

**RECORD OF PROCEEDINGS**

Delaware City Council

Minutes of

Meeting

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

June 22

20

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

The regular meeting of Council held on June 22, 2020 and was called to order at 7:00 p.m. and was held remotely through Cisco Webex and streamed Live through Facebook due to the State of Emergency – Executive Order 2020-01D. The following members of Council were remotely present: Second Ward Lisa Keller, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large George Hellinger, Vice-Mayor Kent Shafer and Mayor Riggle who presided. Absent from the meeting was First Ward Chris Jones. The invocation was delivered by Pastor Kale Booher, Life Point Church.

Staff Present Remotely: Dave Efland, Planning and Community Development Director, Justin Nahvi, Finance Director, Darren Shulman, City Attorney, Kyle Kridler, Assistant City Manager, and Tom Homan, City Manager

**Motion to Excuse:** Vice-Mayor Shafer motioned to excuse Mr. Jones, seconded by Mrs. Keller. Motion approved by a 6-0 vote.

**ITEM 3: APPROVAL OF MINUTES**

APPROVAL of the Motion Summary of the regular meeting of Council held on June 8, 2020, as recorded and transcribed.

**Motion:** Mrs. Keller motioned to approve the Motion Summary of the regular meeting of Council held on June 8, 2020, as recorded and transcribed, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

**ITEM 4: CONSENT AGENDA**

- A. Acceptance of the Motion Summary of the Board of Zoning Appeals meeting held on November 11, 2019, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Finance Committee meeting held on May 13, 2020, as recorded and transcribed.
- C. Acceptance of the Motion Summary of the Records Commission meeting held on December 16, 2019, as recorded and transcribed.
- D. Resolution No. 20-36, a resolution extending boards and commission appointments set to expire on June 30, 2020 until December 1, 2020.

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

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

**PUBLIC COMMENT:**

Tamika Vinson-Reid  
Via Cisco Webex  
African American Heritage Council, Co-Chair

Ms. Reid provided a written statement regarding need for diversity, inclusion and equity in the City of Delaware. She discussed the request to establish a Chief Diversity Officer to lead diversity and inclusion management for the City, create a inclusion, diversity and equity advisory board, develop incentives and programs to attract certified minority-owned businesses, change Civil Service rules to ensure candidates that pass the test be considered for employment, commit to

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diversifying City offices and departments and anti-racist training for staff.

Mr. Farrell discussed his preference to have a diversity board or working group that would work with other organizations to discuss where improvements can be made. Mrs. Keller discussed meeting with members of the community and with Mr. Farrell on the idea of having a working group to make recommendations that can be brought before Council. Mr. Homan discussed providing some research on diversity and how other communities are addressing the issues and provide a report to Council.

**ITEM 6: ORDINANCE NO. 20-33** [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A REZONING AMENDMENT FOR THE DELAWARE COUNTY COMMISSIONERS FOR THE DELAWARE COUNTY FAIRGROUNDS FROM R-3 (ONE FAMILY RESIDENTIAL DISTRICT) AND B-3 (COMMUNITY BUSINESS DISTRICT) TO R-3 AND B-3 PMU (PLANNED MIXED-USE OVERLAY DISTRICT) ON APPROXIMATELY 101 ACRES AND LOCATED AT 236 PENNSYLVANIA AVENUE.

The Clerk read the ordinance for the second time.

There was no public participation. Mr. Hoffman voiced he would abstain from the vote due to conflict of interest.

APPLICANT:

Tony Eyerman  
Via Cisco Webex  
Eyerman Planning Associates  
50 North Sandusky Street  
Delaware, Ohio

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 20-33, seconded by Mrs. Keller. Motion approved by a 5-0-1 (Hoffman) vote.

**Motion:** Vice-Mayor Shafer motioned to adopt for Ordinance No. 20-33, seconded by Mrs. Keller. Motion approved by a 5-0-1 (Hoffman) vote.

**ITEM 7: ORDINANCE NO. 20-34** [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR THE DELAWARE COUNTY COMMISSIONERS ALLOWING THE PLACEMENT OF A PLANNED MIXED-USE OVERLAY DISTRICT (PMU) ON THE DELAWARE COUNTY FAIRGROUNDS ON APPROXIMATELY 101 ACRES ZONED R-3 AND B-3 PMU AND LOCATED AT 236 PENNSYLVANIA AVENUE.

The Clerk read the ordinance for the second time.

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 20-34, seconded by Mrs. Keller. Motion approved by a 5-0-1 (Hoffman) vote.

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Held June 22 20 20

**Motion:** Vice-Mayor Shafer motioned to adopt for Ordinance No. 20-34, seconded by Mrs. Keller. Motion approved by a 5-0-1(Hoffman) vote.

**ITEM 8: ORDINANCE NO. 20-35** [Second Reading]  
AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR THE DELAWARE COUNTY COMMISSIONERS FOR THE DELAWARE COUNTY FAIRGROUNDS ON PROPERTY ZONED R-3 AND B-3 PMU ON APPROXIMATELY 101 ACRES AND LOCATED AT 236 PENNSYLVANIA AVENUE.

The Clerk read the ordinance for the second time.

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 20-35, seconded by Mrs. Keller. Motion approved by a 5-0-1 (Hoffman) vote.

**Motion:** Vice-Mayor Shafer motioned to adopt for Ordinance No. 20-35, seconded by Mrs. Keller. Motion approved by a 5-0-1 (Hoffman) vote.

**ITEM 9: ORDINANCE NO. 20-36** [Public Hearing and Second Reading]  
AN ORDINANCE APPROVING TWO ALLEY VACATIONS FOR THE DELAWARE COUNTY COMMISSIONERS FOR THE DELAWARE COUNTY FAIRGROUNDS ON PROPERTY ZONED R-3 AND B-3 PMU ON APPROXIMATELY 101 ACRES AND LOCATED AT 236 PENNSYLVANIA AVENUE.

The Clerk read the ordinance for the second time.

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 20-36, seconded by Mrs. Keller. Motion approved by a 5-0-1 (Hoffman) vote.

**Motion:** Vice-Mayor Shafer motioned to adopt for Ordinance No. 20-36, seconded by Mrs. Keller. Motion approved by a 5-0-1 (Hoffman) vote.

**ITEM 10: ORDINANCE NO. 20-37** [Second Reading]  
AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR SKILKEN GOLD REAL ESTATE DEVELOPMENT FOR SHEETZ LOCATED ON LOT 12722 OF COUGHLIN'S CROSSING (WITHIN SUB-AREA 6) ON APPROXIMATELY 1.88 ACRES LOCATED EAST OF US 23 JUST SOUTH OF PENNY WAY AND ZONED A-1 PMU.

The Clerk read the ordinance for the second time.

**APPLICANT:**  
Frank Petruziello  
Via Cisco Webex  
Skilken Gold Real Estate Development  
President of Development  
4270 Morse Road  
Columbus, Ohio

Connie Klema  
Via Cisco Webex

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Delaware Development Plan LTD  
P.O. Box 991  
Pataskala, Ohio 43062

**PUBLIC COMMENT:**

Stephen Evanko, Jr.  
Via Email  
175 South Sandusky Street, Suite 101  
Delaware, Ohio

Mr. Evanko requested that Council not approve the request for the gas station and that the original plan was to a big box retail, grocery store, small shops and upscale senior housing.

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 20-37, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt for Ordinance No. 20-37, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

**ITEM 11: ORDINANCE NO. 20-38** [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR SKILKEN GOLD REAL ESTATE DEVELOPMENT FOR SHEETZ LOCATED ON LOT 12722 OF COUGHLIN'S CROSSING (WITHIN SUB-AREA 6) ON APPROXIMATELY 1.88 ACRES LOCATED EAST OF US 23 JUST SOUTH OF PENNY WAY AND ZONED A-1 PMU.

The Clerk read the ordinance for the second time.

**Motion:** Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 20-38, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

**Motion:** Vice-Mayor Shafer motioned to adopt for Ordinance No. 20-38, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

**ITEM 12: RESOLUTION NO. 20-37** [First Reading]

A RESOLUTION AUTHORIZING THE CITY OF DELAWARE TO REQUEST A SHARE OF FUNDS FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND.

The Clerk read the resolution for the first time.

**Motion:** Mrs. Keller motioned adopt Resolution No. 20-37, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

**ITEM 13: CITY MANAGER'S REPORT & COVID-19 UPDATE**

A. Memo from Council Clerk on surrounding communities meeting plans

Mr. Homan discussed the options of continuing to meet virtually or in-person. He discussed the issue of being limited to meet in Chambers with space and also when City Hall undergoes planned

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renovations. Mr. Homan discussed potential meeting venues options. Vice-Mayor Shafer voiced his support in returning to open meetings once the Governor's gathering restrictions is eased or released. Mr. Hellinger voiced his preference to continue virtually and voiced concerns regarding the COVID-19 virus. Mrs. Keller voiced concerns on returning to open meetings if the public is not able to attend and how would we allow for public comment if there are space and gathering restrictions. Council awaiting a decision on meeting location based on the expected Governor's update. Mr. Shulman reviewed the current guidelines to allow for Council to meet virtually related only to COVID-19.

B. Main Street Delaware Request

Council voiced their support in proceeding with legislation to enter into a lease agreement with Main Street Delaware for the creation of a Welcome Center.

**ITEM 14: COUNCIL COMMENTS**

Vice-Mayor Shafer discussed having more conversation about a SID for the downtown area.

**ITEM 15: ADJOURNMENT**

**Motion:** Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 8:50 p.m.

  
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Mayor Carolyn Kay Riggle

  
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Elaine McCloskey, Council Clerk