property owners will be invoiced for the cost of City-funded repairs that are their responsibility. In the event that the property owner does not pay an invoice, they will be assessed in accordance with city code.

When a property owner is notified that a sidewalk deficiency required repair, they will be provided background information including the project schedule and appeals process.

<b>Schedule Item</b>	<b>Date</b>
Resolution of Necessity – recommendation by Public Works Cmte.	2/4/2020
Resolution of Necessity – passage by City Council	2/24/2020
Letter notifications sent to property owners	3/2/2020
Deadline – property owner appeals to City Engineer	4/3/2020
Deadline – property owner appeals to Public Works Cmte.	4/24/2020
Property owner appeals appear before Public Works Cmte.	5/5/2020
Deadline for repairs to be made by property owners	7/18/2020

**POLICY CHANGES:**

The former Safe Walks Program evaluated the condition of all sidewalks throughout the City and made repairs to deficiencies identified each year during the program which ran from 2006 through 2017. To continue making repairs to sidewalk deficiencies that develop over time, an annual sidewalk maintenance program is commencing in 2020. It is the expectation that this annual program will focus on identifying sidewalk deficiencies along city streets being resurfaced each year. Repairs to sidewalks along these streets will be made the year after the street is resurfaced. In addition, Public Works staff will maintain a record of other sidewalk deficiencies reported by the public or otherwise identified by City staff for inclusion in the annual sidewalk maintenance program.

**PRESENTER(S):**

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

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

Resolution of Necessity  
Sidewalk Deficiency List & Cost Estimate  
Specifications

RESOLUTION NO. 20-20

A RESOLUTION OF NECESSITY FOR CONSTRUCTION  
OR REPAIR OF SIDEWALKS FOR THE 2020  
DOWNTOWN SIDEWALK MAINTENANCE PROGRAM.

WHEREAS, sidewalk evaluations were performed as set forth in Codified Ordinance Section 909 on properties in the downtown streetscape areas; and

WHEREAS, written records have been prepared identifying property locations where deficient sections of sidewalk requiring repair by abutting property owners exist; and

WHEREAS, a list of the properties, estimated costs of repairs, and specifications work has been submitted to the City Clerk.

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

SECTION 1. That the City of Delaware hereby requires the property owners of properties with identified sidewalk deficiencies to complete the necessary sidewalk repairs work by July 18, 2020 in accordance with the construction specifications on file at the Public Works Department and with the City Clerk.

SECTION 2. That the specifications and estimate of costs for the repair work on file with the City Clerk are approved.

SECTION 3. In the event property owners fail to complete the required repairs, the City of Delaware is authorized to make all necessary repairs, with the associated costs thereof to be invoiced and/or assessed to the property owners in accordance with Codified Ordinances Section 909.

SECTION 4. That this resolution shall be in force and effect immediately upon its passage.

PASSED: \_\_\_\_\_, 2020

YEAS\_\_\_ NAYS\_\_\_  
ABSTAIN \_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**2020 Downtown Sidewalk Maintenance Program  
Delaware, Ohio  
Bid Number 20-XX**

**Specifications**

**The price BID shall include the following:**

1. All labor, materials, tools, equipment, and transportation necessary for the proper execution of the WORK in accordance with the CONTRACT DOCUMENTS.
2. All items shall be performed as described in these SPECIFICATIONS in entirety except as herein modified. Work locations are as indicated in the WORK SCHEDULE.
3. The City of Columbus (COC) Construction and Material Specifications (CMS), including all supplements thereto, most recent edition, along with these specifications and the City of Delaware Standard Drawings RDWD-19.1, 19.2, 19.3, 19.4, and 19.5 shall govern all material and workmanship involved in the improvements shown unless otherwise noted.
4. The CONTRACTOR shall have 48 hours from the beginning of the removal of any section of walk to have it replaced and open to pedestrian traffic. Commercial driveway areas shall be restored and open to vehicle traffic in no more than 48 hours from start of construction. The Contractor shall not begin to remove any sections of sidewalk that cannot be replaced within the specified time limit. This will be strictly enforced and liquidated damages of \$300 per day will be assessed for any location that exceeds the repair time specified.
5. The CONTRACTOR is responsible to ensure that all new sidewalk sections and the adjacent surrounding areas are left clear and free of all construction debris including excess concrete, form boards, excavation spoils, and any tree roots that have been removed.
6. CONTRACTOR is responsible for protecting all open excavations from pedestrians by use of proper barricades and caution tape around any work area.
7. CONTRACTOR is responsible to remove all tree roots that exist within eight inches (8") below the final proposed top of walk, including those roots within the gravel sub base. All roots to be trimmed shall be cut with a saw or other appropriate means to establish clean vertical cuts, and be trimmed back no less than six inches (6") from the edge of any sidewalk section. This work shall be considered incidental to Item 608. In the event it is determined by the CITY that the amount of required tree root trimming will be detrimental to the health of the tree, the CITY will incur the added responsibility for the tree removal, replacement, and associated stump grinding, aside and separate from the contractor's root trimming responsibility.
8. CONTRACTOR is responsible for protecting all new concrete from vandalism, footprints and the weather to assure an acceptable finish is maintained. If the finish is not to the satisfaction of the CITY, the walk shall be replaced at the CONTRACTOR'S expense. Removal and replacement specifications set forth in provision (4) shall also apply to concrete sidewalk that is to be replaced due to vandalism.
9. It is contractor's responsibility to provide a place for the washout of concrete trucks. Washout may not occur into public storm drains, pavement or tree lawns areas.
10. CONTRACTOR shall restore all disturbed areas to original condition within 7 days from pouring the adjacent sidewalk section(s), unless otherwise noted on the plans. Placement of topsoil, seeding and mulching shall be in accordance with Item 659. The cost for this item shall be incidental to Item 608.
11. The CONTRACTOR is responsible to notify all property owners in writing a minimum of seven (7) days prior to the start of work on sidewalk immediately adjacent to their property. The CITY shall

be provided a copy of all written correspondence to the property owners seven (7) days in advance of distribution for review and approval.

12. Upon notification from the CONTRACTOR, property owners shall have two working days to remove any personal property that is in the way of the section of walk to be repaired. The CONTRACTOR shall include this information in the notification to the property owners.
13. CONTRACTOR shall be responsible for posting "No Parking" signs on all streets 72 business hours prior to any operation requiring a ban on parking. The CONTRACTOR shall obtain approval from the City before placing any "No Parking" within the Downtown area. Signs shall identify no more than three consecutive days of work and be provided by CONTRACTOR to the satisfaction of the CITY. Signs must be weather resistant meeting City standard, and shall be posted every twenty feet (20'). Signs shall be affixed by heavy-duty staples to 2" wood lathe, four foot (4') long, and not to utility poles, parking meter posts, trees, existing signposts, etc. The cost for this item shall be incidental to Item 608.
14. CONTRACTOR shall maintain all lanes of traffic with appropriate maintenance of traffic operations. Lane restrictions shall only be permitted with the written approval from the CITY. Streets and drives shall remain fully accessible to emergency vehicles at all times. Streets, drives, and parking stalls shall be open to vehicular traffic between the hours of 3:00 p.m. and 9:00 a.m., Monday through Friday and all day Sunday and Sunday. The Contractor is responsible to keep all commercial driveways open at all times unless otherwise specified on the plans. All such work shall be coordinated with the business owner to minimize disruption (i.e. evening or weekend work may be required).
15. Expansion Material: All expansion material shall be 1/2" REFLEX rubber expansion joint material or equivalent, conforming to the attached specifications. FOAMTECH concrete expansion joint filler or equivalent shall be used around radii. The installation of all expansion joint material shall be considered incidental to this item.
16. 608, 4", 6" or 8" Concrete Walk, as per plan: All concrete shall have a minimum 28-day compressive strength of 4000 psi. All sidewalks shall have a broom finish that matches the existing 90 degree alternating broom finish. Any slabs being replaced adjacent to existing expansion joints shall include the replacement of the expansion joint material per City Standard Drawing RDWD 19.1. Where new concrete walk ties to existing concrete walk or concrete driveway, the existing concrete shall be removed to the nearest joint and replaced with new concrete as directed by the Engineer. Excavation and material to provide a minimum of 4" of #57 limestone bedding will be considered incidental to this item. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.
17. 608, 4", 6" or 8" Reinforced Concrete Walk, as per plan: Where specified in bid documents, new sections of concrete walk shall be constructed with reinforcing dowels placed at each transverse joint, a minimum of 6" into adjacent sections, using four (4), 1'-0 long #4 rebar dowels, including into existing sections of walk where dowels shall be drilled into existing concrete. The installation of the reinforcing dowels shall be considered incidental to this item.
18. 608, 4" Concrete Walk (Class MS or FS), As Per Plan: In addition to the provisions set for in The ODOT Supplemental Specification 1126 the CONTRACTOR shall place 4" of Class MS (moderate set) Portland Cement Concrete as specified in the plans. All sidewalks shall have a broom finish that matches the existing 90 degree alternating broom finish. Any slabs being replaced adjacent to existing expansion joints shall include the replacement of the expansion joint material per City Standard Drawing RDWD 19.1. Where new concrete walk ties to existing concrete walk or concrete driveway, the existing concrete shall be removed to the nearest joint and replaced with new concrete as directed by the Engineer. Excavation and material to provide a minimum of 4" of #57 limestone bedding will be considered incidental to this item. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between

November 1 and April 1 per COC CMS 499.02.

19. 608, 6" Concrete Walk (Class MS or FS), As Per Plan: In addition to the provisions set for in The ODOT Supplemental Specification 1126 the CONTRACTOR shall place 6" of Class MS (moderate set) Portland Cement Concrete across all residential driveways. CONTRACTOR shall establish full-depth saw cuts to all sidewalk edges prior to removal. Where a clean vertical edge was not maintained after concrete removal, the CONTRACTOR shall saw cut the driveway surface 6" further back from the repair area and replace with similar driveway material at the direction of the ENGINEER. Driveways may be closed a maximum of 48-hours for removal and replacement of walk. Contractor shall give 72-hours advanced notice to the residence owner prior to the closure. Repair of driveway area incidental to Item 608. The finish of all 6" concrete walks shall have a broom finish that matches the existing 90 degree alternating broom finish. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.
20. 608, 8" Concrete Walk (Class MS or FS), As Per Plan: In addition to the provisions set for in The ODOT Supplemental Specification 1126 the CONTRACTOR shall place 8" of Class MS (moderate set) Portland Cement Concrete across all commercial driveways and at all proposed curb ramps labeled in the plans. CONTRACTOR shall establish full-depth saw cuts to all sidewalk edges prior to removal. Where a clean vertical edge was not maintained after concrete removal, the CONTRACTOR shall saw cut the driveway surface 6" further back from the repair area and replace with similar material at the direction of the ENGINEER. Driveways may be closed a maximum of 48-hours for removal and replacement of walk. Contractor shall give 72-hours advanced notice to the property owner prior to the closure. Repair of driveway area incidental to Item 608. The finish of all 8" concrete walks shall have a broom finish that matches the existing 90 degree alternating broom finish. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.



## 2020 Downtown Sidewalk Maintenance Program

### Sidewalk Defeciciencies List & Cost Estimate

**DRAFT**

Prepared By: M. Stephen

Date: 1/31/2020

Checked By: J. Owen

Date: 2/4/2020

Property Information		Private Property Owner Responsibility - Estimated Quantities and Costs							City Responsibility - Estimated Quantities and Costs					
STREET NO.	STREET NAME	No. of Properties	No. of Private Sections	Full Sidewalk Replacement	Residential Driveway Replacement	8" Driveway Replacement	Total Area	Cost = Quantity x Unit Cost	No. of City Locations	No. of City Sections	4" Sidewalk Replacement	8" Sidewalk Replacement	Total Area	Cost = Quantity x Unit Cost
				(s.f.)	(s.f.)	(s.f.)	(s.f.)				(s.f.)	(s.f.)	(s.f.)	
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
4	N. Sandusky St.	1	1	25			25	\$ 337.50					0	\$ -
8	N. Sandusky St.	1	1	25			25	\$ 337.50					0	\$ -
10	N. Sandusky St.	1	1	50			50	\$ 675.00					0	\$ -
14 / 16	N. Sandusky St.	1	2	50			50	\$ 675.00					0	\$ -
18 / 20	N. Sandusky St.	1	6	150			150	\$ 2,025.00					0	\$ -
26	N. Sandusky St.	1	4	100			100	\$ 1,350.00					0	\$ -
28	N. Sandusky St.	1	2	50			50	\$ 675.00					0	\$ -
40	N. Sandusky St.	1	1	98			98	\$ 1,323.00					0	\$ -
46	N. Sandusky St.	1	1	25			25	\$ 337.50					0	\$ -
60	N. Sandusky St.	1	2			50	50	\$ 837.50					0	\$ -
61	N. Sandusky St.						0	\$ -	1			125	125	\$ 2,093.75
101	N. Sandusky St.	1	2	80			80	\$ 1,080.00					0	\$ -
33	N. Sandusky St.	1	2	170			170	\$ 2,295.00					0	\$ -
3	W. Winter St.	1	5	140			140	\$ 1,890.00					0	\$ -
9	W. Winter St.	1	3	60			60	\$ 810.00					0	\$ -
17	W. Winter St.	1	2	40			40	\$ 540.00					0	\$ -
19	W. Winter St.	1	10	200			200	\$ 2,700.00					0	\$ -
23	W. Winter St.	1		55			55	\$ 742.50					0	\$ -
4	W. Winter St.	1	2	50			50	\$ 675.00					0	\$ -
41	N. Sandusky St.	1	6	120			120	\$ 1,620.00					0	\$ -
43	N. Sandusky St.	1	2	50			50	\$ 675.00					0	\$ -
51	N. Sandusky St.	1	2	50			50	\$ 675.00					0	\$ -
53	N. Sandusky St.	1	1	25			25	\$ 337.50					0	\$ -
59	N. Sandusky St.	1	3	75			75	\$ 1,012.50					0	\$ -
1	N. Sandusky St.	1	2	75			75	\$ 1,012.50					0	\$ -
5	N. Sandusky St.	1	6	150			150	\$ 2,025.00					0	\$ -
11	N. Sandusky St.	1	3	75			75	\$ 1,012.50					0	\$ -
13	N. Sandusky St.	1	3	125			125	\$ 1,687.50					0	\$ -
15	N. Sandusky St.	1	2	55			55	\$ 742.50					0	\$ -
23	N. Sandusky St.	1	1	30			30	\$ 405.00					0	\$ -
27	N. Sandusky St.	1	1	100			100	\$ 1,350.00					0	\$ -
29	N. Sandusky St.	1	2	60			60	\$ 810.00					0	\$ -
31	N. Sandusky St.	1	2	60			60	\$ 810.00					0	\$ -
33	N. Sandusky St.	6	6	0			0	\$ -					0	\$ -
13	W. William St.	1	3	75			75	\$ 1,012.50					0	\$ -



## 2020 Downtown Sidewalk Maintenance Program

### Sidewalk Defeciciencies List & Cost Estimate

**DRAFT**

Prepared By: M. Stephen

Date: 1/31/2020

Checked By: J. Owen

Date: 2/4/2020

Property Information		Private Property Owner Responsibility - Estimated Quantities and Costs							City Responsibility - Estimated Quantities and Costs					
STREET NO.	STREET NAME	No. of Properties	No. of Private Sections	Full Sidewalk Replacement	Residential Driveway Replacement	8" Driveway Replacement	Total Area	Cost = Quantity x Unit Cost	No. of City Locations	No. of City Sections	4" Sidewalk Replacement	8" Sidewalk Replacement	Total Area	Cost = Quantity x Unit Cost
				(s.f.)	(s.f.)	(s.f.)	(s.f.)				(s.f.)	(s.f.)	(s.f.)	
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
17	W. William St.						0	\$ -	1	4		90	90	\$ 1,507.50
27	W. William St.	1	1	50			50	\$ 675.00					0	\$ -
1	S. Sandusky St.	1	5	114			114	\$ 1,539.00					0	\$ -
21	S. Sandusky St.	1	20	50		450	500	\$ 8,212.50					0	\$ -
35	S. Sandusky St.	1	1	25			25	\$ 337.50					0	\$ -
28	W. William St.	1	5	216			216	\$ 2,916.00	1	1	42		42	\$ 567.00
Between 18-24	W. William St.						0	\$ -	1	6		130	130	\$ 2,177.50
12 or 14	W. Winter St.	1	6	150			150	\$ 2,025.00	1	5		125	125	\$ 2,093.75
32	W. Winter St.	1	5	125			125	\$ 1,687.50					0	\$ -
20	W Central Ave.	1	1	20			20	\$ 270.00	1	9	270		270	\$ 3,645.00
51	W Central Ave.	1	3	90			90	\$ 1,215.00	1	2	72		72	\$ 972.00
	Sandusky St. Bridge						0	\$ -	1	4	125		125	\$ 1,687.50
50	S. Sandusky St.	1	3			75	75	\$ 1,256.25					0	\$ -
40	S. Sandusky St.	1	1	30			30	\$ 405.00					0	\$ -
38	S. Sandusky St.	1	4	225			225	\$ 3,037.50					0	\$ -
6	S. Sandusky St.	1	8	200			200	\$ 2,700.00					0	\$ -
70	N. Union St.						0	\$ -	1	7	90	110	200	\$ 3,057.50
123	E. Winter St.	1	1	30			30	\$ 405.00					0	\$ -
135	E. Winter St	1	2	70			70	\$ 945.00					0	\$ -
143	E. Winter St.						0	\$ -	1	4	120		120	\$ 1,620.00
145	E. Winter St.	1	1	25			25	\$ 337.50					0	\$ -
173	E. Winter St.	1	1	30			30	\$ 405.00					0	\$ -
153	E. Winter St.	1	3	80			80	\$ 1,080.00					0	\$ -
165	E. Winter St.						0	\$ -	1	1	36		36	\$ 486.00
45	Lake St.	1	2			50	50	\$ 837.50	1	1	30		30	\$ 405.00
174	E. Winter St.	1	2				0	\$ -	1	2	60		60	\$ 810.00
168	E. Winter St.	1	1	30			30	\$ 405.00	1	1	30		30	\$ 405.00
164	E. Winter St.						0	\$ -	1	1	30		30	\$ 405.00
158	E. Winter St.						0	\$ -	1	2	60		60	\$ 810.00
137	E. William St.	1	2			60	60	\$ 1,005.00	1	2	60		60	\$ 810.00
127	E. William St.	1	2			60	60	\$ 1,005.00	1	2	60		60	\$ 810.00
125	N. Sandusky St.						0	\$ -	1	1	30		30	\$ 405.00
149	N. Sandusky St.	1	3	102			102	\$ 1,377.00					0	\$ -
163	N. Sandusky St.	1	2	72			72	\$ 972.00	1	1	36		36	\$ 486.00
140	N. Sandusky St.	1	1	36			36	\$ 486.00					0	\$ -



## 2020 Downtown Sidewalk Maintenance Program

### Sidewalk Defeciciencies List & Cost Estimate

**DRAFT**

Prepared By: M. Stephen

Date: 1/31/2020

Checked By: J. Owen

Date: 2/4/2020

Property Information		Private Property Owner Responsibility - Estimated Quantities and Costs							City Responsibility - Estimated Quantities and Costs					
STREET NO.	STREET NAME	No. of Properties	No. of Private Sections	Full Sidewalk Replacement	Residential Driveway Replacement	8" Driveway Replacement	Total Area	Cost = Quantity x Unit Cost	No. of City Locations	No. of City Sections	4" Sidewalk Replacement	8" Sidewalk Replacement	Total Area	Cost = Quantity x Unit Cost
				(s.f.)	(s.f.)	(s.f.)	(s.f.)				(s.f.)	(s.f.)	(s.f.)	
<b>Estimated Unit Cost per s.f.:</b>				<b>\$13.50</b>	<b>\$14.50</b>	<b>\$16.75</b>					<b>\$13.50</b>	<b>\$16.75</b>		
66	N. Sandusky St.	1	5	25		80	105	\$ 1,677.50					0	\$ -
50	N. Sandusky St.	1	1	30			30	\$ 405.00					0	\$ -
29	E. Winter St.	1	4	100		75	175	\$ 2,606.25					0	\$ -
53	E. Winter St.	1	5	35		120	155	\$ 2,482.50					0	\$ -
84	E. Winter St.	1	7	50		120	170	\$ 2,685.00	1	1			0	\$ -
46	E. Winter St.	1	2	60			60	\$ 810.00					0	\$ -
42	E. Winter St.	1	2	100		120	220	\$ 3,360.00					0	\$ -
28	E. Winter St.	1	1	30			30	\$ 405.00					0	\$ -
140	N. Sandusky St.	1	2	65			65	\$ 877.50	1	10	250		250	\$ 3,375.00
City lot beside BP	E. William St.						0	\$ -	1	18	60	405	465	\$ 7,593.75
17	E. William St.	1	4			100	100	\$ 1,675.00					0	\$ -
18	E. William St.						0	\$ -	1	3	65		65	\$ 877.50
20	E. William St.						0	\$ -	1	5	25	80	105	\$ 1,677.50
28	E. William St.	1	15	365			365	\$ 4,927.50					0	\$ -
28 parking lot	E. William St.	1	2	60			60	\$ 810.00	1	1	30		30	\$ 405.00
39	E. William St.	1	7	125			125	\$ 1,687.50						\$ -
82	E. William St.	1	1	45			45	\$ 607.50					0	\$ -
<b>Totals</b>		<b>79</b>	<b>236</b>	<b>5,353</b>	<b>0</b>	<b>1,360</b>	<b>6,713</b>	<b>\$ 95,045.50</b>	<b>26</b>	<b>94</b>	<b>1,581</b>	<b>1,065</b>	<b>2,646</b>	<b>\$ 39,182.25</b>

#### 2020 Sidewalk Maintenance Program Summary

	Estimated Cost	5% Contingency	Total <sup>1</sup>
<b>Private Property Owner Responsibility</b>	\$ 95,045.50	\$ 4,752	\$ 99,800
<b>City Responsibility</b>	\$ 39,182.25	\$ 1,959	\$ 41,200
<b>Totals</b>	\$ 134,227.75	\$ 6,711.39	\$ 141,000.00

Notes:

<sup>1</sup> Total project cost estimate is rounded UP to nearest hundred.



## FACT SHEET

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AGENDA ITEM NO: 20

DATE: 02/24/2020

ORDINANCE NO:

RESOLUTION NO: 20-21

READING: FIRST

PUBLIC HEARING: NO

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TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

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

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**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

A RESOLUTION OF NECESSITY FOR CONSTRUCTION OR REPAIR OF SIDEWALKS FOR THE 2020 SIDEWALK MAINTENANCE PROGRAM

**BACKGROUND:**

This resolution requires property owners to make repairs to sidewalks abutting their respective properties in accordance with City Codified Ordinance Section 909 and Ohio Revised Code (ORC) Section 729. It further authorizes the City to make repairs if property owners fail to make the repairs by the stated deadline and to invoice and/or assess the property owners for the cost of the repairs. Deficient sidewalk sections were identified. See the Fiscal Impacts and Policy Changes sections below for additional background information.

**REASON WHY LEGISLATION IS NEEDED:**

City Codified Ordinance Section 909 and ORC Section 729 requires that a Resolution of Necessity be adopted to require property owners to make repairs to abutting sidewalks, establish a date to complete the repairs, and authorize the City to make the repairs and to invoice and/or assess property owners for the cost of the repairs.

**COMMITTEE RECOMMENDATION:**

The Public Works Committee considered the Sidewalk Maintenance Program report by staff at the February 3rd meeting and voted to recommend the Resolution be presented to City Council for further consideration and action.

**FISCAL IMPACT(S):**

Sufficient funding is required to cover the cost of completing repairs that are City responsibility, as well as the full cost associated with repairs that are private property owners' responsibility. Sidewalk deficiencies that are corrected by the private property owners will decrease the cost to the City. However, it is prudent to assume that the City must cover the full cost of repairs that are private property owner responsibility, after which time the property owners will be invoiced and/or assessed for the city's cost in completing repairs on their behalf.

The approved 2020-2024 Capital Improvement Plan (CIP) includes a \$150,000 allocation for this program. The adopted 2021 City Budget includes a \$355,000 appropriation in the Capital Improvement Fund account 410-4109-5530, from which this program will be funded.

The cost estimate for this program is as follows:

<b>Responsibility</b>	<b>Area (s.f.)</b>	<b>Cost Estimate</b>
Private Property Owners	3,655	\$53,100
City	6,676	\$82,500
<b>Total</b>	<b>10,331</b>	<b>\$135,600</b>

The cost estimate is an approximate cost. Actual costs will be determined after the City advertises a construct contract, obtains bids, and awards a contract. When property owners are invoiced for the cost of repairs to sidewalks that are their responsibility, the invoice will be based on actual costs from the construction contract.

**SCHEDULE:**

The following schedule provides property owners a period of 138 days (approximately 4.5 months) from the time of notification to make the required repairs to sidewalk deficiencies. The schedule also provides for an appeals process in accordance with city code. After the deadline for property owners to make repairs passes, the City will commence making repairs to deficiencies that are City-responsibility as well as all deficiencies that property owners do not make by the deadline. Property owners will be invoiced for the cost of City-funded repairs that are their responsibility. In the event that the property owner does not pay an invoice, they will be assessed in accordance with city code.

When a property owner is notified that a sidewalk deficiency required repair, they will be provided background information including the project schedule and appeals process.

<b>Schedule Item</b>	<b>Date</b>
Resolution of Necessity – recommendation by Public Works Cmte.	2/4/2020
Resolution of Necessity – passage by City Council	2/24/2020
Letter notifications sent to property owners	3/2/2020
Deadline – property owner appeals to City Engineer	4/3/2020
Deadline – property owner appeals to Public Works Cmte.	4/24/2020
Property owner appeals appear before Public Works Cmte.	5/5/2020
Deadline for repairs to be made by property owners	7/18/2020

**POLICY CHANGES:**

The former Safe Walks Program evaluated the condition of all sidewalks throughout the City and made repairs to deficiencies identified each year during the program which ran from 2006 through 2017. To continue making repairs to sidewalk deficiencies that develop over time, an annual sidewalk maintenance program is commencing in 2020. It is the expectation that this annual program will focus on identifying sidewalk deficiencies along city streets being resurfaced each year. Repairs to sidewalks along these streets will be made the year after the street is resurfaced. In addition, Public Works staff will maintain a record of other sidewalk deficiencies reported by the public or otherwise identified by City staff for inclusion in the annual sidewalk maintenance program.

**PRESENTER(S):**

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

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

Resolution of Necessity  
Sidewalk Deficiency List & Cost Estimate  
Specifications



**2020 Sidewalk Maintenance Program  
Delaware, Ohio  
Bid Number 20-XX**

**Specifications**

**The price BID shall include the following:**

1. All labor, materials, tools, equipment, and transportation necessary for the proper execution of the WORK in accordance with the CONTRACT DOCUMENTS.
2. All items shall be performed as described in these SPECIFICATIONS in entirety except as herein modified. Work locations are as indicated in the WORK SCHEDULE.
3. The City of Columbus (COC) Construction and Material Specifications (CMS), including all supplements thereto, most recent edition, along with these specifications and the City of Delaware Standard Drawings RDWD-19.1, 19.2, 19.3, 19.4, and 19.5 shall govern all material and workmanship involved in the improvements shown unless otherwise noted.
4. The CONTRACTOR shall have 14-days from removal of any section of walk to have it replaced and open to pedestrian traffic. Residential and commercial driveway areas shall be restored and open to vehicle traffic in no more than 48 hours from start of construction.
5. The CONTRACTOR is responsible to ensure that all new sidewalk sections and the adjacent surrounding areas are left clear and free of all construction debris including excess concrete, form boards, excavation spoils, and any tree roots that have been removed.
6. CONTRACTOR is responsible for protecting all open excavations from pedestrians by use of proper barricades and caution tape around any work area.
7. CONTRACTOR is responsible to remove all tree roots that exist within eight inches (8") below the final proposed top of walk, including those roots within the gravel sub base. All roots to be trimmed shall be cut with a saw or other appropriate means to establish clean vertical cuts, and be trimmed back no less than six inches (6") from the edge of any sidewalk section. This work shall be considered incidental to Item 608. In the event it is determined by the CITY that the amount of required tree root trimming will be detrimental to the health of the tree, the CITY will incur the added responsibility for the tree removal, replacement, and associated stump grinding, aside and separate from the contractor's root trimming responsibility.
8. CONTRACTOR is responsible for protecting all new concrete from vandalism, footprints and the weather to assure an acceptable finish is maintained. If the finish is not to the satisfaction of the CITY, the walk shall be replaced at the CONTRACTOR'S expense.
9. It is contractor's responsibility to provide a place for the washout of concrete trucks. Washout may not occur into public storm drains, pavement or tree lawns areas.
10. CONTRACTOR shall restore all disturbed areas to original condition within 7 days from pouring the adjacent sidewalk section(s), unless otherwise noted on the plans. Placement of topsoil, seeding and mulching shall be in accordance with Item 659. The cost for this item shall be incidental to Item 608.
11. The CONTRACTOR is responsible to notify all property owners in writing a minimum of seven (7) days prior to the start of work on sidewalk immediately adjacent to their property. The CITY shall be provided a copy of all written correspondence to the property owners seven (7) days in advance of distribution for review and approval.

12. Upon notification from the CONTRACTOR, property owners shall have two working days to remove any personal property that is in the way of the section of walk to be repaired. The CONTRACTOR shall include this information in the notification to the property owners.
13. CONTRACTOR shall be responsible for posting "No Parking" signs on all streets 72 business hours prior to any operation requiring a ban on parking. Signs shall identify no more than three consecutive days of work and be provided by CONTRACTOR to the satisfaction of the CITY. Signs must be weather resistant meeting City standard, and shall be posted every fifty feet (50') on alternating sides of the street. Signs shall be affixed by heavy-duty staples to 2" wood lathe, four foot (4') long, and not to utility poles, parking meter posts, trees, existing signposts, etc. The cost for this item shall be incidental to Item 608.
14. CONTRACTOR shall maintain two-way traffic with appropriate maintenance of traffic operations in accordance with Exhibit TA-10 "Lane Closure on a Two-Lane Road Using Flaggers" at all times. Streets shall remain fully accessible to emergency vehicles, and streets shall be open to vehicular traffic between the hours of 5:00 p.m. and 8:00 a.m., Monday through Saturday and all day Sunday. The Contractor is responsible to keep all commercial driveways open at all times unless otherwise specified on the plans. All such work shall be coordinated with the business owner to minimize disruption (i.e. evening or weekend work may be required).
15. Expansion Material: All expansion material shall be 1/2" REFLEX rubber expansion joint material or equivalent, conforming to the attached specifications. FOAMTECH concrete expansion joint filler or equivalent shall be used around radii. The installation of all expansion joint material shall be considered incidental to this item.
16. 608, 4", 6" or 8" Concrete Walk, as per plan: All concrete shall have a minimum 28-day compressive strength of 4000 psi. All sidewalks shall have a broom finish perpendicular to the direction travel. Any slabs being replaced adjacent to existing expansion joints shall include the replacement of the expansion joint material per City Standard Drawing RDWD 19.1. Where new concrete walk ties to existing concrete walk or concrete driveway, the existing concrete shall be removed to the nearest joint and replaced with new concrete as directed by the Engineer. Excavation and material to provide a minimum of 4" of #57 limestone bedding will be considered incidental to this item. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.
17. 608, 4", 6" or 8" Reinforced Concrete Walk, as per plan: Where specified in bid documents, new sections of concrete walk shall be constructed with reinforcing dowels placed at each transverse joint, a minimum of 6" into adjacent sections, using four (4), 1'-0 long #4 rebar dowels, including into existing sections of walk where dowels shall be drilled into existing concrete. The installation of the reinforcing dowels shall be considered incidental to this item.
18. 608, 6" Concrete Walk (Class MS or FS), As Per Plan: In addition to the provisions set for in The City of Columbus Supplemental Specification 1126 the CONTRACTOR shall place 6" of Class MS (moderate set) Portland Cement Concrete across all residential driveways. CONTRACTOR shall establish full-depth saw cuts to all sidewalk edges prior to removal. Where a clean vertical edge was not maintained after concrete removal, the CONTRACTOR shall saw cut the driveway surface 6" further back from the repair area and replace with similar driveway material at the direction of the ENGINEER. Driveways may be closed a maximum of 48-hours for removal and replacement of walk. Contractor shall give 72-hours advanced notice to the residence owner prior to the closure. Repair of driveway area incidental to Item 608. All sidewalks shall have a broom finish perpendicular to the direction travel.. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.
19. 608, 8" Concrete Walk (Class MS or FS), As Per Plan: In addition to the provisions set for in The City of Columbus Supplemental Specification 1126 the CONTRACTOR shall place 8" of Class MS (moderate set) Portland Cement Concrete across all commercial driveways and at all

proposed curb ramps labeled in the plans. CONTRACTOR shall establish full-depth saw cuts to all sidewalk edges prior to removal. Where a clean vertical edge was not maintained after concrete removal, the CONTRACTOR shall saw cut the driveway surface 6" further back from the repair area and replace with similar material at the direction of the ENGINEER. Driveways may be closed a maximum of 48-hours for removal and replacement of walk. Contractor shall give 72-hours advanced notice to the property owner prior to the closure. Repair of driveway area incidental to Item 608. All sidewalks shall have a broom finish perpendicular to the direction travel.. Curing compound shall be per 705.07, Type 2 (white opaque) and considered incidental to this item. Use of fly ash is restricted between April 1 and November 1, in addition to restriction between November 1 and April 1 per COC CMS 499.02.

DRAFT



## 2020 Sidewalk Maintenance Program

### Sidewalk Defecencies List & Cost Estimate

**DRAFT**

Prepared By: M. Stephen

Date: 1/18/2020

Checked By: J. Owen

Date: 1/28/2020

Property Information		Private Property Owner Responsibility						City Responsibility						
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
<b>Sidewalk Deficiencies on 2019 Resurfacing Streets</b>														
310	Cottswold Dr	1	1	25			25	\$ 337.50					0	\$ -
317	Cottswold Dr			0			0	\$ -	1	1	25		25	\$ 337.50
322	Cottswold Dr	1	1	25			25	\$ 337.50					0	\$ -
325	Cottswold Dr	1	2		90		90	\$ 1,305.00					0	\$ -
Willowbrook	Cottswold Dr	1	7	175			175	\$ 2,362.50					0	\$ -
56	E Lincoln Ave	1	2	50			50	\$ 675.00					0	\$ -
71	E Lincoln Ave	1	3	75			75	\$ 1,012.50					0	\$ -
500 (Mingo)	E Lincoln Ave						0	\$ -	1	7	175		175	\$ 2,362.50
500 (Mingo)	E Lincoln Ave						0	\$ -	1	6	150		150	\$ 2,025.00
Pool Overflow Parking	E Lincoln Ave						0	\$ -	1	5	125		125	\$ 1,687.50
Pool Overflow Parking Entrance	E Lincoln Ave						0	\$ -	1	6		150	150	\$ 2,512.50
15	E. Heffner	1	1	25			25	\$ 337.50					0	\$ -
21	E. Heffner						0	\$ -	1	2	40		40	\$ 540.00
25	E. Heffner						0	\$ -	1	1	25		25	\$ 337.50
35	E. Heffner	1	1	25			25	\$ 337.50	1	1	25		25	\$ 337.50
40	E. Heffner			0			0	\$ -	1	5	125		125	\$ 1,687.50
49	E. Heffner	1	1	25			25	\$ 337.50	1	2	50		50	\$ 675.00
632	Fern Dr	1	1	25			25	\$ 337.50					0	\$ -
212	Freedom Ln.						0	\$ -	1	3	75		75	\$ 1,012.50
214	Freedom Ln.						0	\$ -	1	1	25		25	\$ 337.50
222	Freedom Ln.						0	\$ -	1	4	100		100	\$ 1,350.00
648	Holly Dr	1	1	25			25	\$ 337.50					0	\$ -
649	Holly Dr	1	2	50			50	\$ 675.00					0	\$ -
658	Holly Rd	1	2	50			50	\$ 675.00					0	\$ -
659	Holly Rd	1	1	25			25	\$ 337.50					0	\$ -
664	Holly Rd	1	1	25			25	\$ 337.50	1	1	25		25	\$ 337.50
665	Holly Rd	1	1	25			25	\$ 337.50					0	\$ -
670	Holly Rd	1	5	125			125	\$ 1,687.50					0	\$ -
671	Holly Rd	1	1	25			25	\$ 337.50					0	\$ -
680	Holly Rd	1	3	75			75	\$ 1,012.50					0	\$ -
681	Holly Rd	1	5	125			125	\$ 1,687.50					0	\$ -
43	N. Union St.	1	2			50	50	\$ 837.50					0	\$ -
104	N. Union St.						0	\$ -	1	4	168		168	\$ 2,268.00
145	N. Union St.	1	2			60	60	\$ 1,005.00					0	\$ -
161	N. Union St.	1	3		75		75	\$ 1,087.50					0	\$ -
163	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
167	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
176	N. Union St.	1	2	70			70	\$ 945.00	1	1	25		25	\$ 337.50



## 2020 Sidewalk Maintenance Program

### Sidewalk Defeciciencies List & Cost Estimate

**DRAFT**

Prepared By: M. Stephen

Date: 1/18/2020

Checked By: J. Owen

Date: 1/28/2020

Property Information		Private Property Owner Responsibility							City Responsibility					
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
177	N. Union St.						0	\$ -	1	3	75		75	\$ 1,012.50
184	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
187	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
195	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
201	N. Union St.	1	1		25		25	\$ 362.50	1	4	110		110	\$ 1,485.00
203	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
204	N. Union St.	1	1	25			25	\$ 337.50					0	\$ -
210	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
214	N. Union St.	1	1	52.5			52.5	\$ 708.75					0	\$ -
216	N. Union St.	1	2		55		55	\$ 797.50	1	1	25		25	\$ 337.50
223	N. Union St.						0	\$ -	1	6	150		150	\$ 2,025.00
224	N. Union St.						0	\$ -	1	1		25	25	\$ 418.75
229	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
244	N. Union St.	1	1	25			25	\$ 337.50					0	\$ -
249	N. Union St.	1	3	25	90		115	\$ 1,642.50					0	\$ -
254	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
261	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
262	N. Union St.	1	1	25			25	\$ 337.50	1	2	50		50	\$ 675.00
266	N. Union St.	1	1	15			15	\$ 202.50	1	1	25		25	\$ 337.50
278	N. Union St.	1	1	20			20	\$ 270.00					0	\$ -
279	N. Union St.	1	3	25	100		125	\$ 1,787.50	1	2	50		50	\$ 675.00
285	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
293	N. Union St.						0	\$ -	1	1	28		28	\$ 378.00
303	N. Union St.	1	1	20			20	\$ 270.00					0	\$ -
310	N. Union St.	1	1	25			25	\$ 337.50					0	\$ -
313	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
314	N. Union St.	1	1	25			25	\$ 337.50					0	\$ -
317	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
320	N. Union St.						0	\$ -	1	1	25		25	\$ 337.50
330	N. Union St.	1	3	75			75	\$ 1,012.50					0	\$ -
343	N. Union St.						0	\$ -	1	2	50		50	\$ 675.00
347	N. Union St.						0	\$ -	1	6	160		160	\$ 2,160.00
352	N. Union St.	1	1		50		50	\$ 725.00					0	\$ -
353	N. Union St.						0	\$ -	1	4	95		95	\$ 1,282.50
356	N. Union St.	1					0	\$ -	1	1	25		25	\$ 337.50
370	N. Union St.	1	7	142.5	67.5		210	\$ 2,902.50	1	1	25		25	\$ 337.50
373	N. Union St.						0	\$ -	1	4	105		105	\$ 1,417.50
380	N. Union St.	1	2	50			50	\$ 675.00					0	\$ -
390	N. Union St.	1	2	50			50	\$ 675.00					0	\$ -



## 2020 Sidewalk Maintenance Program

### Sidewalk Defeciciencies List & Cost Estimate

**DRAFT**

Prepared By: M. Stephen

Date: 1/18/2020

Checked By: J. Owen

Date: 1/28/2020

Property Information		Private Property Owner Responsibility							City Responsibility					
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
<b>Estimated Unit Cost per s.f.:</b>				<b>\$13.50</b>	<b>\$14.50</b>	<b>\$16.75</b>					<b>\$13.50</b>	<b>\$16.75</b>		
??	N. Union St.						0	\$ -	1	2	55		55	\$ 742.50
95-105	N. Union St.	1	2	62.5			62.5	\$ 843.75					0	\$ -
820	Ravines Ridge	1	3		150		150	\$ 2,175.00					0	\$ -
	Retention Basin						0	\$ -	1	1	25		25	\$ 337.50
11	Somerset Rd						0	\$ -	1	5	125		125	\$ 1,687.50
12	Somerset Rd	1	1	25			25	\$ 337.50	1	1	25		25	\$ 337.50
21	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
24	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
32	Somerset Rd	1	2				0	\$ -					0	\$ -
35	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
38	Somerset Rd	1	1	25			25	\$ 337.50	1	1	25		25	\$ 337.50
43	Somerset Rd	1	2		100		100	\$ 1,450.00					0	\$ -
48	Somerset Rd						0	\$ -	1	1	25		25	\$ 337.50
51	Somerset Rd	1	1		50		50	\$ 725.00					0	\$ -
61	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
68	Somerset Rd	1	2	50			50	\$ 675.00					0	\$ -
73	Somerset Rd	1	2	50			50	\$ 675.00					0	\$ -
76	Somerset Rd						0	\$ -	1	1	25		25	\$ 337.50
87	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
94	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
108	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
114	Somerset Rd	1	3	75			75	\$ 1,012.50					0	\$ -
118	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
122	Somerset Rd						0	\$ -	1	2	50		50	\$ 675.00
126	Somerset Rd	1	3	75			75	\$ 1,012.50					0	\$ -
137	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
138	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
142	Somerset Rd						0	\$ -	1	3	75		75	\$ 1,012.50
154	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
166	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
170	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
179	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
180	Somerset Rd						0	\$ -	1	1	25		25	\$ 337.50
185	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
192	Somerset Rd	1	4	100			100	\$ 1,350.00					0	\$ -
200	Somerset Rd	1	1	25			25	\$ 337.50					0	\$ -
							0	\$ -					0	\$ -



## 2020 Sidewalk Maintenance Program

### Sidewalk Defeciciencies List & Cost Estimate

**DRAFT**

Prepared By: M. Stephen

Date: 1/18/2020

Checked By: J. Owen

Date: 1/28/2020

Property Information		Private Property Owner Responsibility						City Responsibility						
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
Estimated Unit Cost per s.f.:				\$13.50	\$14.50	\$16.75					\$13.50	\$16.75		
<b>Miscellaneous Citywide Sidewalk Deficiencies</b>														
511	Apple Valley Cir						0	\$ -	1	2	50		50	\$ 675.00
806	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
810	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
811	Buehler Dr						0	\$ -	1	3	75		75	\$ 1,012.50
818	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
834	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
868	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
874	Buehler Dr						0	\$ -	1	2	50		50	\$ 675.00
342	Cherry Leaf						0	\$ -	1	3	75		75	\$ 1,012.50
165	Crystal Petal Dr						0	\$ -	1	2	50		50	\$ 675.00
171	Crystal Petal Dr						0	\$ -	1	3	75		75	\$ 1,012.50
208	Crystal Petal Dr						0	\$ -	1	4	110		110	\$ 1,485.00
244	Crystal Petal Dr						0	\$ -	1	4	100		100	\$ 1,350.00
846	Executive Blvd						0	\$ -	1	3	75		75	\$ 1,012.50
820	Executive Blvd						0	\$ -	1	2	50		50	\$ 675.00
890	Executive Blvd						0	\$ -	1	1	25		25	\$ 337.50
23	E. Fountain Ave						0	\$ -	1	2	50		50	\$ 675.00
28	E William St	1	2	60			60	\$ 810.00	1	1	25		25	\$ 337.50
25	Forest Ave						0	\$ -	1	2	50		50	\$ 675.00
278	Lofton Cir						0	\$ -	1	5	125		125	\$ 1,687.50
284	Lofton Cir						0	\$ -	1	3	75		75	\$ 1,012.50
	Pennsylvania & N. Liberty St.						0	\$ -	1	7	175		175	\$ 2,362.50
137	Pennsylvania Ave	1	1	25			25	\$ 337.50	1	1	25		25	\$ 337.50
145	Pennsylvania Ave						0	\$ -	1	1	25		25	\$ 337.50
227-233	Rutherford Ave						0	\$ -	1	5	125		125	\$ 1,687.50
236	Rutherford Ave						0	\$ -	1	3	75		75	\$ 1,012.50
339-345	Orchard Ave						0	\$ -	1	6	150		150	\$ 2,025.00
266	Sonoma Dr						0	\$ -	1	1	25		25	\$ 337.50
151	W Lincoln Ave	1	1	25			25	\$ 337.50					0	\$ -
181	N. Liberty St (emerg.)	1	1	25			25	\$ 337.50					0	\$ -
101	Ruby Red Ln						0	\$ -	1	3	75		75	\$ 1,012.50
135	Stockard Loop						0	\$ -	1	1	25		25	\$ 337.50
106	Sunny Shell Ct						0	\$ -	1	2	50		50	\$ 675.00
201	Tudor Dr						0	\$ -	1	?	240		240	\$ 3,240.00
206	Vista Ridge						0	\$ -	1	2	50		50	\$ 675.00
947	Wallace Dr						0	\$ -	1	3	75		75	\$ 1,012.50
964	Wallace Dr (at ramp)						0	\$ -	1	2	40		40	\$ 540.00
983	Wallace Dr						0	\$ -	1	1	25		25	\$ 337.50



**2020 Sidewalk Maintenance Program**  
**Sidewalk Defeciciencies List & Cost Estimate**

**DRAFT**

Prepared By: M. Stephen  
 Checked By: J. Owen

Date: 1/18/2020  
 Date: 1/28/2020

Property Information		Private Property Owner Responsibility							City Responsibility					
STREET NO.	STREET NAME	Number of Properties	Number of Private Squares	Estimated Walk Area (s.f.)	Estimated Drive Area (s.f.)	Estimated 8" Drive Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost	City Street Tree Properties	Number of City Tree Squares	Estimated 4" Area (s.f.)	Estimated 8" Area (s.f.)	Total Estimated Area (s.f.)	Estimated Cost = Area x Unit Cost
<b>Estimated Unit Cost per s.f.:</b>				<b>\$13.50</b>	<b>\$14.50</b>	<b>\$16.75</b>					<b>\$13.50</b>	<b>\$16.75</b>		
989	Wallace Dr						0	\$ -	1	1	25		25	\$ 337.50
79	Winding Valley Cir	1	1	25			25	\$ 337.50					0	\$ -
							0	\$ -					0	\$ -
<b>Totals</b>		<b>76</b>	<b>132</b>	<b>2,693</b>	<b>853</b>	<b>110</b>	<b>3,655</b>	<b>\$ 50,552.50</b>	<b>92</b>	<b>218</b>	<b>5,601</b>	<b>175</b>	<b>5,776</b>	<b>\$ 78,544.75</b>

**2020 Sidewalk Maintenance Program Summary**

	Estimated Cost	Contingency	Total <sup>1</sup>
<b>Private Property Owner Responsibility</b>	<b>\$ 50,552.50</b>	<b>\$ 2,527.63</b>	<b>\$ 53,100</b>
<b>City Responsibility</b>	<b>\$ 78,544.75</b>	<b>\$ 3,927.24</b>	<b>\$ 82,500</b>
<b>Totals</b>	<b>\$ 129,097.25</b>	<b>\$ 6,454.86</b>	<b>\$ 135,600</b>

Notes:

<sup>1</sup> Total project cost estimate rounded to nearest hundred.

<sup>2</sup> Belle Avenue to be resurfaced in 2020 and included in 2021 Sidewalk Maintenance Program. Make repairs in 2020 or defer to 2021.



## JANUARY FINANCE REPORT

**TO:** Members of City Council  
**FROM:** Justin Nahvi, Finance Director  
**DATE:** February 6, 2020

### Reports Included

<u>Page</u>	<u>Reports</u>	<u>Purpose</u>
2	Revenues by Source	This summary compares year-to-date revenues for 2020 to 2019 by source.
3	General Fund	Summary of General Fund budgeted revenues, expenditures and fund balance.
4	Other Operating Funds	Summary of budgeted revenues, expenditures, & fund balances for non-general fund operating funds.
5	Other Funds	Other non-operating funds revenues, expenditures and fund balance.
6	Insurance	Summary of the City's self-funded health insurance costs with comparisons to last year.
7	Income Tax	Monthly income tax collections for last three years. Also includes tax collection projections for remainder of the year.

### Highlights:

- \* Too early in year to determine any trends

YTD 2020 Budget Supplementals

**FINANCE DIRECTOR'S REPORT**

**REVENUES BY SOURCE**

January 31, 2020

	Revenues @ 1/31/20		Revenues @ 1/31/19	% Change
<b>TAXES</b>				
Income Tax	\$ 2,390,351		\$ 2,254,493	6.03%
Property Tax	-		-	0.00%
Local Government Fund	61,868		48,744	26.92%
Hotel/Motel Tax	4,507		4,436	1.60%
Gasoline Taxes	159,513		95,503	67.02%
License Plate Tax	52,613		52,384	0.44%
<b>FEES</b>				
Franchise Fee (cable tv)	\$ -		\$ -	0.00%
Parking Meter & Lot Fees	6,997		7,564	-7.49%
Fines/Forfeitures/Court Diversion Fees	6,249		11,755	-46.84%
Impact Fees	89,652		91,632	-2.16%
Airport - Fuel	39,960		30,317	31.81%
Cemetery	6,860		14,018	-51.06%
Golf Course	795		467	70.31%
<b>REIMBURSEMENTS</b>				
Engineering Fees	\$ 105,743		\$ 26,998	291.68%
Fire/EMS Reimbursement	-		-	0.00%
Prosecutor Reimbursements	-		54,230	-100.00%
Building Permits and Fees	103,237		64,718	59.52%
<b>UTILITY CHARGES</b>				
Water - Meter Charges	\$ 450,478		\$ 440,091	2.36%
- Capacity Fees	226,000		148,313	52.38%
Sewer - Meter Charges	534,024		526,951	1.34%
- Capacity Fees	215,400		143,887	49.70%
Refuse	305,643		297,040	2.90%
Storm Sewer	87,601		85,197	2.82%
<b>MUNICIPAL COURT REVENUES</b>	\$ 451,493		\$ 208,509	116.53%

**FINANCE DIRECTOR'S REPORT**  
**GENERAL FUND REVENUES**  
**January 31, 2020**

Jan 8.3% of year	Revenues 1/31/2020	2020 Budget	Revenues As % of Budget	Comparative Revenues 1/31/2019	% Change YTD
<b>GENERAL FUND</b>					
Property Tax	0	1,720,000	0.00%	0	0.00%
City Income Tax	1,292,265	16,510,750	7.83%	1,218,906	6.02%
Other Taxes	16	0	0.00%	0	0.00%
Local Government Fund	61,868	700,000	8.84%	48,744	26.92%
Fines and Forfeitures	6,249	140,000	4.46%	11,755	(46.84%)
Engineering Fees	105,743	900,000	11.75%	26,998	291.68%
Prosecutor Contracts	0	260,000	0.00%	54,230	(100.00%)
Parking Meters	3,273	38,000	8.61%	4,180	(21.69%)
Other Fees and Contracts	2,590	0	0.00%	1,880	37.77%
Liquor Permits	0	50,000	0.00%	1,592	0.00%
Franchise Fees		415,000	0.00%	0	0.00%
Licenses & Permits	103,237	1,335,000	7.73%	64,718	59.52%
Investment Income	0	950,000	0.00%	0	0.00%
Miscellaneous	10,193	230,000	4.43%	48,663	0.00%
Reimbursements	16,314	291,726	5.59%	15,658	4.19%
Transfers	0	2,299,603	0.00%	144,349	(100.00%)
<b>TOTAL</b>	<b>1,601,749</b>	<b>25,840,079</b>	<b>6.20%</b>	<b>1,641,673</b>	<b>(2.43%)</b>

**GENERAL FUND EXPENDITURES**

	Expenses 1/31/2020	2020 Budget	Expenses As % of Budget	Comparative Expenses 1/31/2019	% Change YTD
<b>GENERAL FUND</b>					
City Council	11,961	187,299	6.39%	18,147	(34.09%)
City Manager	60,303	927,910	6.50%	92,988	(35.15%)
Human Resources	16,129	425,183	3.79%	59,704	(72.99%)
Economic Development	9,789	528,655	1.85%	32,235	(69.63%)
Legal Affairs/Prosecution	60,647	882,940	6.87%	94,603	(35.89%)
Finance	119,732	1,703,870	7.03%	180,129	(33.53%)
Income Tax Refunds	38,204	650,000	5.88%	17,578	117.35%
General Administration	108,017	6,508,792	1.66%	509,386	(78.79%)
Risk Management	750	349,100	0.21%	0	0.00%
Police	610,544	9,739,704	6.27%	912,550	(33.09%)
Planning	85,706	1,551,146	5.53%	123,659	(30.69%)
Engineering	127,868	2,349,511	5.44%	176,565	(27.58%)
City Buildings	35,682	589,467	6.05%	60,018	(40.55%)
<b>TOTAL</b>	<b>1,285,332</b>	<b>26,393,576</b>	<b>4.87%</b>	<b>2,277,561</b>	<b>(43.57%)</b>

General Fund Beginning Balance January 1, 2020	6,801,606
2020 General Fund Revenues	1,601,749
2020 General Fund Expenditures	(1,285,332)
Advances to Other Funds	1,236,286
Outstanding Encumbrances 1/31/20	(868,090)
General Fund Ending Fund Balance Jan 31, 2020	<b>7,486,220</b>

**FINANCE DIRECTOR'S REPORT**  
**OTHER OPERATING FUNDS**  
January 31, 2020

**REVENUES**

	Revenues 1/31/2020	2020 Budget	Revenues As % of Budget	Comparative Revenues 1/31/2019	% Change YTD
STREET MAINTENANCE & REPAIR	165,280	4,379,000	3.77%	260,703	(36.60%)
STORM SEWER	87,859	900,700	9.75%	85,228	3.09%
PARKS AND RECREATION	1,703	1,663,673	0.10%	121,664	(98.60%)
CEMETERY	6,860	302,000	2.27%	22,352	(69.31%)
AIRPORT OPERATIONS	58,132	890,450	6.53%	11,359	411.77%
FIRE/EMS INCOME TAX	904,292	12,532,677	7.22%	856,403	5.59%
MUNICIPAL COURT	391,559	2,694,000	14.53%	142,686	174.42%
GOLF COURSE	795	180,000	0.44%	467	70.31%
WATER	465,018	6,556,000	7.09%	450,619	3.20%
SEWER	551,243	7,711,500	7.15%	548,589	0.48%
REFUSE	313,291	4,065,350	7.71%	299,873	4.47%
GARAGE ROTARY	0	811,000	0.00%	179,650	(100.00%)
INFORMATION TECH. ROTARY	0	1,506,424	0.00%	269,049	(100.00%)
<b>TOTAL</b>	<b>2,946,033</b>	<b>44,192,774</b>	<b>6.67%</b>	<b>3,248,640</b>	<b>(9.31%)</b>

**EXPENDITURES**

	Expenditures 1/31/2020	2020 Budget	Expenses As % of Budget	Comparative Expenses 1/31/2019	% Change YTD
STREET MAINTENANCE & REPAIR	166,461	4,462,472	3.73%	601,880	(72.34%)
STORM SEWER	28,298	606	4669.70%	100,494	(71.84%)
PARKS AND RECREATION	73,842	603,416	12.24%	199,017	(62.90%)
CEMETERY	10,931	501,601	2.18%	46,584	(76.53%)
AIRPORT OPERATIONS	63,511	975,766	6.51%	107,865	(41.12%)
FIRE/EMS INCOME TAX	846,834	13,899,465	6.09%	1,789,057	(52.67%)
MUNICIPAL COURT	170,658	1,542,705	11.06%	503,538	(66.11%)
GOLF COURSE	917	178,657	0.51%	24,318	(96.23%)
WATER OPERATIONS	233,029	6,624,154	3.52%	785,997	(70.35%)
SEWER OPERATIONS	195,813	7,568,991	2.59%	661,121	(70.38%)
REFUSE	186,836	4,901,528	3.81%	1,081,307	(82.72%)
GARAGE ROTARY	42,384	909,425	4.66%	120,611	(64.86%)
INFORMATION TECH. ROTARY	67,105	1,812,616	3.70%	245,033	(72.61%)
<b>TOTAL</b>	<b>2,086,620</b>	<b>43,981,403</b>	<b>4.74%</b>	<b>6,266,822</b>	<b>(66.70%)</b>

**FUND BALANCES**

	Fund Balance 1/1/2020	Revenues 1/31/2020	Expenditures 1/31/2020	Outstanding Encumb.	Fund Balance 1/31/2020
STREET MAINTENANCE & REPAIR	603,206	165,280	166,461	287,110	314,915
STORM SEWER	2,113,380	87,859	28,298	618,565	1,554,376
PARKS AND RECREATION	266,459	1,703	73,842	65,301	129,019
CEMETERY	276,700	6,860	10,931	158,522	114,107
AIRPORT OPERATIONS	184,989	58,132	63,511	14,172	165,437
FIRE/EMS INCOME TAX	9,399,950	904,292	846,834	1,206,238	8,251,170
MUNICIPAL COURT	2,861,454	391,559	170,658	28,378	3,053,976
GOLF COURSE	81,057	795	917	482	80,452
WATER OPERATIONS	1,504,061	465,018	233,029	328,212	1,407,839
SEWER OPERATIONS	3,724,670	551,243	195,813	289,939	3,790,161
REFUSE	1,159,867	313,291	186,836	689,557	596,765
GARAGE ROTARY	504,995	0	42,384	138,736	323,874
INFORMATION TECH. ROTARY	655,373	0	67,105	300,716	287,552
<b>TOTAL</b>	<b>23,336,161</b>	<b>2,946,033</b>	<b>2,086,620</b>	<b>4,125,930</b>	<b>20,069,645</b>

**FINANCE DIRECTOR'S REPORT**  
**OTHER FUND REVENUES/EXPENSES/FUND BALANCE**  
**January 31, 2020**

	<b>Beginning Fund Balance</b>	<b>Revenues 1/31/2020</b>	<b>Expenses 1/31/2020</b>	<b>Outstanding Encumbrances</b>	<b>Ending Fund Balance</b>
STATE HIGHWAY IMPROVEMENT	353,397	13,401	0	296,504	70,294
LICENSE FEE	426,904	33,446	327,014	90,690	42,645
TREE FUND	119,237	18,500	0	0	137,737
AIRPORT 2000 T-HANGAR	180,443	10,797	10,237	0	181,003
RECREATION FACILITIES TAX	5,065,049	193,824	5,732	37,543	5,215,597
AIRPORT TIF	136,736	0	0	0	136,736
GLENN RD BRIDGE TIF	2,011,525	0	0	51,798	1,959,727
SKY CLIMBER/V&P TIF	0	0	0	0	0
MILL RUN TIF	0	0	0	0	0
COURT IDIAM	14,675	2,821	4,749	0	12,747
DRUG ENFORCEMENT	51,219	310	0	0	51,528
COURT ALCOHOL TREATMENT	592,279	2,198	0	0	594,477
OMVI ENFORCEMENT/EDUCATION	4,521	75	0	0	4,596
POLICE JUDGEMENT	40,139	0	17,044	608	22,487
LAW ENFORCEMENT TRUST	0	17,044	0	0	17,044
PARK DEVELOPMENT	184,116	0	4,066	35,934	144,116
COMPUTER LEGAL RESEARCH	757,781	18,398	3,684	92,660	679,835
COURT SPECIAL PROJECTS	749,713	17,998	14,996	57,958	694,757
PROBATION SERVICES	614,642	20,642	1,280	2,312	631,691
POLICE/FIRE DISABILITY	0	0	0	0	0
COMMUNITY PROMOTION FUND	84,604	4,507	21,911	43,365	23,834
CDBG GRANT	0	0	0	3,275	(3,275)
POLICE FED TREAS SEIZURES	0	3,530	0	0	3,530
ED REVOLVING LOAN	240,333	14,204	2,160	10,335	242,042
HOUSING GRANT PROGRAM INCOME	8,150	0	0	0	8,150
CHIP GRANT	0	0	0	0	0
GENERAL BOND RETIREMENT	621,580	0	0	1,412	620,168
PARK IMPROV BONDS FUND	111,105	0	0	0	111,105
SE HIGHLAND SEWER BOND FUND	0	0	0	0	0
CAPITAL IMPROVEMENT	4,666,224	377,540	1,224,509	4,068,470	(249,215)
POINT PROJECT	933,692	55,598	161,525	2,054,201	(1,226,436)
FAA AIRPORT GRANT	0	0	0	0	0
FAA AIRPORT AIP GRANT	95,193	0	0	69,681	25,513
EQUIPMENT REPLACEMENT	217,510	0	163,709	210,810	(157,009)
PARK IMPACT FEE	2,067,689	47,814	0	30,410	2,085,093
POLICE IMPACT FEE	429,784	6,318	0	165	435,937
FIRE IMPACT FEE	544,494	12,246	0	169	556,571
MUNICIPAL SERVICES IMPACT FEE	444,342	14,274	0	7,227	451,389
GLENN ROAD CONSTRUCTION FUNDS	1,256,617	53,296	0	6,209	1,303,703
PARKING LOTS	52,087	3,724	7,456	14,288	34,067
WATER CIP	15,327,737	225,135	1,032,794	271,758	14,248,319
SEWER CIP	12,153,368	241,000	926,305	165,077	11,302,985
SELF INSURANCE	522,535	386,105	471,130	21,968	415,542
WORKERS COMP RESERVE	2,626,778	6,288	1,049	1,964	2,630,053
FIRE DONATION	1,083	0	0	0	1,083
PARK DONATION	13,214	6,500	0	12,615	7,099
POLICE DONATION	10,837	0	0	2,000	8,837
MAYOR'S DONATION	898	0	0	0	898
PROJECT TRUST	1,129,527	2,000	930	4,950	1,125,647
UNCLAIMED FUNDS	104,997	482	0	0	105,479
DEVELOPMENT RESERVE FUND	1,008,886	0	0	0	1,008,886
RESERVE ACCOUNT FUND	1,188,864	0	0	0	1,188,864
BERKSHIRE JEDD FUND	84,718	44,766	0	0	129,483
CEMETERY PERPETUAL CARE FUND	33,840	0	0	0	33,840
STATE PATROL TRANSFER	4,867	4,146	9,013	0	(0)
STATE BUILDING PERMIT FEES	1,297	1,061	1,045	0	1,313
PERFORMANCE BOND FUND	694,228	0	0	126,500	567,728
<b>TOTAL</b>	<b>57,983,450</b>	<b>1,859,986</b>	<b>4,412,339</b>	<b>7,792,856</b>	<b>47,638,241</b>

City of Delaware  
Employee Health Insurance Plan  
January 31, 2020

Account	January 2020	YTD 2020	2020 Budget	% of Budget	YTD 2019	% Change 2019-20
Life Insurance	\$ 2,128	\$ 2,128	\$ 27,000	7.9%	\$ 2,111	0.8%
Insurance Opt-Out	2,195	2,195	30,000	7.3%	2,195	0.0%
Preventative Care	1,397	1,397	30,850	4.5%	759	84.1%
Vision Coverage	-	-	33,081	0.0%	-	0.0%
<b>Administrative Fees</b>						
Excise Tax	-	-	5,000	0.0%	-	0.0%
TPA Fees	9,045	9,045	100,000	9.0%	7,610	18.9%
PPO Fees	3,140	3,140	40,000	7.8%	3,151	-0.4%
Broker Fees	434	434	7,000	6.2%	411	0.0%
<b>Total Admin</b>	<b>12,618</b>	<b>12,618</b>	<b>152,000</b>	<b>8.3%</b>	<b>11,172</b>	<b>12.9%</b>
Stop Loss Insurance	73,822	-	1,000,000	0.0%	71,080	-100.0%
<b>Claims</b>						
Medical	206,688	206,688	4,650,000	4.4%	323,645	-36.1%
Dental	16,521	16,521	285,000	5.8%	17,327	-4.7%
Prescription	155,760	155,760	1,200,000	13.0%	82,208	89.5%
<b>Total Claims</b>	<b>378,969</b>	<b>378,969</b>	<b>6,135,000</b>	<b>6.2%</b>	<b>423,180</b>	<b>-10.4%</b>
<b>Total Costs</b>	<b>471,130</b>	<b>397,307</b>	<b>7,407,931</b>	<b>5.4%</b>	<b>510,497</b>	<b>-22.2%</b>
Employee Payment	116,858	116,858	967,500	12.1%	72,776	-38.2%
Reimbursements	269,247	269,247	500,000	53.8%	202,669	-24.7%
<b>NET PLAN COSTS</b>	<b>\$ 85,024</b>	<b>\$ 11,202</b>	<b>\$ 5,940,431</b>	<b>0.2%</b>	<b>\$ 235,052</b>	<b>-95.2%</b>

**MONTHLY INCOME TAX REVENUES  
2018-2020**

	2018				% OF ACTUAL	2019				% OF ACTUAL	2020				% OF BUDGET
	W/H	PERSONAL	BUSINESS	TOTAL		W/H	PERSONAL	BUSINESS	TOTAL		W/H	PERSONAL	BUSINESS	TOTAL	
JANUARY	1,741,914	440,952	56,565	2,239,431		1,570,681	603,605	80,207	2,254,493		1,706,358	637,606	46,387	2,390,351	
<b>SUBTOTAL</b>	<b>1,741,914</b>	<b>440,952</b>	<b>56,565</b>	<b>2,239,431</b>	<b>8.05%</b>	<b>1,570,681</b>	<b>603,605</b>	<b>80,207</b>	<b>2,254,493</b>	<b>7.83%</b>	<b>1,706,358</b>	<b>637,606</b>	<b>46,387</b>	<b>2,390,351</b>	<b>7.85%</b>
FEBRUARY	1,389,048	337,974	56,041	1,783,063		1,616,403	398,566	112,062	2,127,031						
MARCH	1,240,476	682,589	192,027	2,115,092		1,308,699	737,799	133,499	2,179,997						
APRIL	1,949,558	2,433,093	806,548	5,189,199		1,941,656	2,595,734	781,735	5,319,125						
MAY	1,387,867	213,714	18,117	1,619,698		1,440,447	242,575	54,049	1,737,071						
JUNE	1,407,521	622,838	374,208	2,404,567		1,696,517	732,504	153,590	2,582,611						
JULY	1,718,647	227,721	28,964	1,975,332		1,630,973	329,142	27,910	1,988,025						
AUGUST	1,363,624	171,517	142,149	1,677,290		1,393,601	220,627	97,863	1,712,091						
SEPTEMBER	1,648,825	624,312	164,383	2,437,520		1,742,714	764,332	253,449	2,760,495						
OCTOBER	1,675,716	307,591	462,819	2,446,126		1,688,264	281,632	96,126	2,066,022						
NOVEMBER	1,442,983	252,947	59,435	1,755,365		1,563,442	258,284	79,136	1,900,863						
DECEMBER	1,688,530	412,229	85,907	2,186,666		1,683,645	368,333	124,744	2,176,722						
<b>TOTALS</b>	<b>18,654,709</b>	<b>6,727,477</b>	<b>2,447,163</b>	<b>27,829,349</b>	<b>100.00%</b>	<b>19,277,042</b>	<b>7,533,133</b>	<b>1,994,370</b>	<b>28,804,546</b>	<b>100.00%</b>	<b>1,706,358</b>	<b>637,606</b>	<b>46,387</b>	<b>2,390,351</b>	<b>7.85%</b>
BUDGETED				26,614,811					27,437,537					30,437,250	

TO: Mayor Riggle and Members of Council

FROM: R. Thomas Homan, City Manager

SUBJECT: Miscellaneous Matters

DATE: February 20, 2020

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1. **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**

February 6

Chamber of Commerce Annual Dinner

February 7

COMMA Meeting

February 10

City Council Meeting – Joint Meeting with Delaware School Board  
Rotary

February 11

EMS Agreement Meeting

Finance Committee Meeting

February 12

Delaware City Schools Black History Month Presentation

February 13

MORPC

Citizen's Academy

February 17

Rotary

Rutherford B. Hayes Presentation and Unveiling

February 19

Strand Meeting

4. **Required Reading**

Memorandum from Ted Miller, Parks and Natural Resource Director regarding Central Ohio pool rate comparison and recommendations.

# February

2020

## Monthly Meeting Schedule

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 Council Work Session 6:30 p.m.	4 Public Works/Public Utilities Committee 6:00 p.m.	5 Civil Service 3:30 p.m. Planning Commission 6:30 p.m.	6	7	8
9	10 City Council 6 p.m. @ City Hall Joint Mtg with Council/School Board 7 p.m. @ Willis ***	11 Finance Committee 4:30 p.m.	12 BZA – 6:30 p.m. Cancelled	13	14	15
16	17 Parking and Safety Committee 6 p.m. Cancelled	18	19	20	21	22
23	24 City Council 7 p.m.	25 Shade Tree Commission 6:30 p.m.	26 Historic Preservation Commission 6:30 p.m.	27	28	29

\*\*\* City Council will meet at 6:00 p.m. on February 10 at City Hall for the regular meeting of Council and proceed at 7:00 p.m. to the joint meeting of Council and the Delaware City School Board at Willis Education Center.

# March

2020

## Monthly Meeting Schedule

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Council Work Session 6:30 PM	3	4 Civil Service-Cancelled Planning Commission – 7 pm	5	6	7
8	9 City Council 7pm	10	11 BZA 6:30 pm	12	13	14
15	16	17 Parks and Recreation Advisory Board 6:30 pm	18	19	20	21
22	23 City Council 7pm	24	25 Historic Preservation Commission 6:30 pm	26	27	28
29	30	31				

\*\*\* Parks and Recreation Advisory Board Meeting may be held on January 23 to allow for board to meet with Pros Consulting. This meeting date will be determined on schedule availability.

**CONTRACT APPROVAL - February 24, 2020**

<b>VENDOR</b>	<b>EXPLANATION OF AGREEMENT</b>	<b>2020 AMOUNT</b>	<b>DEPARTMENT</b>
Azteca Systems, Inc	Cityworks License and Maintenance Agreement	\$126,750	IT
ODOT	US23/US36 Exit Bin Wall Improvement	\$71,340	PW
MP Dory	2020 Guardrail and Fence Repair Program	NA	PW
Fisher Farms	Maintenance Agreement	\$1.00	PW



## RECOMMENDATIONS

TO: R. Thomas Homan, City Manager  
 CC: Kyle Kridler, Asst. City Manager  
 FROM: Ted Miller, Parks and Natural Resources Director  
 DATE: February 6, 2020  
 RE: Jack Florance Pool Rate change

We are requesting a rate change for the Jack Florance Pool, to be effective for the 2020 season. The rate change would impact non-residents only and would freeze resident rates for the pool.

The following are the current and proposed rates (changes in red):

	Current Rate	Proposed Rate
<b>Daily Admission</b>		
Resident Youth	\$4.00	\$4.00
Resident Adult	\$6.00	\$6.00
Non Resident Youth	\$4.00	\$9.00
Non Resident Adult	\$6.00	\$10.00
<b>Individual Memberships</b>		
Resident Youth	\$105.00	\$105.00
Resident Adult	\$110.00	\$110.00
Resident Senior	\$60.00	\$60.00
Non Resident Youth	\$135.00	\$200.00
Non Resident Adult	\$140.00	\$200.00
Non Resident Senior	\$90.00	\$90.00
<b>Family Membership</b>		
Resident Family of 2	\$125.00	\$125.00
Non Resident Family of 2	\$155.00	\$250.00
Resident Family of 3	\$145.00	\$145.00
Non Resident Family of 3	\$175.00	\$300.00
Resident Family of 4	\$165.00	\$165.00
Non Resident Family of 4	\$195.00	\$350.00
Resident Family of 5+	\$185.00	\$185.00
Non Resident Family of 5+	\$215.00	\$400.00

Jack Florance Pool -15% off early registration April 9<sup>th</sup> – May 15<sup>th</sup>

The rate change is proposed to bring our rates current with surrounding public pools per the attached comparison sheet. The Jack Florance Pool rates have not changed since sometime before 2011. In addition, the rate change will provide the greatest value to our residents.

We have discussed this with the Park Advisory Board and they are in support of the rate change.

Please consider this rate change and let me know if you have any questions. Thank you.

# DRAFT

## CENTRAL OHIO POOL RATE COMPARISON

Poll	Jack Florance Pool (JFP)	Dublin Community Pool	North Orange Aquatic Center	Gahanna Pools	Worthington Pools	Highlands Park Aquatic Center	Grandview Heights	Marysville	Average (not including Mingo)	Difference	Proposed 2020 JFP Rate (changes in blue)
Owned	Public	Public	Public	Public	Public	Public	Public	Public			
<b>RATES</b>											
<b>Daily Admission</b>											
Resident Youth	\$4.00	\$7.00	\$6.00	\$9.00	\$10.00	\$6.00	\$3.00	\$5.00	\$6.57	-\$2.57	\$4.00
Resident Adult	\$6.00	\$8.00	\$6.00	\$9.00	\$15.00	\$6.00	\$10.00	\$7.00	\$8.71	-\$2.71	\$6.00
Non Resident Youth	\$4.00	\$9.00	\$12.00	\$9.00	\$10.00	\$12.00	\$3.00	\$5.00	\$8.57	-\$4.57	\$9.00
Non Resident Adult	\$6.00	\$10.00	\$12.00	\$9.00	\$15.00	\$12.00	\$10.00	\$7.00	\$10.71	-\$4.71	\$10.00
<b>Individual Memberships</b>											
Resident Youth	\$105.00	\$85.00	\$90.00	\$160.00	\$188.00	\$75.00	\$110.00	\$100.00	\$115.43	-\$10.43	\$105.00
Resident Adult	\$110.00	\$85.00	\$95.00	\$160.00	\$188.00	\$75.00	\$110.00	\$100.00	\$116.14	-\$6.14	\$110.00
Resident Senior	\$60.00	\$60.00	\$70.00	\$100.00	\$121.00	\$40.00	\$65.00	\$70.00	\$75.14	-\$15.14	\$60.00
Non Resident Youth	\$135.00	\$200.00	N/A	\$185.00	\$215.00	\$131.25	\$180.00	\$150.00	\$176.88	-\$41.88	\$200.00
Non Resident Adult	\$140.00	\$200.00	N/A	\$185.00	\$215.00	\$131.25	\$180.00	\$150.00	\$176.88	-\$36.88	\$200.00
Non Resident Senior	\$90.00	\$110.00	N/A	\$90.00	\$139.00	\$70.00	\$124.00	\$90.00	\$85.50	\$4.50	\$90.00
<b>Family Membership</b>											
Resident Family of 2	\$125.00	\$145.00	\$155.00	\$150.00	\$283.00	\$120.00	\$170.00	\$140.00	\$166.14	-\$41.14	\$125.00
Non Resident Family of 2	\$155.00	\$290.00	N/A	\$275.00	\$325.00	\$210.00	\$273.00	\$180.00	\$258.83	-\$103.83	\$250.00
Resident Family of 3	\$145.00	\$200.00	\$170.00	\$300.00	\$325.00	\$150.00	\$210.00	\$160.00	\$216.43	-\$71.43	\$145.00
Non Resident Family of 3	\$175.00	\$405.00	N/A	\$325.00	\$373.00	\$262.50	\$330.00	\$200.00	\$315.92	-\$140.92	\$300.00
Resident Family of 4	\$165.00	\$230.00	\$185.00	\$325.00	\$363.00	\$170.00	\$245.00	\$180.00	\$242.57	-\$77.57	\$165.00
Non Resident Family of 4	\$195.00	\$470.00	N/A	\$350.00	\$417.00	\$297.50	\$376.00	\$220.00	\$355.08	-\$160.08	\$350.00
Resident Family of 5+	\$185.00	\$265.00	\$200.00	\$350.00	\$388.00	\$180.00	\$265.00	\$200.00	\$264.00	-\$79.00	\$185.00
Non Resident Family of 5+	\$215.00	\$550.00	N/A	\$375.00	\$447.00	\$315.00	\$417.00	\$240.00	\$390.67	-\$175.67	\$400.00

Mingo 15% off early registration April 9th - May 15th.

Dublin - 10% early registration discount- non residents must be accompanied by resident

North Orange Aquatic Center (Orange Twp.) \$10.00 off early registration, April 30th