

RECORD OF PROCEEDINGS

Delaware City Council

Minutes of

Meeting

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

January 25

21

Held _____

20 _____

The regular meeting of Council held on January 25, 2021 and was called to order at 7:01 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: First Ward Chris Jones, Second Ward Lisa Keller, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Riggle who presided. The invocation was delivered Reverend Gunnar Cerda, Ohio Health Pastoral Care.

Staff Present Remotely: Dave Efland, Planning and Community Development Director, Justin Nahvi, Ted Miller, Parks and Natural Resource Director, Judge Marianne Hemmeter, Municipal Courts, Natalia Harris, City Attorney, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

ITEM 3: APPROVAL OF MINUTES

APPROVAL of the Motion Summary of the regular meeting of Council held on January 11, 2021, as recorded and transcribed.

APPROVAL of the Motion Summary of the work session of Council held on January 4, 2021, as recorded and transcribed.

Motion: Mrs. Keller motioned to approve the Motion Summary of the regular meeting of Council held on January 11, 2021, as recorded and transcribed and the Motion Summary of the work session meeting of Council held on January 4, 2021, as recorded and transcribed, seconded by Mr. Farrell. Motion approved by a 7-0 vote.

ITEM 4: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Parks and Recreation Advisory Board meeting held on September 22, 2020, as recorded and transcribed.
- B. Resolution No. 21-02, a resolution authorizing the City Manager to enter into a cooperative agreement with Delaware County for fiber use/expansion.
- C. Resolution No. 21-03, a resolution authorizing the City Manager to enter into a Economic Development Revolving Loan Fund Administration Agreement with the Ohio Development Services Agency for the period beginning January 1, 2021 and ending December 31, 2023.
- D. Resolution No. 21-04, a resolution authorizing the City of Delaware to participate in the State of Ohio Cooperative Purchasing Program.
- E. Establish February 8, 2021 at 7:20 p.m. as a date and time for a public hearing and second reading for Ordinance No. 21-03, an ordinance amending 108.02 of the Codified Ordinances relating to the authority of city officers to dispose of city personal property.

Motion: Mrs. Keller motioned to approve the Consent Agenda, seconded by Mr. Farrell. Motion approved by a 7-0 vote.

ITEM 5: LETTERS, PETITIONS, AND PUBLIC COMMENTS

The Clerk submitted into the records the following emails that were received:

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Margaret Bowman
35 Delaware Drive
Delaware, Ohio

ITEM 6: INTRODUCTION OF NEW STAFF

A. Mike Hamer, Recreation Program Superintendent

ITEM 7: PRESENTATION

A. "Delaware Together" Comprehensive Plan Update – Dave Efland,
Planning and Community Development Director and Lee Yoakum,
Community Affairs Coordinator

ITEM 8: COMMITTEE REPORTS

Mrs. Keller informed Council that the Historic Preservation Commission will meet on January 27, 2021.

ITEM 9: ORDINANCE NO. 20-89 [Third Reading]

AN ORDINANCE APPROVING A REZONING AMENDMENT FOR HOMEPORT FROM B-3 (COMMUNITY BUSINESS DISTRICT) AND R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT) TO R-4 (MEDIUM DENSITY RESIDENTIAL DISTRICT) TO R-4 PMU (MEDIUM DENSITY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AT 50 CHANNING STREET ON APPROXIMATELY 5.38 ACRES.

The Clerk read the ordinance for the third time.

APPLICANT:

Laura MacGregor Comek
Laura M. Comek Law, LLC
17 South High Street, Ste 700
Columbus, Ohio

Leah Evans
Homeport, Vice President Real Estate Development
562 East Main Street
Columbus, Ohio

Roy Lowenstein
Homeport, Project Developer
562 East Main Street
Columbus, Ohio

PUBLIC PARTICIPATION:

The following emails were read into the record by the Clerk:

Pastor Donnie Akers
East Side Mission
32 Joy Avenue
Delaware, Ohio

Deena Ingle
51 Scottwood Court
Delaware, Ohio

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 20-89,

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seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 10: ORDINANCE NO. 20-90 [Third Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR HOMEPORT ALLOWING THE PLACEMENT OF A PMU (PLANNED MIXED-USE OVERLAY DISTRICT) TO BE ESTABLISHED AT 50 CHANNING STREET ON APPROXIMATELY 5.38 ACRES.

The Clerk read the ordinance for the third time.

APPLICANT:

Laura MacGregor Comek
Laura M. Comek Law, LLC
17 South High Street, Ste 700
Columbus, Ohio

Leah Evans
Homeport, Vice President Real Estate Development
562 East Main Street
Columbus, Ohio

Roy Lowenstein
Homeport, Project Developer
562 East Main Street
Columbus, Ohio

PUBLIC PARTICIPATION:

The following emails were read into the record by the Clerk:

Pastor Donnie Akers
East Side Mission
32 Joy Avenue
Delaware, Ohio

Deena Ingle
51 Scottwood Court
Delaware, Ohio

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 20-90, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 11: ORDINANCE NO. 20-91 [Third Reading]

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR HOMEPORT FOR A 52-UNIT MIXED-USE RESIDENTIAL DEVELOPMENT AT 50 CHANNING STREET ON APPROXIMATELY 5.38 ACRES AND ZONED R-4 PMU.

The Clerk read the ordinance for the third time.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 20-91, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

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ITEM 12: ORDINANCE NO. 21-01

[Second Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN EXTENSION REQUEST UNTIL JANUARY 31, 2023 BY GRDEN LLC., FOR WINTERBROOK PLACE PHASE 1 CONSISTING OF 66 SINGLE FAMILY LOTS ON 30.452 ACRES ZONED R-3 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON WINTERBOURNE DRIVE, SIENNA GLENN DRIVE, MAHOGANY DRIVE, GARDENIA LANE, AND SILVER PINE LANE.

The Clerk read the ordinance for the second time.

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 21-01, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Mrs. Keller motioned to adopt Ordinance No. 21-01, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 13: ORDINANCE NO. 21-02

[First Reading]

AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 21-02, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 21-02, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 21-02, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

ITEM 14: ORDINANCE NO. 21-03

[First Reading]

AN ORDINANCE AMENDING 108.02 OF THE CODIFIED ORDINANCES RELATING TO THE AUTHORITY OF CITY OFFICERS TO DISPOSE OF CITY PERSONAL PROPERTY.

The Clerk read the ordinance for the first time. Ordinance No. 21-03 has been scheduled for a public hearing and second reading at the February 8, 2021 meeting.

ITEM 15: FINANCE DIRECTOR'S REPORT

Mr. Nahvi reviewed the submitted financial report for December 2020.

ITEM 16: CITY MANAGER'S REPORT & COVID-19 UPDATE

Mr. Homan reviewed work session topics for the February 1 and March 1 meeting dates. He discussed having a discussion regarding wastewater sampling and the Department of Health and updated Council on the progress of the renovations to City Hall.

ITEM 17: COUNCIL COMMENTS

Mrs. Keller discussed her desire to attend the upcoming meeting with the Ohio Department of Health regarding wastewater testing.

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Mr. Hoffman discussed the need to look at expanding the DORA to include liquor.

Mr. Farrell informed Council about the new app created by Main Street Delaware.

Vice-Mayor Shafer requested an update regarding the sewer services to Evans Farm.

ITEM 18: EXECUTIVE SESSION: PURSUANT TO OHIO REVISED CODE SECTION 121.22 (G) (3) PENDING OR IMMINENT COURT ACTION, SECTION 121.22 (G) (1) PERSONNEL, SECTION 121.22 (G) (5) MATTERS REQUIRED TO BE KEPT CONFIDENTIAL BY STATE STATUTE, SECTION 121.22 (G) (2) ACQUISITION OF PROPERTY FOR PUBLIC PURPOSE AND 121.22(G) (8) CONSIDERATION OF CONFIDENTIAL INFORMATION RELATED TO A REQUEST FOR ECONOMIC DEVELOPMENT ASSISTANCE.

Vice-Mayor Shafer motioned to enter into executive session at 7:58 p.m. pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance. This motion was seconded by Mrs. Keller and approved by a 7-0 vote. Present in the discussion was First Ward Chris Jones, Second Ward Lisa Keller Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer, and Mayor Riggle who presided. At 8:25 p.m. Mrs. Keller motioned to enter back into open session, seconded by Vice-Mayor Shafer. This motion was approved by a 7-0 vote.

ITEM 19: ADJOURNMENT

Motion: Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 8:26 p.m.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk