

# RECORD OF PROCEEDINGS

Delaware City Council

Minutes of

Meeting

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 10148

May 24

21

Held \_\_\_\_\_ 20 \_\_\_\_\_

The regular meeting of Council held on May 24, 2021 and was called to order at 7:00 p.m. and was held remotely through Cisco Webex and streamed Live through Facebook due to the State of Emergency – Executive Order 2020-01D. The following members of Council were remotely present: Second Ward Lisa Keller, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle who presided. Mayor Riggle announced the immediate resignation of First Ward Chris Jones that was received earlier in the day.

**Staff Present Remotely:** Lance Schultz, Zoning Administrator, Dave Efland, Planning and Community Development Director, Bill Ferrigno, Public Works Director and City Engineer, Jessica Feller, Human Resource Manager, John Donahue, Fire Chief, Justin Nahvi, Finance Director, Natalia Harris, City Attorney, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

## **ITEM 2. INVOCATION**

The invocation was delivered by Chaplain Chad Johns, Ohio Wesleyan University.

## **ITEM 3: APPROVAL OF MINUTES**

**APPROVAL** of the Motion Summary of the regular meeting of Council held on May 10, 2021, as recorded and transcribed.

**Motion:** Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held on May 10, 2021, as recorded and transcribed a seconded by Mrs. Keller. Motion approved by a 6-0 vote.

## **ITEM 4: CONSENT AGENDA**

- A. Acceptance of the Motion Summary of the Finance Committee meeting held on March 30, 2021, as recorded and transcribed.
- B. Resolution No. 21-19 , a resolution authorizing the City Manager to enter into a Cooperative Agreement with the Ohio Department of Transportation for the resurfacing of portions of US42 from US23 south to the municipal boundary.
- C. Resolution No. 21-20, a resolution authorizing the modification of certain traffic control signage to extend the No Parking Zone on Cobblestone Drive east of Rock Creek Drive.

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

## **ITEM 5: LETTERS, PETITIONS, AND PUBLIC COMMENTS**

There was no public participation.

## **ITEM 6: PRESENTATIONS**

- A. Presentation on Strategic Plan for the Prehospital Care System - Fire Chief John Donahue

## **ITEM 7: COMMITTEE REPORTS**

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Mrs. Keller discussed that for the upcoming Parking and Safety Committee meeting for June 21 that staff review the residential speed program and provide an update on pilot programs.

**ITEM 8: CONSIDERATION OF LIQUOR PERMIT TRANSFER**

- A. To Migdadi Fuel Inc, DBA, Delaware Marathon, 473 South Sandusky Street, Delaware, Ohio 43015 from Philly Petroleum, LLC, DBA Delaware Marathon, 473 South Sandusky Street, Delaware, Ohio 43015. Permit Classes: C1, C2

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

**ITEM 9: ORDINANCE NO. 21-29** [Third Reading]

AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN.

The Clerk read the ordinance for the third time.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 21-29, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

**ITEM 10: ORDINANCE NO. 21-30** [Public Hearing and Third Reading]  
AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT FOR THE DEVELOPMENT OF WINTERBOURNE DRIVE AND OTHER INFRASTRUCTURE IMPROVEMENTS AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the third time.

**PUBLIC PARTICIPATION:**

Bob Grden  
10590 Wellington Blvd.  
Powell, Ohio

Michael R. Shade  
236 West Central Avenue  
Delaware, Ohio

**Motion:** Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 21-30, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 21-30, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

**ITEM 11: ORDINANCE NO. 21-31** [Public Hearing and Second Reading]  
AN ORDINANCE APPROVING A REZONING AMENDMENT FOR VINCENT ROMANELLI FROM A-1 (AGRICULTURAL DISTRICT) TO R-2 PMU (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED USE OVERLAY DISTRICT) FOR AN ADDITION TO THE GLENROSS NORTH SUBDIVISION (SECTIONS 5 & 6) ON APPROXIMATELY 43.6 ACRES

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LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

The Clerk read the ordinance for the second time. There was no public participation for the public hearing. Council to table Ordinance No. 21-31 until the July 26 Council meeting to be presented with the annexation ordinance.

**APPLICANT:**

Jeff Strung

EMHT

5500 New Albany Road

New Albany, Ohio

**Motion:** Vice-Mayor Shafer motioned to table Ordinance No. 21-31, Ordinance No. 21-32, Ordinance No. 21-33, and Ordinance No. 21-34 until the July 26, 2021 Council meeting, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

**ITEM 12: ORDINANCE NO. 21-32**

Second Reading]

[Public Hearing and

AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A CONDITIONAL USE PERMIT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED USE OVERLAY DISTRICT) TO BE ESTABLISHED FOR THE ADDITION TO THE GLENROSS NORTH SUBDIVISION (SECTIONS 5 & 6) ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

The Clerk read the ordinance for the second time. There was no public participation for the public hearing.

**Motion:** Vice-Mayor Shafer motioned to table Ordinance No. 21-31, Ordinance No. 21-32, Ordinance No. 21-33, and Ordinance No. 21-34 until the July 26, 2021 Council meeting, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

**ITEM 13: ORDINANCE NO. 21-33**

[Second Reading]

AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN FOR THE GLENROSS NORTH SUBDIVISION SECTIONS 5 & 6 ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

The Clerk read the ordinance for the second time.

**Motion:** Vice-Mayor Shafer motioned to table Ordinance No. 21-31, Ordinance No. 21-32, Ordinance No. 21-33, and Ordinance No. 21-34 until the July 26, 2021 Council meeting, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

**ITEM 14: ORDINANCE NO. 21-34**

[Second Reading]

AN ORDINANCE FOR VINCENT ROMANELLI FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAT FOR THE GLENROSS NORTH SUBDIVISION SECTIONS 5 & 6 ON APPROXIMATELY 43.6 ACRES LOCATED EAST OF GLENN PARKWAY AND JUST SOUTH OF BERLIN STATION ROAD.

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The Clerk read the ordinance for the second time.

**Motion:** Vice-Mayor Shafer motioned to table Ordinance No. 21-31, Ordinance No. 21-32, Ordinance No. 21-33, and Ordinance No. 21-34 until the July 26, 2021 Council meeting, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

**ITEM 15: ORDINANCE NO. 21-35** [Public Hearing and Second Reading]  
AN ORDINANCE APPROVING A REZONING AMENDMENT FOR CHARLES R. DAVIS FROM A-1 (AGRICULTURAL DISTRICT) TO R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) FOR THE DAVIS TRACT SUBDIVISION ON APPROXIMATELY 30.708 ACRES LOCATED ON THE NORTH SIDE OF WEST WILLIAM STREET AND JUST WEST OF SPRINGER WOODS SUBDIVISION.

The Clerk read the ordinance for the second time. There was no public participation for the public hearing.

**APPLICANT:**

Michael R. Shade  
Shade and Shade, LLC  
236 West Central Avenue  
Delaware, Ohio

Linda Menerey  
EMHT  
5500 New Albany Road  
New Albany, Ohio

**Motion:** Mrs. Keller motioned to suspend the rules for Ordinance No. 21-35, seconded by Mr. Farrell. Motion approved by a 5-0-1 (Hoffman) vote.

**Motion:** Mrs. Keller motioned to adopt Ordinance No. 21-35, seconded by Mr. Farrell. Motion approved by a 5-0-1 (Hoffman) vote.

**ITEM 16: ORDINANCE NO. 21-36** [Second Reading]  
AN ORDINANCE APPROVING A PRELIMINARY SUBDIVISION PLAT FOR CHARLES R. DAVIS FOR THE DAVIS TRACT SUBDIVISION ON APPROXIMATELY 30.708 ACRES LOCATED ON THE NORTH SIDE OF WEST WILLIAM STREET AND JUST WEST OF SPRINGER WOODS SUBDIVISION.

The Clerk read the ordinance for the second time.

**Motion:** Mrs. Keller motioned to suspend the rules for Ordinance No. 21-36, seconded by Mr. Farrell. Motion approved by a 5-0-1 (Hoffman) vote.

**Motion:** Mrs. Keller motioned to adopt Ordinance No. 21-36, seconded by Mr. Farrell. Motion approved by a 5-0-1 (Hoffman) vote.

**ITEM 17: RESOLUTION NO. 21-21** [First Reading]  
A RESOLUTION AMENDING THE INVESTMENT POLICY FOR THE CITY OF DELAWARE.

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The Clerk read the resolution for the first time.

**Motion:** Vice-Mayor Shafer motioned to approve Resolution No. 21-21, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

**ITEM 18: ORDINANCE NO. 21-37** [First Reading]  
AN ORDINANCE TO AUTHORIZE AND DIRECT THE CITY MANAGER TO EXECUTE AND SIGN AN AMENDMENT TO THE PETITION FOR THE NORTHSTAR NEW COMMUNITY AUTHORITY ON BEHALF OF THE CITY OF DELAWARE, OHIO, TO BE PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS OF DELAWARE COUNTY, OHIO, TO ADD PROPERTY TO THE BOUNDARIES OF THE NEW COMMUNITY DISTRICT OF THE AUTHORITY AND RECOGNIZE THE CHANGE IN DEVELOPER FOR THE AUTHORITY, AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 21-37, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

**Motion:** Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 21-37, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 21-37, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

**ITEM 19: ORDINANCE NO. 21-38** [First Reading]  
AN ORDINANCE SUPPLEMENTING THE 2021 APPROPRIATIONS AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time. Ordinance No. 21-38 will be presented for a second reading.

**ITEM 20: ORDINANCE NO. 21-39** [First Reading]  
AN ORDINANCE AUTHORIZING AND APPROVING A PRE-ANNEXATION AGREEMENT FOR 43.6± ACRES KNOWN AS THE MARY JO LANE TRUST ANNEXATION (AKA FUTURE GLENROSS NORTH SECTIONS 5 AND 6) AND LOCATED ON THE SOUTH SIDE OF BERLIN STATION RD., EAST OF GLENN PARKWAY, WEST OF THE EXISTING NORFOLK & SOUTHERN RAILROAD TRACKS, AND NORTH OF THE EXISTING GLENROSS NORTH SUBDIVISION SECTIONS 1-4.

The Clerk read the ordinance for the first time. Ordinance No. 21-39 will be presented for a second reading.

**ITEM 21: ORDINANCE NO. 21-40** [First Reading]  
An ordinance approving the sale of a 1989 E-One Pumper Truck that has outgrown its useful serviceable life.

The Clerk read the ordinance for the first time.

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 21-40, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

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**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 21-40, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

**ITEM 22: FINANCE DIRECTOR'S REPORT**

- A. Review of April Finance Report
- B. Presentation on Delinquent Utility Account Project

**ITEM 23: CITY MANAGER'S REPORT & COVID-19 UPDATE**

Mr. Homan discussed the plans to have council meetings in June return to open meetings in chambers and boards and commissions to return to open meetings in chambers in July. He reviewed the new guidelines for masks for city buildings and pool opening and pool memberships.

**Motion:** Mrs. Keller motioned to amend the agenda to add Council Comments following City Manager's Report, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

**ITEM 24: COUNCIL COMMENTS**

Mrs. Keller discussed concerns raised by the Delaware General Health District regarding funding removed at the local level to be outsourced for contract tracing. Mrs. Keller discussed her plans to write a letter to Ohio Department of Health regarding these concerns.

Mayor Riggle recognized Mr. Jones for his time on Council. She provided information on the Oak Grove Cemetery Memorial Service.

**ITEM 25: EXECUTIVE SESSION:** pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action.

Mayor Riggle motioned to enter into executive session pursuant to Ohio Revised Code Section 121.22 (G)(3) pending or imminent court action at 8:45 p.m. This motion was seconded by Vice-Mayor Shafer and approved by a 6-0 vote. The following members of Council were present for the discussion Second Ward Lisa Keller, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Carolyn Kay Riggle. Council reconvened back in open session.

**ITEM 26: ADJOURNMENT**

**Motion:** Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 9:15 p.m.

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

  
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Elaine McCloskey, Council Clerk