

# RECORD OF PROCEEDINGS

Delaware City Council

Minutes of

Meeting

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

March 8

21

Held \_\_\_\_\_

20 \_\_\_\_\_

The regular meeting of Council held on March 8, 2021 and was called to order at 6:33 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.

Staff Present Remotely: Sean Hughes, Economic Development Director, Dave Efland, Planning and Community Development Director, Justin Nahvi, Finance Director, Natalia Harris, City Attorney, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

**ITEM 2. EXECUTIVE SESSION:** pursuant to Ohio Revised Code Section 121.22 (G) (1) personnel, Section 121.22 (G) (2) acquisition of property for public purpose, Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (5) matters required to be kept confidential by State statute.

Mrs. Keller motioned to enter into executive session at 6:37 p.m. pursuant to Ohio Revised Code Section 121.22 (G) (1) personnel, Section 121.22 (G) (2) acquisition of property for public purpose, Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (5) matters required to be kept confidential by State statute. This motion was seconded by Mr. Farrell 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 6:53 p.m. Vice-Mayor Shafer motioned to enter back into open session, seconded by Mr. Farrell. This motion was approved by a 7-0 vote. Council reconvened into open session at 7:00 p.m.

**ITEM 3. INVOCATION**

The invocation was delivered by Pastor Scott Logan, Agape International Cathedral.

**ITEM 4: APPROVAL OF MINUTES**

APPROVAL of the Motion Summary of the regular meeting of Council held on February 22, 2021, as recorded and transcribed.

APPROVAL of the Motion Summary of the work session meeting of Council held on March 1, 2021, as recorded and transcribed.

**Motion:** Vice-Mayor Shafer motioned to approve the Motion Summary of the regular meeting of Council held on February 22, 2021, as recorded and transcribed, seconded by Mr. Hoffman. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer motioned to approve the Motion Summary of the work session meeting of Council held on March 1, 2021, as recorded and transcribed, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**ITEM 5: CONSENT AGENDA**

A. Acceptance of the Motion Summary of the Shade Tree Commission meeting held on November 17, 2020, and December 15, 2020, as

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recorded and transcribed.

- B. Acceptance of the Motion Summary of the Planning Commission meeting held on January 6, 2021, as recorded and transcribed.
- C. Acceptance of the Motion Summary of the Historic Preservation Commission meeting held on January 27, 2021, as recorded and transcribed.
- D. Establish March 22, 2021 at 7:20 p.m. as a date and time for a public hearing and second reading of Ordinance No. 21-18, an ordinance amending Section 917.21(B) of the City’s Codified Ordinances relating to capacity fees for sanitary sewer service permits.
- E. Establish March 22, 2021 at 7:25 p.m. as a date and time for a public hearing and second reading of Ordinance No. 21-19, an ordinance amending Section 913.20(B) of the City’s Codified Ordinances relating to capacity fees for water service permits.

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

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

The following email was submitted into the record:

Marianne Gabel  
49 Forest Avenue  
Delaware, Ohio

The following participants joined the meeting virtually:

Anna Willow  
Via Cisco Webex  
Sustainable Delaware  
Delaware, Ohio

Kevin Anderson  
Via Cisco Webex  
648 Holly Road  
Delaware, Ohio

**ITEM 7: COMMITTEE REPORTS**

**ITEM 8: RESOLUTION NO. 21-10** [Second Reading]  
A RESOLUTION AUTHORIZING THE MODIFICATION OF CERTAIN TRAFFIC CONTROL SIGNAGE TO ELIMINATE TWO (2) PARKING SPACES WITHIN THE NORTH FRANKLIN STREET PARKING LOT TO PROVIDE ACCESS TO PROPERTIES LOCATED AT 19 AND 23 WEST WINTER STREET.

The Clerk read the resolution for the second time. This resolution was tabled at the February 22, 2021 meeting.

**Motion:** Vice-Mayor Shafer motioned to bring forward to Council from the table Resolution No. 21-10, seconded by Mr. Farrell. Motion approved by a 6-0-1 (Riggle) vote.

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**Motion:** Vice-Mayor Shafer motioned to lay on table Resolution No. 21-10, seconded by Mr. Farrell. Motion approved by a 6-0-1 (Riggle) vote.

**ITEM 9: ORDINANCE NO. 21-10** [Second Reading]  
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO GRANT A NON-EXCLUSIVE INGRESS-EGRESS EASEMENT ON CITY PROPERTY ADJACENT TO 19 AND 23 W. WINTER STREET.

The Clerk read the ordinance for the second time. This ordinance was tabled at the February 22, 2021 Council meeting.

**Motion:** Vice-Mayor Shafer motioned to bring forward to Council from the table Ordinance No. 21-10, seconded by Mr. Farrell. Motion approved by a 6-0-1 (Riggle) vote.

**Motion:** Vice-Mayor Shafer motioned to lay on table Ordinance No. 21-10, seconded by Mr. Farrell. Motion approved by a 6-0-1 (Riggle) vote.

**ITEM 10: RESOLUTION NO. 21-11** [First Reading]  
A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE DELAWARE CITY TAX INCENTIVE REVIEW COUNCIL (TIRC) ON THE STATUS OF THE 2020 COMMUNITY REINVESTMENT AREA (CRA), ENTERPRISE ZONE (EZ) AND TAX INCREMENT FINANCING PROGRAMS (TIF).

The Clerk read the resolution for the first time.

**Motion:** Vice-Mayor Shafer motioned to adopt Resolution No. 21-11, seconded by Mr. Jones. Motion approved by a 3-0 vote.

**ITEM 11: ORDINANCE NO. 21-11** [First Reading]  
AN ORDINANCE GRANTING AN APPEAL OF A CONDITIONAL APPROVAL OF A CERTIFICATE OF APPROPRIATENESS FOR THE REQUEST BY MOHIO PIZZA CO. FOR A PROPOSED REAR PERMANENT PATIO AT 23 NORTH SANDUSKY STREET, WHICH IS ZONED B-2 (CENTRAL BUSINESS DISTRICT) AND LOCATED IN THE DOWNTOWN CORE OF THE DOWNTOWN HISTORIC DISTRICT OVERLAY.

The Clerk read the ordinance for the first time.

APPLICANT:  
Monroe Nelson  
MOHIO Pizza Co.  
23 North Sandusky Street  
Delaware, Ohio 43015

PUBLIC PARTICIPATION:  
Aaron Crater  
Ohio Barhop, Founder  
4119 Macaldus Drive  
Columbus, Ohio 43219

**Motion:** Mr. Hoffman motioned to suspend the rules, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

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**Motion:** Mr. Hoffman motioned the approval of Ordinance 21-11, granting an appeal of the project as originally submitted, including the allowance of the maximum 6 ft. fence with wooden slats, interior fabric, a trellis, or other similar approach as determined by the Director of Planning and Development that allows for effectively blocking the sun and undesirable view from the patio finding special circumstance that satisfy the decision criteria listed in Section 1190.06(d) of the codified ordinances, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**ITEM 12: ORDINANCE NO. 21-12** [First Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY T&R PROPERTIES FOR BOULDER RESERVE CONTAINING 90 SINGLE-FAMILY ATTACHED UNITS ON APPROXIMATELY 21.44 ACRES ON PROPERTY ZONED R-6 PUD (MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT) AND LOCATED ON THE SOUTH SIDE OF BOULDER DRIVE AND EAST OF THE YMCA.

The Clerk read the ordinance for the first time.

APPLICANT:

RJ Sabatino  
T&R Properties  
2705 Donna Drive  
Columbus, Ohio

**Motion:** Mr. Hoffman motioned to suspend the rules for Ordinance No. 21-12, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Hoffman motioned to adopt Ordinance No. 21-12, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**ITEM 13: ORDINANCE NO. 21-13** [First Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY T & R PROPERTIES FOR BOULDER RESERVE CONTAINING 90 SINGLE-FAMILY ATTACHED UNITS ON APPROXIMATELY 21.44 ACRES ON PROPERTY ZONED R-6 PUD (MULTI-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT) AND LOCATED ON THE SOUTH SIDE OF BOULDER DRIVE AND EAST OF THE YMCA.

The Clerk read the Ordinance for the first time.

APPLICANT:

RJ Sabatino  
T&R Properties  
2705 Donna Drive  
Columbus, Ohio

**Motion:** Mr. Hoffman motioned to suspend the rules for Ordinance No. 21-13, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

**Motion:** Mr. Hoffman motioned to adopt Ordinance No. 21-13, seconded by Vice-Mayor Shafer. Motion approved by a 7-0 vote.

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

[First Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 17 CONTAINING 27 SINGLE FAMILY LOTS ON 8.321 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON SUNSTONE LANCE AND CAMBRIE DRIVE.

The Clerk read the ordinance for the first time.

APPLICANT:

Joe Lamparyk  
475 Metro Place South  
Dublin, Ohio

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 21-14, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 21-14, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**ITEM 15: ORDINANCE NO. 21-15**

[First Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 17 CONTAINING 27 SINGLE FAMILY LOTS ON 8.321 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON SUNSTONE LANE AND CAMBRIE DRIVE.

The Clerk read the ordinance for the first time.

APPLICANT:

Joe Lamparyk  
475 Metro Place South  
Dublin, Ohio

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 21-15, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 21-15, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**ITEM 16: ORDINANCE NO. 21-16**

[First Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 19 CONTAINING 36 SINGLE-FAMILY LOTS ON 10.437 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON BLUESTONE LANE.

The Clerk read the ordinance for the first time.

APPLICANT:

Joe Lamparyk  
475 Metro Place South  
Dublin, Ohio

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**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 21-16, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 21-16, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**ITEM 17: ORDINANCE NO. 21-17** [First Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 19 CONTAINING 36 SINGLE-FAMILY LOTS ON 10.437 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON BLUESTONE LANE.

The Clerk read the ordinance for the first time.

APPLICANT:

Joe Lamparyk  
475 Metro Place South  
Dublin, Ohio

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 21-17, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 21-17, seconded by Mrs. Keller. Motion approved by a 7-0 vote.

**ITEM 18: ORDINANCE NO. 21-18** [First Reading]

AN ORDINANCE AMENDING SECTION 917.21(B) OF THE CITY'S CODIFIED ORDINANCES RELATING TO CAPACITY FEES FOR SANITARY SEWER SERVICE PERMITS.

The Clerk read the ordinance for the first time. Ordinance No. 21-18 will be presented as a seconded reading and public hearing at the March 22, 2021 meeting.

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

AN ORDINANCE AMENDING SECTION 913.20(B) OF THE CITY'S CODIFIED ORDINANCES RELATING TO CAPACITY FEES FOR WATER SERVICE PERMITS.

The Clerk read the ordinance for the first time. Ordinance No. 21-19 will be presented as a seconded reading and public hearing at the March 22, 2021 meeting.

**ITEM 20: ORDINANCE NO. 21-20** [First Reading]

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT, SUPPLEMENTING THE 2021 APPROPRIATIONS.

The Clerk read the ordinance for the first time. Ordinance No. 21-20 will be presented for a second reading.

**ITEM 21: CITY MANAGER'S REPORT & COVID-19 UPDATE**

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Mr. Homan provided an update regarding the American Recovery Act and he will be updating and providing an update at a later date on the how this aid distribution may affect the City.

## **ITEM 22: COUNCIL COMMENTS**

Mr. Jones discussed that he has received numerous complaints regarding the blasting at the quarry and that representatives from The National Lime and Stone Company will be presenting at the April 12 Council meeting to provide an update.

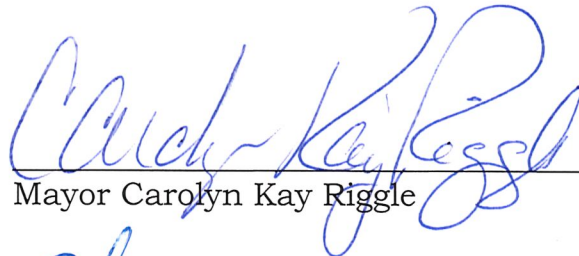
Mr. Hoffman informed Council that he was contacted by residents in the southeast part of his ward and that he will be meeting with them to discuss their request for a 100% income tax credit. He also discussed that he was in contact with members of both the Olentangy City School District and Delaware City School District school board on their decision to return to school for Olentangy and the decision to remain hybrid by Delaware City Schools.

Mr. Hellinger discussed that members of Council speaking on City issues should use their city labels as representatives of the City, but not for issues that are not City related.

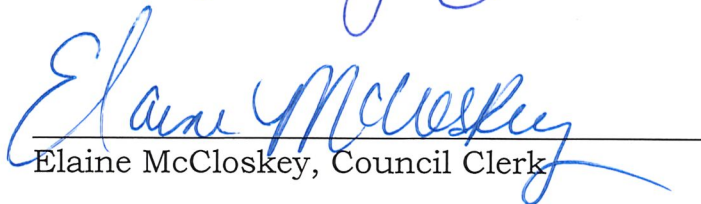
Mayor Riggle informed Council that the Planning Commission will have a special work session to review the draft Comprehensive Plan.

## **ITEM 23: ADJOURNMENT**

**Motion:** Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 8:39 p.m.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk