

RECORD OF PROCEEDINGS

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

Held April 12 21
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The regular meeting of Council held on April 12, 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: First Ward Chris Jones, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, and Vice-Mayor Kent Shafer who presided. Absent from the meeting was Second Ward Lisa Keller and Mayor Carolyn Kay Riggle.

Staff Present Remotely: Lance Schultz, Zoning Administrator, Blake Jordan, Public Utilities Director, Justin Nahvi, Finance Director, Natalia Harris, City Attorney, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

Motion to Excuse: Mr. Jones motioned to excuse Mrs. Keller and Mayor Riggle, seconded by Mr. Farrell. Motion approved by a 5-0 vote.

ITEM 2. INVOCATION

The invocation was delivered by Reverend Jon Powers, University Chaplain Emeritus, Ohio Wesleyan University

ITEM 3: APPROVAL OF MINUTES

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

Motion: Mr. Jones motioned to approve the Motion Summary of the regular meeting of Council held on March 22, 2021, as recorded and transcribed, seconded by Mr. Farrell. Motion approved by a 5-0 vote.

ITEM 4: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Historic Preservation Commission meeting held on February 24, 2021, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Finance Committee meeting held on December 16, 2020, as recorded and transcribed.
- C. Acceptance of the Motion Summary of the Planning Commission meeting held on March 3, 2021, as recorded and transcribed and the Motion Summary of the Planning Commission work session held on March 17, 2021, as recorded and transcribed.
- D. Establish April 26, 2021 at 7:20 p.m. as a date and time for a public hearing and second reading for Ordinance No. 21-21, an ordinance adopting the Delaware Together Comprehensive Plan and Amendments to Chapter 1101 – Master Plan of the City of Delaware Planning and Zoning Code and declaring an emergency and
- E. Establish April 26, 2021 at 7:30 p.m. as a date and time for a public hearing and second reading for Ordinance No. 21-22, an ordinance adopting the 2020-2040 Thoroughfare Plan and Amendments to Chapter 1103 of the City of Delaware Planning and Zoning Code and declaring an emergency.
- F. Establish April 26, 2021 at 7:40 p.m. as a date and time for a public hearing and second reading for Ordinance No. 21-23, an ordinance for WEEE LLC., for approval of a Conditional Use Permit request to allow a PRD (Planned Residential Development District) for Houk Road Condominiums containing 42 single-family attached dwelling units on approximately 18.28 acres on property zoned R-3 (One-

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Family Residential District) and located on the west side of Houk Road and just north of Greenlawn Drive.

- G. Establish May 10, 2021 at 7:30 p.m. as a date and time for a public hearing regarding a Designated Outdoor Refreshment Area (DORA) application that was submitted to Delaware City Council for consideration on March 22, 2021.

Motion: Mr. Jones motioned to approve the Consent Agenda, seconded by Mr. Farrell. Motion approved by a 5-0 vote.

ITEM 5: LETTERS, PETITIONS, AND PUBLIC COMMENTS

The following participants joined the meeting virtually:

Deborah Guebert
265 West Fountain Avenue
Delaware, Ohio

ITEM 6: COMMITTEE REPORTS

ITEM 7: PRESENTATIONS

A. Proclamation recognizing Sexual Assault Awareness Month, Child Abuse and Prevention Month, and National Day of Silence presented to:

- Felicia Robinson, Youth Empowerment, HelpLine
- Lauren MacDade, Director of Sexual Assault and Victim Services, HelpLine
- Nora Flanagan, SARN Coordinator, HelpLine
- Brittany Shetler, Violence Prevention Educator, Helpline

B. Update from National Lime and Stone Company presented by:

- Chad Doll, Vice-President-Corporate Relations and Development
- Dan Mapes, Director of Administrative Services
- Ron Wilke, Director of Southern Region Sales
- Ben Smith, Superintendent

ITEM 8: STAFF INTRODUCTION

A. Erin Wolfe, Watershed/Sustainability Coordinator

ITEM 9: ORDINANCE NO. 21-18 [Third 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 third time.

Motion: Mr. Hoffman motioned to adopt Ordinance No. 21-18, seconded by Mr. Farrell. Motion approved by a 5-0 vote.

ITEM 10: ORDINANCE NO. 21-19 [Third 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 third time.

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Motion: Mr. Hoffman motioned to adopt Ordinance No. 21-19, seconded by Mr. Farrell. Motion approved by a 5-0 vote.

ITEM 11: ORDINANCE NO. 21-20 [Third Reading]
AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT, SUPPLEMENTING THE 2021 APPROPRIATIONS.

The Clerk read the ordinance for the third time.

Motion: Mr. Hoffman motioned to adopt Ordinance No. 21-20, seconded by Mr. Jones. Motion approved by a 5-0 vote.

ITEM 12: ORDINANCE NO. 21-06 [Second Reading]
AN ORDINANCE ACCEPTING THE ANNEXATION OF 32.475± ACRES OF LAND MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS "A" AND "B" FOR THE ANNEXATION KNOWN AS THE CHARLES R. DAVIS ANNEXATION BY MICHAEL R. SHADE, AGENT FOR THE PETITIONERS.

The Clerk read the ordinance for the second time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 21-06, seconded by Mr. Hoffman. Motion approved by a 5-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 21-06, seconded by Mr. Hoffman. Motion approved by a 5-0 vote.

ITEM 13: ORDINANCE NO. 21-21 [First Reading]
AN ORDINANCE ADOPTING THE DELAWARE TOGETHER COMPREHENSIVE PLAN AND AMENDMENTS TO CHAPTER 1101 - MASTER PLAN OF THE CITY OF DELAWARE PLANNING AND ZONING CODE AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time. A public hearing and second reading for Ordinance No. 21-21 was scheduled for April 26, 2021.

ITEM 14: ORDINANCE NO. 21-22 [First Reading]
AN ORDINANCE ADOPTING THE 2020-2040 THOROUGHFARE PLAN AND AMENDMENTS TO CHAPTER 1103 OF THE CITY OF DELAWARE PLANNING AND ZONING CODE AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time. A public hearing and second reading for Ordinance No. 21-22 was scheduled for April 26, 2021.

ITEM 15: ORDINANCE NO. 21-23 [First Reading]
AN ORDINANCE FOR WEEE LLC., FOR APPROVAL OF A CONDITIONAL USE PERMIT REQUEST TO ALLOW A PRD (PLANNED RESIDENTIAL DEVELOPMENT DISTRICT) FOR HOUK ROAD CONDOMINIUMS CONTAINING 42 SINGLE-FAMILY ATTACHED DWELLING UNITS ON APPROXIMATELY 18.28 ACRES ON PROPERTY ZONED R-3 (ONE-FAMILY RESIDENTIAL DISTRICT) AND LOCATED ON THE WEST SIDE OF HOUK ROAD AND JUST NORTH OF GREENLAWN DRIVE.

The Clerk read the ordinance for the first time. A public hearing and second reading for Ordinance No. 21-23 was scheduled for April 26, 2021.

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ITEM 16: ORDINANCE NO. 21-24 [First Reading]

AN ORDINANCE FOR WEEE LLC., FOR APPROVAL OF A PRELIMINARY DEVELOPMENT PLAN REQUEST FOR HOUK ROAD CONDOMINIUMS CONTAINING 42 SINGLE-FAMILY ATTACHED DWELLING UNITS ON APPROXIMATELY 18.28 ACRES ON PROPERTY ZONED R-3 PRD (ONE-FAMILY RESIDENTIAL DISTRICT WITH A PLANNED RESIDENTIAL DEVELOPMENT DISTRICT) AND LOCATED ON THE WEST SIDE OF HOUK ROAD AND JUST NORTH OF GREENLAWN DRIVE.

The Clerk read the ordinance for the first time. Ordinance No. 21-24 will be presented for a second reading.

ITEM 17: ORDINANCE NO. 21-25 [First Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 14 CONTAINING 44 SINGLE FAMILY LOTS ON APPROXIMATELY 26.924 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON HARVEST WALK LOOP, SOLAR WIND ROAD AND WEST WIND ROAD.

The Clerk read the ordinance for the first time.

Motion: Mr. Hoffman motioned to suspend the rules for Ordinance No. 21-25, seconded by Mr. Jones. Motion approved by a 5-0 vote.

Motion: Mr. Hoffman motioned to adopt Ordinance No. 21-25, seconded by Mr. Jones. Motion approved by a 5-0 vote.

ITEM 18: ORDINANCE NO. 21-26 [First Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY PULTE HOMES FOR THE COMMUNITIES AT GLENROSS SECTION 14 CONTAINING 44 SINGLE FAMILY LOTS ON APPROXIMATELY 26.924 ACRES ON PROPERTY ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT) AND LOCATED ON HARVEST WALK LOOP, SOLAR WIND ROAD AND WEST WIND ROAD.

The Clerk read the ordinance for the first time.

Motion: Mr. Hoffman motioned to suspend the rules for Ordinance No. 21-26, seconded by Mr. Jones. Motion approved by a 5-0 vote.

Motion: Mr. Hoffman motioned to adopt Ordinance No. 21-26, seconded by Mr. Jones. Motion approved by a 5-0 vote.

ITEM 19: ORDINANCE NO. 21-27 [First Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN REQUEST BY TERRA ALTA LLC., FOR THE TERRA ALTA CLUBHOUSE ON APPROXIMATELY 1.4 ACRES LOCATED ON THE NORTH SIDE OF TERRA ALTA DRIVE AT THE TERMINUS OF FIRENZE ROAD AND ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

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Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 21-27, seconded by Mr. Farrell. Motion approved by a 5-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 21-27, seconded by Mr. Farrell. Motion approved by a 5-0 vote.

ITEM 20: ORDINANCE NO. 21-28 [First Reading]

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT REQUEST BY TERRA ALTA LLC., FOR THE TERRA ALTA CLUBHOUSE ON APPROXIMATELY 1.4 ACRES LOCATED ON THE NORTH SIDE OF TERRA ALTA DRIVE AT THE TERMINUS OF FIRENZE ROAD AND ZONED R-2 PMU (ONE FAMILY RESIDENTIAL DISTRICT WITH A PLANNED MIXED-USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

Motion: Mr. Jones motioned to suspend the rules for Ordinance No. 21-28, seconded by Mr. Farrell. Motion approved by a 5-0 vote.

Motion: Mr. Jones motioned to adopt Ordinance No. 21-28, seconded by Mr. Farrell. Motion approved by a 5-0 vote.

ITEM 21: EXECUTIVE SESSION: pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action.

Mr. Hoffman motioned to enter into executive session pursuant to Ohio Revised Code Section 121.22 (G)(3) pending or imminent court action at 8:17 p.m. This motion was seconded by Mr. Jones and approved by a 5-0 vote. The following members of Council were present for the discussion First Ward Chris Jones, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, and Vice-Mayor Kent Shafer. At 8:34 p.m. Mr. Jones motioned to enter back into open session, second by Mr. Farrell. This motion was approved by a 5-0 vote.

ITEM 22: CITY MANAGER'S REPORT & COVID-19 UPDATE

Mr. Homan discussed working with the Delaware General Health District on reopening the Mingo Recreation Center and also setting guidelines to reopen shelters for rental. Staff continue to work with the health district on recent orders by the Governor relating to COVID-19 precautions and the impact to summer events. He provided information regarding the upcoming DORA public hearing.

ITEM 23: COUNCIL COMMENTS

Mr. Jones discussed the comments received on social media relating to the quarry blasting by National Lime and Stone Company and recommended that updates be provided on Next Door App.

Mr. Farrell discussed increased complaints received regarding speeding and noise from vehicle and motorcycle exhausts.

Mr. Hellinger discussed the concern with increase of speeding and for residents to be considerate when traveling through other neighborhoods.

ITEM 24: ADJOURNMENT

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Motion: Mr. Jones motioned to adjourn the meeting. The meeting adjourned at 8:34 p.m.



Mayor Carolyn Kay Riggle



Elaine McCloskey, Council Clerk