

**CITY OF DELAWARE  
CITY COUNCIL  
MEETING TO BE HELD VIRTUALLY VIA CISCO Webex \*\*  
7:00 P.M. MEETING**

**AGENDA**

**7:00 P.M.**

**May 11, 2020**

1. ROLL CALL
2. INVOCATION
3. APPROVAL of the Motion Summary of the regular meeting of Council held on April 27, as recorded and transcribed.
4. LETTERS, PETITIONS, AND PUBLIC COMMENTS  
Due to the meeting being held virtually, public comment is requested to be received either before or during the meeting through email at [emccloskey@delawareohio.net](mailto:emccloskey@delawareohio.net). Comments received on Facebook may have to be addressed by staff subsequent to the meeting.
5. PRESENTATION
  - A. Proclamation Childhood Apraxia Awareness – presented to Megan Williamson with Apraxia Kids.
  - B. Proclamation recognizing Public Service Recognition Week
6. CONSIDERATION of Resolution No. 20-32, a resolution indicating what services the City of Delaware will provide to 2.385± acres of land, more or less, description and map are attached hereto for the annexation known as the Dylan J. Menges, Trustee Annexation by Michael R. Shade, Agent for the Petitioner.
7. CONSIDERATION of Resolution No. 20-33, a resolution authorizing the City Manager to file an application with the Ohio Development Services Agency, Office of Community Development, for the Program Year 2020 CDBG Community Development Allocation Program and supplemented by Local CDBG ED-RLF Program Income.
8. CONSIDERATION of Resolution No. 20-34, a resolution authorizing the City Manager to Certify the Civil Service Police Eligibility List.
9. CONSIDERATION of Ordinance No. 20-29, an ordinance amending Ordinance No. 20-25 Emergency Measures in response to the COVID-19 Pandemic to allow Boards, Commission and Committees to meet remotely and declaring and emergency.

10. CITY MANAGER'S REPORT & COVID-19 UPDATE:
  - A. John Donahue, Fire Chief
  - B. Bruce Pijanowski, Police Chief
  - C. Bill Ferrigno, City Engineer and Public Works Director

11. COUNCIL COMMENTS

12. ADJOURNMENT

\*\* This meeting will be a virtual meeting. Residents are encouraged to view online through the City of Delaware Facebook page. To comply with the CDC recommendation prohibiting group meetings, no in person attendance by Council, staff, or the public will be available.

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-9094 FORM NO. 10148

Held April 27 2020

The regular meeting of Council held on April 27, 2020 and was called to order at 7:08 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 by Pastor Michael Curtis

Staff Present Remotely: Sean Hughes, Economic Development Director, Justin Nahvi, Finance Director, Darren Shulman, City Attorney, Bruce Pijanowski, Police Chief, John Donahue, Fire Chief, 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 April 13, 2020, as recorded and transcribed.

**Motion:** Mrs. Keller motioned to approve the Motion Summary of the regular meeting of Council held on April 13, 2020, 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 Finance Committee meeting held on February 11, 2020, as recorded and transcribed.

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

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

### **ITEM 6: PRESENTATION**

A. Proclamation recognizing Delaware General Health District and Health Commissioner Shelia Hiddleston

### **ITEM 7: ORDINANCE NO. 20-26** [First Reading]

AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR 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).

The Clerk read the ordinance for the first time.

#### **APPLICANT:**

Bill Souders, Architect  
Moody Nolan Inc.  
300 Spruce Street  
Columbus, Ohio

Pat Blayney, Vice-President  
Delaware General Health District  
Board of Health  
1 West Winter Street

RECORD OF PROCEEDINGS

Held April 27 20 20

Delaware, Ohio

Shelia Hiddleston
Health Commissioner
Delaware General Health District
1 West Winter Street
Delaware, Ohio

Motion: Mrs. Keller motioned to suspend the rules for Ordinance No. 20-26, seconded by Mr. Hoffman. Motion approved by a 7-0 vote.

Motion: Mrs. Keller motioned to adopt Ordinance No. 20-26, seconded by Mr. Hoffman. Motion approved by a 7-0 vote.

ITEM 8: ORDINANCE NO. 20-27 [First Reading]
AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR DELAWARE DEVELOPMENT PLAN LTD, FOR A MIXED-USE COMMERCIAL/OFFICE BUILDING ON LOT 12724 WITHIN SUB-AREA 6 OF COUGHLIN'S CROSSING ON APPROXIMATELY 2.641 ACRES LOCATED EAST OF US 23, WEST OF COUGHLIN LANE AND JUST NORTH OF HAWTHORN BOULEVARD AND ZONED A-1 PMU (AGRICULTURAL WITH A PLANNED MIXED-USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

APPLICANT:
John Oney
Architectual Alliance
49 East 3rd Street
Columbus, Ohio

Randy VanTilburg
157 Thornapple Trail
Delaware, Ohio

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 20-27, seconded by Mr. Jones. Motion approved by a 7-0 vote.

Motion: Vice-Mayor Shafer motioned to adopt Ordinance No. 20-27, seconded by Mr. Jones. Motion approved by a 7-0 vote.

ITEM 9: ORDINANCE NO. 20-28 [First Reading]
AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR DELAWARE DEVELOPMENT PLAN LTD., FOR TWO MIXED-USE COMMERCIAL/OFFICE BUILDING WITHIN SUB-AREA 5 OF COUGHLIN'S CROSSING ON APPROXIMATELY 5.752 ACRES LOCATED EAST OF US 23, WEST OF COUGHLIN LANE AND JUST SOUTH OF HAWTHORN BOULEVARD AND ZONED A-1 PMU (AGRICULTURAL WITH A PLANNED MIXED-USE OVERLAY DISTRICT).

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 20-28, seconded by Mr. Jones. Motion approved by a 7-0 vote.

# RECORD OF PROCEEDINGS

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held April 27 2020

**Motion:** Vice-Mayor Shafer motioned to adopt Ordinance No. 20-28, seconded by Mr. Jones. Motion approved by a 7-0 vote.

## **ITEM 10: FINANCE DIRECTOR'S REPORT**

Mr. Nahvi reviewed the monthly March Finance Report. He discussed the insert to be included in the May utility bill regarding the application for utility assistance. He discussed being contacted by Delaware County Auditor regarding extension of property tax due dates.

## **ITEM 11: CITY MANAGER'S REPORT & COVID-19 UPDATE**

Mr. Homan discussed staff is finalizing the Recovery Plan on having employees return to operations under new guidelines. He discussed that there will be a meeting with the YMCA to discuss summer planning of recreational services.

### A. John Donahue, Fire Chief

Chief Donahue discussed that operations going well. They currently are waiting on additional surgical masks in place before starting services, such as yard waste. He discussed the surgical masks have been ordered will be used for City Staff, Police, Fire and patients.

### B. Bruce Pijanowski, Police Chief

Chief Pijanowski discussed that operations continue and partner with other agencies in Delaware County.

### C. Sean Hughes, Economic Development Director

Mr. Hughes discussed the guidance received from the Governor's press conference earlier today along with the requirements to open businesses back up. He reviewed that 95% of industrial businesses did not lay off any employees and 36.11% of overall businesses did not lay off any employees. 85% of majority of businesses were at least partially open during the Stay at Home Orders. He discussed putting together a Business Recovery Task Force represented by businesses and community partners from a variety of industries. This task force will work on safety issues for employees.

## **ITEM 12: COUNCIL COMMENTS**

Mrs. Keller exited the meeting at 8:21 p.m.

Mayor Riggie discussed plans to not have Boards and Commission meetings for the month of May. There will be a Finance Committee meeting that will be held virtually on May 13 and a City Council meeting on May 11.

## **ITEM 13: ADJOURNMENT**

**Motion:** Mr. Jones motioned to adjourn the meeting. The meeting adjourned at 8:28 p.m.

**RECORD OF PROCEEDINGS**

Minutes of

Delaware City Council

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held April 27 20   20  

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

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



## FACT SHEET

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AGENDA ITEM NO: 6

DATE: 05/11/2020

ORDINANCE NO:

RESOLUTION NO: 20-32

READING: FIRST

PUBLIC HEARING: NO

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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:**

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF DELAWARE WILL PROVIDE TO 2.385± ACRES OF LAND, MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO FOR THE ANNEXATION KNOWN AS THE DYLAN J. MENGES, TRUSTEE ANNEXATION BY MICHAEL R. SHADE, AGENT FOR THE PETITIONERS.

**BACKGROUND:**

Staff has discussed this annexation with the applicant as well as the property owner. The property is within the City's long established utility boundary in this area. There exists a sanitary sewer agreement that allows for recapture of costs related to when the sewer line was extended down Cheshire Rd. by the veterinary project. This agreement has been explained to the property owner in this case and should they connect to the city sanitary sewer the property owner shall pay this fee per the agreement plus any normal and customary charges of the city in this regard. The property is the last property on the south side of Cheshire Rd. in this area that is currently not within the city. This property owner also worked with the city recently to provide easements to allow the extension and completion in this area of the Cheshire Rd. bikepath. Additionally, the annexation includes the city because some of the adjacent land that is Cheshire Rd and right-of-way is owned by the city and should be annexed concurrently with this individual property.

The landowner is now moving forward with the Ohio Revised Code dictated annexation process. This process involves several steps and actions by the

County and City in order for an annexation to ultimately be accepted by the City. This is the first City step in the process that requires the City to express its ability and intention to provide services to the property. This does not mean that the City will be paying for or constructing any, ultimately, required services or infrastructure, but rather simply that we have the ability to serve it. City Council will have the opportunity during the next and final city step in the process to accept, accept with conditions, or reject the final annexation. The property would need to go through a zoning process upon or concurrent with annexation or be automatically zoned A-1 Agricultural District if no specific process is undertaken for this pre-existing single-family home.

At this time, there is no objection from Staff as to the Resolution of Services. Staff would anticipate conceptually recommending that any final annexation be conditioned upon the following:

1. 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.
2. The extension of any needed infrastructure for water, sewer, or roadways shall be at the cost to the home owner and as required by the City through the normal and customary development review process.
3. If connection to the city sanitary sewer occurs in the future, the property shall pay the required additional connection fee of \$15,713.03 for this property to connect to the Cheshire Rd Phase 2 Sub Trunk sewer line per the pre-existing agreement.

**REASON WHY LEGISLATION IS NEEDED:**

The Ohio Revised Code provides the process that annexations must follow throughout Ohio. This is the first city step in that process requiring passage of a resolution indicating what services the city will provide to the subject site. Based on the timelines established in the Ohio Revised Code, this resolution must be passed at this meeting, after which it will be sent to the County for the next step in the annexation process. While this resolution moves the annexation forward, this is not the final legislation Council will consider in order to accept the annexation. 60 days after the County approves the annexation, it will be presented at the first regular session of Council, and must be approved or rejected within 120 days from the date of the annexation being placed on the agenda.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

N/A



**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Dave Efland, Planning and Community Development Director

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

Petition for Annexation

Map

RESOLUTION NO. 20-32

A RESOLUTION INDICATING WHAT SERVICES THE CITY OF DELAWARE WILL PROVIDE TO 2.385± ACRES OF LAND, MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO FOR THE ANNEXATION KNOWN AS THE DYLAN J. MENGES, TRUSTEE ANNEXATION BY MICHAEL R. SHADE, AGENT FOR THE PETITIONERS.

WHEREAS, Michael R. Shade, agent for the petitioners, has filed with the Delaware County Commissioners for annexation of 2.385 acres of land, more or less, the description and map are attached hereto; and

WHEREAS, Michael R. Shade, as agent for the petitioners on April 28, 2020 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 April 27, 2020; 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.

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 2.385± 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: \_\_\_\_\_, 2020

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

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

\_\_\_\_\_  
MAYOR

**BOARD OF COUNTY COMMISSIONERS OF  
DELAWARE COUNTY, OHIO**

**PETITION FOR  
DYLAN J. MENGES, TRUSTEE  
ANNEXATION AND CITY OF DELAWARE, OHIO  
TO THE  
CITY OF DELAWARE, OHIO  
FROM THE  
TOWNSHIP OF LIBERTY, DELAWARE COUNTY, OHIO  
CONSISTING OF 2.385 ACRES  
EXPEDITED TYPE 2 ANNEXATION**

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Petitioners:

Dylan J. Menges, Trustee  
748 Cheshire Road.  
Delaware, OH 43015

City of Delaware  
City Hall  
1 South Sandusky Street  
Delaware, OH 43015

Agent for Petitioners:

Michael R. Shade  
Attorney at Law  
Shade and Shade LLC  
236 West Central Avenue  
Delaware, Ohio 43015  
Phone: (740) 363-9232  
Fax: (740) 363-0146  
Email: [mrs@ss-dta.com](mailto:mrs@ss-dta.com)

RECEIVED  
MAY 21 2015  
DELAWARE COUNTY  
CLERK OF COMMISSIONERS

**BOARD OF COUNTY COMMISSIONERS OF**  
**DELAWARE COUNTY, OHIO**

**PETITION FOR DYLAN J. MENGES, TRUSTEE, ANNEXATION AND CITY OF  
DELAWARE, OHIO TO THE CITY OF DELAWARE, OHIO FROM THE TOWNSHIP OF  
LIBERTY, DELAWARE COUNTY, OHIO CONSISTING OF 2.385 ACRES:  
EXPEDITED TYPE 2 ANNEXATION**

**To: The Board of County Commissioners of Delaware County, Ohio**

1. The undersigned petitioner ("the Petitioner" herein), being all of the owners of real estate in the following described territory consisting of 2.385 acres situated in the Townships of Liberty, County of Delaware, Ohio which area is contiguous with, adjacent to, and/or surrounded by the City of Delaware in part, to wit: see the legal description attached hereto as Exhibit A and the attached map, both of which are incorporated by reference herein ("described territory"), respectfully petition that the described territory be annexed to the City of Delaware, Ohio.

The description of the described territory ("the description" herein) and map were prepared by Karen Coffman, P.S., Professional Surveyor No. 7845, Scioto Land Surveying Service Inc., for annexation purposes, from information of record in the Delaware County Courthouse and a new full survey of the subject premises. All record references, unless otherwise noted, are to public records on file at the Delaware County Recorder's Office; all statutory references, unless otherwise noted, are to the Ohio Revised Code.

2. In support of this Petition, the petitioners state that there are within the described territory sought to be annexed one (1) owners of the real estate. The real estate within area to be annexed and included in the description is owned as indicated on the following table:

Name of Petitioner	Address	Acreage Information	Deed Reference	Parcel ID No.
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Dylan J. Menges, Trustee	748 Cheshire Road Delaware OH 43015	Total Lands Owned is 1.673 ac. Excluding ROW Land Owned in the ROW but included is .180 acres. <b>Total Lands Annexed is 1.853 acres.</b>	Official Record Book 1555, Page 629-631	419-410-04-003-000
City of Delaware, Ohio	City Hall 1 South Sandusky Street Delaware, OH 43015	Total Lands Owned or in ROW is .220 ac. Land Owned in the ROW included is .220 acres. Land Owned in the ROW included is .312 acres Per Direction of the Delaware County Engineer. <b>Total Lands Annexed is .532 acres.</b>	Official Record Book 15, Page 983 Per Delaware County Engineers Records	419-410-04-002-002  999-999-25-000-000
	<b>Total Lands to be Annexed</b>	<b>2.385 Acres</b>		

All public road rights of way abutting any part of the described territory are not being annexed into and will not be in the City of Delaware, Ohio except where the annexation is over lands on both sides of any roadway as set forth above and per the Map of Territory to Be Annexed.

3. Michael R. Shade is hereby appointed Agent for the undersigned Petitioner ("the Agent" herein), as required by § 709.02 and the Agent's address is 236 West Central Avenue, Delaware, Ohio 43015. The agent is hereby authorized to make any amendment and/or decision which in his absolute and complete discretion is necessary or proper under the circumstances then existing and is specifically authorized to make any such amendment in order to correct any discrepancy or mistake noted by the Delaware County Engineer in his examination of the Petition and Plat. Any such amendment shall be made by the presentation of an amended description and map to the Board of County Commissioners on, before, or after the date set for hearing on this Petition.

4. An accurate map marked "Map of Territory to be Annexed to the City of Delaware" is attached hereto and made part of this petition.

5. A list containing the required information concerning all tracts, lots and parcels adjacent to or across the road from the area sought to be annexed is being filed by the Agent at the time of the filing of this Petition.

6. No island of unincorporated area is being created by this annexation.

7. This petition is filed as an Expedited II annexation proceeding under the Guidelines and Procedures adopted by Resolution of the Board of Delaware County Commissioners for the processing of annexation proceedings and is being submitted pursuant the provisions of § 709.021 when owners unanimously request annexation and § 709.023 when the area being annexed is not to be excluded from the township. The area sought to be annexed shall not upon the annexation be excluded from Liberty Township, Delaware County, Ohio in conformity with the provisions of § 709.023.

8. The City of Delaware, Ohio will pass and submit to the Board of County Commissioners of Delaware County, Ohio 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 County Commissioners of Delaware County, Ohio.

9. The current zoning in the Township of Liberty, Delaware County, Ohio is presently Farm Residential District (FR-1) and is presently used as personal residence and Right of Way. The comprehensive plan duly adopted by the City of Delaware, Ohio did anticipate this area was in its last Comprehensive Plan and is designated as Moderate Density Single Family. This proposed use may somewhat be an incompatible land uses to the Farm Residential District and other residential districts in the Township of Liberty, Delaware County, Ohio but may not be incompatible to the long-term use plan for the area. The land surrounding on three (3) sides of the proposed annexed parcel is currently zoned R-3 in the City of Delaware, Ohio. The City of Delaware, Ohio will pass a resolution requiring that any buffering necessary as provided in Section 702.023 of the Ohio Revised Code shall be complied with and will follow the buffering requirements of the City of Delaware, Ohio Zoning Ordinances. Said resolution of services and buffering will be passed and submitted to the Board of County Commissioners of Delaware County, Ohio by the City of Delaware, Ohio within twenty (20) day of the date of the filing of this petition and file same with the Clerk of the Board of County Commissioners of Delaware County, Ohio.

**WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR 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 TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.**



WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR 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 TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

Signatures of Petitioner:

LESLIE M. MENGES IRREVOCABLE TRUST

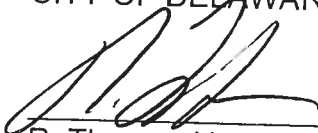
  
\_\_\_\_\_  
Dylan, J. Menges, Trustee

Dated: April 22, 2020

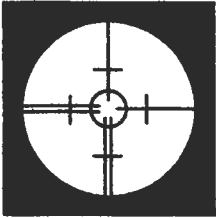
WHOEVER SIGNS THIS PETITION EXPRESSLY WAIVES THEIR RIGHT TO APPEAL IN LAW OR EQUITY FROM THE BOARD OF COUNTY COMMISSIONERS' ENTRY OF ANY RESOLUTION PERTAINING TO THIS SPECIAL ANNEXATION PROCEDURE, ALTHOUGH A WRIT OF MANDAMUS MAY BE SOUGHT TO COMPEL THE BOARD TO PERFORM ITS DUTIES REQUIRED BY LAW FOR THIS SPECIAL ANNEXATION PROCEDURE.

Signatures of Petitioner:

CITY OF DELAWARE, OHIO

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

Dated: April 20, 2020



# SCIOTO LAND SURVEYING SERVICE, INC.

173 North Sandusky Street

Delaware, Ohio 43015

740.369.7577

karen@sciotolandsurveying.com

Description of a 2.385 acre tract for  
Annexation to The City of Delaware, Ohio

March 30, 2020

This petition is filed as an expedited II annexation proceeding  
under Sections 709.021 and 709.023 of the Ohio Revised Code.

Situated in the Township of Liberty, County of Delaware, State of Ohio, being part  
of Farm Lots 7 and 20 in Quarter-Township 4, Township 4, Range 19 and being  
more particularly described as follows:

**BEGINNING** at a 3/4" iron pipe found at the northeast corner of Lot 9249 in Cheshire  
Crossing Section 2 Part 3, as delineated in Plat Cabinet 3, Slide 379, also being on the  
west line of the 11.409 acre remainder of a 13.240 acre tract conveyed to The Board  
of Commissioners of Delaware County, Ohio in Official Records Volume 655, Page 983,  
also being a corner of the corporation line of the City of Delaware;

thence along the north line of Lots 9249-9246 in Cheshire Crossing Section 2 Part 3,  
also being the said corporation line of the City of Delaware, **North 83° 46' 00" West  
260.31 feet** to a 3/4" iron pipe found, being the northeast corner of Lot 9174 in  
Cheshire Crossing Section 2 Part 1, as delineated in Plat Cabinet 3, Slide 281, also  
being the southeast corner of a 0.427 acre tract conveyed to Mark P. and Shelby R.  
Fischer in Official Records Volume 1348, Page 520;

thence along the east line of the said 0.427 acre tract, also being the said corporation  
line of the City of Delaware, **North 05° 19' 00" East 340.00 feet** to an iron bar set  
on the north right-of-way of County Road 72 (Cheshire Road), also being on the south  
line of Lot 238, Tippecanoe Subdivision, as delineated in Plat Book 6, Page 85;

thence along the south line Lots 238-240 of Tippecanoe Subdivision, also being the  
said north right-of-way of County Road 72 **South 83° 46' 00" East 453.22 feet**  
to an iron bar set, being on the west corporation line of the City of Delaware;

thence along the west corporation line of the City of Delaware **South 06° 14' 00" West  
80.00 feet** to the south right-of-way of said County Road 72, being on the north line of  
the aforesaid 11.409 acre remainder, and being a corner of the corporation line of the  
City of Delaware;

[ CONTINUED ON PAGE TWO ]

thence along the north line of the said 11.409 acre remainder, also being the said corporation line of the City of Delaware **North 83° 46' 00" West 191.63 feet** to an iron bar set, being a corner of the corporation line of the City of Delaware;

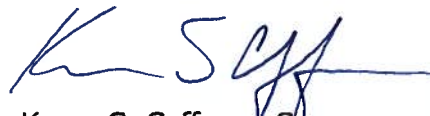
thence along the west line of the said 11.409 acre remainder, also being the said corporation line of the City of Delaware **South 05° 19' 00" West 259.99 feet** to the **POINT OF BEGINNING**;

**containing 2.385 acres, more or less;**

there being approximately 0.312 acres in the dedicated right-of-way, and 0.220 acres in the 0.567 acre parcel conveyed to the City of Delaware in Official Records Volume 1500, Page 983, and 1.853 acres in the parcels conveyed to Dylan J. Menges, Trustee in Official Records Volume 1555, Page 629;

- 1071.92 feet of total boundary is contiguous to The City of Delaware;
- 1585.15 feet is the perimeter of territory to be annexed;
- 67.62% of perimeter is contiguous to The City of Delaware;
- total acreage to be annexed is 2.385 acres;
- 452.74 feet of county roadway is affected by this annexation;

Surveyed by Karen S. Coffman, Surveyor, Registration Number 7845 on March 11, 2020. Basis of bearings is the centerline of County Road 72 (Cheshire Road) (S83°46'00"E) per Official Records Volume 1555, Page 629. All iron bars set are 5/8" in diameter and are set with a plastic cap marked "SLSS PS 7845".

  
Karen S. Coffman, Surveyor  
Registration No. 7845



**DELAWARE COUNTY ENGINEER**  
**Map Department**

I hereby certify the within to be a true copy of the original on file in the Map Department

**Chris E. Bauserman, P.E., P.S.,**  
**County Engineer**

  
\_\_\_\_\_, 4/3/20  
Supervisor Date



# Scioto Land Surveying Service, Inc.

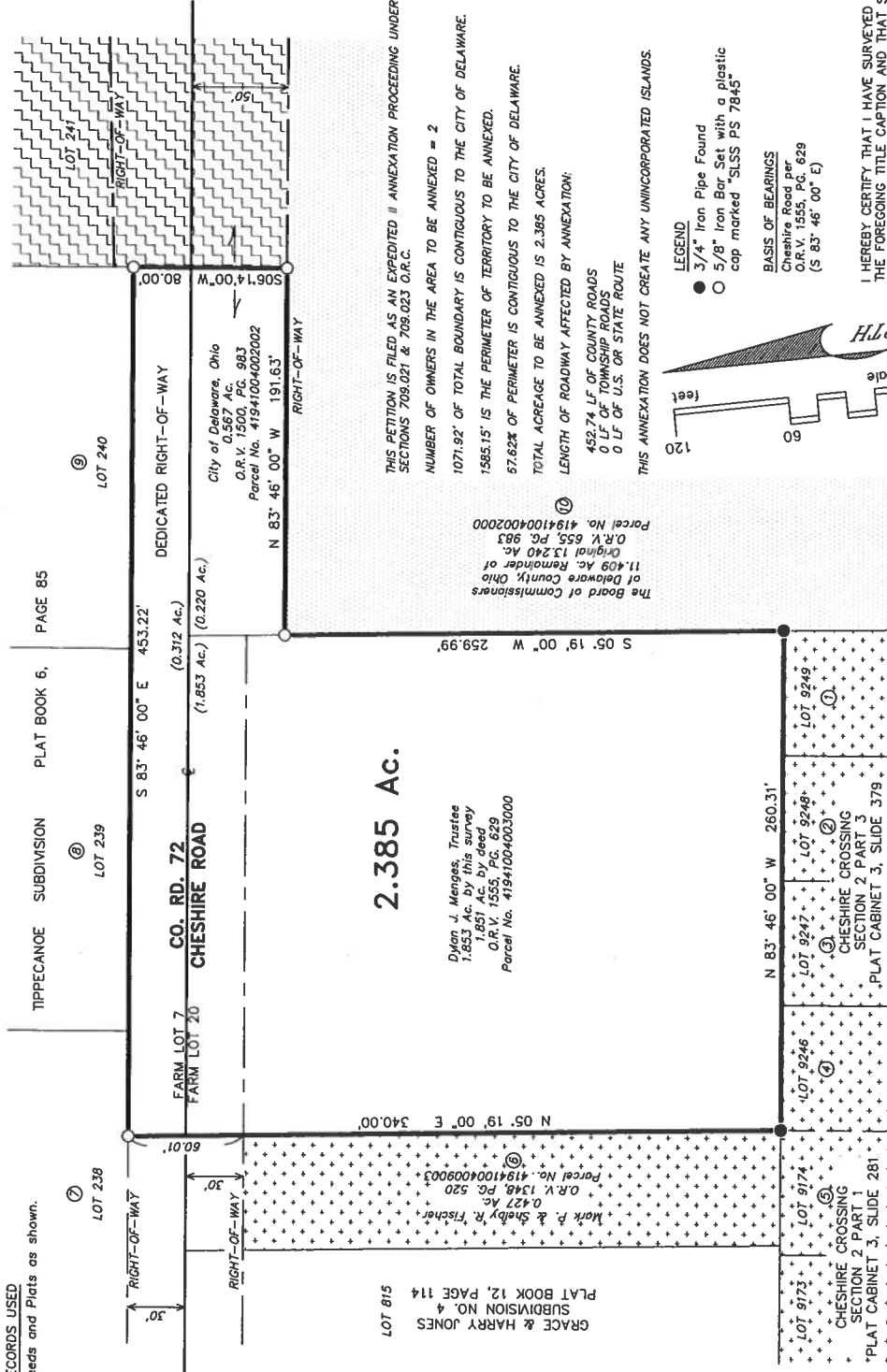
173 North Sandusky Street Delaware, Ohio 43015 740.369.7577 karen@sciotoandsurveying.com

## DYLAN J. MENGES, TRUSTEE ANNEXATION MAP OF TERRITORY TO BE ANNEXED TO THE CITY OF DELAWARE, OHIO

PART OF FARM LOTS 7 & 20, QUARTER-TOWNSHIP 4, TOWNSHIP 4, RANGE 19, U.S.M.L.  
LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO

RECORDS USED  
Deeds and Plats as shown.

TIPPECANOE SUBDIVISION PLAT BOOK 6, PAGE 85



### PROPERTY OWNERS ADJOINING ANNEXATION

- ① Christina Townsend & Brad Meyers  
O.R.V. 1618, PG. 2334  
Parcel No. 41941013021000
- ② Andrea M. & Christopher K. Elliott  
O.R.V. 1225, PG. 2673  
Parcel No. 41941013020000
- ③ Derick R. & Melissa S. Dixon  
O.R.V. 1674, PG. 3739  
Parcel No. 41941013018000
- ④ Rachel Spridick  
O.R.V. 1644, PG. 1080  
Parcel No. 41941013018000
- ⑤ Steven Michael Vicario  
O.R.V. 1414, PG. 5535  
Parcel No. 41941013017000
- ⑥ Mark P. & Shelby R. Fischer  
O.R.V. 1348, PG. 520  
Parcel No. 41941004009003
- ⑦ Kenneth Roy & Barbara Ann Williamson  
O.R.V. 346, PG. 1025  
Parcel No. 41941001025000
- ⑧ Harry D. & June H. Huff  
O.R.V. 726, PG. 2582  
Parcel No. 41941001026000
- ⑨ John M. & Tracy L. Sabo  
D.B. 855, PG. 102  
Parcel No. 41941001027000
- ⑩ The Board of Commissioners  
of Delaware County, Ohio  
O.R.V. 655, PG. 983  
Parcel No. 41941004002000

THIS PETITION IS FILED AS AN EXPEDITED II ANNEXATION PROCEEDING UNDER SECTIONS 708.021 & 708.023 O.R.C.

NUMBER OF OWNERS IN THE AREA TO BE ANNEXED = 2

1071.92' OF TOTAL BOUNDARY IS CONTIGUOUS TO THE CITY OF DELAWARE.

1585.15' IS THE PERIMETER OF TERRITORY TO BE ANNEXED.

67.62% OF PERIMETER IS CONTIGUOUS TO THE CITY OF DELAWARE.

TOTAL ACREAGE TO BE ANNEXED IS 2.385 ACRES.

LENGTH OF ROADWAY AFFECTED BY ANNEXATION:  
452.74 LF OF COUNTY ROADS  
0 LF OF TOWNSHIP ROADS  
0 LF OF U.S. OR STATE ROUTE

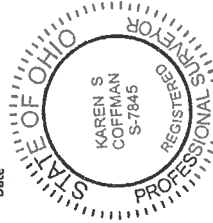
THIS ANNEXATION DOES NOT CREATE ANY UNINCORPORATED ISLANDS.

### DELAWARE COUNTY ENGINEER Map Department

I hereby certify the within to be a true copy of the original on file in the Map Department

Chris E. Bauserman, P.E., P.S.,  
County Engineer

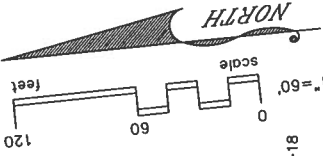
Supervisor  
Date 4/13/20



I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE FOREGOING TITLE CAPTION AND THAT SAID SURVEY AND SKETCH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MARCH 30, 2020  
DATE OF SURVEY

KAREN S. COFFMAN, SURVEYOR  
Registration No. 7845



- LEGEND
- 3/4" Iron Pipe Found
  - 5/8" Iron Bar Set with a plastic cap marked "SISS PS 7845"

BASIS OF BEARINGS  
Cheshire Road per  
O.R.V. 1555, PG. 629  
(S 83° 46' 00" E)

ANNEX. ORDINANCE NO. 17-18  
REFERENCE: 201700011320  
O.R.V. 1496, PAGE 600

ANNEX. ORDINANCE NO. 06-99  
REFERENCE: 20060042937  
PLAT CABINET 3, SLIDE 784

ANNEX. ORDINANCE NO. 00-41  
PLAT CABINET 2, SLIDE 445

PREVIOUSLY ANNEXED TERRITORY



2.385 Ac.

GRACE & HARRY JONES  
SUBDIVISION NO. 4  
PLAT BOOK 12, PAGE 114  
LOT 18 15

Dylan J. Menges, Trustee  
1.853 Ac. by this deed  
1.851 Ac. by deed  
O.R.V. 1555, PG. 629  
Parcel No. 41941004003000

The Board of Commissioners  
of Delaware County, Ohio  
11.409 Ac. Remainder of  
Original 13.240 Ac.  
O.R.V. 655, PG. 983  
Parcel No. 41941004002000

Mark P. & Shelby R. Fischer  
0.427 Ac.  
O.R.V. 1348, PG. 520  
Parcel No. 41941004009003

City of Delaware, Ohio  
0.567 Ac.  
O.R.V. 1500, PG. 983  
Parcel No. 41941004002002

City of Delaware, Ohio  
0.567 Ac.  
O.R.V. 1500, PG. 983  
Parcel No. 41941004002002

City of Delaware, Ohio  
0.567 Ac.  
O.R.V. 1500, PG. 983  
Parcel No. 41941004002002

LIST OF PROPERTY OWNERS

South of Property to be Annexed

CHRISTINA TOWNSEND  
BRAD MEYERS  
315 INDIGO BLUE ST  
DELAWARE OH 43015

Acres

LOT 9249

PIN

41941013021000

ANDREA M ELLIOTT  
CHRISTOPHER K ELLIOTT  
307 INDIGO BLUE ST  
DELAWARE OH 43015

LOT 9248

41941013020000

DERICK P DIXON  
MELINDA S DIXON  
301 INDIGO BLUE ST  
DELAWARE OH 43015

LOT 9247

41941013019000

RACHEL SPRIDIK  
295 INDIGO BLUE ST  
DELAWARE OH 43015

LOT 9246

41941013018000

STEVEN MICHAEL VICARIO  
289 INDIGO BLUE ST  
DELAWARE OH 43015

LOT 9245

41941013017000

West of Property to be Annexed

MARK P FISCHER  
SHELBY R FISCHER  
700 CHESHIRE ROAD  
DELAWARE OH 43015

.427

41941004009003

DEDICATED ROAD RIGHT OF WAY

99999925000000

North of Property to be Annexed

KENNETH RAY WILLIAMSON BARBARA ANN WILLIAMSON 725 CHESHIRE RD DELAWARE OH 43015	1.000	41941001025000
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HARRY D HUFF JUNE H HUFF 751 CHESHIRE RD DELAWARE OH 43015	1.000	41941001026000
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JOHN M SABO TRACY L SABO 783 CHESHIRE RD DELAWARE OH 43015	1.000	41941001027000
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East of Property to be Annexed

CITY OF DELAWARE OHIO 1 S SANDUSKY STREET DELAWARE OH 43015	.230 .947	41941004002001 41941001030000
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(PETITIONER HEREIN)

BOARD OF COMMISSIONERS OF DELAWARE COUNTY OHIO 800 CHESHIRE RD DELAWARE OH 43015	11.409	41941004002000
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**DELAWARE COUNTY MAP DEPARTMENT**  
COUNTY ADMINISTRATION BUILDING  
140 N. SANDUSKY STREET  
DELAWARE, OHIO  
43015

**CHRIS E. BAUSERMAN, P.E., P.S.**  
DELAWARE COUNTY ENGINEER

April 23, 2020

The Board of Delaware County Commissioners  
101 North Sandusky Street  
Delaware, Ohio 43015

Re: Proposed 2.385 Acre Annexation in Liberty Township to the City of Delaware

Dear Honorable Board:

We have reviewed the attached Annexation Map and Written Description for the above referenced proposal. Said Map and Description do appear to conform to the basic document content requirements found in the Board of Delaware County Commissioner's Resolutions No. 02-955, dated July 22, 2002, entitled "Establishing General Orders for the Hearing of Annexation Petitions". The actual petition document itself was not submitted to this department for review.

Respectfully Submitted,

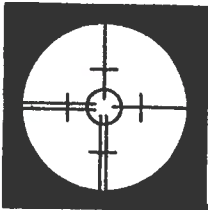
Chris E. Bauserman, P.E., P.S.  
Delaware County Engineer



Jack Jennings, P.S.  
Department Manager

Enclosure





# SCIOTO LAND SURVEYING SERVICE, INC.

173 North Sandusky Street

Delaware, Ohio 43015

740.369.7577

karen@sciotolandsurveying.com

Description of a 2.385 acre tract for  
Annexation to The City of Delaware, Ohio

March 30, 2020

This petition is filed as an expedited II annexation proceeding  
under Sections 709.021 and 709.023 of the Ohio Revised Code.

Situated in the Township of Liberty, County of Delaware, State of Ohio, being part  
of Farm Lots 7 and 20 in Quarter-Township 4, Township 4, Range 19 and being  
more particularly described as follows:

**BEGINNING** at a 3/4" iron pipe found at the northeast corner of Lot 9249 in Cheshire Crossing Section 2 Part 3, as delineated in Plat Cabinet 3, Slide 379, also being on the west line of the 11.409 acre remainder of a 13.240 acre tract conveyed to The Board of Commissioners of Delaware County, Ohio in Official Records Volume 655, Page 983, also being a corner of the corporation line of the City of Delaware;

thence along the north line of Lots 9249-9246 in Cheshire Crossing Section 2 Part 3, also being the said corporation line of the City of Delaware, **North 83° 46' 00" West 260.31 feet** to a 3/4" iron pipe found, being the northeast corner of Lot 9174 in Cheshire Crossing Section 2 Part 1, as delineated in Plat Cabinet 3, Slide 281, also being the southeast corner of a 0.427 acre tract conveyed to Mark P. and Shelby R. Fischer in Official Records Volume 1348, Page 520;

thence along the east line of the said 0.427 acre tract, also being the said corporation line of the City of Delaware, **North 05° 19' 00" East 340.00 feet** to an iron bar set on the north right-of-way of County Road 72 (Cheshire Road), also being on the south line of Lot 238, Tippecanoe Subdivision, as delineated in Plat Book 6, Page 85;

thence along the south line Lots 238-240 of Tippecanoe Subdivision, also being the said north right-of-way of County Road 72 **South 83° 46' 00" East 453.22 feet** to an iron bar set, being on the west corporation line of the City of Delaware;

thence along the west corporation line of the City of Delaware **South 06° 14' 00" West 80.00 feet** to the south right-of-way of said County Road 72, being on the north line of the aforesaid 11.409 acre remainder, and being a corner of the corporation line of the City of Delaware;

thence along the north line of the said 11.409 acre remainder, also being the said corporation line of the City of Delaware **North 83° 46' 00" West 191.63 feet** to an iron bar set, being a corner of the corporation line of the City of Delaware;


thence along the west line of the said 11.409 acre remainder, also being the said corporation line of the City of Delaware **South 05° 19' 00" West 259.99 feet** to the **POINT OF BEGINNING**;

**containing 2.385 acres, more or less;**

there being approximately 0.312 acres in the dedicated right-of-way, and 0.220 acres in the 0.567 acre parcel conveyed to the City of Delaware in Official Records Volume 1500, Page 983, and 1.853 acres in the parcels conveyed to Dylan J. Menges, Trustee in Official Records Volume 1555, Page 629;

- 1071.92 feet of total boundary is contiguous to The City of Delaware;
- 1585.15 feet is the perimeter of territory to be annexed;
- 67.62% of perimeter is contiguous to The City of Delaware;
- total acreage to be annexed is 2.385 acres;
- 452.74 feet of county roadway is affected by this annexation;

Surveyed by Karen S. Coffman, Surveyor, Registration Number 7845 on March 11, 2020. Basis of bearings is the centerline of County Road 72 (Cheshire Road) (S83°46'00"E) per Official Records Volume 1555, Page 629. All iron bars set are 5/8" in diameter and are set with a plastic cap marked "SLSS PS 7845".

  
Karen S. Coffman, Surveyor  
Registration No. 7845



**DELAWARE COUNTY ENGINEER**  
Map Department

I hereby certify the within to be a true  
copy of the original on file in the Map Department

**Chris E. Bauserman, P.E., P.S.,**  
County Engineer

  
\_\_\_\_\_, 4/3/20  
Supervisor Date



# Scioto Land Surveying Service, Inc.

173 North Sandusky Street Delaware, Ohio 43015 740.369.7577 karen@sciotoLANDSURVEYING.com

## DYLAN J. MENGES, TRUSTEE ANNEXATION MAP OF TERRITORY TO BE ANNEXED TO THE CITY OF DELAWARE, OHIO

PART OF FARM LOTS 7 & 20, QUARTER-TOWNSHIP 4, TOWNSHIP 4, RANGE 19, U.S.M.L.  
LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO

### RECORDS USED

Deeds and Plats as shown.

TIPPECANOE SUBDIVISION PLAT BOOK 6, PAGE 85

LOT 238

LOT 239

LOT 240

LOT 241

LOT 242

LOT 243

LOT 244

LOT 245

LOT 246

LOT 247

LOT 248

LOT 249

LOT 250

LOT 251

LOT 252

LOT 253

LOT 254

LOT 255

LOT 256

LOT 257

LOT 258

LOT 259

LOT 260

LOT 261

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LOT 264

LOT 265

LOT 266

LOT 267

LOT 268

LOT 269

LOT 270

LOT 271

LOT 272

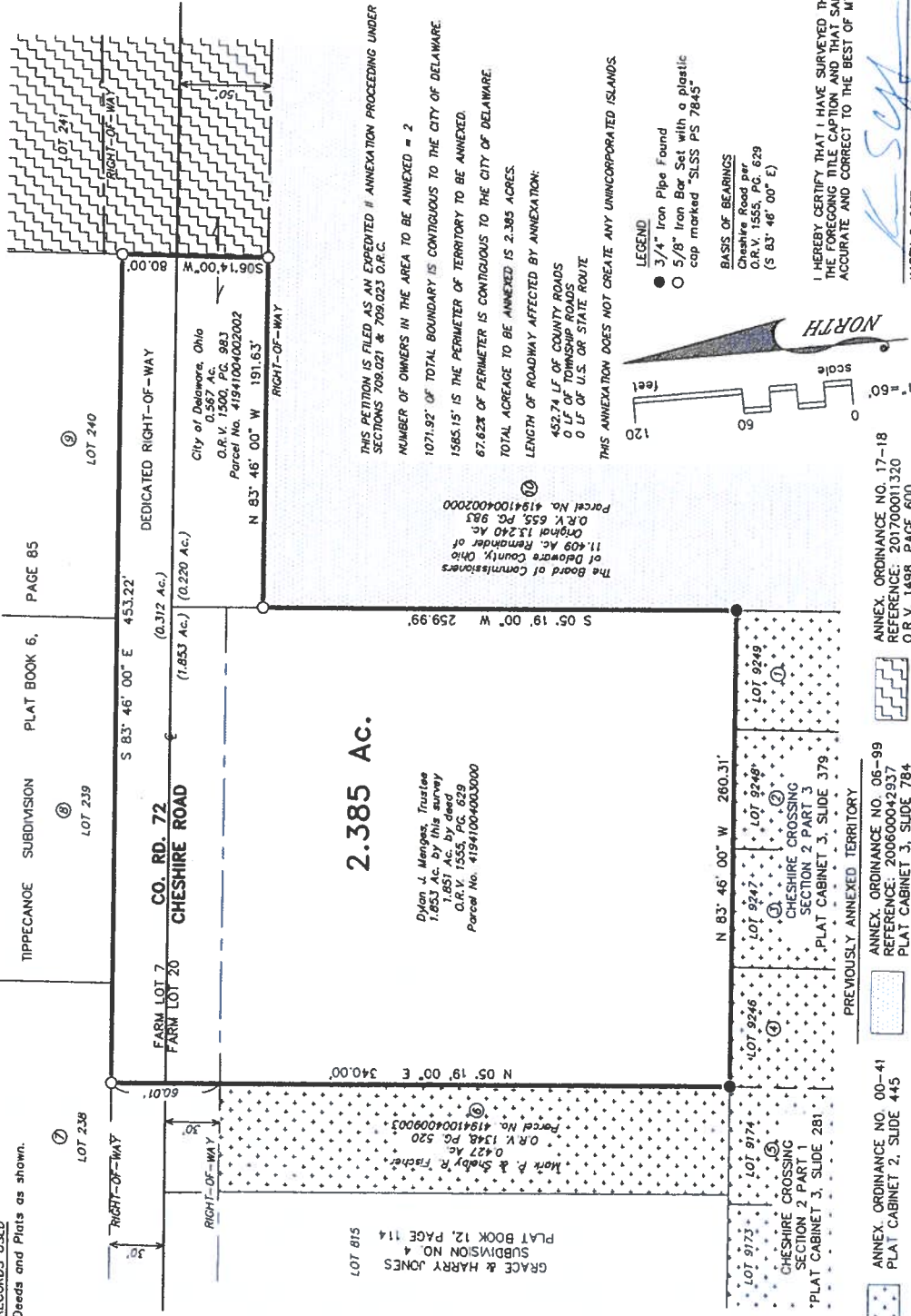
LOT 273

LOT 274

LOT 275

### PROPERTY OWNERS ADJOINING ANNEXATION

- Christina Townsend & Brad Meyers  
O.R.V. 1618, PG. 2334  
Parcel No. 41941013021000
- Andrea M. & Christopher K. Elliott  
O.R.V. 1225, PG. 2673  
Parcel No. 41941013020000
- Derick P. & Melinda S. Dixon  
O.R.V. 1779, PG. 3329  
Parcel No. 41941013019000
- Rachel Spradlin  
O.R.V. 1644, PG. 1080  
Parcel No. 41941013018000
- Stacy Michael Meadlo  
O.R.V. 1179, PG. 711  
Parcel No. 41941013017000
- Mark P. & Shelby R. Fischer  
O.R.V. 1348, PG. 520  
Parcel No. 41941004009003
- Kenneth Ray & Barbara Ann Williamson  
D.B. 548, PG. 208  
Parcel No. 41941001025000
- Harry D. & June H. Huff  
O.R.V. 726, PG. 2582  
Parcel No. 41941001026000
- John M. & Tracy L. Sobo  
D.B. 653, PG. 711  
Parcel No. 41941001027000
- The Board of Commissioners  
of Delaware County, Ohio  
O.R.V. 634, PG. 983  
Parcel No. 41941004002000



THIS PETITION IS FILED AS AN EXPEDITED II ANNEXATION PROCEEDING UNDER SECTIONS 709.021 & 709.023 O.R.C.

NUMBER OF OWNERS IN THE AREA TO BE ANNEXED = 2

1071.92' OF TOTAL BOUNDARY IS CONTIGUOUS TO THE CITY OF DELAWARE.

1585.15' IS THE PERIMETER OF TERRITORY TO BE ANNEXED.

67.62% OF PERIMETER IS CONTIGUOUS TO THE CITY OF DELAWARE.

TOTAL ACREAGE TO BE ANNEXED IS 2.385 ACRES.

LENGTH OF ROADWAY AFFECTED BY ANNEXATION:

- 452.74 LF OF COUNTY ROADS
- 0 LF OF TOWNSHIP ROADS
- 0 LF OF U.S. OR STATE ROUTE

THIS ANNEXATION DOES NOT CREATE ANY UNINCORPORATED ISLANDS.

LEGEND

- 3/4" Iron Pipe Found
- 5/8" Iron Bar Set with a plastic cap marked "SLS5 PS 7845"

BASIS OF BEARINGS

Cheshire Road per O.R.V. 1225, PG. 2673 (S 83° 46' 00" E)

1" = 60' scale

NORTH

DELAWARE COUNTY ENGINEER  
Map Department

I hereby certify the within to be a true copy of the original on file in the Map Department

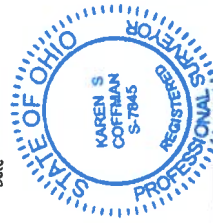
Chris E. Bauserman, P.E., P.S.,  
County Engineer

Date 4/3/20

Supervisor

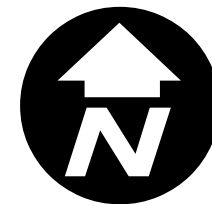
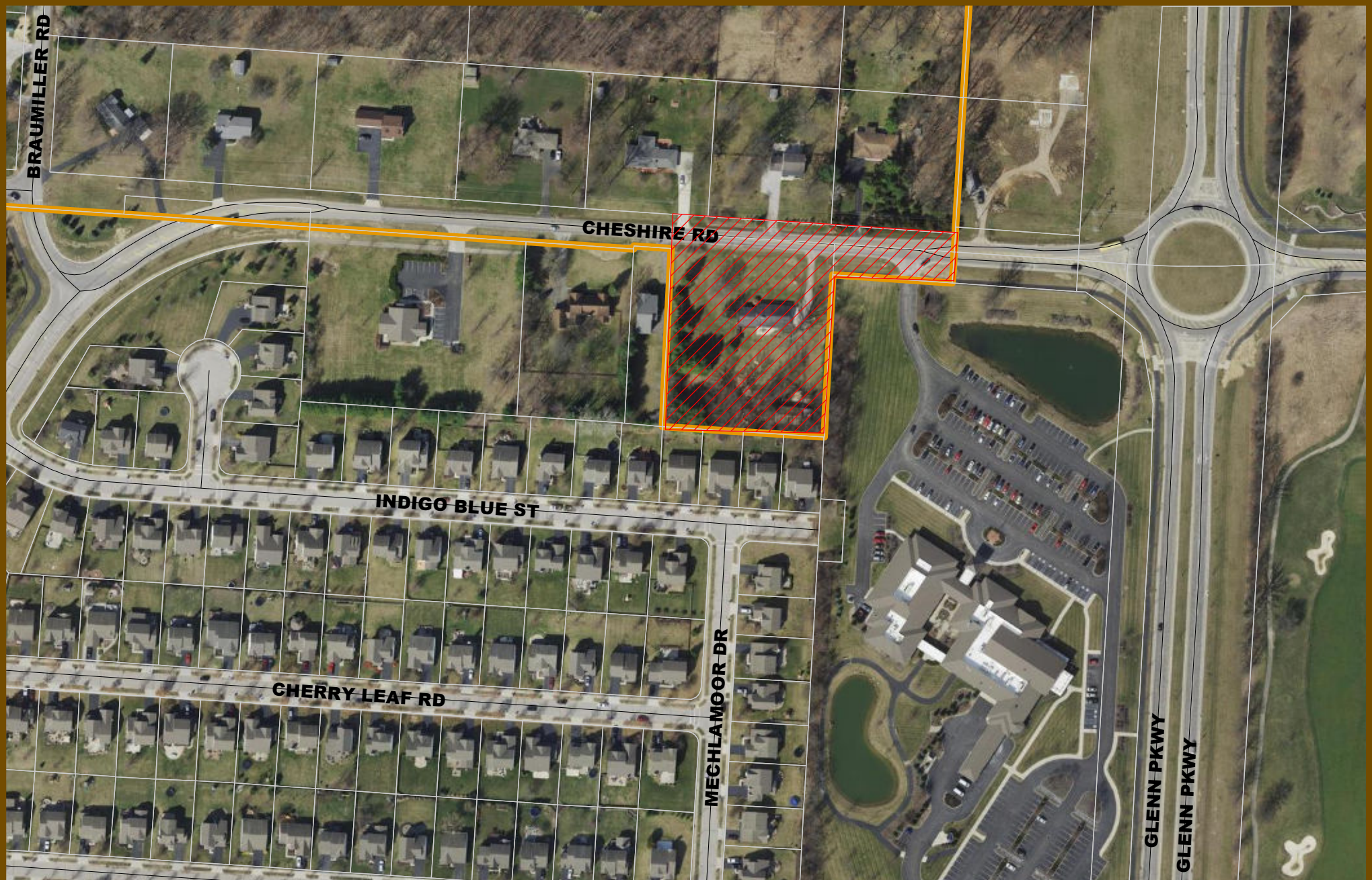
KAREN S. COFFMAN, SURVEYOR  
Registration No. 7845

MARCH 30, 2020  
DATE OF SURVEY



ANNEX. ORDINANCE NO. 00-41  
PLAT CABINET 2, SLIDE 445

ANNEX. ORDINANCE NO. 06-99  
REFERENCE: 200600042937  
PLAT CABINET 3, SLIDE 784





## FACT SHEET

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AGENDA ITEM NO: 7

DATE: 05/11/2020

ORDINANCE NO:

RESOLUTION NO: 20-33

READING: FIRST

PUBLIC HEARING:

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning & Community Development Director

---

**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT, FOR THE PROGRAM YEAR 2020 CDBG COMMUNITY DEVELOPMENT ALLOCATION PROGRAM AND SUPPLEMENTED BY LOCAL CDBG ED-RLF PROGRAM INCOME.

**BACKGROUND:**

The Ohio Development Services Agency (ODSA) has allocated the standard biennial grant award of \$166,000 to the City of Delaware for the PY2020 Community Development Block Grant (CDBG) Allocation Program. The City is therefore eligible to file an application for funding with ODSA, which is due June 17, 2020.

The City is required to hold two public meetings as part of the grant application process. The first meeting was held on January 30, 2020 and the second meeting was held on May 11, 2020. This resolution allows the City Manager to file an application with the State for the PY20 CDBG Community Development Allocation Program for the following activities, with the City of Delaware leveraging a portion of activity costs with an allocation of ED-RLF funds as required by the State of Ohio:

Activity 1: Street Improvements in LMI Areas	\$140,000
Activity 2: Fair Housing and Administration	<u>\$26,000</u>
TOTAL	\$166,000

Engineering and Public Works have identified and prioritized eligible needed street improvements within qualifying grant program areas. Eligible communities for CDBG Community Development funds are required by the State to use the 2011-2015 American Community Survey (ACS) poverty levels. The final number of streets identified for improvements slightly exceeds the estimated amount of funding available to help ensure that, once bidding is conducted, there are a sufficient number of streets to fully utilize grant dollars available. Street locations may be modified even after application to the State should other priorities be identified after the initial filing of the required application. Staff from multiple departments work together to continually develop and update a 5-year capital improvement list of streets qualifying for grant funding, which is also required by the State, to facilitate longer range capital improvement programming.

The streets selected for improvement using the PY20 CDBG funds are Wade Street, Rheem Street, and Flax Street. Alternate/Supplemental Projects will be identified from the 5-year capital improvement list of streets, if and as needed. The proposed projects continue street repaving efforts concentrated in and positively impacting the City of Delaware's lower income neighborhoods.

**REASON WHY LEGISLATION IS NEEDED:**

The State of Ohio requires each community applying for funds through this program to authorize the City Manager to execute all required documents needed to submit the grant application via a Resolution.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

The CDBG Community Development Grant is an outright grant to eligible communities. The State expects that any project cost exceeding the grant funding amount is first to be funded by local CDBG ED-RLF Program Income followed by local city public improvement funds. Construction will occur in the Summer of 2021 according to the grant timetable, and appropriations will be put in place for ED-RLF program income and/or city public improvement funds to accommodate the projects as needed.

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

David Efland, Planning & Community Development Director

**RECOMMENDATION:**

Staff recommends approval of the resolution. The Grant Application timetable necessitates passage to accommodate the State's CDBG grant application timeline and procedures.

**ATTACHMENT(S)**

Proposed Street Improvement Maps:

Wade Street

Rheem Street

Flax Street

RESOLUTION NO. 20-33

A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT, FOR THE PROGRAM YEAR 2020 CDBG COMMUNITY DEVELOPMENT ALLOCATION PROGRAM AND SUPPLEMENTED BY LOCAL CDBG ED-RLF PROGRAM INCOME.

WHEREAS, the Ohio Development Services Agency (ODSA) allocated \$166,000 to the City of Delaware for the Program Year (PY) 2020 Ohio Small Cities Community Development Block Grant (CDBG) Community Development Allocation Program; and

WHEREAS, the CDBG Community Development Allocation Program provides communities with a flexible housing and community development resource that can be used to address locally identified needs that are eligible CDBG activities and qualify under the national objective of low-and-moderate income benefit or the elimination of slum and blight conditions; and

WHEREAS, the City of Delaware held the required public meeting for general CDBG Program funding on January 30, 2020 and held the required program specific public meeting for CDBG Community Development Allocation Program funding on May 11, 2020. The meetings indicated a significant need and interest in utilizing CDBG funds, supplemented by local CDBG ED-RLF program income as required by ODSA, to assist the community with necessary and useful activities which are responsive to the State and national program objectives and qualification criteria.

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

SECTION 1. That the City Manager is hereby authorized to file an application for the PY2020 Community Development Block Grant (CDBG) Community Development Allocation Program, supplemented by local CDBG ED-RLF program income as required by ODSA as needed, and as follows:

Activity 1:	Street Improvements in LMI Areas	\$140,000
Activity 2:	Fair Housing and Administration	<u>\$26,000</u>
	TOTAL:	\$166,000

SECTION 2. That this resolution shall take effect and be in force immediately after passage.

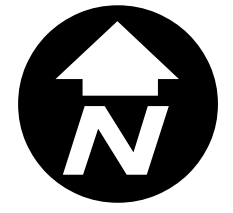
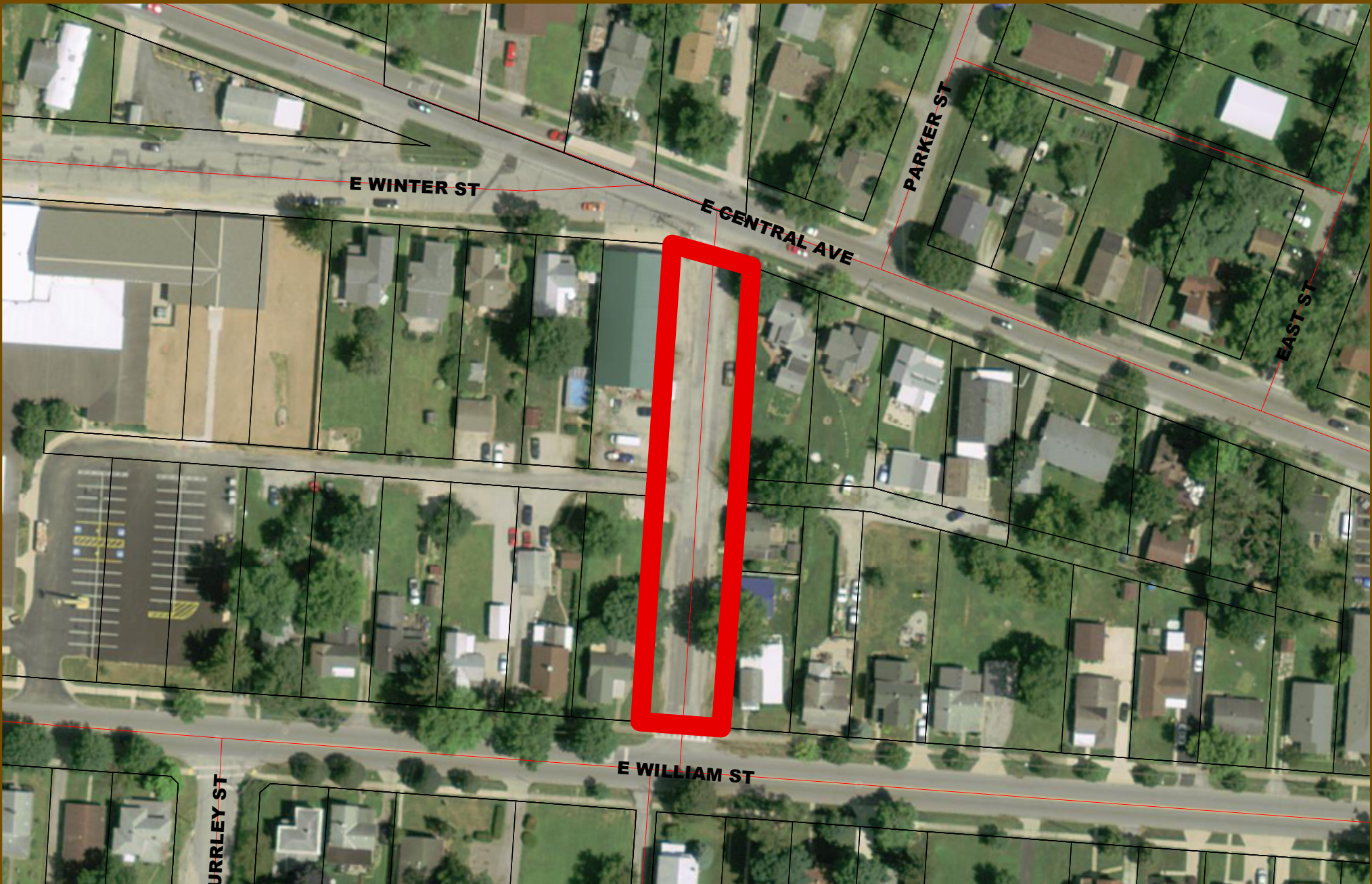
PASSED: \_\_\_\_\_, 2020

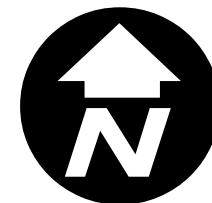
YEAS \_\_\_ NAYS \_\_\_  
ABSTAIN \_\_\_

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

\_\_\_\_\_  
MAYOR











## FACT SHEET

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AGENDA ITEM NO: 8

DATE: 05/11/2020

ORDINANCE NO:

RESOLUTION NO: 20-34

READING: FIRST

PUBLIC HEARING: NO

---

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Bruce Pijanowski, Police Chief

---

**TITLE OF PROPOSED ORDINANCE/RESOLUTION:**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CERTIFY THE CIVIL SERVICE POLICE ELIGIBILITY LIST.

**BACKGROUND:**

Due to the COVID-19 pandemic, City Council passed Ordinance 20-25, under which the duties of boards and commissions are delegated to staff and City Council during the emergency. As such, the civil service commission is no longer meeting. Prior to the onset of the pandemic, the police department initiated a testing process to build a certified list in order to hire an officer to fill the void left by an officer that resigned. The testing was recently completed with a remote interview, and the police department now would like to certify the list to be able to continue with a background investigation and potential new hire.

**REASON WHY LEGISLATION IS NEEDED:**

Authorization is recommended due to the atypical manner this list is being approved. As council continues to meet remotely, it is appropriate for Council to review and approve the authorization to maintain external review of civil service hiring the process.

**COMMITTEE RECOMMENDATION:**

N/A

**FISCAL IMPACT(S):**

N/A

**POLICY CHANGES:**

N/A

**PRESENTER(S):**

Bruce Pijanowski, Chief of Police

**RECOMMENDATION:**

Approval

**ATTACHMENT(S)**

Copy of Police Certified List

RESOLUTION NO. 20-34

A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO CERTIFY THE POLICE ELIGIBILITY LIST.

WHEREAS, the Delaware Police Department recently concluded an applicant testing process for the purpose of developing an eligibility list; and

WHEREAS, City Council passed an emergency declaration to ensure that certain functions can continue during the COVID-19 pandemic.

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

SECTION 1. That the City Manager is hereby authorized to certify the Police Eligibility List.

SECTION 2. This resolution shall be effective immediately upon its passage.

PASSED: _____, 2020	YEAS___ NAYS___
	ABSTAIN ____

ATTEST: _____	_____
CITY CLERK	MAYOR

**City of Delaware  
2020 Police Officer Certified List**

Current List Order	Original List Order	Candidate	Avg. Interview Score	Written Exam Score	COMBINED SCORE	Military Status Points	Education Points	Certified Status Points	OVERALL SCORE	Date Placed on Certified List	Roll-off Date	Candidate Status as of 5/1/19 CSC Meeting	Candidate Status as of 5/1/20 City Council Mtg
1	G1	Allen, Brian	94.4	88.0	91.2		2	1	94.2	05/11/20	05/11/21		Added to list
2	G2	Rome, Zachary	89.6	85.3	87.5	1	2		90.5	05/11/20	05/11/21		Added to list
3	G3	Ross, Angela	80.8	87.0	83.9		2	2	87.9	05/11/20	05/11/21		Added to list
4	G4	Craddolph, Kenneth	85.6	84.8	85.2		2		87.2	05/11/20	05/11/21		Added to list
5	G5	Harris, Allison	85.6	81.5	83.6		2		85.6	05/11/20	05/11/21		Added to list
6	G6	Wooten, Jessica	82.4	82.6	82.5		2		84.5	05/11/20	05/11/21		Added to list
7	G7	Emrick, Tyler	79.2	82.1	80.7	1			81.7	05/11/20	05/11/21		Added to list
8	G8	Keys, Timothy	76.0	82.1	79.1				79.1	05/11/20	05/11/21		Added to list

**HIRED/REMOVED/DISQUALIFIED**

Current List Order	Original List Order	Candidate	Avg. Interview Score	Written Exam Score	COMBINED SCORE	Military Points	Edu. Points	Certified Status Points	OVERALL SCORE	Date Placed on Certified List	Roll-off Date	Candidate Status as of 5/1/19 CSC Meeting	Candidate Status as of 5/1/20 City Council Mtg
	E10	Gross, Ryan	77.7	88.6	83.1	1			84.1	09/05/18	09/05/19	Passed over 2 times	Rolled off 9/5/19
	E13	Shelton, Nathan	80.2	83.7	81.9				81.9	09/05/18	09/05/19	Passed over 1 time	Rolled off 9/5/19
	E15	O'Neal, Joshua	77.8	80.4	79.1				79.1	09/05/18	09/05/19		Rolled off 9/5/19
	E16	Maser, Shawn	75.3	80.4	77.9	1			78.9	09/05/18	09/05/19		Rolled off 9/5/19
	F1	Brown, Cody	90.0	84.8	87.4				87.4	05/01/19	05/01/20	Added to list	Rolled off 5/1/20
	F2	Aisel, Micheal	87.0	82.1	84.5			2	86.5	05/01/19	05/01/20	Added to list	Rolled off 5/1/20
	F3	White, Joseph	86.3	78.8	82.6	1			83.6	05/01/19	05/01/20	Added to list	Rolled off 5/1/20
	F4	Tunquist, Brandon	77.3	87.5	82.4				82.4	05/01/19	05/01/20	Added to list	Hired 8/19/19
	F5	Veldman, Luke	77.0	83.7	80.4		2		82.4	05/01/19	05/01/20	Added to list	Rolled off 5/1/20
	F6	Lawton, James	76.7	87.5	82.1				82.1	05/01/19	05/01/20	Added to list	Rolled off 5/1/20
	F8	Ketzler, Adam	79.7	78.3	79.0		2		81.0	05/01/19	05/01/20	Added to list	Rolled off 5/1/20
	F9	Ritter, Andrew	76.7	82.6	79.6	1			80.6	05/01/19	05/01/20	Added to list	Rolled off 5/1/20
	F10	Scherer, Cameron	77.7	81.5	79.6	1			80.6	05/01/19	05/01/20	Added to list	Rolled off 5/1/20
	F11	Howard, Christian	76.3	78.8	77.6	1	2		80.6	05/01/19	05/01/20	Added to list	Rolled off 5/1/20
	F12	Stoops, Tyler	78.3	78.8	78.6	1			79.6	05/01/19	05/01/20	Added to list	Rolled off 5/1/20
	F13	Voorhees, Joshua	75.0	81.0	77.99	1			79.0	05/01/19	05/01/20	Added to list	Rolled off 5/1/20
	F14	Golden, Nickolas	75.7	79.9	77.8				77.8	05/01/19	05/01/20	Added to list	Rolled off 5/1/20

List certified by City Council on the 11th day of May, 2020

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

**Notes**

- 1 Addition of 16 names on September 5, 2018 (E1-E16)
- 2 Addition of 14 names on May 1, 2019 (F1-F14)
- 3 Addition of 8 names on May 11, 2020 (G1-G8)

**Extra Point Values**

Military Status Points (Hon Disch, active duty or reserve = 1 pt)  
Education Points (Assoc = 1 pt, Bach = 2 pts, Mast = 3 pts)  
Certified Status Points (OH = 2 pts, outside OH = 1 pt)



## FACT SHEET

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AGENDA ITEM NO: 9

DATE: 05/11/2020

ORDINANCE NO: 20-29

RESOLUTION NO:

READING: FIRST

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:**

AN ORDINANCE AMENDING ORDINANCE NO. 20-25 EMERGENCY MEASURES IN RESPONSE TO THE COVID-19 PANDEMIC TO ALLOW BOARDS, COMMISSIONS AND COMMITTEES TO MEET REMOTELY AND DECLARING AN EMERGENCY.

**BACKGROUND:**

As the state and federal government continue to implement more restrictions designed to stop the spread of COVID-19, the City has established procedures to ensure that it will continue to be able to provide services to its residents in the event Council is unable to meet. One of those procedures was transferring the duties of boards and commissions to staff and council, allowing business to move forward while restrictions on meetings are in place. Given the successful implementation of remote council meetings, this revision would delegate the work of some boards and commissions back to those bodies, provided they can meet remotely. If they are unable to, or if a quorum isn't obtained, Council retains the ability to review the items during the emergency.

**REASON WHY LEGISLATION IS NEEDED:**

Absent this revision, boards and commissions are not permitted to meet, as their duties have been delegated to Council.

**COMMITTEE RECOMMENDATION:**



**FISCAL IMPACT(S):**

N/A – These are procedural changes which should not impact the budget directly.

**POLICY CHANGES:**

**PRESENTER(S):**

Darren Shulman, City Attorney

**RECOMMENDATION:**

Staff recommends approval

**ATTACHMENT(S)**

Ordinance No. 20-25

ORDINANCE NO. 20-29

AN ORDINANCE AMENDING ORDINANCE NO. 20-25 EMERGENCY MEASURES IN RESPONSE TO THE COVID-19 PANDEMIC TO ALLOW BOARDS, COMMISSIONS AND COMMITTEES TO MEET REMOTELY AND DECLARING AN EMERGENCY.

WHEREAS, due to the Covid-19 emergency, it is imperative to avoid people congregating in groups of ten or more pursuant to the Ohio Department of Health Director's Stay Safe Order; and

WHEREAS, Section 2 of Ordinance 20-25, Council delegated the work of Delaware's Boards and Commissions to city staff and Council; and

WHEREAS, Council has successfully been able to conduct business using remote meetings; and

WHEREAS, Council desires to use the remote meeting technology to allow Boards, Commissions, and Committees to resume work.

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

SECTION 1. Section 2 of Ordinance No. 20-25 is hereby amended to return the duties of Boards and Commissions to conduct business provided they are able to meet remotely.

SECTION 2. In the event that a remote meeting isn't technologically possible for the members or a quorum cannot be reached, Council may continue to take final action on staff recommendations as set forth in Ordinance No. 20-25.

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: This ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health, and welfare of the City by taking immediate steps to reduce the spread of COVID-19 and ensure the government of the City is able to function in times of emergency.

VOTE ON RULE SUSPENSION:

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

VOTE ON EMERGENCY CLAUSE:

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

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

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

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

CITY CLERK

\_\_\_\_\_

MAYOR

ORDINANCE NO. 20-25

AN ORDINANCE AUTHORIZING EMERGENCY MEASURES IN RESPONSE TO COVID-19 VIRUS AND DECLARING AN EMERGENCY.

WHEREAS, the Coronavirus (COVID-19) is a new disease that is spread through people who are in close contact with one another and through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the Centers for Disease Control (CDC) believes spread of the disease might be possible before people show symptoms and has recommended limitations on meetings of groups; and

WHEREAS, the CDC notes that COVID-19 seems to be spreading easily and sustainably in a process known as community spread (people have been infected with the virus without knowing where they became infected); and

WHEREAS, older adults and people with chronic medical conditions such as lung disease are at higher risk of getting seriously ill; and

WHEREAS, on March 10, Ohio Governor Mike DeWine recommended large, indoor gatherings be cancelled or postponed due to the potential for the coronavirus (COVID-19) exposure; and

WHEREAS, on March 11, the World Health Organization (WHO) declared COVID-19 to be a global pandemic; and

WHEREAS, Governor DeWine declared a State of Emergency in Ohio (Executive Order 01-D); and

WHEREAS, on March 13, the Ohio Attorney General's Office issued a letter indicating that based on the Ohio Department of Health's Order prohibiting mass gatherings while encouraging people to stay at home and avoid unnecessary contact with each other, City Council may "appear via teleconference or telephone" if all other requirements of the Open Meetings Act are met; and

WHEREAS, at least fifty confirmed cases of COVID-19 have been identified in Ohio; and

WHEREAS, based on the information presented so far, City Council has determined that steps should be taken to prepare for an emergency situation.

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

SECTION 1. City Council may meet remotely provided the following conditions are met:

1. Identity Verification is in place to ensure that the person participating is the city council member
2. The method of meeting is able to document any votes cast by individual members
3. If a member is cut off from the meeting, Council will cease all discussions and deliberations while an attempt is made to reconnect the member. If the member remains unavailable and they are not needed for quorum, the meeting may continue
4. The public has access to the remote meeting and may hear the discussions and deliberations.

SECTION 2. While the Governor's and CDC recommendation (and any forthcoming restriction on meetings) is in place, Boards and Commissions will not meet. Council hereby delegates the work of those commissions to city staff, with City Council taking final action on recommendations.

SECTION 3. The City Manager is hereby granted authority to declare A State of Emergency within the City of Delaware should it become necessary in order to continue to provide city services or take action to comply with an order from the State of Ohio.

SECTION 4. In the event of a State of Emergency is declared and if Council is rendered unable to meet with a quorum, the City Manager is granted the following powers in addition to the emergency powers set for in Charter Section 73 (city manager may in cases of disaster or emergency enter into contracts without competitive bidding or advertising) and Codified Ordinance Sections 351.20, 353.05 (city manager can declare emergency to prohibit parking); 913.24 (water emergency when water supply at low level):

1. Executing intergovernmental agreements
2. Actions necessary to implement state and federal requirements
3. Making budget or staffing adjustments necessary to address the emergency
4. Executing labor agreements under terms similar to those agreements already approved
5. Changes in city service levels taken to reduce potential exposure to the virus or due to staffing levels
6. Issue emergency bonds or notes pursuant to Ohio Revised Code Section 717.15
7. Extending due date for income tax filings

These powers may be exercised as long as the state of emergency exists and Council is unable to meet.

SECTION 5. 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 6. EMERGENCY CLAUSE: This ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health, and welfare of the City by taking immediate steps to reduce the spread of COVID-19 and ensure the government of the City is able to function in times of emergency.

VOTE ON RULE SUSPENSION:

YEAS 7 NAYS 0  
ABSTAIN 0

VOTE ON EMERGENCY CLAUSE:

YEAS 7 NAYS 0  
ABSTAIN 0

PASSED: March 18, 2020

YEAS 7 NAYS 0  
ABSTAIN 0

ATTEST:

Elaine McCloskey  
CITY CLERK

Cathy Kaye  
MAYOR