

**CITY OF DELAWARE
CITY COUNCIL REGULAR MEETING
CITY HALL - COUNCIL CHAMBERS
1 S. SANDUSKY ST.**

AGENDA

7:00 PM

JANUARY 23, 2023

**MEETINGS WILL BE STREAMED LIVE AT CITY HALL UNDER "EVENTS" AT
WWW.DELAWAREOHIO.NET.**

- 1. ROLL CALL**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MOTION SUMMARY**
 - A. Approval of the Motion Summary of the regular meeting of Council held on January 9, 2023, as recorded and transcribed.
- 5. CONSENT AGENDA**
 - A. Acceptance of the Motion Summary of the Parking and Safety Committee meeting held on August 15, 2022, as recorded and transcribed.
 - B. Acceptance of the Motion Summary of the Sister City Advisory Board meeting held on October 11, 2022, as recorded and transcribed.
 - C. Acceptance of the Motion Summary of the Financial Review Task Force meeting held on January 4, 2023, as recorded and transcribed.
 - D. Acceptance of the Motion Summary of the Parks and Recreation Advisory Board meeting held on November 15, 2022, as recorded and transcribed.
- 6. LETTERS, PETITIONS, AND PUBLIC COMMENTS**
 - o ATTEND OPEN MEETING: Open meetings have resumed and will be held in Council Chambers. Sign in forms to speak will be available at the door. **Name and address are required for public comment.** Comments are limited to 3 minutes.
 - o EMAIL, LETTER, PETITION: Emails, letters, and petitions received to the Council Clerk by **10 a.m.** the date of the meeting will be presented to Council and submitted into the record. These items will not be read aloud during the meeting but will be available on the website following the meeting at the end of the next business day. Send to emccloskey@delawareohio.net. **Name and address are required. PLEASE NOTE SUBMISSION TIME.**

7. PRESENTATION

- A. Presentation on Ross Art Museum's National Board of Advisory, Erin Fletcher, Director of Ross Art Museum, Ohio Wesleyan University
- B. Presentation of the Financial Review Task Force Report and Recommendations, presented by Michael Guzzo, Chairperson and Ben Kelly, Vice-Chairperson

8. COMMITTEE REPORTS

9. CONSIDERATION OF NEW LIQUOR PERMIT

- A. Ohio Springs Inc., DBA Sheetz Convenience Store #708, 1851 Columbus Pike, Delaware, Ohio 43015. Permit Class: D1

10. CONSIDERATION OF A LIQUOR PERMIT TRANSFER OF OWNERSHIP

- A. To Broes LLC, DBA, Buns Restaurant and Bakery, 12-14 W Winter Street, Delaware, Ohio 43015 from Arkasa Inc., DBA, Buns Restaurant and Bakery, 12-14 W Winter Street, Delaware, Ohio, 43015. Permit Classes: D5, D6

11. SECOND READING OF ORDINANCE NO. 23-02

Ordinance No. 23-02, creating the Addison Northwest Tax Increment Financing Incentive Districts; declaring improvements to the parcels within each incentive district to be a public purpose and exempt from real property taxation; requiring the owners of those parcels to make service payments in lieu of taxes; establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the deposit of those service payments; and specifying the public infrastructure improvements that benefit or serve parcels in the incentive district.

12. SECOND READING OF ORDINANCE NO. 23-03

Ordinance No. 23-03, declaring the improvement to certain parcels within the Addison Northwest Development Area in the City to be a public purpose and exempt from taxation pursuant to ORC 5709.40(B); providing for the collection and deposit of service payments and specifying the purposes for which those service payments may be expended.

13. CONSIDERATION OF RESOLUTION NO. 23-06

Resolution No. 23-06, a resolution approving a Certificate of Zoning Compliance for Green Shade Spa doing business at 820 Sunbury Road, Delaware, Ohio

14. CONSIDERATION OF RESOLUTION NO. 23-07

Resolution No. 23-07, a resolution adopting the City's Plan of Operation and Governance for the Electric aggregation Program.

15. FINANCE DIRECTOR'S REPORT

December 2022 Report

16. CITY MANAGER'S REPORT

17. **COUNCIL COMMENTS**

18. **ADJOURNMENT**



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Motion Summary

AGENDA SECTION: **APPROVAL OF MOTION SUMMARY**

SUBJECT: Approval of the Motion Summary of the regular meeting of Council held on January 9, 2023, as recorded and transcribed.

SUGGESTED ACTION:

ATTACHMENTS:
[20230119102358924.pdf](#)

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The regular meeting of Council held on January 9, 2023, was called to order at 6:00 p.m. and held in Council Chambers. The following members of Council were present: First Ward Stephen Tackett, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large Catlin Frazier, Vice-Mayor Kent Shafer, and Mayor Carolyn Kay Riggle who presided.

Staff Present: Jordan Selmek, Zoning Administrator, Adam Moore, Police Chief, Jonathan Owen, Deputy City Engineer, Alycia Ballone, Director of Budget, Management & Procurement, Rob Alger, Finance Director, Sean Hughes, Economic Development 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) (3) pending or imminent court action, Section 121.22 (G) (4) preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Vice Mayor Shafer motioned to enter executive session at 6:00 p.m., pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (4) preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment, seconded by Mr. Tackett. Motion approved by a 6-0 vote. The following members of Council were present for the discussion: First Ward Stephen Tackett, Third Ward Cory Hoffman, Fourth Ward Drew Farrell, At-Large Catlin Frazier, Vice-Mayor Kent Shafer and Mayor Carolyn Kay Riggle. The following staff were present for the discussion: Natalia Harris, City Attorney, Kyle Kridler, Assistant City Manager and Tom Homan, City Manager. Following the discussion at 6:27 p.m., Vice-Mayor Shafer motioned to return to open session, seconded by Mr. Farrell. This motion was approved by a 6-0 vote. Council returned to open session. Mayor Riggle reconvened the regular meeting at 6:30 p.m.

ITEM 3: INVOCATION

The invocation was delivered by Pastor Michael Curtis, Second Baptist Church

ITEM 4: PLEDGE OF ALLEGIANCE

Motion: Vice-Mayor Shafer moved to amend the agenda to relocate Item Number 26, establishing the process for filling second ward council seat, and make agenda item 28A, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer moved amend the agenda for the addition of the Lonestar Ordinance to add Ordinance No. 23-08 to tonight's agenda as Item No. 26 for consideration, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

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ITEM 5: APPROVAL OF MINUTES

- A. Approval of the work session meeting of Council held on December 8, 2022, as recorded and transcribed.
- B. Approval of the year-end meeting of City Council held on December 12, 2022, as recorded and transcribed.

Motion: Mr. Farrell motioned to approve the work session meeting of Council held on December 8, 2022, as recorded and transcribed and the year-end meeting of City Council held on December 12, 2022, as recorded and transcribed, seconded by Mr. Tackett. Motion approved by a 6-0 vote.

ITEM 6: CONSENT AGENDA

- A. Acceptance of the Motion Summary of the Historic Preservation Commission meeting held on October 26, 2022, as recorded and transcribed.
- B. Acceptance of the Motion Summary of the Civil Service Commission meeting held on November 2, 2022, as recorded and transcribed.
- C. Acceptance of the Motion Summary of the Planning Commission meeting held on December 7, 2022, as recorded and transcribed.
- D. Acceptance of the Motion Summary of the Financial Review Task Force meeting held on November 30, 2022, as recorded and transcribed.
- E. Resolution No. 23-02, a resolution appointing a representative and alternative to the Ohio Public Works Commission (OPWC) District 17 Integrating Committee to represent cities of Delaware County for the period of January 2023 through December 2024.
- F. Resolution No. 23-03, a resolution authorizing the City Manager to sign and enter into an intergovernmental agreement with the Delaware County Land Reutilization Corporation, Ohio for the Ohio Department of Development Brownfield Remediation Program.

Motion: Mr. Farrell motioned to approve the Consent Agenda, Seconded by Mr. Tackett. Motion approved by a 6-0 vote.

ITEM 7: LETTERS, PETITIONS, AND PUBLIC COMMENTS

The following emails was submitted for public comment during the meeting:

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Delaware Hayes Student

Zakary Henry

Delaware Hayes Student

ITEM 8: COMMITTEE REPORTS

Mr. Hoffman reviewed the concept plan review at the January Planning Commission meeting.

Mr. Farrell reviewed that the Historic Preservation Commission met in December.

Ms. Frazier discussed that the Parking and Safety Committee met to discuss parking technologies and applications for future parking meters.

A. Establishing Process for Filling Second Ward Council Seat Vacancy

Mayor Riggle discussed that Councilwoman Keller stepped down due to personal issues and applications for the position will go live on the Delaware website. She reviewed the request of 25 signatures for a petition. At a later date the Clerk will provide to the applicants additional essay questions. The deadline for the applications will be on January 27, 2023 at 5:00 p.m. The first meeting for interviews will take place on February 6, 2023, where each Councilmember can ask one question. The projected swearing in will take place February 13, 2023.

ITEM 9: PRESENTATION

A. Proclamation recognizing Fire Chief John Donahue for his years of service to the City of Delaware.

ITEM 10: CONSIDERATION OF NEW LIQUOR PERMIT

A. Penn Strikes LLC DBA Penn Lanes, 451 Pennsylvania Avenue, Delaware Ohio 43015

Motion: Vice-Mayor Shafer motioned to approve the liquor permit, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

ITEM 11: RESOLUTION NO. 22-62 [Second Reading]

A FINAL RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF THE DEL-36-11.03 PROJECT; PID 103626, ALSO KNOWN AS THE POINT IMPROVEMENTS PROJECT.

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The Clerk read the resolution for the second time. Mr. Homan discussed that this is the final reading to authorize the city to move ahead with the Point Project. The City is authorized to borrow \$7 million in notes. Mr. Owen discussed the change to the Cooperative Agreement that shows the District will consult with the City prior to award of the contract. Mr. Alger reviewed the note and interest rates.

PRESENTORS:

Thom Slack
Capital Program Administrator, ODOT
400 East William Street
Delaware, Ohio

David Conley
Rockmill Financial
5700 Hamlin Place N.
Westerville, Ohio

Motion: Vice-Mayor Shafer motioned to approve Resolution No. 22-62, seconded by Ms. Frazier. Motion approved by a 6-0 vote.

ITEM 12: ORDINANCE NO. 22-115 [Public Hearing and Second Reading]

AN ORDINANCE FOR 15 FLAX LLC AND 117 EAST CENTRAL LLC., FOR APPROVAL OF A STREET VACATION FOR THE MILL ON FLAX ON APPROXIMATELY 5.1417 ACRES LOCATED NORTH OF EAST CENTRAL AVENUE AND EAST OF THE OLENTANGY RIVER.

The Clerk read the ordinance for the second time.

APPLICANT:

Brian Suiter
15 West Cherry Street
Columbus, Ohio

Tom Vetter
15 West Cherry Street
Columbus, Ohio

PUBLIC COMMENT:

Dana Glassburn
68 Flax Street
Delaware, Ohio 43015

Ms. Glassburn voiced concerns over traffic on Flax Street.

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John O'Brien
145 East Central Avenue
Delaware, Ohio 43015

Voiced his support for the project. He voiced concern over the traffic impact of the development to Milo and Flax Street.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 22-115, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to approve Ordinance No. 22-115, seconded by Mr. Hoffman. Motion approved by a 6-0 vote.

ITEM 13: ORDINANCE NO. 22-120 [Public Hearing and Second Reading]

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT TO ALLOW A GASOLINE STATION FOR RACETRAC ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) AND R-6 (MULTI-FAMILY RESIDENTIAL DISTRICT) ON APPROXIMATELY 4.6 ACRES LOCATED NORTH OF US 36/SR 37 AND JUST WEST OF FUTURE DAVIDSON LANE.

The Clerk read the ordinance for the second time.

APPLICANT:
Brendan Sexton
200 Galleria Pkwy
Atlanta, GA

Laura Comas
17 South High Street
Columbus, Ohio

PUBLIC COMMENT:
John O'Brien
145 East Central Avenue
Delaware, Ohio

Mr. O'Brien discussed electric vehicles and for planning to research facilities that will have EV stations.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 22-120, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to approve Ordinance No. 22-120, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

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ITEM 14: ORDINANCE NO. 22-121

[Second Reading]

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR A RACETRAC GAS STATION AND MARKET ON PROPERTY ZONED B-3 (COMMUNITY BUSINESS DISTRICT) AND R-6 (MULTI-FAMILY RESIDENTIAL DISTRICT) ON APPROXIMATELY 4.6 ACRES LOCATED NORTH OF US 36/SR 37 AND JUST WEST OF FUTURE DAVIDSON LANE.

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 22-121, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to approve Ordinance No. 22-121, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

ITEM 15: ORDINANCE NO. 22-122

[Second Reading]

AN ORDINANCE AMENDING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the second time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 22-122, seconded by Mr. Tackett. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 22-122, seconded by Mr. Tackett. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to approve Ordinance No. 22-122, seconded by Mr. Tackett. Motion approved by a 6-0 vote.

ITEM 16: RESOLUTION NO. 23-01

[First Reading]

A RESOLUTION HONORING THE LIFE OF DR. MARTIN LUTHER KING, JR.

The Clerk read the resolution for the first time.

Motion: Mr. Farrell motioned to approve Resolution No. 23-01, seconded by Ms. Frazier. Motion approved by a 6-0 vote.

ITEM 17: RESOLUTION NO. 23-04

[First Reading]

A RESOLUTION ACCEPTING THE NEGOTIATED CHANGES TO THE EXPIRED CONTRACT BETWEEN THE CITY OF DELAWARE AND THE WATER AND WASTEWATER TREATMENT FACILITY EMPLOYEES ASSOCIATION.

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The Clerk read the resolution for the first time. Mr. Kridler discussed contract negotiations.

Motion: Vice-Mayor Shafer motioned to approve Resolution No. 23-04, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

ITEM 18: RESOLUTION NO. 23-05 [First Reading]

A RESOLUTION ACCEPTING NEGOTIATED CHANGES TO THE OHIO COUNCIL #8 AMERICAN FEDERATION OF STATE COUNTY AND MUNICIPAL EMPLOYEES AND LOCAL 3934 (AFSCME-CLERICAL) EMPLOYEES AGREEMENT WITH THE CITY OF DELAWARE.

The Clerk read the resolution for the first time.

Motion: Vice-Mayor Shafer motioned to approve Resolution No. 23-05, seconded by Mr. Farrell. Motion approved by a 6-0 vote. Mr. Kridler discussed contract negotiations.

ITEM 19: ORDINANCE NO. 23-01 [First Reading]

AN ORDINANCE ACCEPTING THE ANNEXATION OF 107.55± ACRES OF LAND MORE OR LESS, DESCRIPTION AND MAP ARE ATTACHED HERETO AS EXHIBITS "A" AND "B" FOR THE ANNEXATION KNOWN AS THE DONOVAN FARMS, LLC ANNEXATION BY MICHAEL R. SHADE, AGENT FOR THE PETITIONERS.

The Clerk read the ordinance for the first time.

APPLICANT:

Michael R. Shade
236 West Central Avenue
Delaware, Ohio

Mr. Shade request this item be tabled until May 8th, Mr. Homan recommended that this be tabled to an earlier date to allow for Council discussion. Mr. Shade was in agreement to table the ordinance until April 10, 2023. Mr. Shade discussed that there was a concept plan presented to the Planning Commission.

Motion: Vice-Mayor Shafer motioned to table Ordinance No. 23-01 until April 10, 2023, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

ITEM 20: ORDINANCE NO. 23-02 [Public Hearing and First Reading]

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CREATING THE ADDISON NORTHWEST TAX INCREMENT FINANCING INCENTIVE DISTRICTS; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN EACH INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; AND SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT.

The Clerk read the ordinance for the first time. There was no public participation. Ordinance No. 23-02 will be presented for a second reading. Mr. Homan discussed that this has been working with the Addison Development on the infrastructure needs and road extensions. These projects require significant investments and have established a similar process in the southern part of the city. There will be 19 separate incentive districts with a life span of ten years. This public hearing is required to allow the property owner to object.

PRESENTORS:

Greg Daniels
Squire Patton Boggs
2000 Huntington Center
41 South High Street
Columbus, Ohio

David Conley
Rockmill Financial
5700 Hamlin Place N.
Westerville, Ohio

ITEM 21: ORDINANCE NO. 23-03 [First Reading]

DECLARING THE IMPROVEMENT TO CERTAIN PARCELS WITHIN THE ADDISON NORTHWEST DEVELOPMENT AREA IN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC 5709.40(B); PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED.

The Clerk read the ordinance for the first time. Ordinance No. 23-03 will be presented for a second reading.

ITEM 22: ORDINANCE NO. 23-04 [First Reading]

APPROVING A COMMUNITY REINVESTMENT AREA AGREEMENT AND SCHOOL COMPENSATION AGREEMENT WITH MILL ON FLAX, LLC,

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DELAWARE CITY SCHOOLS AND DELAWARE AREA CAREER CENTER FOR INVESTMENT IN MULTIFAMILY RESIDENTIAL AND COMMERCIAL STRUCTURES WITHIN THE BOUNDARIES OF COMMUNITY REINVESTMENT AREA 141-1135-1; AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

APPLICANTS:

Brian Suiter
15 West Cherry Street
Columbus, Ohio

Tom Vetter
15 West Cherry Street
Columbus, Ohio

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 23-04, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 23-04, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to approve Ordinance No. 23-04, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

ITEM 23: ORDINANCE NO. 23-05 [First Reading]

AN ORDINANCE DECLARING THE IMPROVEMENT TO CERTAIN PARCELS IN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC 5709.40(B) PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED; APPROVING AND AUTHORIZING THE EXECUTION OF TAX INCREMENT FINANCING AGREEMENT AND A SCHOOL COMPENSATION AGREEMENT; AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 23-05, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 23-05, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

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Motion: Vice-Mayor Shafer motioned to approve Ordinance No. 23-05, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

ITEM 24: ORDINANCE NO. 23-06 [First Reading]

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN OFF-SITE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DELAWARE AND MILL ON FLAX, LLC AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 23-06, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 23-06, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to approve Ordinance No. 23-06, seconded by Mr. Farrell. Motion approved by a 6-0 vote.

ITEM 25: ORDINANCE NO. 23-07 [First Reading]

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ENERGY ALLIANCES TO PROVIDE ELECTRIC AGGREGATION CONSULTANT/BROKEN SERVICES AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time. Mr. Kridler reviewed that in November 2022 City voters approved electric aggregation and as part of the process staff interviewed three different consultants to help manage the program and is recommended moving forward with Energy Alliances. The first public meeting will be held on Wednesday, January 18 at 6:30 pm and the second meeting will be held on 2 pm, Thursday, January 19. Both public meetings will occur at City Hall.

PRESENTORS:

Rich Surace
8469 Blue Ash Road
Cincinnati, Ohio

PUBLIC PARTICIPATION:

David Carpenter
932 Executive Blvd
Delaware, Ohio

Mr. Carpenter discussed the value of renewable energy.

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Motion: Mr. Farrell motioned to suspend the rules for Ordinance No. 23-07, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. Farrell motioned to enact the emergency clause for Ordinance No. 23-07, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

Motion: Mr. Farrell motioned to approve Ordinance No. 23-07, seconded by Vice-Mayor Shafer. Motion approved by a 6-0 vote.

ITEM 26: ORDINANCE NO. 23-08 [First Reading]

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT WITH LANDSTAR RANGER, INC. AND DECLARING AN EMERGENCY.

The Clerk read the ordinance for the first time.

Motion: Vice-Mayor Shafer motioned to suspend the rules for Ordinance No. 23-08, seconded by Ms. Frazier. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to enact the emergency clause for Ordinance No. 23-08, seconded by Ms. Frazier. Motion approved by a 6-0 vote.

Motion: Vice-Mayor Shafer motioned to approve Ordinance No. 23-08, seconded by Ms. Frazier. Motion approved by a 6-0 vote.

ITEM 27: CITY MANAGER’S REPORT

Mr. Homan the upcoming Chamber Dinner, MLK Breakfast, and Black History Month event. The Financial Review Task Force will be presenting on January 23, 2023 and he expects the report to be available prior to the meeting. He provided his gratitude for the work of Fire Chief John Donahue. Mr. Homan announced that Captain Tim Pyle will be Acting Fire Chief.

ITEM 28: COUNCIL COMMENTS

Mr. Tackett provided his thanks to Chief Donahue.

Mr. Hoffman discussed the stability of the City Manager’s office with the work of Mr. Homan.

Mr. Farrell discussed he was contacted by a resident on an interest to commemorate the anniversary of the Ukraine War. He discussed having the lights changed on City Hall and have a light’s out event.

Ms. Frazier wished Chief Donahue the best. She requested that there is over communication regarding the opt out for electric aggregation.

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Mayor Riggle attended a COMMA meeting with Mr. Homan.

ITEM 29: ADJOURNMENT

Motion: Vice-Mayor Shafer motioned to adjourn the meeting. The meeting adjourned at 8:49 p.m.

Mayor Carolyn Kay Riggle

Elaine McCloskey, Council Clerk



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CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Motion Summary

AGENDA SECTION: **CONSENT AGENDA**

SUBJECT: Acceptance of the Motion Summary of the Parking and Safety Committee meeting held on August 15, 2022, as recorded and transcribed.

SUGGESTED ACTION:

ATTACHMENTS:

[20220815 parking and safety motion summary.pdf](#)

**PARKING AND SAFETY
MOTION SUMMARY
AUGUST 15, 2022**

ITEM 1. ROLL CALL

Chairman Shafer called the Parking and Safety Meeting to begin at 6:00 p.m.

Members Present: Council Representative Catlin Frazier, Vice-Chairman Drew Farrell and Chairman Kent Shafer

Staff Present: Adam Moore, Acting Police Chief, Jonathan Owen, Project Engineer, Kyle Kridler, Assistant City Manager

ITEM 2. APPROVAL of the Motion Summary of the Parking and Safety Committee meeting held February 22, 2022, as recorded and transcribed.

Motion: Vice-Chair Farrell motioned to approve the Motion Summary of the Parking and Safety Committee meeting held February 22, 2022, seconded by Ms. Frazier. Motion approved by a 3-0 vote.

ITEM 3. PUBLIC COMMENT

There was no public participation for items not on the agenda.

ITEM 4. DISCUSSION and RECOMMENDATION

A. Request for Handicap Parking Space at 49 Blymer Street

Mr. Moore reviewed the request for a on street handicap parking space at 49 Blymer Street and that the requester indicated that there is a resident in the house with COPD and have difficulty walking to the car. He also discussed concerns received from residents with opposition to the request. Mr. Moore discussed driving past the house prior to the meeting and that there was a carport that had a large amount of items in the carport. It was discussed that Blymer is a one-way street with parking only on one side. The Committee voiced concerns that there is limited parking on the street and that the resident does have access to parking in the driveway. Mr. Moore reported that he observed two cars parked in the driveway.

Motion: Vice-Chair Farrell motioned to deny the request, seconded by Ms. Frazier. Motion approved by a 3-0 vote.

B. No Parking Restrictions at 182 Firestone Drive

The Clerk notified the Committee that the request came from Mr. Dave Berwanger at the July 25, 2022, City Council meeting. Mr. Moore reviewed the No Parking Signage placed on parts of Firestone Drive at the direction of the Parking and Safety Committee due to the narrow length of the street and line of sight issues. Where the No Parking signage in front of Mr. Berwanger house there is also a fire hydrant across the street. Mr. Moore discussed the request by Mr. Berwanger to have access to parking in front of the house for reduced hours, but that this would not change the line-of-sight issue.

PUBLIC PARTICIPATION:

David Berwanger
182 Firestone Drive
Delaware, Ohio

Mr. Berwanger discussed his request and the No Parking restrictions area west of his driveway and the fire hydrant on the other side of the street limits street parking near his house. The Committee voiced their support to remove the parking restrictions from his driveway to the west of his property line.

Motion: Vice-Chair Farrell motioned to remove the No Parking zone to west of driveway at 182 Firestone Drive, seconded by Ms. Frazier. Motion approved by a 3-0 vote.

C. Downtown Parking

Mr. Moore updated the Committee on the downtown parking situation and that they have reached a point where the infrastructure has started to fail and there are over half of the parking meters are not working properly. The infrastructure is expensive and last year the parking control vehicle was totaled in a hit skip accident. He discussed looking at a change of fees and the consideration of is the program covering the maintenance of equipment cost. He discussed options of a kiosk for paying to park and mobile parking zones.

Mr. Kridler discussed reevaluating parking fees and ticket prices. The fees can be used to help change habits. To replace all meter parking there is an estimated cost of \$400,000-\$500,000. He discussed options for mobile parking and working with a garage consultant. Chairman Shafer discussed that he met with the City of Columbus and how they use parking meters and mobile zones. There is an option to have Park Mobile and

replacing meters does not make sense. Mr. Moore discussed the need for a strategy with some areas with a kiosk, meters and pay by app. He recommended looking at the mobile only option closer to the university. Ms. Frazier discussed the need to understand more on the options and costs. Mr. Farrell considered the impact with more second floor development occupancy.

PUBLIC PARTICIPATION:

Brenda Lindeboom
381 St. Rt. 203
Delaware, Ohio

Ms. Lindeboom voiced a concern regarding a ticket received for parking in a Grab and Go spot and that the designated signage is difficult to differentiate from other parking signage. She recommended changing the color or placing at a different height. She also recommended the use of meters that have credit card accessibility.

The Committee agreed to future discussions and requested more information on proposals for different equipment and cost analysis.

ITEM 5. STAFF COMMENTS

There were no additional staff comments.

ITEM 6. COMMITTEE COMMENTS

There were no additional committee comments.

ITEM 7. ADJOURNMENT

Motion: Mr. Farrell moved to adjourn the meeting. The Parking and Safety Committee Meeting adjourned at 6:39 p.m.

Kent Shafer, Chairman

Elaine McCloskey, Clerk



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Motion Summary

AGENDA SECTION: **CONSENT AGENDA**

SUBJECT: Acceptance of the Motion Summary of the Sister City Advisory Board meeting held on October 11, 2022, as recorded and transcribed.

SUGGESTED ACTION:

ATTACHMENTS:
[20221011 sister city motion summary.pdf](#)

**SISTER CITY ADVISORY BOARD
MOTION SUMMARY
October 11, 2022**

ITEM 1. ROLL CALL

Chairman Guebert called to order the Sister City Advisory Board at 6:00 p.m.

Members Present: Darrell Albon, Karen Waselko, Suzanne Williams, Mayor Carolyn Kay Riggle and Chairman Rand Guebert

Members Absent: Franz Gruber and Mark Hurley

Staff Present: Kyle Kridler, Assistant City Manager

Motion to Excuse: Mayor Riggle motioned to excuse Mr. Hurley and Mr. Gruber, seconded by Mr. Albon. Motion approved by a 5-0 vote.

ITEM 2. APPROVAL of the Motion Summary

- A. Approval of the Motion Summary of the Sister City Advisory Board meeting held on April 19, 2022, as recorded and transcribed.

Motion: Mr. Albon motioned to approve the Sister City Advisory Board meeting held on April 19, 2022, as recorded and transcribed, seconded by Ms. Williams. Motion approved by a 5-0 vote.

- B. Approval of the Motion Summary of the Sister City Advisory Board meeting held on August 9, 2022, as recorded and transcribed.

Motion: Mayor Riggle motioned to approve the Sister City Advisory Board meeting held on August 9, 2022, as recorded and transcribed, seconded by Vice-Chair Waselko. Motion approved by a 5-0 vote.

ITEM 3. UPDATE on Sister Cities

A. Sakata, Japan

1. Update on 2023 Japan-American Grassroots Summit preparation – Dr. Ben Pachter, JASCO

Dr. Pachter joined the meeting virtually and provided background information regarding the 2023 Japan-American Grassroots Summit. The event will take place September 19-24. He expects that each City in Ohio that participates will have approximately -10 guests although this will not be known officially until registration ends. He discussed the importance of the event to help support US and Japanese

relationships. Mayor Riggle discussed trying to get the group here earlier to attend the Delaware County Fair Jug events. The Committee discussed reaching out to previous Japanese host families to see if there is an interest to host for this event. Mr. Kridler requested sample itineraries that were used previously.

2. Update on Sakata School visit to Dempsey for 2023

Ms. Williams will speak with Ms. Nicely on any updates. The Clerk will also reach out to Daizo Kazuma, Exchange and Tourism Division for Sakata City Office on any updates for the Dempsey exchange. The Clerk also provided an update on the tourism video that Mayor Riggle will be judging virtually for Sakata. Mr. Albon discussed the virtual exchange between the universities will be starting up soon.

B. Baumholder, Germany

1. August 2023 visit with Dr. Jay Martin

Mr. Albon to give a more detailed report in January on any upcoming travel plans with Dr. Martin and the OWU Soccer Team.

C. Paraguay

1. Review of Hayes Day Celebration

Mayor Riggle and Chairman Guebert discussed the many activities that they participated in leading up to the Hayes Day Celebration dinner and program. Mayor Riggle attended events Freemont Ohio, along with the Ambassador of Paraguay.

2. Sister City Development

Chairman Guebert discussed speaking with the Ambassador of Paraguay on potential cities that may meet the criteria for a sister city relationship.

ITEM 4. DISCUSSION ITEMS

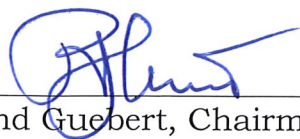
A. Subcommittee for School Trip Development

ITEM 5. MEMBER COMMENTS

ITEM 6. NEXT MEETING DATE: January 10, 2023

ITEM 7. ADJOURNMENT

Motion: Chairman Guebert moved to adjourn the Sister City Advisory Board Meeting. The meeting adjourned at 6:56 p.m.



Rand Guebert, Chairman



Elaine McCloskey, Clerk



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Motion Summary

AGENDA SECTION: **CONSENT AGENDA**

SUBJECT: Acceptance of the Motion Summary of the Financial Review Task Force meeting held on January 4, 2023, as recorded and transcribed.

SUGGESTED ACTION:

ATTACHMENTS:

[20230104 FINANCIAL REVIEW TASK FORCE MOTION SUMMARY.pdf](#)

**FINANCIAL REVIEW TASK FORCE COMMITTEE
MOTION SUMMARY
JANUARY 4, 2023**

ITEM 1. ROLL CALL

The Finance Review Task Force Meeting was called to order at 5:00 p.m.

Members Present: Maura Donahue; Richard Hicks, Brian Smith, Jonathan Connar, Lonny Ransaw, Liz Owens Zach Price, Vice-Chair Ben Kelly, and Chairman Michael Guzzo.

Members Absent: None

Staff Present: Tom Homan, City Manager; Alycia Ballone, Budget, Management & Procurement Director; Rob Alger, Finance Director.

ITEM 2. APPROVAL OF MOTION SUMMARY

- A. Approval of the Motion Summary of the Financial Review Task Force meeting held on November 30, 2022, as recorded and transcribed.

Motion: Mr. Connar moved to approve the Motion Summary from November 30, 2022, as recorded and transcribed, seconded by Mr. Smith. Motion approved by an 9-0 vote.

ITEM 3. PUBLIC COMMENT

There was no public participation.

ITEM 4. DISCUSSION

Members of the Financial Review Task Force met with Vice-Mayor Kent Shafer. This was a high-level discussion on the Task Force's recommendations, as well as what the Finance Committee was thinking in regard to moving forward. There is definitely overlap between the Finance Committee, Dr. Bill Lafayette's report and the Financial Review Task Force recommendations. Three independent entities are proposing very similar ideas.

Zach Price attended the Finance Committee and provided a brief recap of the Financial Review Task Force's findings are to date. There was also discussion with respect to the Fire Levy.

Once the document is presented to Council, it will be loaded onto the website and the public will have 30 days to offer comment. The committee will meet on

approximately February 22, 2023, to discuss comments and any changes that will be considered.

The group continued to work on the document.

Vice-Chairman Kelly will focus on the PowerPoint that will be presented at the City Council Meeting. Mr. Hicks will work on the Executive Summary.

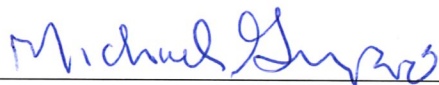
Upcoming schedule:

- January 11, 2023: Meeting of Financial Review Task Force to finalize documents and PowerPoint presentation
- Document to be delivered to Lee Yoakum, Community Affairs Coordinator, on January 17, 2023
- City Council will receive the document on January 19, 2023, with their packet
- PowerPoint will be completed by January 20, 2023
- Present to City Council at the Council meeting January 23, 2023

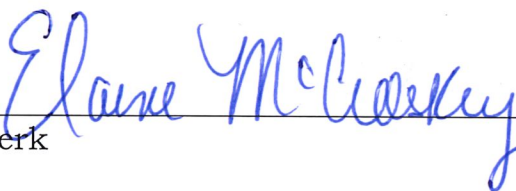
ITEM 5. MEMBER COMMENTS

ITEM 6. ADJOURNMENT

Motion: The Financial Review Task Force meeting adjourned at 6:41 p.m.



Chairman



Clerk



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Motion Summary

AGENDA SECTION: **CONSENT AGENDA**

SUBJECT: Acceptance of the Motion Summary of the Parks and Recreation Advisory Board meeting held on November 15, 2022, as recorded and transcribed.

SUGGESTED ACTION:

ATTACHMENTS:
[20221115 parks motion summary.pdf](#)

**PARKS AND RECREATION ADVISORY BOARD
MOTION SUMMARY
NOVEMBER 15, 2022**

ITEM 1. Roll Call

Councilman Tackett called the meeting to order at 6:30 p.m.

Members Present: Zachary Katona, Michael Yonchak, Council Representative Stephen Tackett, and Vice-Chairwoman Dianna Hibinger

Members Absent: Michael Rush, Corie Thompson, and Chairman Joshua Bricker

City Staff Present: Bridget Donahue, Parks and Natural Resource Administrative Assistant, Mike Hamer, and Ted Miller, Parks and Natural Resource Director

YMCA Staff Present: Roger Hanafin, Associate Executive Director

Motion to Excuse: Mr. Katona motioned to excuse Michael Rush, Corie Thompson, and Chairman Joshua Bricker, seconded by Councilman Tackett. Motion approved by a 4-0 vote.

ITEM 2. APPROVAL of the Motion Summary for the meeting held September 20, 2022, as recorded and transcribed.

Motion: Mr. Katona motioned to approve the Motion Summary for the meeting held September 20, 2022, as recorded and transcribed, seconded by Mr. Yonchak. Motion approved by an 4-0 vote.

ITEM 3. PUBLIC COMMENTS

There was no public participation.

ITEM 4. UPDATE of Delaware Area Community Center YMCA

Mr. Hanafin reviewed the report that he provided to the Board. He discussed membership and growth and current programming activities and participation. October had an increase of usage of facilities compared to the summer months. He provided information on the Annual YMCA Silent Auction to support membership and program scholarships. On December 8, there will be a celebration of 11 years of the Delaware Community Center YMCA.

ITEM 5. UPDATE on Parks and Natural Resources

A. Update on Parks Branding

Mr. Miller provided information on the Unity Park AARP Grant. He discussed receiving community feedback for the need for fitness related items in the park. He also discussed the need for updated wayfinding signage to help provide direction to the different park amenities. Also looking at entrance signage of parks.

B. Recreation Programming

Mr. Hamer discussed that they are starting to prepare for training for lifeguards and basketball officials. There are safety classes for lifeguard training and CPR-PR for the community. They continue to have a partnership with the YMCA and a new partnership with Ohio Wesleyan University regarding the training.

Ms. Donahue reviewed upcoming special events. She discussed the Turkey Shoot Out and that there was a sponsorship from Kona Ice. Kona Ice will be purchasing turkeys and pumpkin pies for winners of the basketball shoot out. Cookies and Cocoa with Santa will take place on December 17 at Mingo Park Recreation Center. The Valentines Dance will be February 18 at Ohio Wesleyan University in the Benes Room. She discussed the need for volunteers at these events.

C. 2023 Budget Proposal

Mr. Miller discussed receiving funds from the CIP for columbarium. The budget was submitted to Council the previous evening. There is a request for a forestry department tech to assist with street trees.


ITEM 6. STAFF COMMENTS

Mr. Miller requested feedback on allowing for a online pool membership sales to allow for donation to scholarship funds for families that would qualify to get a pool membership. He discussed that this is a program used in the City of Upper Arlington.

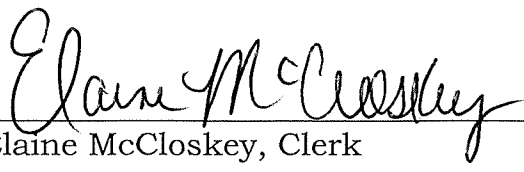
ITEM 7. MEMBERS COMMENTS

ITEM 8. ADJOURNMENT

Motion: Vice-Chair Hibinger moved to adjourn the Parks and Recreation meeting. The meeting adjourned at 6:46 p.m.



 Chairperson


Elaine McCloskey, Clerk



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Presentation

AGENDA SECTION: **PRESENTATION**

SUBJECT: Presentation on Ross Art Museum's National Board of Advisory, Erin Fletcher, Director of Ross Art Museum, Ohio Wesleyan University

SUGGESTED ACTION:

ATTACHMENTS:

[City Council Memo Ross Art Museum Board City Partnership 1-19-2023.pdf](#)
[RAM_City Partnership.pdf](#)
[Bylaws 2021 update.pdf](#)
[RAM_City Council_2023.pdf](#)



MEMORANDUM

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: Kyle Kridler, Assistant City Manager
DATE: January 19, 2023
RE: OWU, Ross Art Museum – National Board of Advisors Request

Background

On October 29, 2022, Assistant City Manager Kyle Kridler attended Ohio Wesleyan’s Ross Art Museum’s National Board of Advisors biannual meeting on behalf of the City of Delaware. This was as a result of a conversation between Ohio Wesleyan and the City to explore furthering the partnership between the two entities. During this meeting, Kyle shared some of the efforts by the City over the years as it relates to public art including the temporary art installation called “The Shadows We Cast” along with the community murals and art exchanges with Sakata, Japan. Also, the section of the Comprehensive Plan, Objective E.6 to “Bolster the public art scene” which includes actions such as Establishing an Arts Council, Designating an Arts District and Amending City regulations to allow for and provide guidance on public art.

City Member on the Ross Art Museum’s National Board of Advisors

At the January 23, 2023 City Council meeting, Erin Fletcher, Director of the Ross Art Museum, will provide an update to City Council on the Ross Art Museum along with inviting the City to have a non-voting ex-officio representative on their National Board of Advisors. Per Erin’s partnership memo, this individual would attend two annual meetings in person, in October and April. As this is a new position, they recommend that the first three-year term is instated on a trial basis, and then considered for permanent status at the close of that term. The Board’s bylaws are attached along with the memo that they provided.

Also, per what Erin provided, the Ross Art Museum’s expanded partnership with the City of Delaware could benefit both entities in the following ways:

- Tourism: Arts and cultural destinations are key factors in determining where people choose to travel
- Economic Development: The arts support economic well-being by encouraging people to shop, dine, and live in locations where they have access to a rich cultural landscape.
- Public Welfare: The Arts inspire community pride and mutual trust. They provide alternate activities and help make places healthier and safer
- Culture and Heritage: The Arts help people understand the history of the places they live, the interconnection of the local and the global, and help envision possible futures.
- Social Cohesion: The arts can provide a common ground for people to come together and explore mutual values.

Recommendation

I recommend that City Council accept this invitation from the Ross Art Museum to have a City representative on their National Board of Advisors. I recommend that Assistant City Manager, Kyle Kridler be the representative for the initial three-year term.



THE OPPORTUNITY

The Ross Art Museum, at Ohio Wesleyan University invites a representative of the City of Delaware, Ohio to join its National Board of Advisors. This volunteer board is separate from the University Board of Trustees, which governs and holds fiduciary responsibility for Ohio Wesleyan and the museum. The museum's National Board of Advisors is dedicated to increasing public awareness of the museum and advocating for professional standards. As the museum works to increase its service to--and partnership with--the surrounding community, a city official would be a valuable strategic partner.

This position would be ex-officio, hence the city would not provide annual support to the museum. As such, this position would also not have voting privileges. Responsibilities include attending two annual meetings in person, in October and April. As this is a new position we recommend that the first three-year term is instated on a trial basis, and then considered for permanent status at the close of that term.

ABOUT THE ROSS ART MUSEUM

The Richard M. Ross Art Museum (RAM) at Ohio Wesleyan University is a vital resource center that provides exhibitions, a Permanent Teaching Collection, and educational programming to create transformative experiences through art for the OWU community and audiences in central Ohio.

The Ross is the only art museum in the city and county of Delaware. It opened at Ohio Wesleyan University in 2002, in a building that originally housed the Delaware, OH post office. Today the building is on the National Registry of Historic Places. The museum houses a collection of approximately 2,500 artworks, primarily works on paper, that includes objects by notable Ohio artists such as Aminah Robinson, Denny Griffith, and Chuck Mintz as well as internationally recognized artists such as Francisco Goya, Joan Miro, and Pablo Picasso.

A HISTORY OF INTERCONNECTION

Since its founding in 2002, the museum's services have extended beyond the university to the broader community of Delaware, OH. The RAM has won three awards for its involvement in the community: For creative reuse of the building (2004), for our Assistant Director's commitment to community (2014), and in recognition of exhibiting Ohio craft (2014). The RAM has hosted many exhibits that celebrate the history of the town such as *Historic Quilts of Delaware County*, *Disappearing Landscapes of Delaware County*, and *Remembering Delaware*, which were tied to the Delaware Bicentennial celebration. It has also led several public art initiatives in such as *The Shadows We Cast* (2017) and *Art for Everyone: The Delaware Mural Project* (2019). The Ross also regularly hosts tours, events, and receptions for community organizations such as Main Street Delaware, Unity Community Center, and the Lifelong Learning Institute.

VALUE TO THE CITY OF DELAWARE

The Ross Art Museum is seeking new ways to partner with the city to serve constituents and expand its impact. We are interested in exploring ways that the city become an advisor and stakeholder to make the museum a cultural beacon for Delaware, Ohio.

Americans for the Arts identifies the following ways that the arts support communities:

- **Tourism:** Arts and cultural destinations are key factors in determining where people choose to travel
- **Economic Development:** The arts support economic well-being by encouraging people to shop, dine, and live in locations where they have access to a rich cultural landscape.
- **Public Welfare:** The Arts inspire community pride and mutual trust. They provide alternate activities and help make places healthier and safer
- **Culture and Heritage:** The Arts help people understand the history of the places they live, the interconnection of the local and the global, and help envision possible futures.
- **Social Cohesion:** The arts can provide a common ground for people to come together and explore mutual values.

CONTACT

Erin Fletcher, Director Email: elfletch@owu.edu Mobile: 510-227-0009. Office: 740-368-3606

**RICHARD M. ROSS ART MUSEUM at OHIO WESLEYAN UNIVERSITY
NATIONAL BOARD OF ADVISORS**

STATEMENT OF PURPOSE

The National Board of Advisors oversees, advises and supports the Richard M. Ross Art Museum of Ohio Wesleyan University in its mission as a vital resource center that provides exhibitions, a Permanent Teaching Collection, and educational programming to create transformative experiences through art for the OWU community and audiences in central Ohio.

As the Ross Art Museum strives toward prominence as a center for the visual arts in the central Ohio region, the National Board of Advisors is dedicated to increasing public awareness and developing a sound financial base for the Museum. Members of the National Board of Advisors, from both the campus and general communities, provide support on a voluntary basis in the following ways:

- ◆ attending biannual meetings of the National Board of Advisors
- ◆ serving on one or more of the six standing committees of the board: Collections, Programming and Education, Marketing and Development, Policies and Procedures, Facilities, and Nominating
- ◆ providing financial support, which includes making annual contributions to the Museum's operating budget at a level appropriate to each individual's financial ability (not applicable for ex-officio members)
- ◆ through personal contact, bringing the Richard M. Ross Art Museum and its programs to the attention of individuals in the community
- ◆ serving at the request of the National Board of Advisors for a three-year term (renewable for a maximum of two terms)

**RICHARD M. ROSS ART MUSEUM at OHIO WESLEYAN UNIVERSITY
NATIONAL BOARD OF ADVISORS**

BYLAWS

Article I. NAME

National Board of Advisors of the Richard M. Ross Art Museum, Ohio Wesleyan University

Article II. PURPOSE

1. The National Board of Advisors supports the Richard M. Ross Art Museum, at Ohio Wesleyan University (the “University”), in its mission to provide exhibitions of distinctive quality and content, stewardship and growth of its Teaching Collection, and lectures and educational support while embracing the concept of transforming theory into practice for students, faculty, and the wider central Ohio community.

In recognition of university-wide DEI initiatives and efforts across the museum field to improve diversity and inclusion the Museum’s Board of Advisors recognizes the need to ensure that these efforts are also reflected in the management and oversight of the museum. For this reason, the make-up of the national board of advisors should reflect the overall ratio of diversity in the student body at Ohio Wesleyan University.

As the Ross Art Museum develops prominence as a center for the visual arts in the central Ohio region, the National Board of Advisors is dedicated to increasing public awareness of the Museum, developing a sound financial base, and advocating professional museum standards and facilities.

Members of the National Board of Advisors serve on a voluntary basis, serve on one or more standing committees of the board, and provide annual financial support to the Museum. In addition, they bring the Ross Art Museum and its programs to the attention of individuals in the central Ohio region and beyond. Funds from the National Board of Advisors provide an annual operating fund for the Museum whose use is designated by the Director to the area of greatest need.

Article III. MEMBERSHIP OF THE NATIONAL BOARD OF ADVISORS

FULL MEMBERS:

1. The membership of the National Board of Advisors, other than ex-officio members, shall number no more than twenty. Members shall be elected upon nomination from the floor and/or from the slate proposed by the Nominating Committee.
2. Members may serve a maximum of two, three-year terms or a total of six consecutive years. After serving the maximum limit of two terms, members may be reelected after a minimum absence of one year.
3. Each member, other than ex-officio members, shall be entitled to one vote.
4. A vacancy on the National Board of Advisors may be filled by the Board for the unexpired portion of the term.
5. Ex-officio members of the National Board of Advisors shall include the Director of the Ross Art Museum, the President of the University, the Provost or representative of the Provost, the Vice President for University Advancement or a representative from the University's Advancement Office, the Chairperson or representative of the Department of Fine Arts, a member of the Ohio Wesleyan Board of Trustees and a member of the Ross Family Ex-officio members may attend meetings, but shall have no voting power.

ASSOCIATE MEMBERS:

1. Associate members are defined as OWU graduates who are enrolled in, or recently completed, graduate studies or persons who are early career professionals. Associate members shall number no more than three.
2. Associate members may serve a single, three year term, after which they must rotate off the board. Associate members may then be considered for nomination as a Full Board member.
3. Associate members have the same responsibilities and privileges as a Full Board member as outlined in the Ross Statement of Purpose, with the exception of the length of the term of service. This includes attending the biannual meetings, a commitment to annual financial support at a level appropriate to each individual's financial ability, and membership on one of the museum's committees.

Article IV. MEETING OF THE NATIONAL BOARD OF ADVISORS

1. Regular meetings will be held two times during each academic year, spring and fall. The annual meeting will be held in the spring. Additional meetings may be called by the chairperson or by the Director.
2. At any meeting of the membership, those present shall constitute a quorum.

3. Board members are expected to attend all regularly scheduled board meetings. Members with 2 or more unexcused absences in a 3-year period, may be asked to resign from the Board by a decision of the Board's Executive Committee, which will review the circumstances on a case-by-case basis.
4. New Board members shall be nominated and elected at the annual meeting in the spring and terms shall commence on July 1st.

Article V. **OFFICERS**

1. The officers of the National Board of Advisors shall be a Chairperson, Vice Chairperson, and Secretary/Treasurer.
2. The officers shall be elected every year at the annual meeting and will serve for one year and/or until their successors are elected.
3. The duties of the officers are as follows:
 - a. The Chairperson presides over meetings of the National Board of Advisors. He/she is authorized to appoint committees as required in the conduct of the Board's affairs.
 - b. The Vice Chairperson, in the absence of the Chairperson, performs the duties of the Chairperson.
 - c. The Secretary/Treasurer issues notices and keeps the minutes of meetings of the Board. He/she receives and reviews reports from Ohio Wesleyan on the financial affairs of the Museum on a quarterly basis and delivers a report at meetings of the National Board of Advisors. This position may be filled by the Assistant Director.

Article VI. **EXECUTIVE COMMITTEE**

1. The Executive Committee is composed of the three officers and the chairpersons of the standing committees of the Board. The Board Chairperson serves as head of the committee. The Executive Committee acts on behalf of the full National Board of Advisors in the interim periods between Board meetings with respect to advice around policy, personnel, and fiscal matters, and other issues requiring decisions while the Board is not in session.
2. Regular meetings shall be held at least two times annually. Special meetings may be

called with appropriate notice by the Director, in conversation with the Chairperson.

Article VII. **STANDING COMMITTEES**

1. The standing committees shall include: Collections, Programming and Education, Marketing and Development, Policies and Procedures, Facilities, and Nominating. The Director, in conversation with the Chairperson, shall appoint the chairperson of each standing committee.
2. The Collections Committee shall provide advice and assistance to the director in the development and care of the Ross Art Museum's permanent collection, including appropriate staffing, acquisitions, deaccessioning and dispersal, and physical environment, and other related topics
3. The Programming and Education committee shall provide and review ideas for exhibitions and programming that supports the museum's educational mission and serves its audience.
4. The Marketing and Development Committee, shall provide guidance and assistance in activities to promote and market the Ross Art Museum and to increase financial support for the Ross Art Museum.
5. The Policies and Procedures Committee shall provide advice and assistance to the director on museum policies and procedures, including a statement of purpose, bylaws, guidelines for board membership, collection management, ethics, and other management issues.
6. The Facilities Committee shall provide advice and assistance on matters pertaining to the physical building of the museum, including prioritizing improvements and getting proposals and estimates for various projects.
7. The Nominating Committee shall provide assistance to the director in seeking prospective members and establishing a process for the orientation, training, and mentoring of new board members. It shall provide assistance to the director in developing a slate of nominees to be considered for membership.

Article VIII. **CODE OF REGULATIONS**

The Ross Art Museum is governed by the Ohio Wesleyan University Code of Regulations. As such, final oversight of the financial affairs of the Ross Museum rests with the Ohio Wesleyan Board of Trustees and its administration. Any motion, policy or procedure offered by the Ross Art Museum National Board of Advisors may not supersede or conflict with Ohio Wesleyan University policies and procedures.

Article IX. **AMENDMENTS**

These bylaws may be repealed or amended by a two-thirds vote of the membership of the National Board of Advisors in person or by proxy. Amendments must be circulated to the membership at least two weeks before a meeting.

Adopted by the National Board of Advisors

October 7, 2006

Amended April 28, 2007

Amended April 26, 2014

Amended October 31, 2015

Amended March 24, 2016

Amended April 2021

I (name of board member), have received a copy of the Richard M. Ross Museum of Art bylaws. I agree to actively follow these guidelines during my time on the Ross Advisory Board.

Signature

Date



A Museum for Campus and Community

Presented by Erin Fletcher, Director Ross Art Museum

Partnership Opportunity

- The Ross Art Museum, at Ohio Wesleyan University invites a representative of the City of Delaware, Ohio to join its National Board of Advisors.
- The museum's National Board of Advisors is dedicated to increasing public awareness of the museum. A city official would help identify opportunities for the museum to increase its service to the surrounding community.
- The museum has the expertise to be a host to meaningful art exhibits from sister cities, a resource to schools, and a valuable advisor to Delaware around citywide art initiatives.
- This would be an ex-officio position, with no fiduciary responsibility, no governance responsibilities, and no vote.

The Ross Art Museum

- The mission of the Ross Art Museum at Ohio Wesleyan University is to serve as a vital resource center that provides exhibitions, a Permanent Teaching Collection, and educational programming to create transformative experiences through art for the OWU community **and audiences in central Ohio.**
- **The Ross is the only art museum in the city and county of Delaware, Ohio.** It's Permanent Teaching Collection houses works by internationally recognized artists such as Francisco Goya, Joan Miro, and Pablo Picasso. It also has work by notable Ohio artists such as Aminah Robinson, Denny Griffith, and Chuck Mintz.

The Shadows We Cast (2017)



Tiffany Carbonneau and Susanna Crum's *The Shadows We Cast* combined architectural video projection, community-based research, and public engagement to facilitate conversations about the social history of the museum building. This exhibit was developed in partnership with the City of Delaware, OH.

Art For Everyone: Delaware Mural Project (2019)



Art For Everyone was a public art process that engaged and amplified the voices and experiences of the residents of Delaware, Ohio. The project created memorials to collaborative moments and community values in a temporary exhibit and two permanent public murals.

Art For Everyone: Delaware Mural Project (2019)



Dedication of Museum Building to National Register of Historic Places (2022)



Americans for the Arts identifies the following ways that the arts support communities:

- *Tourism:* Arts and cultural destinations are key factors in determining where people choose to travel
- *Economic Development:* The arts support economic well-being by encouraging people to shop, dine, and live in locations where they have access to a rich cultural landscape.
- *Public Welfare:* The Arts inspire community pride and mutual trust. They provide alternate activities and help make places healthier and safer
- *Culture and Heritage:* The Arts help people understand the history of the places they live, the interconnection of the local and the global, and help envision possible futures.
- *Social Cohesion:* The arts can provide a common ground for people to come together and explore mutual values.

Proposed Timeline

January 2023: City Council vote.

February 2023: Museum Executive Committee meeting: bylaw amendment drafted, reviewed by city, and approved.

April 29, 2023: Ross Art Museum full Board meeting. Bylaws amended.

October 2023: First museum board meeting with City representative.



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Presentation

AGENDA SECTION: **PRESENTATION**

SUBJECT: Presentation of the Financial Review Task Force Report and Recommendations, presented by Michael Guzzo, Chairperson and Ben Kelly, Vice-Chairperson

SUGGESTED ACTION:

ATTACHMENTS:



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Liquor Permit

AGENDA SECTION: **CONSIDERATION OF NEW LIQUOR PERMIT**

SUBJECT: Ohio Springs Inc., DBA Sheetz Convenience Store #708, 1851 Columbus Pike, Delaware, Ohio 43015. Permit Class: D1

SUGGESTED ACTION:

ATTACHMENTS:

[Liquor Permit - Sheetz 65215090300.pdf](#)
[L-20-12 Sheetz Sunbury Road.PDF](#)

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

65215090300 PERMIT NUMBER		N TYPE	OHIO SPRINGS INC DBA SHEETZ CONVENIENCE STORE #708 1851 COLUMBUS PK DELAWARE OH 43015
01 03 2023 ISSUE DATE			
21 022 B D61952 FILING DATE PERMIT CLASSES TAX DISTRICT RECEIPT NO.			
FROM 01/05/2023			

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.



MAILED 01/05/2023 RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/06/2023

IMPORTANT NOTICE
PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING. **B N 6521509-0300**
REFER TO THIS NUMBER IN ALL INQUIRIES (TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.
DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature) _____ (Title)- Clerk of County Commissioner (Date) _____
 Clerk of City Council
 Township Fiscal Officer

CLERK OF DELAWARE CITY COUNCIL
1 SOUTH SANDUSKY ST
DELAWARE OHIO 43015

Rev 2/10/2021

Ohio**Department
of Commerce**Mike DeWine, Governor
Jon Husted, Lt. GovernorDivision of Liquor Control
Sheryl Maxfield, Director**Dear Local Legislative Authority Official:**

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You must, within 30 days from the "mailed" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing; or
- Ask for your one-time only, 30-day extension:
 - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered timely, your above response must be faxed, emailed, or mailed to the Division no later than the postmark deadline date given on the form. To speed up processing times and reduce paper, the Division respectfully asks that you either fax or email your response. Please send your response to:

FAX: (614) 644 - 3136

EMAIL: LiquorLicensingMailUnit@com.state.oh.us

MAIL: Ohio Division of Liquor Control
Attn: Licensing Unit
6606 Tussing Road
PO Box 4005
Reynoldsburg, Ohio 43068-9005

Please note that the Division is no longer sending ownership information with this legislative notice. If you want to know who owns the applied for permit you can find that information in two ways:

- Go to https://www.comapps.ohio.gov/llqr/llqr_apps/PermitLookup/PermitHolderOwnership.aspx and enter the permit number listed on the legislative notice; or
- Contact your police department or your county sheriff if you are a township fiscal officer or county clerk. The Division sends the applicable law enforcement agency the pertinent ownership information when it notifies them of the permit application.

Thank you in advance for your cooperation,

Division Licensing Section

Licensing Section
6606 Tussing Road
Reynoldsburg OH 43068-9009

Fax 614-728-1281
TTY/TDD 800-750-0750
com.ohio.gov



Delaware Police Department Liquor Permit Report

DPD Report Number L-20-12		Investigating Officer Ptl. Bill Eusey #53	
Applicant (Primary Shareholder) Ohio Springs Inc.		Company Name: DBA: Sheetz Convenience Store	
Common Name Sheetz		Address 710 Sunbury Road Delaware, Ohio 43015	
Applicant Phone Number 740-417-9684		Applicant E-Mail Address:	
<input checked="" type="checkbox"/> Existing Business	Type of Business Convenience Store	Notification Type:	Date of Report October 04, 2022
<input type="checkbox"/> New Business (Supplement Attached)			

Permit Type

- C1/C2X Beer only in original sealed container for carry out only.
 C2 Wine and mixed beverages in sealed containers for carry out.
 D1/D2X Beer only for on premises consumption or in sealed containers for carry out.
 D2 Wine and mixed beverages for on premises consumption or in sealed containers for carryout.
 D4 Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
 D5 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
 Other D6

Location Information

Churches, Libraries and or schools within 500 feet <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	School, church or library objection <input type="checkbox"/> Yes (Supplement Attached) <input type="checkbox"/> No <i>Note: Objections are only permitted for new permits.</i>
Police Calls for Service in past 12 months: 41	Number of Police Reports in past 12 months: 3
Calls for Service excluding calls not related to the business in past 12 months:	Location is excessive drain on Police Resources: <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No
Nuisance Abatement Pending <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Accessible by Law Enforcement <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Site compliance checked by Dept. of Commerce <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Private Club (Restricted Access Door) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Applicant Information

Records Checked <input type="checkbox"/> Ohio Law Enforcement Gateway <input checked="" type="checkbox"/> Delaware Police Department Database	
Applicant has an active warrant <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Record located for Liquor Law Violation <input type="checkbox"/> Yes <input type="checkbox"/> No
Local Record on file <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criminal History Checked by Dept. of Commerce <input type="checkbox"/> Yes <input type="checkbox"/> No
Problem History with DPD <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No	Contact made with Applicant <input type="checkbox"/> Yes <input type="checkbox"/> No

Determination on Objection

The Delaware Police Department does not find a legislative basis for requesting a hearing to object to the issuance of a liquor permit for this business.

The Delaware Police Department recommends requesting a hearing into the issuance of a liquor permit for this business, due to one or more of the following criteria for objection as set forth by the Ohio Revised Code.

- Site does not conform to local building, safety and health codes (excluding zoning).
- Law enforcement or state agents do not have ready access to the premises where alcoholic beverages are being served.
- Physical location causes a public nuisance.
- Site has been officially classified as a nuisance according to State Law.
- Conviction of a crime by the applicant that relates to operating a liquor establishment.
- Past improper operation of a location with a liquor permit.
- Misrepresentation of material fact on the application.
- Addiction of the applicant to alcohol or narcotics.
- Formal objection by specific types of other locations to which the site is in certain proximity.
- Conviction of the applicant of food stamp or WIC fraud.



Delaware Police Department
Liquor Permit Report

(Supplement Attached)

Supplement

Supplement Type <input type="checkbox"/> New Business Description <input type="checkbox"/> Police Department Objection <input type="checkbox"/> Community Objection <input type="checkbox"/> Other :

PTL. Rich Emery 53 10/04/22
Investigating Officer Signature Date

Capt. R. Fernald 6 10/5/22
Supervisor Signature Date

Delaware Police Department Liquor Permit Report # L-20-12

- On October 04, 2022, I was assigned this liquor permit background investigation by Capt. Penrod
- This liquor permit is for Sheetz located at 710 Sunbury Road
- I spoke with Manager Kevin Drop who advised he was not aware of this application. He then called his general manager who also claimed to not be aware. He provided me with a phone number for Jim (unknown last name) 814-515-3381. He stated Jim takes care of all their licenses/applications etc.
- I called Jim Williams at 13:36 but there was no answer so I left a voice mail. When Jim called back he stated they wanted to start selling what they called "Sheets Freeze" which is a slushy with beer in it. He said they are aware that if they do then people could or would start consuming the drink while inside the store waiting on food or while eating their food. They didn't want this to be an issue so they decided to apply for the new permit.
- I had records pulls the calls for service for 710 Sunbury Road since October 01, 2022. There were a total of 41 calls for service with three reports taken. I took out calls that didn't appear to be directly involving Sheets.
- I spoke with an employee with the Ohio Liquor Commission who advised there are no current liquor violations with 710 Sunbury Road. There are 66 Sheets locations in Ohio and there have been 5 liquor permit violations filed in the last year.

Ptl. Bill Eusey #53

Ptl. Bill Eusey #53
Delaware City Police Department



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Liquor Permit

AGENDA SECTION: **CONSIDERATION OF A LIQUOR PERMIT TRANSFER OF OWNERSHIP**

SUBJECT: To Broes LLC, DBA, Buns Restaurant and Bakery, 12-14 W Winter Street, Delaware, Ohio 43015 from Arkasa Inc., DBA, Buns Restaurant and Bakery, 12-14 W Winter Street, Delaware, Ohio, 43015. Permit Classes: D5, D6

SUGGESTED ACTION:

ATTACHMENTS:

[Buns TRFO.pdf](#)

[L-23-01 Bun's Liquor Permit.PDF](#)

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
8808 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

1047920		TRFO		BROES LLC DBA BUNS RESTAURANT & BAKERY 12-14 W WINTER ST DELAWARE OH 43015
PERMIT NUMBER		TYPE		
12 22 2022		ISSUE DATE		
D5 D6		PERMIT CLASSES		
21	022	F028900		
TAX DISTRICT		RECEIPT NO.		

FROM

0264226				ARKASA INC DBA BUNS RESTAURANT & BAKERY 12-14 W WINTER ST DELAWARE OH 43015
PERMIT NUMBER		TYPE		
02 01 2022		ISSUE DATE		
		FILING DATE		
21		022		
TAX DISTRICT		RECEIPT NO.		

MAILED 12/27/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 01/26/2022

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES _____

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

 Clerk of City Council Township Fiscal Officer

CLERK OF DELAWARE CITY COUNCIL
1 SOUTH SANDUSKY ST
DELAWARE OH 43015



**Department
of Commerce**

Rev 2/10/2021

Mike DeWine, Governor
Jon Husted, Lt. Governor

Division of Liquor Control
Sheryl Maxfield, Director

Dear Local Legislative Authority Official:

Please find enclosed the legislative notice that is being sent to you regarding the applied for liquor permit as captioned on the notice. You must, within 30 days from the "mailed" date listed on the notice under the bar code:

- Notify the Division whether you object and want a hearing; or
- Ask for your one-time only, 30-day extension.
 - Any requests for a one-time, 30-day extension will be reviewed by the Division upon timely receipt. If granted, your additional 30-days runs from the expiration of the original 30-day period.

To be considered timely, your above response must be faxed, emailed, or mailed to the Division no later than the postmark deadline date given on the form. To speed up processing times and reduce paper, the Division respectfully asks that you either fax or email your response. Please send your response to:

FAX: (614) 644 - 3136

EMAIL: LiquorLicensingMailUnit@com.state.oh.us

MAIL: Ohio Division of Liquor Control
Attn: Licensing Unit
6606 Tussing Road
PO Box 4005
Reynoldsburg, Ohio 43068-9005

Please note that the Division is no longer sending ownership information with this legislative notice. If you want to know who owns the applied for permit you can find that information in two ways:

- Go to https://www.comapps.ohio.gov/llqr/llqr_apps/PermitLookup/PermitHolderOwnership.aspx and enter the permit number listed on the legislative notice; or
- Contact your police department or your county sheriff if you are a township fiscal officer or county clerk. The Division sends the applicable law enforcement agency the pertinent ownership information when it notifies them of the permit application.

Thank you in advance for your cooperation,

Division Licensing Section

Licensing Section
6606 Tussing Road
Reynoldsburg OH 43068-9009

Fax 614-728-1281
TTY/TDD 800-750-0750
com.ohio.gov



**Delaware Police Department
Liquor Permit Report**

DPD Report Number L-23-01		Investigating Officer Ptl. Bill Eusey #53	
Applicant (Primary Shareholder) BROE'S LLC		Company Name: DBA: BUNS RESTAURANT & BAKERY	
Common Name JOSEPH T. FISCHBACH BRIAN A. VOSS		Address 12128 GREENBOWER AVE PICKERINGTON, OH 43147 4170 NAFZGER DRIVE COLUMBUS, OH 43230	
Applicant Phone Number 614-824-9802 (FISCHBACH) 614-314-5586 (VOSS)		Applicant E-Mail Address: UNKNOWN	
<input checked="" type="checkbox"/> Existing Business <input type="checkbox"/> New Business (Supplement Attached)	Type of Business RESTAURANT	Notification Type:	Date of Report JANUARY 04, 2023
Permit Type <input type="checkbox"/> C1/C2X Beer only in original sealed container for carry out only. <input type="checkbox"/> C2 Wine and mixed beverages in sealed containers for carry out. <input type="checkbox"/> D1/D2X Beer only for on premises consumption or in sealed containers for carry out. <input type="checkbox"/> D2 Wine and mixed beverages for on premises consumption or in sealed containers for carryout. <input type="checkbox"/> D4 Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am. <input checked="" type="checkbox"/> D5 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am. <input checked="" type="checkbox"/> Other D6			

Location Information

Churches, Libraries and or schools within 500 feet <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No – ZION UNITED CHURCH OF CHRIST	School, church or library objection <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No Note: Objections are only permitted for <i>new permits</i> .
Police Calls for Service in past 12 months: 14	Number of Police Reports in past 12 months: 1
Calls for Service excluding calls not related to the business in past 12 months:	Location is excessive drain on Police Resources: <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No
Nuisance Abatement Pending <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Accessible by Law Enforcement <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Site compliance checked by Dept. of Commerce <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Private Club (Restricted Access Door) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Applicant Information

Records Checked <input type="checkbox"/> Ohio Law Enforcement Gateway <input checked="" type="checkbox"/> Delaware Police Department Database	
Applicant has an active warrant <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Record located for Liquor Law Violation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Local Record on file <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Criminal History Checked by Dept. of Commerce <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Problem History with DPD <input type="checkbox"/> Yes (Supplement Attached) <input checked="" type="checkbox"/> No	Contact made with Applicant <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Determination on Objection

<input checked="" type="checkbox"/> The Delaware Police Department does not find a legislative basis for requesting a hearing to object to the issuance of a liquor permit for this business.

<input type="checkbox"/> The Delaware Police Department recommends requesting a hearing into the issuance of a liquor permit for this business, due to one or more of the following criteria for objection as set forth by the Ohio Revised Code. <input type="checkbox"/> Site does not conform to local building, safety and health codes (excluding zoning). <input type="checkbox"/> Law enforcement or state agents do not have ready access to the premises where alcoholic beverages are being served. <input type="checkbox"/> Physical location causes a public nuisance. <input type="checkbox"/> Site has been officially classified as a nuisance according to State Law. <input type="checkbox"/> Conviction of a crime by the applicant that relates to operating a liquor establishment. <input type="checkbox"/> Past improper operation of a location with a liquor permit. <input type="checkbox"/> Misrepresentation of material fact on the application. <input type="checkbox"/> Addiction of the applicant to alcohol or narcotics.



**Delaware Police Department
Liquor Permit Report**

Formal objection by specific types of other locations to which the site is in certain proximity.
 Conviction of the applicant of food stamp or WIC fraud.
(Supplement Attached)

Supplement

Supplement Type
 New Business Description
 Police Department Objection
 Community Objection
 Other :

PTL. Bill Emery 53 01/10/23
Investigating Officer Signature Date

Capt. R. Powell 1/12/23
Supervisor Signature Date

Delaware Police Department Liquor Permit Report # L-23-01

- On January 3, 2022, I was assigned this liquor permit background by Sgt. Bolen
- This liquor Permit is for Buns Restaurant & Bakery located at 12/14 West Winter Street
- This permit is for a transfer from Arkasa INC to Broe's LLC
 - Broe's LLC was established on September 07, 2022
- I ran a calls for service report through our records division which showed 14 calls for service in the last year with 1 of those resulting in a report being taken.
 - 2022-30015079 on 08/12/22 the owner of Buns reported an employee had cashed the same payroll checks multiple times
- I spoke with an employee with Division of Liquor Control who advised there haven't been any liquor violations filed for this address or current permit number
- According to the copy of the permit I was provided Brian Voss and Joseph Fishbach are both listed as a managing member.
 - I ran both names through Delaware County Common Pleas/Municipal Court
 - Brian Voss has a speed violation in 2013
 - Joseph Fischbach has a speed violation in 2006
 - Neither has any record through common pleas
 - I ran both names through Franklin County Common Pleas/Municipal Court
 - Neither had a record through Common Pleas court
 - Brian Voss has 10 violations through Municipal Court
 - 6 of these violations are traffic related
 - 1 is Disorderly Conduct
 - 1 is Soliciting
 - 2 is selling to/purchasing for underage person
 - Joseph Fischbach has 7 violations all which are traffic related
 - I ran both names through Union County Common Pleas/Municipal Court with no records
 - I ran both names through Licking County Common Pleas/Municipal Court
 - Joseph Fischbach has an O.V.I. conviction in 2010
 - Brian Voss has no record through municipal court
 - Neither have any record through common pleas
 - I ran both names through Madison County with no records found
 - I ran both names through Pickaway County with no records found
 - I ran both names through Fairfield County with no records found
 - I ran Joseph Fischbach through Accurint and found a state tax lien in 2009 and 2014. Nothing else worth noting was located.
 - I ran Brian Voss through Accurint and nothing worth nothing was located.
- I spoke with the Division of Liquor Control and neither name has any liquor violations through their department.
- I called Fischbach at 614-824-9802
 - Fischbach advised they took over Bun's on October 03, 2022
 - They are simply requesting transferring the existing liquor permit that Arkasa Inc. had for the premise

- He stated they do not plan on changing the day to day operations or adding any additional operations at this time

Ptl. Bill Eusey 53
Ptl. Bill Eusey #53

Delaware City Police Department



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Ordinances

AGENDA SECTION: **SECOND READING OF ORDINANCE NO. 23-02**

SUBJECT: Ordinance No. 23-02, creating the Addison Northwest Tax Increment Financing Incentive Districts; declaring improvements to the parcels within each incentive district to be a public purpose and exempt from real property taxation; requiring the owners of those parcels to make service payments in lieu of taxes; establishing a Municipal Public Improvement Tax Increment Equivalent Fund for the deposit of those service payments; and specifying the public infrastructure improvements that benefit or serve parcels in the incentive district.

SUGGESTED ACTION:

ATTACHMENTS:

[Fact Sheet Ordinance 23-02, Addison Residential.pdf](#)
[ord 23-02, 1094704847 v5 - TIF .40\(C\) - Addison Northwest.pdf](#)
[AMERICAS 1095135912 v1 - Exhibit A_ Addison Farms TIF Incentive District Ordinance.pdf](#)
[Northwest Area Map.pdf](#)
[NW Public Infra Impr Exhibit.pdf](#)



FACT SHEET

AGENDA ITEM NO: 11

DATE: 01/23/2023

ORDINANCE NO: 23-02

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: YES
January 9, 2023 @ 7:20 pm

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Alycia Ballone, Director of Management, Budget & Procurement

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

CREATING THE ADDISON NORTHWEST TAX INCREMENT FINANCING INCENTIVE DISTRICTS; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN EACH INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; AND SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT.

BACKGROUND:

The City approved a Rezoning Amendment, Conditional Use Permit and Preliminary Development Plan (Ordinances 22-05 and 22-06, respectively) for the Addison Farms development in the northwest quadrant of the City. The development consists of approximately 272.698 acres located west of U.S. 23 and east of Smith Park.

As Council may recall, with the Winterbourne TIF (Ordinance 21-46) discussions at both Council and the Finance Committee meetings public-private partnerships were considered as viable tools to help implement the City Thoroughfare Plan. The upcoming development of the northwest area of the City utilizes TIFs and a proposed future New Community Authority to complete major

transportation and infrastructure objectives including the eventual extension of Merrick Boulevard to U.S. 23.

The following improvements are proposed to be designed and constructed by the developer with reimbursement from the TIFs presented:

Merrick Boulevard extension from the CSX railroad grade separation east to U.S. 23. This estimated 5,000 LF phase will be constructed as a two/three lane boulevard pavement section with roundabout intersections at Heritage and Woodhaul Drives and all appurtenances thereto. This improvement is to be constructed with the planned Phase I Addison development infrastructure improvements.

Improvements to the intersection of Merrick Boulevard with U.S. 23 are anticipated to include the widening of the north and south travel lanes of U.S. 23, the addition of north- and southbound right turn lanes at the Merrick/Panhandle Road intersection, the construction or improvement to the north- and southbound left turn lanes, and installation of a new mast arm traffic signal.

Intersection modifications to the U.S. 23/Pinecrest Drive intersection to a RiRo or RiLiRo configuration. Improvements to the other adjacent intersections for the purpose of maintaining the U.S. 23 corridors level of service will also be included with this work.

Heritage Drive extension from Merrick Boulevard and north to Hills Miller Road, extending approximately 1,400 LF as a two-lane public roadway with curbs, street lighting, storm sewers, street trees, sidewalks and an 8' paved asphalt bikeway.

The Heritage Drive/Hills Miller Road intersection improvement is to be designed and constructed concurrent with the first phase of the development and is anticipated to include construction of a westbound left turn lane and an eastbound right turn lane.

Bruce Road extension from its existing south terminus and extending approximately 1,100 LF as a two-lane public roadway and all appurtenances thereto.

The City will design and construct the Merrick Boulevard CSX railway grade separated crossing. This estimated 1,750 LF phase begins at the Troy Road roundabout and extends east over the existing CSX railway and terminates east of the railroad tracks at the construction phase line of the Merrick Boulevard extension phase associated with the Addison development.

The attached ordinance authorizes a 10-year 70% school TIF with 19 incentive districts.

Staff is working with Delaware City Schools to understand the impact such a development will have on the district. As a subsequent part of the development in the Northwest, a petition for a Northwest New Community Authority will be coming before Council in the coming months. The City intends for a portion of the NCA millage (approximately 1.5 mills) to be paid to the schools to cover additional costs.

REASON WHY LEGISLATION IS NEEDED:

N/A

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

POLICY CHANGES:

N/A

PRESENTER(S):

R. Thomas Homan, City Manager
Bill Ferrigno, Public Works Director & City Engineer
Alycia Ballone, Director of Management, Budget & Procurement
Greg Daniels, Squire, Patton & Boggs
David Conley, Rockmill Financial LLC

RECOMMENDATION:

Approval at third reading

ATTACHMENT(S)

Proposed Ordinance
Incentive District Map
Proposed Northwest Public Infrastructure Improvements Exhibit
Area Map

ORDINANCE NO. 23-02

CREATING THE ADDISON NORTHWEST TAX INCREMENT FINANCING INCENTIVE DISTRICTS; DECLARING IMPROVEMENTS TO THE PARCELS WITHIN EACH INCENTIVE DISTRICT TO BE A PUBLIC PURPOSE AND EXEMPT FROM REAL PROPERTY TAXATION; REQUIRING THE OWNERS OF THOSE PARCELS TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF THOSE SERVICE PAYMENTS; AND SPECIFYING THE PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT BENEFIT OR SERVE PARCELS IN THE INCENTIVE DISTRICT.

WHEREAS, this Council desires to facilitate the development of a residential subdivision with approximately 571 single-family residential units within the City in order to increase available housing options within the City (the “*Project*”); and

WHEREAS, in order to develop the Project, it is necessary to construct certain public infrastructure improvements; and

WHEREAS, this Council, pursuant to ORC Sections 5709.40, 5709.42 and 5709.43 (collectively, the “*TIF Act*”), is authorized to declare improvements to real property to be a public purpose, exempt those improvements from real property taxation, and require owners of the real property to make service payments in lieu of taxes in an amount equal to such exempted taxes; and

WHEREAS, to facilitate the development of the Project and pay the associated costs of the necessary public infrastructure improvements from service payments in lieu of taxes, this Council has determined to create the Addison Northwest Incentive District #1, Addison Northwest Incentive District #2, Addison Northwest Incentive District #3, Addison Northwest Incentive District #4, Addison Northwest Incentive District #5, Addison Northwest Incentive District #6, Addison Northwest Incentive District #7, Addison Northwest Incentive District #8, Addison Northwest Incentive District #9, Addison Northwest Incentive District #10, Addison Northwest Incentive District #11, Addison Northwest Incentive District #12, Addison Northwest Incentive District #13, Addison Northwest Incentive District #14, Addison Northwest Incentive District #15, Addison Northwest Incentive District #16, Addison Northwest Incentive District #17, Addison Northwest Incentive District #18, and Addison Northwest Incentive District #19 (each an “*Incentive District*”, and collectively the “*Incentive Districts*”) pursuant to the TIF Act, the boundaries of which shall be coextensive with the boundaries of, and will include, the parcels of real property within each Incentive District specifically identified and depicted

in Exhibit A attached hereto (as currently or subsequently configured, the “*Parcels*”, with each of those parcels referred to herein individually as a “*Parcel*”);

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

SECTION 1. Incentive District Findings and Determinations; Creation of Incentive District. This Council hereby: (i) adopts the Economic Development Plan for the Incentive Districts now on file with the Clerk of the City Council, (ii) accepts and adopts the City Engineer’s certification to this Council and the City Engineer’s findings set forth therein (a) that the public infrastructure serving the Incentive District is inadequate to meet the development needs of the Incentive District as evidenced by the Economic Development Plan and (b) that each Incentive District is less than 300 acres in size and enclosed by a contiguous boundary, (iii) finds and determines that the Project will place additional demand on the Public Infrastructure Improvements within each Incentive District, (iv) finds and determines that the City sent written notice of the public hearing regarding this ordinance by first class mail to each owner of real property within each of the proposed Incentive Districts at least 30 days prior to such hearing, which notice included a map of the proposed Incentive District as well as the overlay area required by ORC Section 5709.40(C)(2), (v) finds and determines that this Council has not received a request from the owner of any real property within any of the proposed Incentive Districts to exclude that owner’s property from the Incentive District and (vi) finds and determines that notice of this ordinance has been delivered to the Boards of Education of Delaware City Schools and the Delaware Area Career Center in accordance with and within the time periods prescribed in ORC Sections 5709.40 and 5709.83. This Council further finds that the sum of the taxable value of real property in the Incentive District for tax year 2022 and the taxable value of all real property in the City that would have been taxable in tax year 2022 were it not for the fact that the property was in an existing incentive district and therefore exempt from taxation, does not exceed twenty-five percent of the taxable value of real property within the City for tax year 2022. Pursuant to the TIF Act, this Council creates the Incentive District, the boundaries of which are coextensive with the boundaries of, and include, the *Parcels* specifically identified and depicted in Exhibit A attached hereto.

SECTION 2. Public Infrastructure Improvements. This Council designates the following public infrastructure improvements, together with any public infrastructure improvements hereafter designated by ordinance, as public infrastructure improvements made, to be made or in the process of being made by the City that benefit or serve, or that once made will benefit or serve, the *Parcels* within each Incentive District (the “*Public Infrastructure Improvements*”): roadway improvements including, without limitation, construction of roadway improvements, acquisition of related rights of way and easements, water system improvements, sanitary sewer improvements, storm drainage improvements,

pedestrian sidewalks and bike paths, street lights, gas facilities, electrical facilities and all appurtenances thereto, and the maintenance of roadway improvements within and adjacent to the Incentive Districts. The costs of the improvements include but are not limited to, those costs listed in ORC Section 133.15(B).

SECTION 3. Life of the Incentive District; Authorization of Tax Exemption.
The life of each Incentive District commences with the first tax year in which at least \$3,000,000 (aggregate market value for all Parcels within the Incentive District) of building Improvements would first appear on the tax list and duplicate of real and public utility property for Parcels within the applicable Incentive District were it not for the exemption granted in this ordinance and ends for each Incentive District on the earlier of (a) 10 years after such commencement for such Incentive District or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Act (the "*Incentive District Life*").

Pursuant to and in accordance with the provisions of ORC Section 5709.40(C), this Council hereby declares that the increase in assessed value of each Parcel subsequent to the effective date of this ordinance (which increase in assessed value is hereinafter referred to as the "*Improvement*," as defined in ORC Section 5709.40(A)) is a public purpose, with 70% of such Improvement to each Parcel exempt from taxation for the Incentive District Life for the applicable Incentive District.

The exemption granted by this Section 3 is senior to any exemptions granted pursuant to ORC 3735.65 et. seq. (CRA abatements) or ORC 5709.61 et. seq. (Enterprise Zone abatements).

SECTION 4. Service Payments and Property Tax Rollback Payments.
Pursuant to ORC Section 5709.42, the owner of each Parcel is hereby required to make annual service payments in lieu of taxes with respect to the Improvement to that Parcel to the applicable county treasurer (the "*County Treasurer*") on or before the final dates for payment of real property taxes. Each service payment in lieu of taxes, including any penalties and interest at the then current rate established for real property taxes (collectively, the "*Service Payments*"), will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvement if it were not exempt from taxation pursuant to Section 3 of this ordinance. The Service Payments, and any other payments with respect to each Improvement that are received by the County Treasurer in connection with the reduction required by ORC Sections 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the "*Property*

Tax Rollback Payments”), will be deposited and distributed in accordance with Section 6 of this ordinance.

SECTION 5. TIF Fund. This Council hereby establishes the Addison Northwest Incentive District Municipal Public Improvement Tax Increment Equivalent Fund (the “*TIF Fund*”) and, within such fund, an account for each Incentive District. The TIF Fund shall be maintained in the custody of the City and shall receive all distributions to be made to the City pursuant to Section 6 of this ordinance. Those Service Payments and Property Tax Rollback Payments received by the City with respect to the Improvement of each Parcel and so deposited pursuant to the TIF Act shall be used solely for the purposes authorized in the TIF Act and this ordinance (as it may be amended or supplemented). The TIF Fund shall remain in existence so long as such Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund shall be dissolved and any incidental surplus funds remaining therein transferred to the City's General Fund, all in accordance with the TIF Act.

SECTION 6. Distribution of Funds. Pursuant to the TIF Act, during the Incentive District Life for each Incentive District, the County Treasurer is requested to distribute all Service Payments and Property Tax Rollback Payments to the City, for further deposit into the TIF Fund. The City shall use all such amounts deposited into the TIF Fund for payment of costs of the Public Infrastructure Improvements, including, without limitation, debt charges on any notes or bonds issued to pay or reimburse finance costs or costs of those Public Infrastructure Improvements. Such distributions required under this Section are requested to be made at the same time and in the same manner as real property tax distributions.

SECTION 7. Further Authorizations. This Council hereby authorizes and directs the City Manager, the City Attorney, the Finance Director, and the Development Director, or other appropriate officers of the City to deliver a copy of this ordinance to the Ohio Development Service Agency and to make such arrangements as are necessary and proper for collection of the Service Payments. This Council further authorizes the City Manager, the City Attorney, the Finance Director and the Director of Development, or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this ordinance.

SECTION 8. Open Meetings. 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 or any of its committees, 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 ORC Section 121.22.

SECTION 9. Effective Date. This ordinance is effective on the earliest date permitted by law.

PASSED: _____, 2023.

YEAS__NAYS__
ABSTAIN__

ATTEST: _____
CITY CLERK

MAYOR

CERTIFICATE

I, Elaine McCloskey, Council Clerk, City of Delaware, Ohio do hereby certify the foregoing to be a true and correct copy of Ordinance No. 23-____ as passed by Council of said City on the ___ day of _____ and as recorded in the Record of Proceedings of said Council.

Elaine McCloskey, Council Clerk

Filed with Mayor: _____

Published: _____

Addison Farms
NORTH
(Sub Areas "A" & "H")

Exhibit A to Addison Incentive District TIF Ordinance

Addison Incentive District #1

Overlay

PREPARED FOR:
ADDISON PROPERTIES
3401 Enterprise Parkway
Suite 205
Beechwood, OH 44122
Ph. (440) 459-1868

PREPARED BY:
WATSON
CONSULTING ENGINEERS & SURVEYORS
83 Shull Avenue
Cahanna, Ohio 43230
Ph. (614) 414-7979

Z:\ADDISON_FARMES\ORANGES\EMBERSLEY\CHANGE_FINALS\TIF_CHANGE_EMBERSLEY.DWG - O:\INTEFS - ELECTED BY: M. WILSONS - December, 2022 - 3:02 PM

The RESERVE at
Addison Farms
(Sub Area "B")

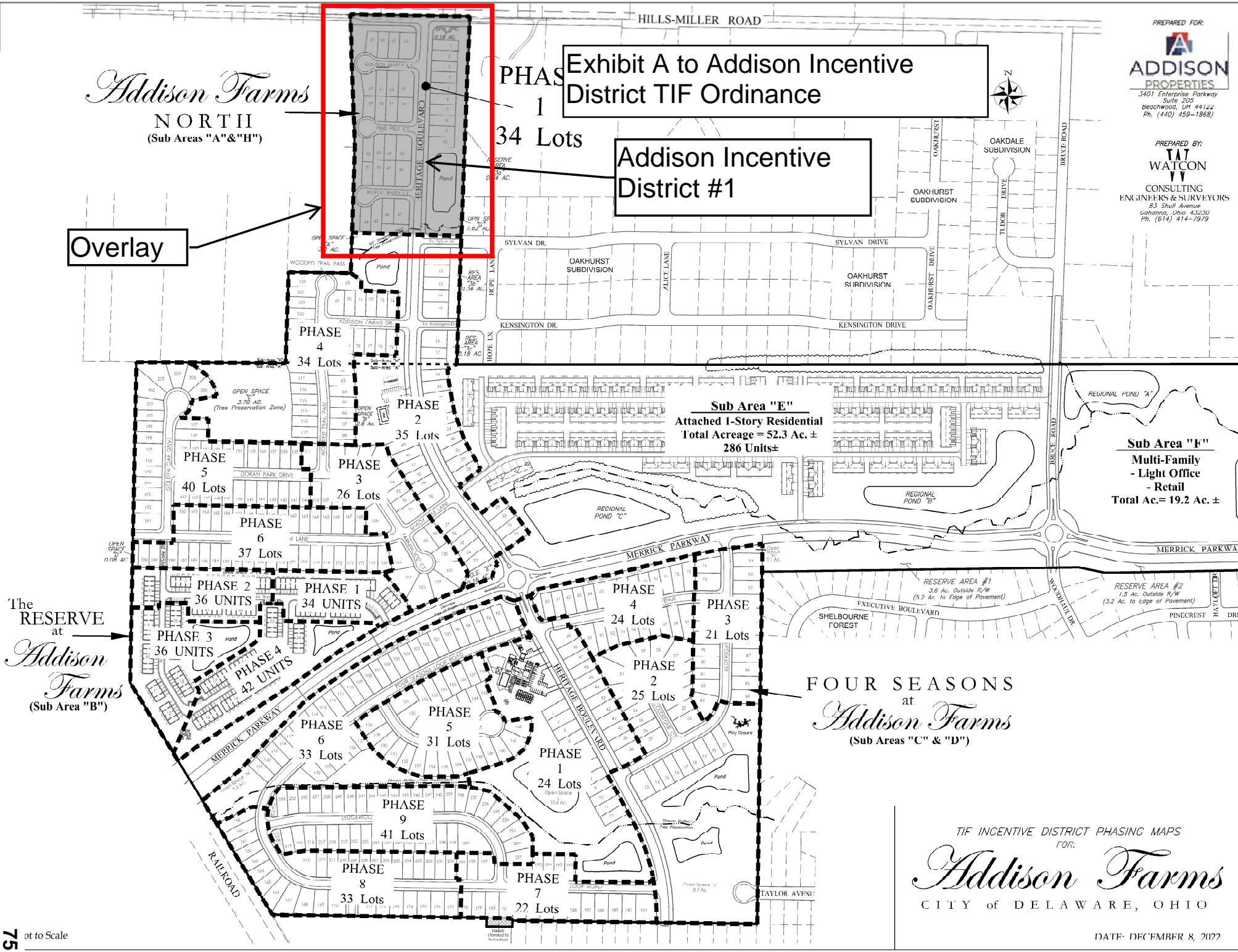
Sub Area "E"
Attached 1-Story Residential
Total Acreage = 52.3 Ac. ±
286 Units ±

Sub Area "F"
Multi-Family
- Light Office
- Retail
Total Ac. = 19.2 Ac. ±

FOUR SEASONS
at
Addison Farms
(Sub Areas "C" & "D")

TIF INCENTIVE DISTRICT PHASING MAPS
FOR:
Addison Farms
CITY of DELAWARE, OHIO

DATE: DECEMBER 8, 2022



Addison Farms
NORTH
 (Sub Areas "A" & "H")

**Addison Incentive
 District #2**

Overlay

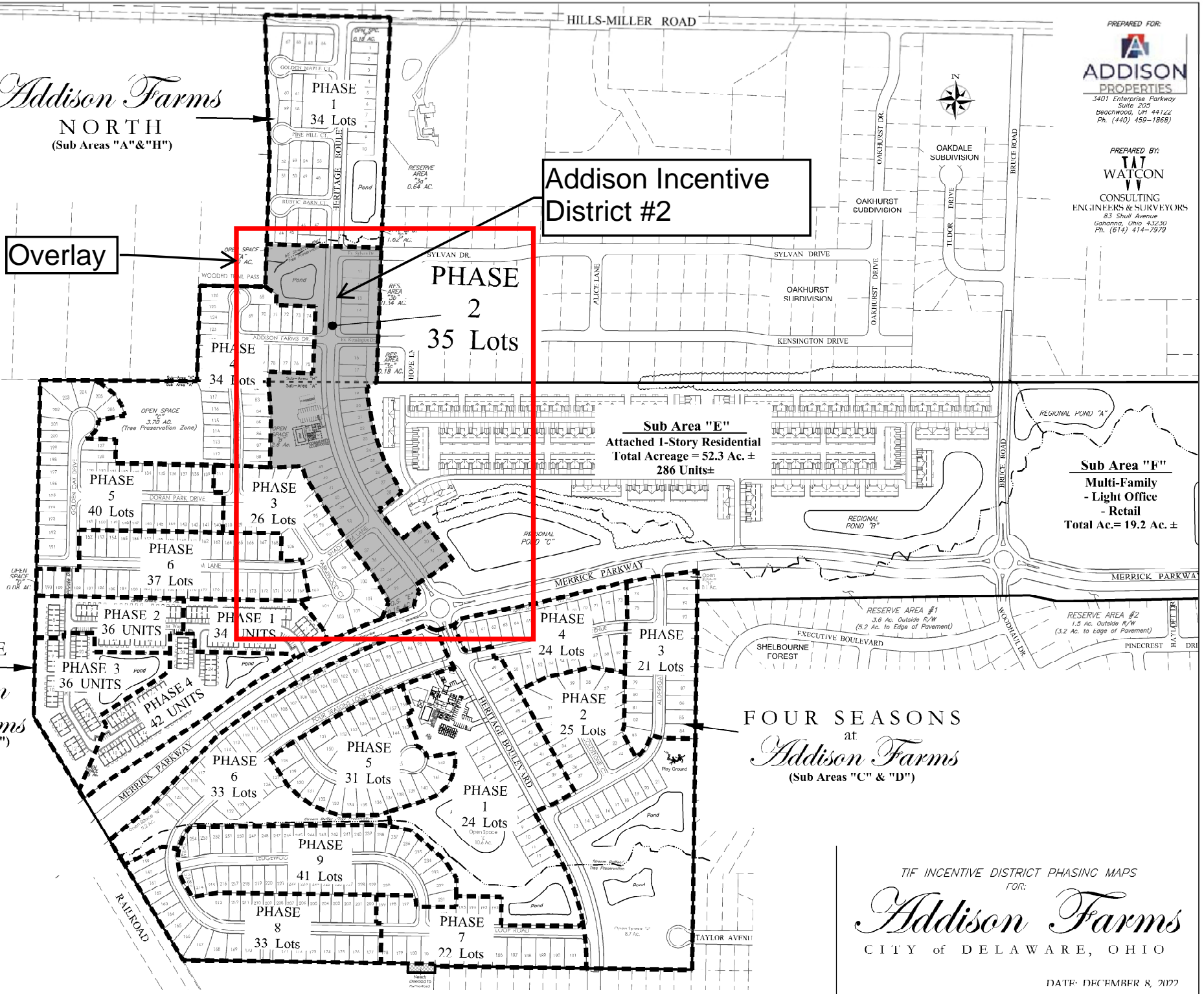
**PHASE
 2
 35 Lots**

Sub Area "F"
**Multi-Family
 - Light Office
 - Retail**
 Total Ac.= 19.2 Ac. ±

Sub Area "E"
Attached 1-Story Residential
 Total Acreage = 52.3 Ac. ±
 286 Units±

The RESERVE
 at
Addison Farms
 (Sub Area "B")

FOUR SEASONS
 at
Addison Farms
 (Sub Areas "C" & "D")



TIF INCENTIVE DISTRICT PHASING MAPS
 FOR:
Addison Farms
 CITY of DELAWARE, OHIO

Z:\ADDISON_FARMNORTH\DRAWINGS\EMBERSLEY_TIF_PHASE2_8122.DWG - O. INFES. - PLOTTED BY: M. WATSON - December 8, 2022 - 2:02 PM

Addison Farms
NORTH
(Sub Areas "A" & "H")

PHASE 3
26 Lots

PHASE 4
34 Lots

PHASE 5
40 Lots

PHASE 6
37 Lots

PHASE 2
36 UNITS

PHASE 3
36 UNITS

PHASE 4
42 UNITS

PHASE 5
31 Lots

PHASE 6
33 Lots

PHASE 8
33 Lots

PHASE 9
41 Lots

PHASE 1
24 Lots

PHASE 4
24 Lots

PHASE 2
25 Lots

PHASE 3
21 Lots

PHASE 7
22 Lots

Addison Incentive District #3

Overlay

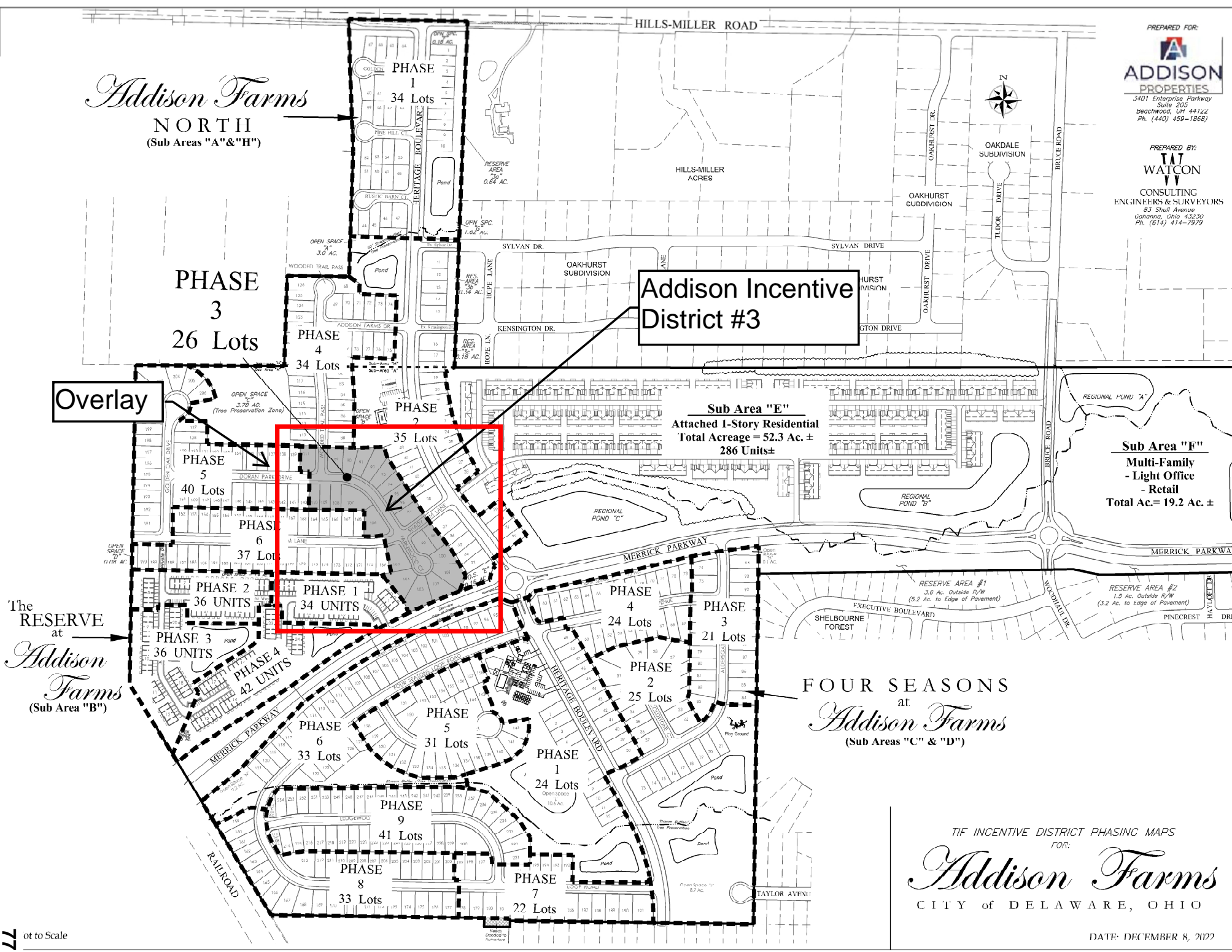
Sub Area "E"
Attached 1-Story Residential
Total Acreage = 52.3 Ac. ±
286 Units ±

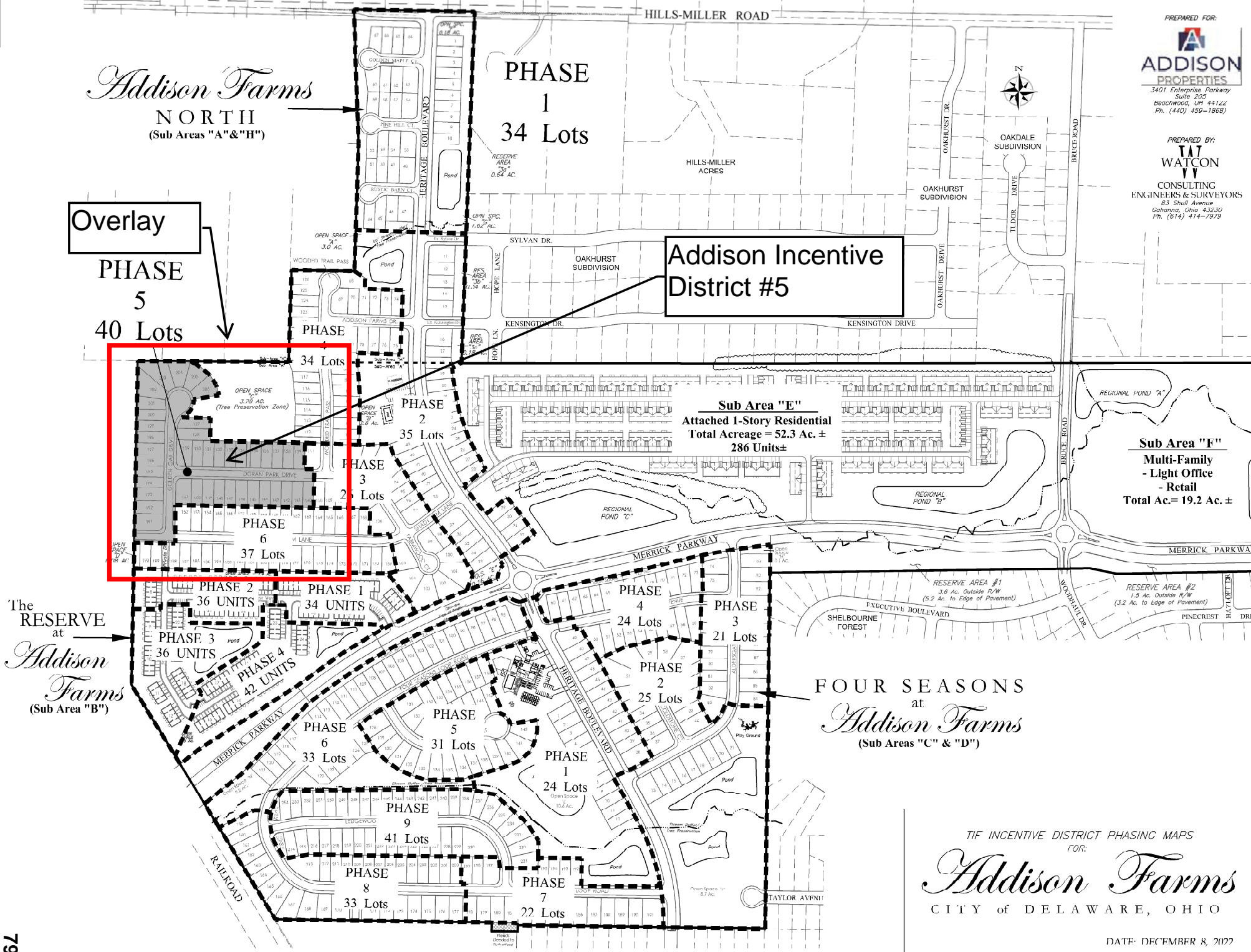
Sub Area "F"
Multi-Family
- Light Office
- Retail
Total Ac. = 19.2 Ac. ±

FOUR SEASONS
at
Addison Farms
(Sub Areas "C" & "D")

The RESERVE
at
Addison Farms
(Sub Area "B")

Z:\ADDISON_FARM_NORTH\ORANGE\EMBERSLEY\PHASE_EMBERSLEY.DWG - O. INFES. - E. CTED BY: M. WATSON - December, 2022 - 4:46 PM





TIF INCENTIVE DISTRICT PHASING MAPS
 FOR:
Addison Farms
 CITY OF DELAWARE, OHIO

Z:\ADDISON_FARMES\ORANGES\EMBERS\TIF PHASING EMBERS\23-0001\ADDISON_FARMES\23-0001_012524.DWG - O:\MPFES - E:\CITY OF DE. WATSONS - December 8, 2022 - 4:16 PM

Addison Farms
NORTH
(Sub Areas "A" & "H")

Overlay

Addison Incentive District #6

Sub Area "E"
Attached 1-Story Residential
Total Acreage = 52.3 Ac. ±
286 Units ±

Sub Area "F"
Multi-Family
- Light Office
- Retail
Total Ac. = 19.2 Ac. ±

The RESERVE
at
Addison Farms
(Sub Area "B")

FOUR SEASONS
at
Addison Farms
(Sub Areas "C" & "D")

TIF INCENTIVE DISTRICT PHASING MAPS
FOR:
Addison Farms
CITY of DELAWARE, OHIO

PREPARED FOR:
ADDISON PROPERTIES
3401 Enterprise Parkway
Suite 205
Beachwood, OH 44122
Ph. (440) 459-1868

PREPARED BY:
WATSON
CONSULTING ENGINEERS & SURVEYORS
83 Shull Avenue
Cahanna, Ohio 43230
Ph. (614) 414-7979

T. ADDISON FARMS (DRAWINGS) PREPARED BY WATSON ENGINEERS & SURVEYORS, INC. - 0. REFS. - PLOTTED BY J.M. WATSON - December, 2012 - 4:42 PM

Addison Farms
NORTH
(Sub Areas "A" & "H")

Overlay

Addison
Incentive
District #7

Sub Area "E"
Attached 1-Story Residential
Total Acreage = 52.3 Ac. ±
286 Units ±

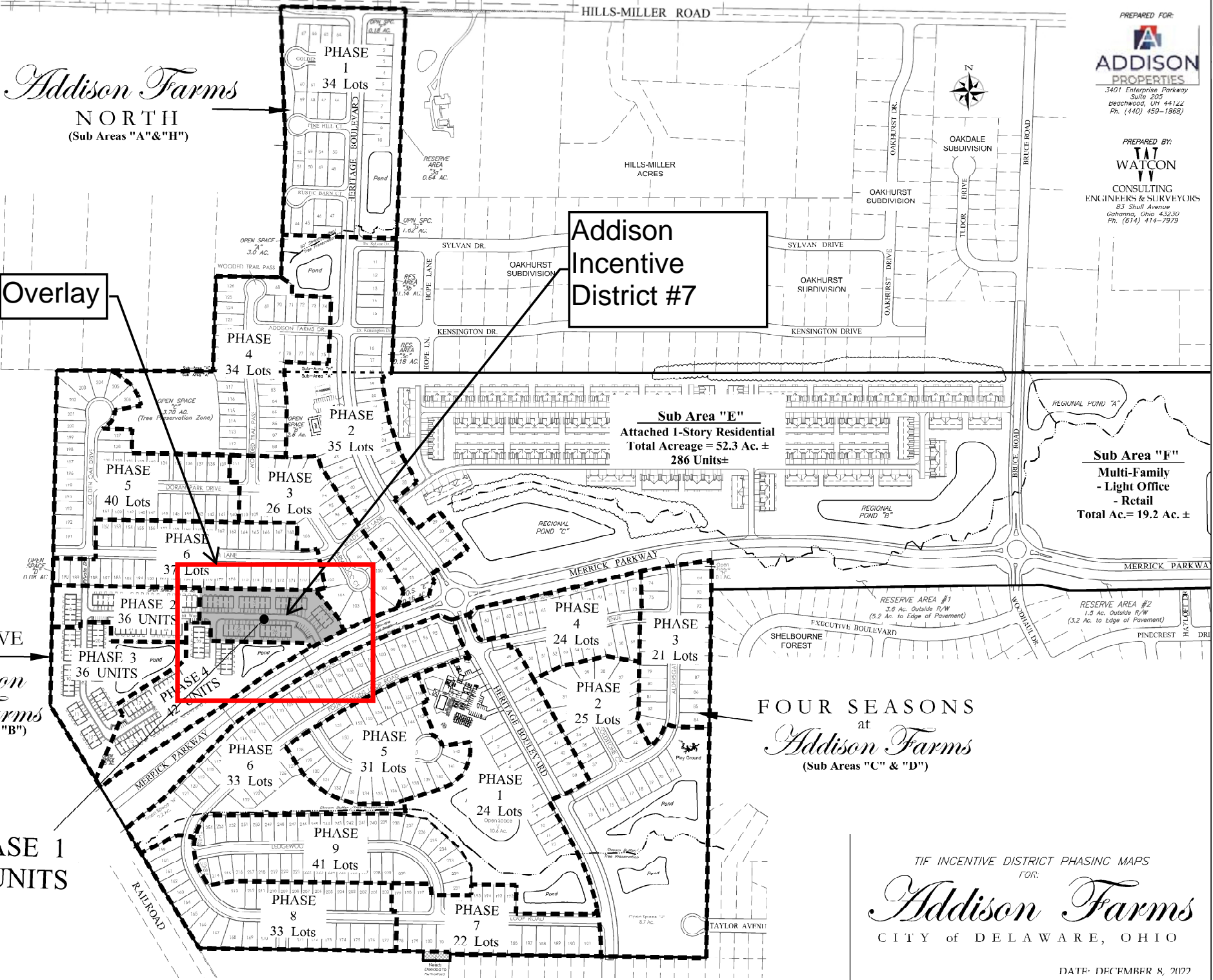
Sub Area "F"
Multi-Family
- Light Office
- Retail
Total Ac. = 19.2 Ac. ±

The RESERVE
at
Addison Farms
(Sub Area "B")

FOUR SEASONS
at
Addison Farms
(Sub Areas "C" & "D")

PHASE 1
34 UNITS

TIF INCENTIVE DISTRICT PHASING MAPS
FOR:
Addison Farms
CITY of DELAWARE, OHIO



PREPARED FOR:
ADDISON PROPERTIES
3401 Enterprise Parkway
Suite 203
Beachwood, OH 44122
Ph. (440) 459-1868

PREPARED BY:
WATSON
CONSULTING ENGINEERS & SURVEYORS
83 Shull Avenue
Cahanna, Ohio 43230
Ph. (614) 414-7979

7. ADDISON FARMS (DRAWINGS) PHASING MAPS FOR INCENTIVE DISTRICT #7 - 0. REFS. - PLOTTED BY JLM/WATSON - December, 2012 - 1:4.0

Addison Farms
NORTH
 (Sub Areas "A" & "H")

PREPARED FOR:
ADDISON PROPERTIES
 3401 Enterprise Parkway
 Suite 205
 Beachwood, OH 44122
 Ph. (440) 459-1868

PREPARED BY:
WATSON
 CONSULTING ENGINEERS & SURVEYORS
 83 Shull Avenue
 Cuyahoga, Ohio 43230
 Ph. (614) 414-7979

Addison Incentive District #8

Overlay

Sub Area "E"
 Attached 1-Story Residential
 Total Acreage = 52.3 Ac. ±
 286 Units ±

Sub Area "F"
 Multi-Family
 - Light Office
 - Retail
 Total Ac. = 19.2 Ac. ±

PHASE 2
36 UNITS

The **RESERVE**
 at
Addison Farms
 (Sub Area "B")

FOUR SEASONS
 at
Addison Farms
 (Sub Areas "C" & "D")

TIF INCENTIVE DISTRICT PHASING MAPS
 FOR:
Addison Farms
 CITY OF DELAWARE, OHIO

DATE: DECEMBER 8, 2022

7. ADDISON FARMS (DRAWINGS) PHASING MAPS OF INCENTIVE DISTRICT #8 - 0. SHEETS - PLOTTED BY J.M. WATSON - December 08, 2022 - 4:42 PM

Addison Farms
NORTH
(Sub Areas "A" & "H")

Addison Incentive District #9

Overlay

Sub Area "E"
Attached 1-Story Residential
Total Acreage = 52.3 Ac. ±
286 Units ±

Sub Area "F"
Multi-Family
- Light Office
- Retail
Total Ac. = 19.2 Ac. ±

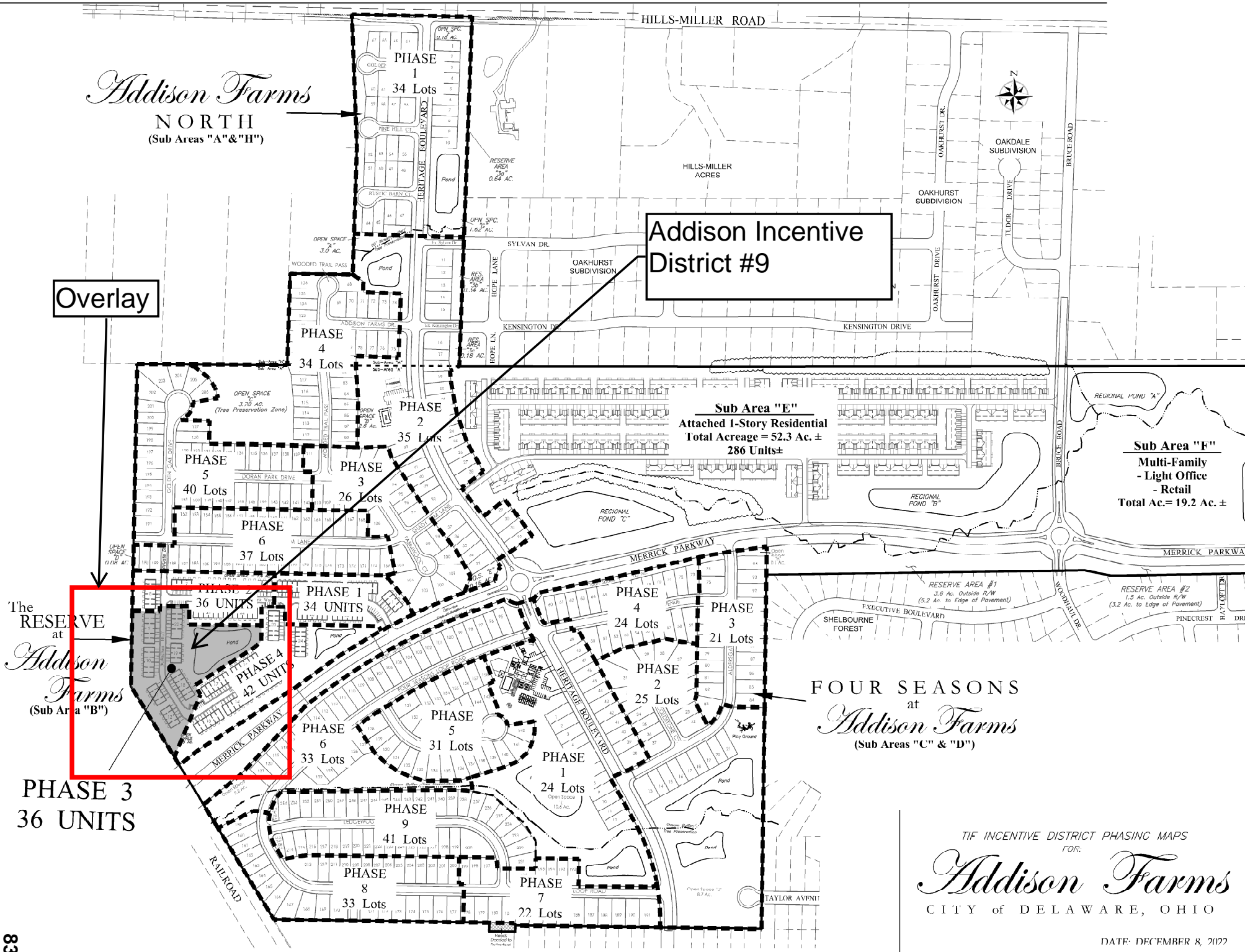
The RESERVE at
Addison Farms
(Sub Area "B")

FOUR SEASONS
at
Addison Farms
(Sub Areas "C" & "D")

PHASE 3
36 UNITS

T. MADISON FARMS (DRAWINGS) PREPARED BY CIVIL ENGINE EMERSON, INC. - 0. REFS. - PLOTTED BY JLM WATKINS - December, 08, 2012 - 4:40 PM

TIF INCENTIVE DISTRICT PHASING MAPS
FOR:
Addison Farms
CITY of DELAWARE, OHIO



Addison Farms
NORTH
 (Sub Areas "A" & "H")

Overlay

Addison Incentive District #10

PREPARED FOR:
ADDISON PROPERTIES
 3401 Enterprise Parkway
 Suite 203
 Beachwood, OH 44122
 Ph. (440) 459-1868

PREPARED BY:
WATSON
 CONSULTING ENGINEERS & SURVEYORS
 83 Shull Avenue
 Cuyahoga, Ohio 43230
 Ph. (614) 414-7979

Sub Area "E"
 Attached 1-Story Residential
 Total Acreage = 52.3 Ac. ±
 286 Units ±

Sub Area "F"
 Multi-Family
 - Light Office
 - Retail
 Total Ac. = 19.2 Ac. ±

The RESERVE at
Addison Farms
 (Sub Area "B")

FOUR SEASONS
 at
Addison Farms
 (Sub Areas "C" & "D")

PHASE 4
 42 UNITS

TIF INCENTIVE DISTRICT PHASING MAPS
 FOR:
Addison Farms
 CITY of DELAWARE, OHIO

DATE: DECEMBER 8, 2022

7. ADDISON FARMS (DRAWINGS) PHASING MAPS OF INCENTIVE DISTRICT #10 - 0. REFS: - PLOTTED BY JLM WATSON - December 08, 2022 - 4:40 PM

Addison Farms
NORTH
 (Sub Areas "A" & "H")

PREPARED FOR:
ADDISON PROPERTIES
 3401 Enterprise Parkway
 Suite 205
 Beachwood, OH 44122
 Ph. (440) 459-1868

PREPARED BY:
WATSON
 CONSULTING ENGINEERS & SURVEYORS
 83 Shull Avenue
 Cuyahoga, Ohio 43230
 Ph. (614) 414-7979

Addison Incentive District #11

Sub Area "E"
 Attached 1-Story Residential
 Total Acreage = 52.3 Ac. ±
 286 Units ±

Sub Area "F"
 Multi-Family
 - Light Office
 - Retail
 Total Ac. = 19.2 Ac. ±

The RESERVE at
Addison Farms
 (Sub Area "B")

FOUR SEASONS
 at
Addison Farms
 (Sub Areas "C" & "D")

PHASE 1
 24 Lots

TIF INCENTIVE DISTRICT PHASING MAPS
 FOR:
Addison Farms
 CITY OF DELAWARE, OHIO

DATE: DECEMBER 8, 2022

7. ADDISON FARMS (DRAWINGS) PHASING MAPS OF INCENTIVE DISTRICT #11 - 0. SHEETS - PLOTTED BY JLM/WATSON - December 08, 2022 - 4:40 PM

Addison Farms
NORTH
 (Sub Areas "A" & "H")

PREPARED FOR:
ADDISON PROPERTIES
 3401 Enterprise Parkway
 Suite 203
 Beachwood, OH 44122
 Ph. (440) 459-1868

PREPARED BY:
WATSON
 CONSULTING ENGINEERS & SURVEYORS
 83 Shull Avenue
 Cuyahoga, Ohio 43230
 Ph. (614) 414-7979

Addison Incentive District #12

Sub Area "E"
 Attached 1-Story Residential
 Total Acreage = 52.3 Ac. ±
 286 Units ±

Sub Area "F"
 Multi-Family
 - Light Office
 - Retail
 Total Ac. = 19.2 Ac. ±

The RESERVE at
Addison Farms
 (Sub Area "B")

FOUR SEASONS
 at
Addison Farms
 (Sub Areas "C" & "D")

Overlay

PHASE 2
 25 Lots

TIF INCENTIVE DISTRICT PHASING MAPS
 FOR:
Addison Farms
 CITY OF DELAWARE, OHIO

DATE: DECEMBER 8, 2022

7. ADDISON FARMS (DRAWINGS) PREPARED BY WATSON ENGINEERS & SURVEYORS, INC. - 0. REVISED - PLOTTED BY JLM WATSON - December 08, 2022 - 4:42 PM

Addison Farms
NORTH
(Sub Areas "A" & "H")

Addison Incentive
District #13

PREPARED FOR:
ADDISON PROPERTIES
3401 Enterprise Parkway
Suite 203
Beachwood, OH 44122
Ph. (440) 459-1868

PREPARED BY:
WATSON
CONSULTING ENGINEERS & SURVEYORS
83 Shull Avenue
Cahanna, Ohio 43230
Ph. (614) 414-7979

Sub Area "E"
Attached 1-Story Residential
Total Acreage = 52.3 Ac. ±
286 Units ±

Sub Area "F"
Multi-Family
- Light Office
- Retail
Total Ac. = 19.2 Ac. ±

The RESERVE at
Addison Farms
(Sub Area "B")

PHASE 3
21 Lots
Overlay

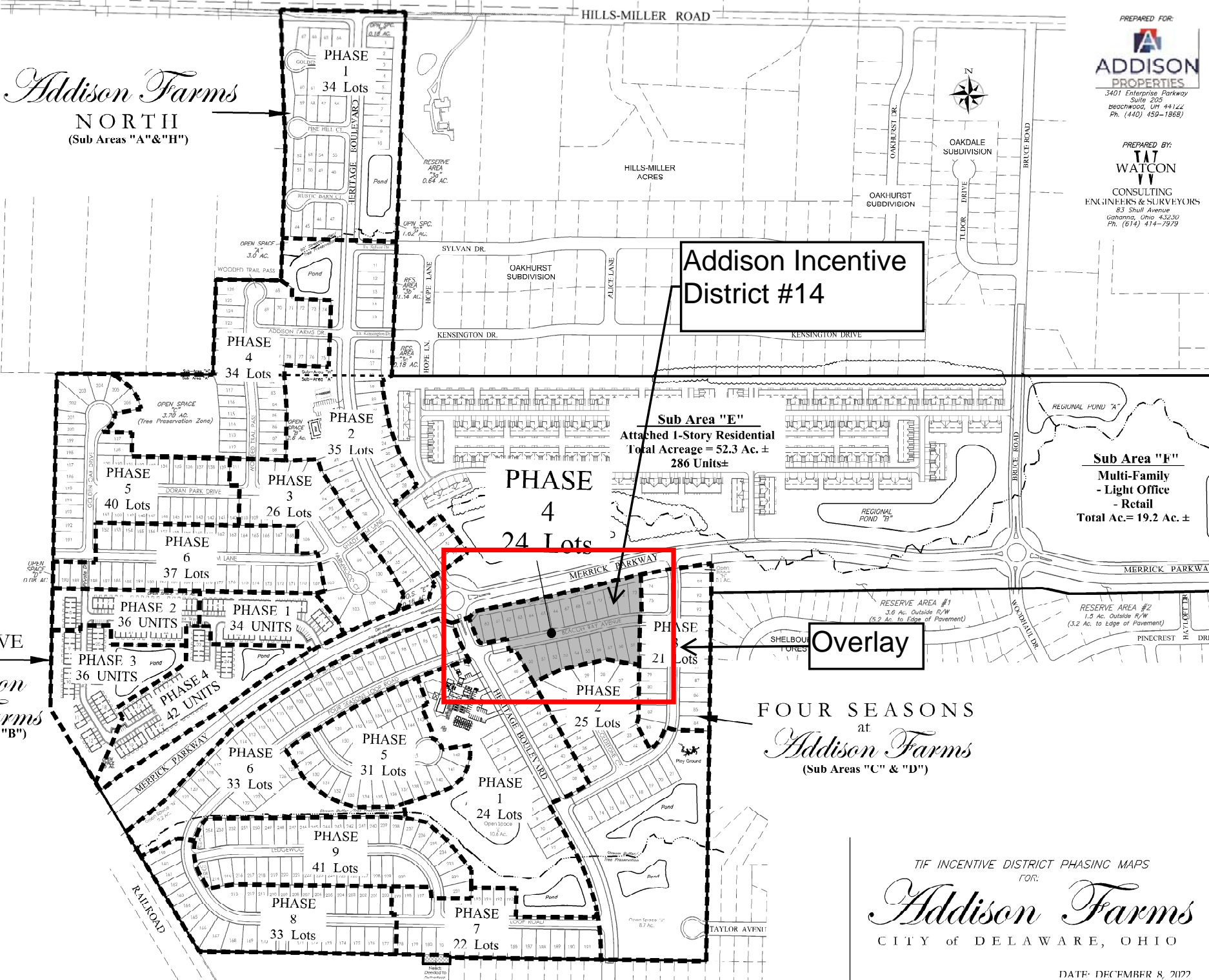
FOUR SEASONS
at
Addison Farms
(Sub Areas "C" & "D")

TIF INCENTIVE DISTRICT PHASING MAPS
FOR:
Addison Farms
CITY OF DELAWARE, OHIO

DATE: DECEMBER 8, 2022

7. ADDISON FARMS (DRAWINGS) PREPARED BY WATSON ENGINEERS & SURVEYORS, INC. - 0. REVISED - PLOTTED BY JLM/WATSON - December 08, 2022 - 4:42 PM

Addison Farms
NORTH
 (Sub Areas "A" & "H")



Addison Incentive District #14

Sub Area "E"
 Attached 1-Story Residential
 Total Acreage = 52.3 Ac. ±
 286 Units ±

Sub Area "F"
 Multi-Family
 - Light Office
 - Retail
 Total Ac. = 19.2 Ac. ±

Overlay

FOUR SEASONS
 at
Addison Farms
 (Sub Areas "C" & "D")

The **RESERVE**
 at
Addison Farms
 (Sub Area "B")

PREPARED FOR:
ADDISON PROPERTIES
 3401 Enterprise Parkway
 Suite 205
 Beachwood, OH 44122
 Ph. (440) 459-1868

PREPARED BY:
WATSON
 CONSULTING ENGINEERS & SURVEYORS
 83 Shull Avenue
 Cuyahoga, Ohio 43230
 Ph. (614) 414-7979

TIF INCENTIVE DISTRICT PHASING MAPS
 FOR:
Addison Farms
 CITY of DELAWARE, OHIO

DATE: DECEMBER 8, 2022

7. ADDISON FARMS (DRAWINGS) PREPARED BY: CIVIL ENGINEERS INC. - 0. REVISED - PLOTTED BY: JLM WATSON - December 08, 2022 - 4:42 PM

Addison Farms
NORTH
 (Sub Areas "A" & "H")

PREPARED FOR:
ADDISON PROPERTIES
 3401 Enterprise Parkway
 Suite 205
 Beachwood, OH 44122
 Ph. (440) 459-1868

PREPARED BY:
WATSON
 CONSULTING ENGINEERS & SURVEYORS
 83 Shull Avenue
 Cuyahoga, Ohio 43230
 Ph. (614) 414-7979

Addison Incentive District #15

Sub Area "E"
 Attached 1-Story Residential
 Total Acreage = 52.3 Ac. ±
 286 Units ±

Sub Area "F"
 Multi-Family
 - Light Office
 - Retail
 Total Ac. = 19.2 Ac. ±

FOUR SEASONS
 at
Addison Farms
 (Sub Areas "C" & "D")

Overlay

TIF INCENTIVE DISTRICT PHASING MAPS
 FOR:
Addison Farms
 CITY OF DELAWARE, OHIO

DATE: DECEMBER 8, 2022

7. ADDISON FARMS (DRAWINGS) SHEETS OF "INCENTIVE DISTRICT #15" ENGINEERED BY WATSON - 0. REVISIONS - PLOTTED BY JLM/WATSON - December 08, 2022 - 4:42 PM

The RESERVE at
Addison Farms
 (Sub Area "B")

PHASE 5
 31 Lots

Addison Farms
NORTH
 (Sub Areas "A" & "H")

PREPARED FOR:
ADDISON PROPERTIES
 3401 Enterprise Parkway
 Suite 205
 Beachwood, OH 44122
 Ph. (440) 459-1868

PREPARED BY:
WATSON
 CONSULTING ENGINEERS & SURVEYORS
 83 Shull Avenue
 Cuyahoga, Ohio 43230
 Ph. (614) 414-7979

Addison Incentive District #16

Sub Area "E"
 Attached 1-Story Residential
 Total Acreage = 52.3 Ac. ±
 286 Units ±

Sub Area "F"
 Multi-Family
 - Light Office
 - Retail
 Total Ac. = 19.2 Ac. ±

The RESERVE at
Addison Farms
 (Sub Area "B")

FOUR SEASONS
 at
Addison Farms
 (Sub Areas "C" & "D")

Overlay

TIF INCENTIVE DISTRICT PHASING MAPS
 FOR:
Addison Farms
 CITY OF DELAWARE, OHIO

DATE: DECEMBER 8, 2022

T. ADDISON FARMS (DRAWINGS) PREPARED BY: WATSON ENGINEERS & SURVEYORS, INC. - 0. REFS. - PLOTTED BY: J.M. WATSON - December 08, 2022 - 4:40 PM

Addison Farms
NORTH
(Sub Areas "A" & "H")

**Addison Incentive
District #17**

PREPARED FOR:
**ADDISON
PROPERTIES**
3401 Enterprise Parkway
Suite 203
Beachwood, OH 44122
Ph. (440) 459-1868

PREPARED BY:
WATSON
CONSULTING
ENGINEERS & SURVEYORS
83 Shull Avenue
Cahanna, Ohio 43230
Ph. (614) 414-7979

Sub Area "E"
Attached 1-Story Residential
Total Acreage = 52.3 Ac. ±
286 Units ±

Sub Area "F"
Multi-Family
- Light Office
- Retail
Total Ac. = 19.2 Ac. ±

The RESERVE
at
Addison Farms
(Sub Area "B")

FOUR SEASONS
at
Addison Farms
(Sub Areas "C" & "D")

Overlay

TIF INCENTIVE DISTRICT PHASING MAPS
FOR:
Addison Farms
CITY OF DELAWARE, OHIO

DATE: DECEMBER 8, 2022

7. ADDISON FARMS (DRAWINGS) PREPARED BY WATSON ENGINEERS & SURVEYORS, INC. - 0. REFS. - PLOTTED BY JLM WATSON - December 08, 2022 - 4:42 PM

Addison Farms
NORTH
 (Sub Areas "A" & "H")

PREPARED FOR:
ADDISON PROPERTIES
 3401 Enterprise Parkway
 Suite 203
 Beachwood, OH 44122
 Ph. (440) 459-1868

PREPARED BY:
WATSON
 CONSULTING ENGINEERS & SURVEYORS
 83 Shull Avenue
 Cuyahoga, Ohio 43230
 Ph. (614) 414-7979

Addison Incentive District #18

Sub Area "E"
 Attached 1-Story Residential
 Total Acreage = 52.3 Ac. ±
 286 Units ±

Sub Area "F"
 Multi-Family
 - Light Office
 - Retail
 Total Ac. = 19.2 Ac. ±

The RESERVE at
Addison Farms
 (Sub Area "B")

FOUR SEASONS
 at
Addison Farms
 (Sub Areas "C" & "D")

Overlay

TIF INCENTIVE DISTRICT PHASING MAPS
 FOR:
Addison Farms
 CITY OF DELAWARE, OHIO

DATE: DECEMBER 8, 2022

7. ADDISON FARMS (DRAWINGS) SHEETS OF "INCENTIVE DISTRICT PHASING MAPS" - 0. SHEETS - PLOTTED BY JLM/WATSON - December 08, 2022 - 4:42 PM

Addison Farms
NORTH
 (Sub Areas "A" & "H")

PREPARED FOR:
ADDISON PROPERTIES
 3401 Enterprise Parkway
 Suite 205
 Beachwood, OH 44122
 Ph. (440) 459-1868

PREPARED BY:
WATSON
 CONSULTING ENGINEERS & SURVEYORS
 83 Shull Avenue
 Cuyahoga, Ohio 43230
 Ph. (614) 414-7979

Addison Incentive District #19

Sub Area "E"
 Attached 1-Story Residential
 Total Acreage = 52.3 Ac. ±
 286 Units ±

Sub Area "F"
 Multi-Family
 - Light Office
 - Retail
 Total Ac. = 19.2 Ac. ±

The RESERVE at
Addison Farms
 (Sub Area "B")

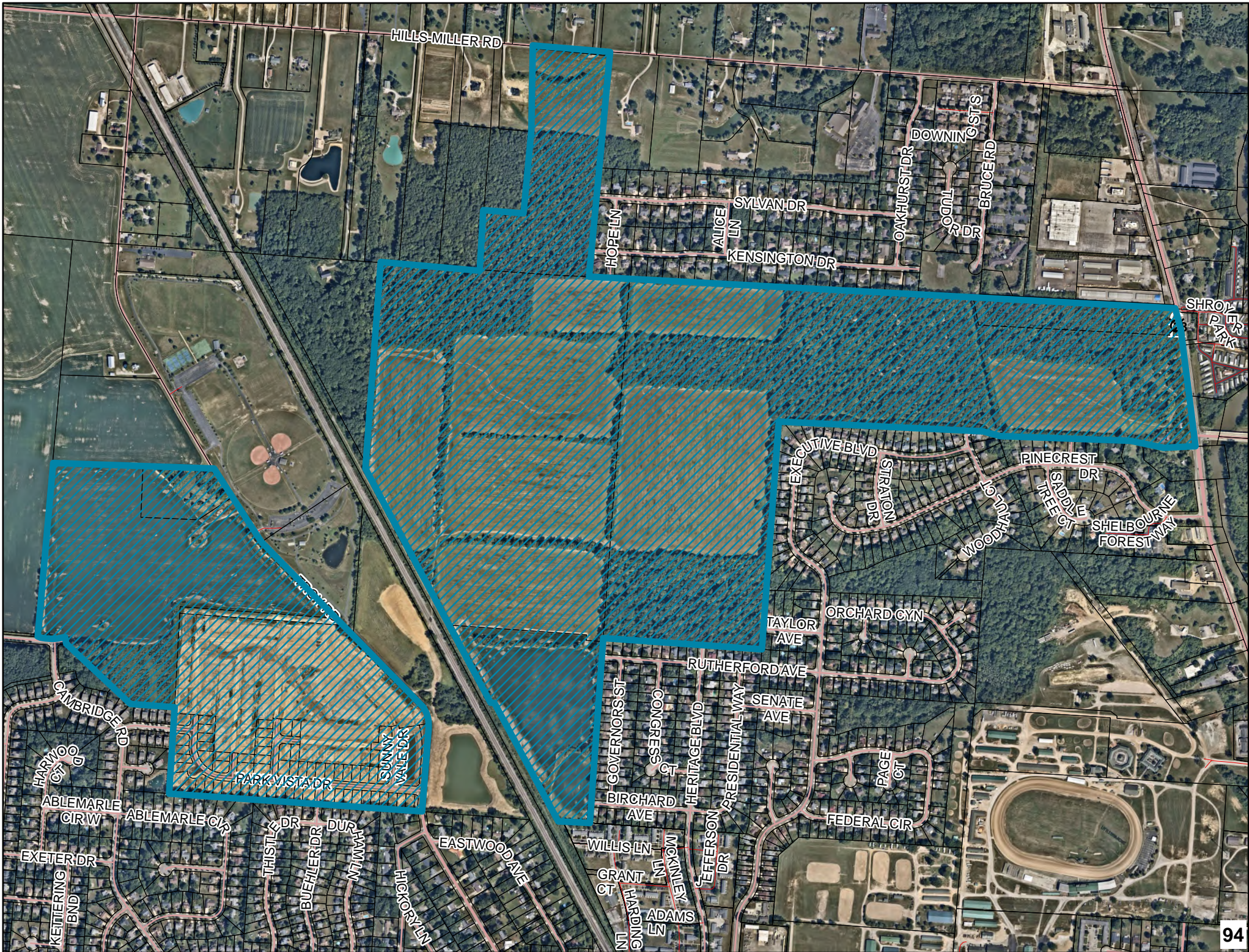
FOUR SEASONS
 at
Addison Farms
 (Sub Areas "C" & "D")

Overlay

TIF INCENTIVE DISTRICT PHASING MAPS
 FOR:
Addison Farms
 CITY OF DELAWARE, OHIO

DATE: DECEMBER 8, 2022

7. ADDISON FARMS (DRAWINGS) PHASING MAPS OF INCENTIVE DISTRICT #19 - 0. REFS. - PLOTTED BY JLM/WATSON - December 08, 2022 - 4:40 PM



HILLS-MILLER RD

HOPELN

SYLVAN DR

KENSINGTON DR

OAKHURST DR

DOWNIN CTS
TUDOR DR

BRUCE RD

SHROY PARK

EXECUTIVE BLVD
STRATON DR

PINECREST DR

WOODHARD
SADDLE TREE CT

SHELBOURNE
FOREST WAY

TAYLOR AVE

ORCHARD CYN

RUTHERFORD AVE

SENATE AVE

FEDERAL CIR

CAMBRIDGE RD

HARWOOD CT

ABLEMARLE CIR W

ABLEMARLE CIR E

EXETER DR

KETTERING BND

PARK VISTA DR

SUNNY VALE DR

THISTLE DR

BUHLER DR

DURHAM

HICKORY LN

EASTWOOD AVE

GOVERNORS ST

CONGRESS CT

BIRCHARD AVE

WILLIS LN

GRANT CT

HARDING LN

ADAMS LN

HERITAGE BLVD

PRESIDENTIAL WAY

JEFFERSON DR

MCINIX LN

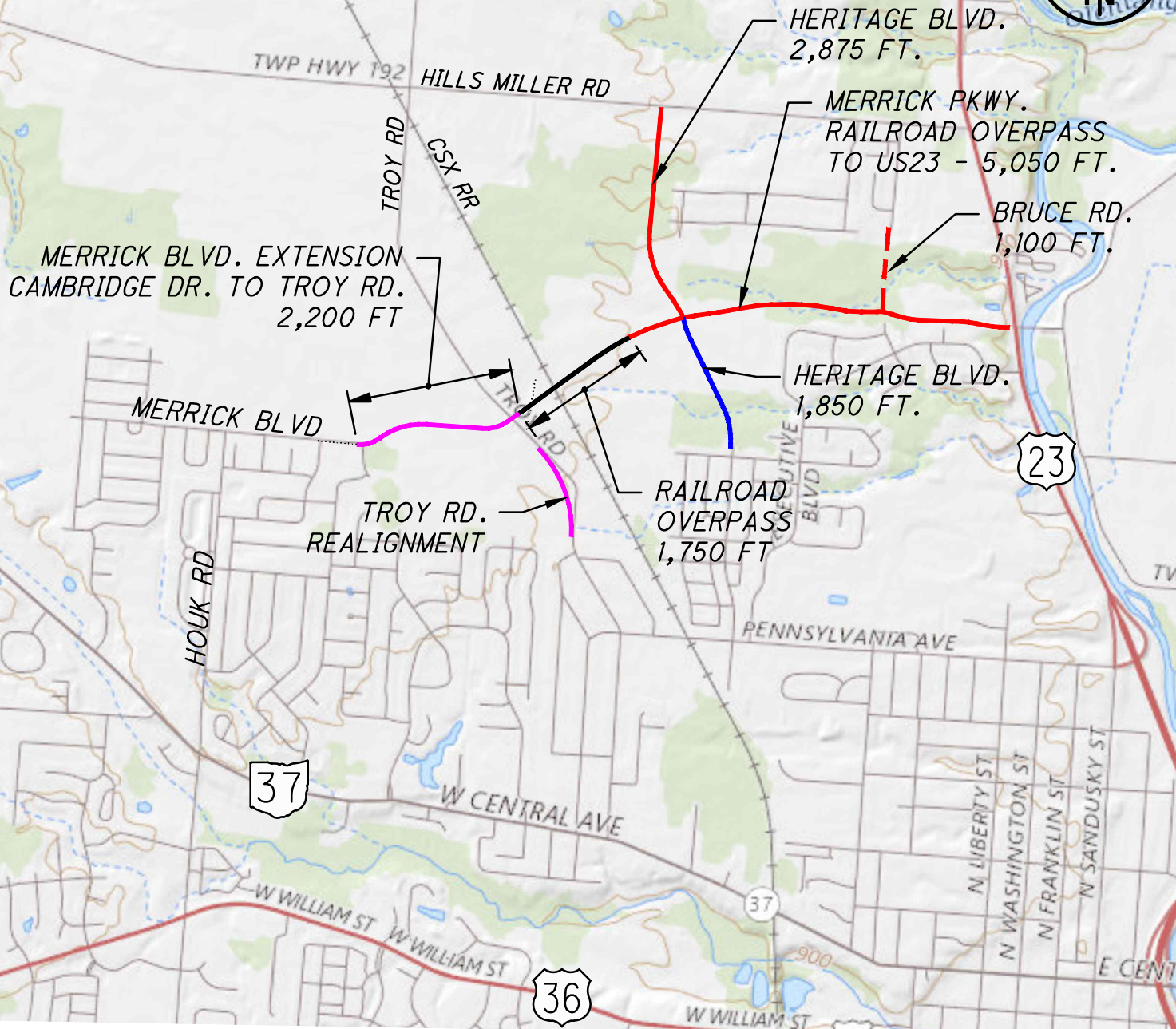
EXECUTIVE BLVD

ORCHARD CYN

PAGE CT

WOODHARD

DRAFT



PROPOSED PUBLIC INFRASTRUCTURE LEGEND

- █ CITY CONSTRUCTED & FUNDED
- █ CITY CONSTRUCTED & REIMBURSED BY TIF
- █ DEVELOPER CONSTRUCTED & REIMBURSED BY TIF
- █ DEVELOPER CONSTRUCTED & FUNDED
- - - DEVELOPER CONSTRUCTED & TIF REIMBURSEMENT ELIGIBLE

NOTE:
ROADWAY ALIGNMENTS ARE CONCEPTUAL ONLY. ACTUAL ALIGNMENTS TO BE DETERMINED DURING ENGINEERING DESIGN.

S:\ENGINEERING\ENGINEERING DEPARTMENT\CADD FILES\MERRICK PARKWAY EXTENSION (2019)\MERRICK NCA EXHIBIT REV1.DWG - 1/4/23



PROPOSED NORTHWEST PUBLIC INFRASTRUCTURE IMPROVEMENTS EXHIBIT

SCALE: 1"=2,000'
1
1/4/2023



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Ordinances

AGENDA SECTION: **SECOND READING OF ORDINANCE NO. 23-03**

SUBJECT: Ordinance No. 23-03, declaring the improvement to certain parcels within the Addison Northwest Development Area in the City to be a public purpose and exempt from taxation pursuant to ORC 5709.40(B); providing for the collection and deposit of service payments and specifying the purposes for which those service payments may be expended.

SUGGESTED ACTION:

ATTACHMENTS:

[Fact Sheet Ordinance 23-03, Addison Commercial.pdf](#)

[ord23-03, AMERICAS 1095140878 v2 - TIF - .40\(B\) School TIF \(Addison Northwest\).pdf](#)

[AMERICAS 1095168219 v1 - Exhibit A for Addison .40\(B\) TIF Ordinance.pdf](#)

[NW Public Infra Impr Exhibit.pdf](#)

[Northwest Area Map.pdf](#)



FACT SHEET

AGENDA ITEM NO: 12

DATE: 01/23/2023

ORDINANCE NO: 23-03

RESOLUTION NO:

READING: SECOND

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Alycia Ballone, Director of Management, Budget & Procurement

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

DECLARING THE IMPROVEMENT TO CERTAIN PARCELS WITHIN THE ADDISON NORTHWEST DEVELOPMENT AREA IN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC 5709.40(B); PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED.

BACKGROUND:

The City approved a Rezoning Amendment, Conditional Use Permit and Preliminary Development Plan (Ordinances 22-05 and 22-06, respectively) for the Addison Farms development in the northwest quadrant of the City. The development consists of approximately 272.698 acres located west of U.S. 23 and east of Smith Park.

As Council may recall, with the Winterbourne TIF (Ordinance 21-46) discussions at both Council and the Finance Committee meetings public-private partnerships were considered as viable tools to help implement the City Thoroughfare Plan. The upcoming development of the northwest area of the City utilizes TIFs and a proposed future New Community Authority to complete major transportation and infrastructure objectives including the eventual extension of Merrick Boulevard to U.S. 23.

The following improvements are proposed to be designed and constructed by the developer with reimbursement from the TIFs presented:

Merrick Boulevard extension from the CSX railroad grade separation east to U.S. 23. This estimated 5,000 LF phase will be constructed as a two/three lane boulevard pavement section with roundabout intersections at Heritage and Woodhaul Drives and all appurtenances thereto. This improvement is to be constructed with the planned Phase I Addison development infrastructure improvements.

Improvements to the intersection of Merrick Boulevard with U.S. 23 are anticipated to include the widening of the north and south travel lanes of U.S. 23, the addition of north- and southbound right turn lanes at the Merrick/Panhandle Road intersection, the construction or improvement to the north- and southbound left turn lanes, and installation of a new mast arm traffic signal.

Intersection modifications to the U.S. 23/Pinecrest Drive intersection to a RiRo or RiLiRo configuration. Improvements to the other adjacent intersections for the purpose of maintaining the U.S. 23 corridors level of service will also be included with this work.

Heritage Drive extension from Merrick Boulevard and north to Hills Miller Road, extending approximately 1,400 LF as a two-lane public roadway with curbs, street lighting, storm sewers, street trees, sidewalks and an 8' paved asphalt bikeway.

The Heritage Drive/Hills Miller Road intersection improvement is to be designed and constructed concurrent with the first phase of the development and is anticipated to include construction of a westbound left turn lane and an eastbound right turn lane.

Bruce Road extension from its existing south terminus and extending approximately 1,100 LF as a two-lane public roadway and all appurtenances thereto.

The City will design and construct the Merrick Boulevard CSX railway grade separated crossing. This estimated 1,750 LF phase begins at the Troy Road roundabout and extends east over the existing CSX railway and terminates east of the railroad tracks at the construction phase line of the Merrick Boulevard extension phase associated with the Addison development.

The attached ordinance authorizes a 10-year 70% school TIF.

Staff is working with Delaware City Schools to understand the impact such a development will have on the district. As a subsequent part of the development

in the Northwest, a petition for a Northwest New Community Authority will be coming before Council in the coming months. The City intends for a portion of the NCA millage (approximately 1.5 mills) to be paid to the schools to cover additional costs.

REASON WHY LEGISLATION IS NEEDED:

N/A

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

POLICY CHANGES:

N/A

PRESENTER(S):

R. Thomas Homan, City Manager
Bill Ferrigno, Public Works Director & City Engineer
Alycia Ballone, Director of Management, Budget & Procurement
Greg Daniels, Squire, Patton & Boggs
David Conley, Rockmill Financial LLC

RECOMMENDATION:

Approval at third reading

ATTACHMENT(S)

Proposed Ordinance
Proposed Northwest Public Infrastructure Improvements Exhibit
Area Map

ORDINANCE NO. 23-03

DECLARING THE IMPROVEMENT TO CERTAIN PARCELS WITHIN THE ADDISON NORTHWEST DEVELOPMENT AREA IN THE CITY TO BE A PUBLIC PURPOSE AND EXEMPT FROM TAXATION PURSUANT TO ORC 5709.40(B); PROVIDING FOR THE COLLECTION AND DEPOSIT OF SERVICE PAYMENTS AND SPECIFYING THE PURPOSES FOR WHICH THOSE SERVICE PAYMENTS MAY BE EXPENDED.

WHEREAS, Ohio Revised Code (“ORC”) 5709.40, 5709.42, and 5709.43 (collectively, the “TIF Act”) authorize this Council, by ordinance, to declare the improvement to parcels of real property located within the City to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, establish a municipal public improvement tax increment equivalent fund for the deposit of those service payments, and specify the purposes for which money in that fund will be expended; and

WHEREAS, the City desires to implement a tax increment financing program on the Parcels (as defined in Section 1) comprising a portion of the Addison Northwest development area pursuant to the TIF Act to enable the City to make public infrastructure improvements that will directly benefit the Parcels; and

WHEREAS, the Board of Education of the Delaware City School District (the “Delaware City School District”) and the Delaware Area Career Center (the “Delaware Area Career Center”) have each received notice of this ordinance for purposes of ORC 5709.40 and 5709.83;

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

SECTION 1. Parcels. The real property subject to this ordinance is identified and depicted on Exhibit A (as currently or subsequently configured, the “*Parcels*”, with each individual parcel a “*Parcel*”).

SECTION 2. Public Infrastructure Improvements. This Council hereby designates the following public infrastructure improvements, together with any other public infrastructure improvements hereafter designated by ordinance as public infrastructure improvements made, to be made or in the process of being made by or on behalf of the City that directly benefit, or that once made will directly benefit, the Parcels (the “*Public Infrastructure Improvements*”): roadway improvements including, without limitation, construction of roadway improvements, acquisition of related rights of way and easements, water system improvements, sanitary sewer improvements, storm drainage improvements,

pedestrian sidewalks and bike paths, street lights, gas facilities, electrical facilities and all appurtenances thereto, and the maintenance of roadway improvements within the Addison development area. The costs of the improvements include but are not limited to, those costs listed in ORC Section 133.15(B).

SECTION 3. Exemption. This Council hereby finds and determines that 70% of the increase in assessed value of each Parcel subsequent to the effective date of this ordinance (which increase in assessed value is hereinafter referred to as the “*Improvement*” as defined in ORC 5709.40(A)) is declared to be a public purpose and will be exempt from taxation for a period commencing for each separate Parcel on the date an Improvement due to the construction of a new building on that Parcel first appears on the tax list and duplicate were it not for the exemption granted by this ordinance and ending on the earlier of (a) 10 years after such commencement or (b) the date on which the City can no longer require service payments in lieu of taxes, all in accordance with the requirements of the TIF Act. It is the express intention of Council that each separate tax Parcel will have a separate 10-year exemption period. The exemption granted by this Section 3 is senior to any exemptions granted pursuant to ORC 3735.65 et. seq. (CRA abatements) or ORC 5709.61 et. seq. (Enterprise Zone abatements).

SECTION 4. Service Payments. As provided in ORC 5709.42, the owner of each Parcel is hereby required to make service payments in lieu of taxes with respect to the Improvement allocable to each Parcel to the Delaware County Treasurer on or before the final dates for payment of real property taxes. The service payments in lieu of taxes will be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and collected against that Improvement if it were not exempt from taxation pursuant to Section 3, including any penalties and interest (collectively, the “*Service Payments*”). The Service Payments, and any other payments with respect to the Improvement to each Parcel that are received in connection with the reduction required by ORC 319.302, 321.24, 323.152 and 323.156, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the “*Property Tax Rollback Payments*”), will be deposited and distributed in accordance with Section 6.

SECTION 5. TIF Fund. This Council establishes, pursuant to and in accordance with the provisions of ORC 5709.43, the Addison Commercial Municipal Public Improvement Tax Increment Equivalent Fund (the “*TIF Fund*”), into which the Service Payments and Property Tax Rollback Payments collected with respect to the Parcels will be deposited. The TIF Fund will be maintained in the custody of the City. The City may use amounts deposited into the TIF Fund only for the purposes authorized in the TIF Act and this ordinance (as it may be amended). The TIF Fund will remain in existence so long as the Service Payments and Property Tax Rollback Payments are collected and used for the aforesaid purposes, after which time the TIF Fund will be dissolved and any

surplus funds remaining therein transferred to the City's General Fund, all in accordance with ORC 5709.43.

SECTION 6. Distributions; Payment of Costs. Pursuant to the TIF Act, the County Treasurer is requested to distribute the Service Payments and Property Tax Rollback Payments to the City for deposit into the TIF Fund. The City shall use all such amounts deposited into the TIF Fund for payment of costs of the Public Infrastructure Improvements, including, without limitation, debt charges on any notes or bonds issued to pay or reimburse finance costs or costs of those Public Infrastructure Improvements. Such distributions required under this Section are requested to be made at the same time and in the same manner as real property tax distributions.

SECTION 7. Further Authorizations. This Council hereby authorizes and directs the City Manager, the Director of Finance, the City Attorney, the Economic Development Coordinator, the Clerk of Council, or other appropriate officers of the City to deliver a copy of this ordinance to the Director of Development of the State of Ohio and to make such arrangements as are necessary and proper for collection of the Service Payments. This Council further authorizes the City Manager, the Director of Finance, the City Attorney, the Economic Development Coordinator, the Clerk of Council, or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this ordinance.

SECTION 8. Open Meetings. 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 or any of its committees, 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 ORC 121.22.

SECTION 9. Effective Date. This ordinance is effective on the earliest date permitted by law.

PASSED: _____, 2023

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

CERTIFICATE

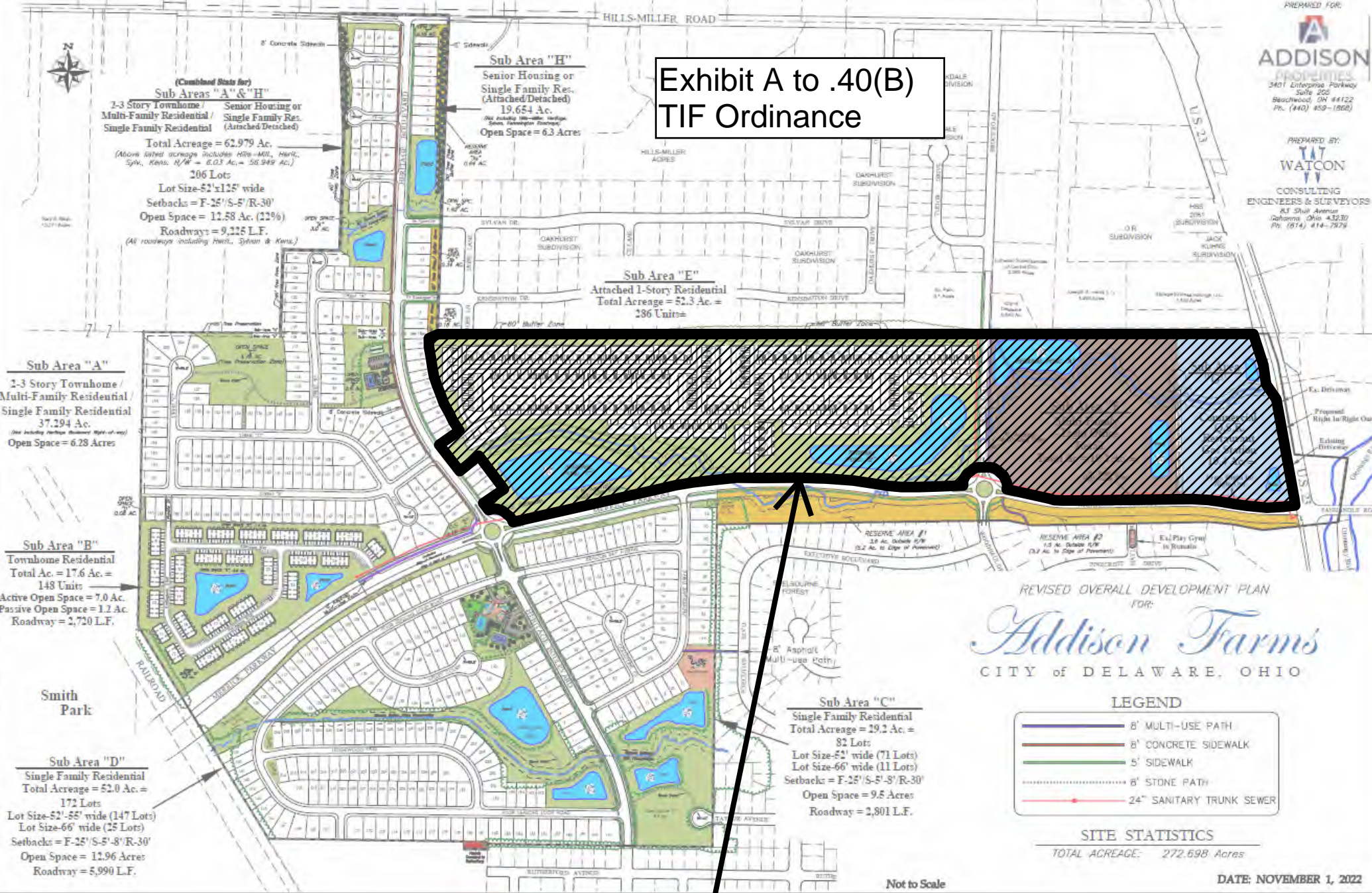
I, Elaine McCloskey, Council Clerk, City of Delaware, Ohio do hereby certify the foregoing to be a true and correct copy of Ordinance No. 23-____ as passed by Council of said City on the ____ day of _____ and as recorded in the Record of Proceedings of said Council.

Elaine McCloskey, Council Clerk

Filed with Mayor: _____

Published: _____

**Exhibit A to .40(B)
TIF Ordinance**



**(Combined Stats for)
Sub Areas "A" & "H"**
1-3 Story Townhome / Senior Housing or
Multi-Family Residential / Single Family Res.
(Attached/Detached)
Total Acreage = 62,979 Ac.
(Above listed acreage includes Hills-Mill, Hilltop,
Spr. Kns. N/W = 6.03 Ac. = 58,949 Ac.)
206 Lots
Lot Size-52'x125' wide
Setbacks = F-25'/S-5'/R-30'
Open Space = 12.58 Ac. (23%)
Roadways = 9,226 L.F.
(All roadways including Hilltop, Spr. Kns. & Kns.)

Sub Area "H"
Senior Housing or
Single Family Res.
(Attached/Detached)
19,654 Ac.
(Not including the 6.03 Ac. Setback
Space, Interchange Roadway)
Open Space = 6.3 Acres

Sub Area "E"
Attached 1-Story Residential
Total Acreage = 52.3 Ac. =
286 Units

Sub Area "A"
1-3 Story Townhome /
Multi-Family Residential /
Single Family Residential
37,294 Ac.
(Not including Setback, Reserve Right-of-Way)
Open Space = 6.28 Acres

Sub Area "B"
Townhome Residential
Total Ac. = 17.6 Ac. =
148 Units
Active Open Space = 7.0 Ac.
Passive Open Space = 1.2 Ac.
Roadway = 2,720 L.F.

**Smith
Park**

Sub Area "D"
Single Family Residential
Total Acreage = 52.0 Ac. =
172 Lots
Lot Size-52'-55' wide (147 Lots)
Lot Size-66' wide (25 Lots)
Setbacks = F-25'/S-5'-8'/R-30'
Open Space = 12.96 Acres
Roadway = 5,990 L.F.

Sub Area "C"
Single Family Residential
Total Acreage = 29.2 Ac. =
82 Lots
Lot Size-52' wide (71 Lots)
Lot Size-66' wide (11 Lots)
Setbacks = F-25'/S-5'-8'/R-30'
Open Space = 9.5 Acres
Roadway = 2,801 L.F.

REVISED OVERALL DEVELOPMENT PLAN
FOR:
Addison Farms
CITY OF DELAWARE, OHIO

LEGEND

	8' MULTI-USE PATH
	8' CONCRETE SIDEWALK
	5' SIDEWALK
	8' STONE PATH
	24" SANITARY TRUNK SEWER

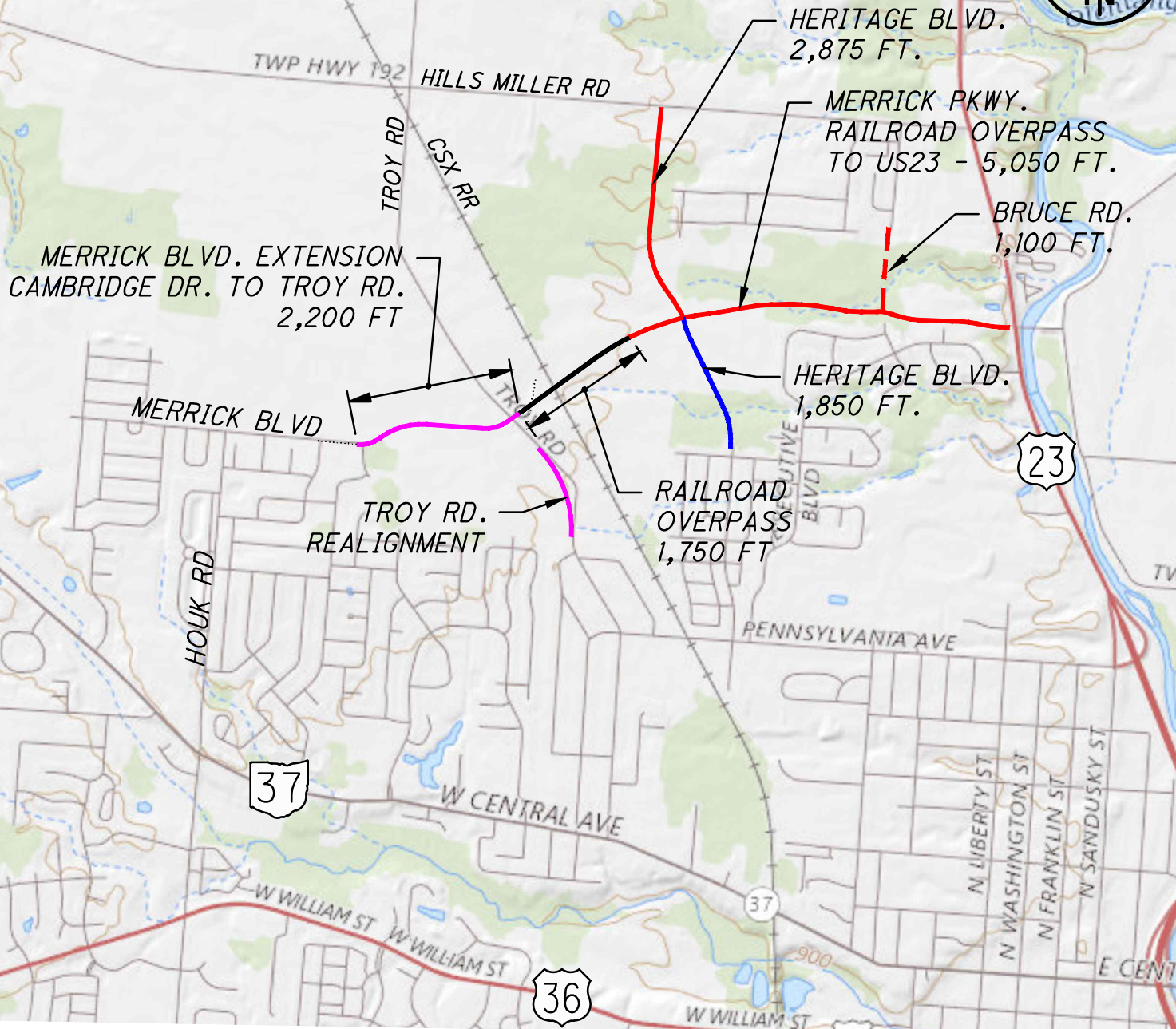
SITE STATISTICS
TOTAL ACREAGE: 272,598 Acres

Not to Scale

DATE: NOVEMBER 1, 2022

Commercial TIF Area

DRAFT



PROPOSED PUBLIC INFRASTRUCTURE LEGEND

- CITY CONSTRUCTED & FUNDED
- CITY CONSTRUCTED & REIMBURSED BY TIF
- DEVELOPER CONSTRUCTED & REIMBURSED BY TIF
- DEVELOPER CONSTRUCTED & FUNDED
- - - DEVELOPER CONSTRUCTED & TIF REIMBURSEMENT ELIGIBLE

NOTE:
ROADWAY ALIGNMENTS ARE CONCEPTUAL ONLY. ACTUAL
ALIGNMENTS TO BE DETERMINED DURING ENGINEERING DESIGN.



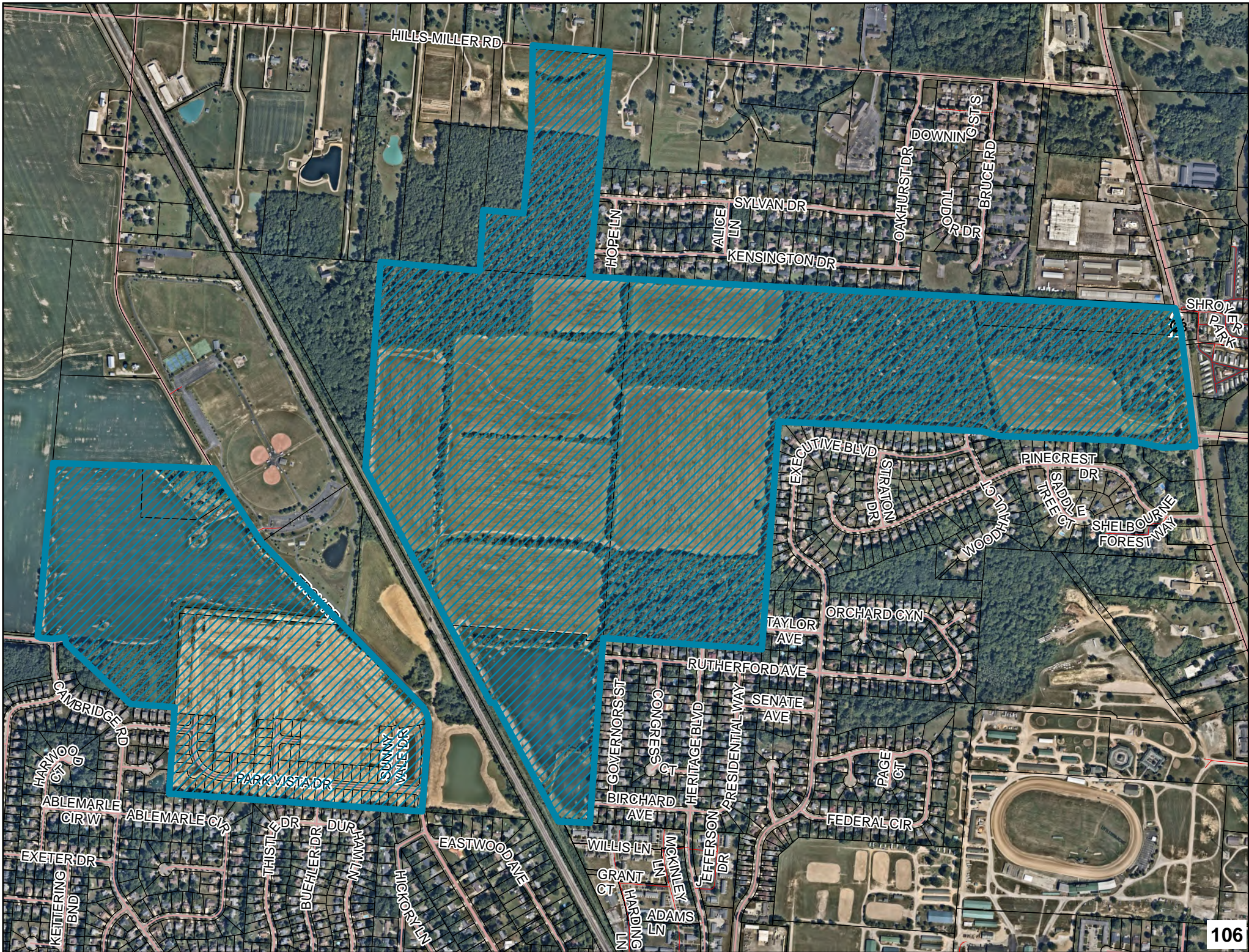
PROPOSED NORTHWEST PUBLIC INFRASTRUCTURE IMPROVEMENTS EXHIBIT

SCALE: 1"=2,000'

1

1/4/2023

105



HILLS-MILLER RD

HOPELN

SYLVAN DR

KENSINGTON DR

OAKHURST DR

TUDOR DR

BRUCE RD

SHROY PARK

EXECUTIVE BLVD
STRATON DR

PINECREST DR

WOODHURST DR
SADDLE TREE CT

SHELBOURNE FOREST WAY

TAYLOR AVE

ORCHARD CYN

RUTHERFORD AVE

SENATE AVE

PAGE CT

FEDERAL CIR

CAMBRIDGE RD

HARWOOD CT

ABLEMARLE CIR W

ABLEMARLE CIR E

EXETER DR

KETTERING BND

PARK VISTA DR

SUNNY VALE DR

THISTLE DR

BUHLER DR

DURHAM

HICKORY LN

EASTWOOD AVE

GOVERNORS ST

CONGRESS CT

BIRCHARD AVE

WILLIS LN

GRANT CT

HARDING LN

ADAMS LN

HERITAGE BLVD

PRESIDENTIAL WAY

JEFFERSON DR

MCKINLEY LN

TAYLOR AVE

ORCHARD CYN



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Resolutions

AGENDA SECTION: **CONSIDERATION OF RESOLUTION NO. 23-06**

SUBJECT: Resolution No. 23-06, a resolution approving a Certificate of Zoning Compliance for Green Shade Spa doing business at 820 Sunbury Road, Delaware, Ohio

SUGGESTED ACTION:

ATTACHMENTS:

[Fact Sheet res 23-06, Certificate of Zoning Compliance - Green Shade Spa - 820 Sunbury Rd.pdf](#)
[Res. No. 23-06- Certificate of Zoning Compliance - Green Shade Spa - 820 Sunbury Rd.pdf](#)
[Memo - Green Shade Spa - 820 Sunbury Rd.pdf](#)
[green shade spa application.pdf](#)
[20230119120103390.pdf](#)



FACT SHEET

AGENDA ITEM NO: 13

DATE: 1/23/2023

ORDINANCE NO:

RESOLUTION NO: 23-06

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: David Efland, Planning and Community Development Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION APPROVING A CERTIFICATE OF ZONING COMPLIANCE FOR GREEN SHADE SPA DOING BUSINESS AT 820 SUNBURY ROAD, DELAWARE, OHIO.

BACKGROUND:

City Council passed revised legislation to review non-medical massage establishments as given in Section 1125.05 of the Codified Ordinances. See attached summary memo for Green Shade Spa seeking to open a new business within the City at 820 Sunbury Road.

REASON WHY LEGISLATION IS NEEDED:

To achieve compliance with Section 1125.05 (9).

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

David Efland, Planning and Community Development Director

RECOMMENDATION:

Staff recommends approval as submitted with the documented conditions.

ATTACHMENT(S)

See attached

RESOLUTION NO. 23-06

A RESOLUTION APPROVING A CERTIFICATE OF ZONING COMPLIANCE FOR GREEN SHADE SPA DOING BUSINESS AT 820 SUNBURY ROAD, DELAWARE, OHIO.

WHEREAS, Section 1125.05 of the Delaware Codified Ordinances provides that this Council will consider and review certificate of zoning compliance applications for massage establishments, which fall within a permissible Zoning District as provided in Chapter 1143 of the Delaware City Code and are not licensed by the State of Ohio; and

WHEREAS, Section 1125.05 of the Delaware Codified Ordinances sets forth particular facts and circumstances to be evaluated by this Council when reviewing a certificate of zoning compliance application for a massage establishment, which falls within a permissible Zoning District as provided in Chapter 1143 of the Delaware City Code and is not licensed by the State of Ohio; and

WHEREAS, Green Shade Spa is a massage establishment whose proposed location of business falls within a permissible Zoning District; and

WHEREAS, Green Shade Spa is a massage establishment that is not licensed by the State of Ohio; and

WHEREAS, a review of the certificate of zoning compliance application submitted by Green Shade Spa and documentation submitted in support of that application demonstrates that Green Shade Spa has satisfactorily complied with the City's zoning requirements.

NOW, THEREFORE, be it resolved by The Council of the City of Delaware, State of Ohio:

SECTION 1. Green Shade Spa is hereby granted a certificate of zoning compliance to operate at 820 Sunbury Road in Delaware, Ohio with the following conditions that:

1. Any individuals hired to provide massage treatments shall be required to pass the Ohio Bureau of Criminal Investigation record check and submit a copy to the Planning and Community Development Department in accordance to 1125.05.
2. The business shall complete the required income tax registration forms before opening for business in accordance to 1125.05.



MEMORANDUM

TO: City Council
FROM: Planning & Community Development Department
DATE: 11/18/2022
RE: Green Shade Spa - 820 Sunbury Rd

Green Shade Spa is a new business in the City of Delaware and will be operating at 820 Sunbury Road (Glennwood Commons Shopping Center). This business is a massage establishment use and would therefore need to achieve compliance with Ordinance 19-07. The subject location, 820 Sunbury Road, is zoned B-3 PMU (Community Business District with a Planned Mixed Use Overlay District) which allows the massage establishment use in accordance with the approved development text and zoning code.

City Council shall consider applications requesting a certificate of zoning compliance for a massage establishment providing a type of massage that is not licensed by the State. In evaluating an application for a certificate, City Council shall review the facts and circumstances of each proposed certificate using the following criteria and shall find adequate evidence that the use as proposed satisfies the following requirements:

1. Criteria: That the owner and all individuals providing massage treatments shall be subject to and submit background checks.
 - a. Staff Comment: The subject massage establishment is a new business that will need to undergo a hiring process in the future. Any individuals hired to provide massage treatments shall be required to pass the Ohio Bureau of Criminal Investigation record check. The owner of the business has completed the Ohio Bureau of Criminal Investigation record check (see attached). The police department has verified the authenticity of this document.
2. Criteria: That the operating hours are in keeping with the surrounding uses, general area, and will not adversely impact adjacent uses.
 - a. Staff Comment: The proposed business will operate between 9am and 8pm which would be similar to other businesses in the surrounding area. It should also be noted that the applicant will need to honor the terms of their lease agreement with Glennwood Commons Shopping Center which would further ensure this requirement is met, but is not controlled by the City.
3. Criteria: That the business shall complete the required income tax registration forms.
 - a. Staff Comment: The owner of the business has been notified that they will be required to complete the applicable tax registration forms before their business opens.

4. Criteria: That the business will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and such use will not essentially change the character of the same area.
 - a. Staff Comment: The owner of the business will be leasing the subject tenant space at 820 Sunbury Road, and they are not proposing any exterior revisions except for potentially a sign that would have to achieve compliance with the zoning code.
5. Criteria: That the business will not restrict or adversely affect the existing use of the adjacent properties.
 - a. Staff Comment: The subject site is zoned B-3 PMU which allows a massage establishment if it achieves compliance with Ordinance 19-7. The property owner for Glennwood Commons Shopping Center has indicated their desire that this tenant move forward.
6. Criteria: That the establishment, maintenance or operation of the business will not be detrimental to or endanger the public health or general welfare.
 - a. Staff Comment: The subject massage establishment would have to achieve compliance with all existing City development regulations and would have to achieved compliance with the health, safety, and general welfare of the City Codified Ordinances.



Application for Commercial Permit

Provide one hard copy and one electronic of complete drawings with this application. Approved plans and permit must be on the job site and accessible to the inspector. NOTICE: A separate permit is required for plumbing and may be obtained from the Delaware County Health Department. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance or construction. The City of Delaware, by issuing this permit, is not guaranteeing the quality of the materials or the workmanship of the contractor. The City reserves the right to revoke any registration or issue a stop work order for non-compliance with City Codes. List of subcontractors must be provided when submitting this permit. Payments not accepted at time of permit submittal.

Forms of payment accepted are cash, checks and credit cards. Credit card charge of \$3.45 per permit transaction and must be made in person.

Commercial Condo (4 or more) Apartment (4 or more)

Project Address 820 Sunbury Rd., Suite 606, Delaware, OH 43015

Name of Project Green Shade Spa

Owner of Property Gosula Realty, Ltd Phone 614-975-7471 E-Mail gosulam@gmail.com

Emergency contact phone number _____

Contact Information when permit is ready Li Jun Liang Phone 626-202-4066 E-Mail casllc2017@gmail.com

Contractor(Primary/General) _____ Phone _____ E-Mail _____

Architect/Engineer Steven Morton Phone 614-450-2688 E-Mail MEAC888@gmail.com

Cost of Projects \$50,000 Number of Buildings 1 Does this add Dwelling Units?/# No / _____

Board of Zoning Appeal Approval # (If Applicable) _____

Class of Work New _____ Addition _____ Alteration X Repair _____ Move _____

Description Of Work: Tenant space improvement from vacant space to a massage facility.

Building Use Group(s) Classification Per OBBC (Circle One)

A1 A2 A3 A4 A5 B E F1 F2 H1 H2 H3 H4 I1 I2 I3 M R1 R2 R3 S1 S2 U

Total (Include Mezzanines) 1,402 _____ Square Foot

Change of Use From M _____ Change of Use To B _____ Occupant Load 15

Construction Type (Circle One) 1A 1B 2A 2B 2C 3A 3B 4 5A 5B

Electrical Work (if applies)

New Construction _____ Addition _____ Alteration X

Size of Service in Amps 250 (service in excess of 400 amps require sealed drawings to be submitted)

Mechanical Work (if applies)

Heating system New _____ Replacement _____ Conversion _____

Pre-Fab Fireplaces (Number) _____ Heating BTU 96000 Cooling Tons 5

Type of Fuel _____ Furnaces (Number) _____ Air Handlers _____

Hot Water Boilers _____ Roof Top Units Existing AC Units _____

Infra-Red Radiant Heaters _____ Unit Heaters _____

Electric heat
Baseboard (Number) _____ Ceiling Cable _____ Ray Board _____ Glass Radiant _____

Grease Hoods (Number) _____

Fire Suppression/Protection (if applies)

Describe Proposed System _____ Square Foot _____

Is suppression system required Yes _____ No _____ System Demand _____ GPM

Storage Configuration/Aisle Width _____

Hazard Classification-Light _____ Ord 1 _____ Ord 2 _____ Ex 1 _____ Ex 2 _____ Other _____

New Construction _____ Alteration X _____ Repair or replacement _____

Fire Alarm System Yes _____ No _____ Number of stations _____ Existing _____ Proposed _____

Smoke detectors Yes _____ No _____ Number of detectors _____ Existing _____ Proposed _____

Sprinklers Yes X No _____ Number of heads _____ Existing _____ Proposed _____

Standpipes Yes _____ No _____ Number _____

Commercial Kitchen Hoods Yes _____ No _____ Number of Heads Proposed _____

Spray Booths Yes _____ No _____ Number of Heads Proposed _____

Fire Detection System Yes _____ No _____ Number of Smoke Detectors _____

Number of Heat Detectors _____ Number of Fire Detectors _____

Smoke Control System Yes _____ No _____ Square footage being suppressed _____

The undersigned is either the property owner or a duly authorized agent of the property owner and do hereby verify the truth and correctness of all facts and information presented with this application and authorize on-site inspections by City Staff.

Owner or Authorized Agent _____ Date _____

Approved By _____ Date _____

Planning/Zoning _____ Date _____

CBO _____ Date _____

Plans Examiner _____ Date _____



DAVE YOST
OHIO ATTORNEY GENERAL



Civilian Identification
Office 877-224-0043
Fax 740-845-2633

P.O. Box 365
London, OH 43140
www.OhioAttorneyGeneral.gov

November 23, 2022

LIJUN LIANG
ATTN: LIJUN
2424 HOME ACRE DRIVE
COLUMBUS OH 43231



**CRIMINAL HISTORY RECORD CHECK
NO BCI CONVICTIONS ON FILE
AUTHENTICATION NO. BMT003389571**

The Ohio Bureau of Criminal Investigation (BCI) has completed a criminal history record check on the applicant listed below.

When authorized by law, an individual may have their criminal history sealed. In the event that an applicant has a sealed record, certain parties are permitted to receive such information to determine whether an applicant is legally disqualified from performing specific work.

Sealed records are disclosed based upon the **Reason Fingerprinted**, as submitted on the background check transaction and listed below. Sealed criminal histories will be provided in a manner consistent with the reason that the records are requested, regardless of the destination of the result.

There are no convictions on file with this office for this applicant.

Name:	LIANG, LIJUN
Date of Birth:	XXXXXXX
SSN:	XXX-XX-XXXX
BCI Completion Date:	November 22, 2022
Reason Fingerprinted:	other: OPERATIION OF A BUSINESS - MASSAGE

This letter is valid for one year from the record check completion date. This letter may be photocopied by the prospective employer and retained by the applicant.

Superintendent
Ohio Bureau of Criminal Investigation

Pursuant to Ohio Revised Code section 109.57(E)(2), BCI is authorized to provide only information relating to criminal convictions and guilty pleas. BCI is also only permitted to provide information regarding juvenile adjudications if the adjudication meets specific criteria listed in Ohio Revised Code section 109.57(E)(2) & (3).



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Resolutions

AGENDA SECTION: **CONSIDERATION OF RESOLUTION NO. 23-07**

SUBJECT: Resolution No. 23-07, a resolution adopting the City's Plan of Operation and Governance for the Electric aggregation Program.

SUGGESTED ACTION:

ATTACHMENTS:

[fact sheet res 23-07, adoption of plan of operation and governance fact sheet - FINAL.pdf](#)
[Res. No. 23-07 Resolution to accept Plan of Operations & Governance.pdf](#)
[City Council Memo Plan of Operation & Governance 1-19-2023.pdf](#)
[2023 - Delaware - Elec - Ex B-2 - Plan of Operation.pdf](#)
[Public Comment Sidnee Stanley Make Energy Aggregation the Norm for Delaware.pdf](#)
[public comment for 1_18 public hearing on energy aggregation chany blankenship.pdf](#)
[Electricity Aggregation carpenter.pdf](#)



FACT SHEET

AGENDA ITEM NO: 14

DATE: 1/23/2023

RESOLUTION NO:

RESOLUTION NO: 23-07

READING: FIRST

PUBLIC HEARING:NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Kyle Kridler, Assistant City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION ADOPTING THE CITY'S PLAN OF OPERATION AND GOVERNANCE FOR THE ELECTRIC AGGREGATION PROGRAM

BACKGROUND:

Delaware, Ohio voters passed electric aggregation on November 8, 2022, which authorized this Council to form a governmental aggregation program for the purchase of electricity on behalf of Delaware City residents pursuant to Ohio Revised Code Section 4928.20. The City now has the ability to aggregate electric services for residents and small business customers where they may realize lower electric rates from the collective purchasing of these services. Two public meetings have been held to review the Plan of Operations and Governance as is a necessary step in the process by the Public Utilities Commission of Ohio (PUCO).

REASON WHY LEGISLATION IS NEEDED:

This resolution is for City Council to adopt the Plan of Operation and Governance. The Plan of Operation and Governance is prescribed by Section 4928.20 (C) of the Ohio Revised Code and is a step in the process for the City to become certified as a Governmental Aggregator.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

R. Thomas Homan

RECOMMENDATION:

Staff recommends approval

ATTACHMENT(S)

Resolution 23-07

Community Aggregation Plan of Operations and Governance Memo

Plan of Operation & Governance (Exhibit B-2)

Public Comment Received

RESOLUTION NO. 23-07

A RESOLUTION ADOPTING THE CITY’S PLAN OF OPERATION AND GOVERNANCE FOR THE ELECTRIC AGGREGATION PROGRAM.

WHEREAS, Delaware, Ohio voters passed electric aggregation November 8, 2022, which authorized this Council to form a governmental aggregation program for the purchase of electricity on behalf of Delaware City residents pursuant to Ohio Revised Code Section 4928.20; and

WHEREAS, the Ohio Legislature has enacted electric deregulation legislation which authorized the legislative authorities of municipalities to aggregate the retail electric loads located in their respective jurisdictions and to enter into services agreements to facilitate for those loads the purchase and sale of electric; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of electric deregulation through lower electric rates which they would not otherwise be able to have individually; and

WHEREAS, the Council has determined this resolution is in the best interest of Delaware City’s residents and eligible businesses.

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

SECTION 1. Adopt and approve a Plan of Operations and Governance for Electric Governmental Aggregation as attached hereto (Exhibit B-2)

SECTION 2. 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 Ohio Revised Code.

SECTION 3. This resolution shall be effective immediately upon its passage.

PASSED: _____, 2023

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



MEMORANDUM

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: Kyle Kridler, Assistant City Manager
CC: Natalia S. Harris, City Attorney
DATE: January 19, 2023
RE: Community Aggregation Plan of Operation and Governance

Community Aggregation Update – Plan of Operations and Governance

As City Council is aware, on November 8, 2022, the City of Delaware voters passed Electric Aggregation which authorizes the City to form a governmental electric aggregation program for the purchase of electricity on behalf of the city residents. Then, on January 9, 2023, Council passed the ordinance authorizing the City Manager to enter into an agreement with Energy Alliances to assist and advise the City through the electric aggregation process.

Earlier this week, two public meetings were held at City Hall to review the Plan of Operations and Governance and answer questions from the public. The Plan of Operation and Governance is prescribed by Section 4928.20 (C) of the Ohio Revised Code and is a necessary step in the process for the City to become certified as a Governmental Aggregator (see Exhibit B-2 attached). This plan outlines the aggregation program for Delaware and provides the general guidance for the program.

The creativity for the program will come as a part of the RFP process. At Energy Alliances' guidance, they are recommending that we include the following requests as a part of the RFP:

- Aggregation rates for 12 Months, 24 Months and 36 Months along with options for tiered 2 and 3-year contracts
- Rates for both Brown (Traditional) Energy along with 100% Renewable Energy
- Free and Easy Opt. Out
- Ability for Net-Metering

Outlined below are the completed steps in the process along with the additional steps to come:

- Week of Jan 2: First Public Notice for Public Meeting on Plan of Operations & Governance (**Completed**)
- Week of Jan 9: Second Public Notice for Public Meeting on Plan of Operations & Governance (**Completed**)
- Jan. 9 Council Meeting – Ordinance Authorizing the City Manager to Enter into Agreement with Energy Alliances (**Completed**)
- Jan. 18 – First Public Meeting at City Hall for Plan of Operations & Governance @6:30 PM (**Completed**)
- Jan. 19 – Second Public Meeting at City Hall for Plan of Operations & Governance @2:00 PM (**Completed**)
- Jan. 23 Council Meeting – Resolution to accept Plan of Operations & Governance
- **Jan. 31 – Additional Public Meetings at City Hall at 2:00 PM and 6:30 PM**
- After Jan. 31 – Energy Alliances to Certify Aggregation Program through PUCO, Certification takes 30 Days
- March 2023 – Finalize RFP for Suppliers of Energy Aggregation
- June 2023 – Implement Aggregation Program (July Bill)

As noted in **bold** above, the City will be holding two additional public meetings to review the Plan of Operations and Governance and the program as a whole. The initial public notice that went out on Jan. 2 and Jan. 9. referenced “All eligible AEP Ohio customers”. Notices went out/are going out the week of Jan. 16 and Jan. 23 for “All eligible customers” which would include current Ohio Edison customers. This was a minor oversight, but in communications with the PUCO, holding the two additional public meetings will ensure that everyone has been notified about the program and Plan of Operation and Governance.

Should Council have any questions about the program or the process, please contact Assistant City Manager Kyle Kridler.

CITY OF DELAWARE

Electric Aggregation Program

EXHIBIT B-2 "OPERATION AND GOVERNANCE PLAN"

CITY OF DELAWARE, DELAWARE COUNTY, OHIO
PLAN OF OPERATION AND GOVERNANCE
ELECTRIC GOVERNMENTAL AGGREGATION

For More Information Contact:
City of Delaware
1 South Sandusky Street
Delaware, OH 43015
740-203-1000

CITY OF DELAWARE, DELAWARE COUNTY, OHIO

PLAN OF OPERATION AND GOVERNANCE

Electric Governmental Aggregation

Introduction. On November 8, 2022 a majority of the voters in the City of Delaware, Delaware County, OH approved a referendum that authorized the City of Delaware (“the Community”) to pursue Automatic Governmental Aggregation. After the Community held two public hearings on the matter, the Community approved this Plan of Operation and Governance as prescribed by Section 4928.20(C) of the Ohio Revised Code. The Community has developed this Plan of Operation and Governance (“Plan of Operation”) in accordance with the governmental aggregation provisions in Sections 4901:1-21-16 Ohio Administrative Code. Once certified as a Governmental Aggregator, the Community will be authorized to combine multiple retail electric customer loads within its geographic boundaries (the “Aggregation”) for the purpose of facilitating the purchase of electric supply in Ohio’s competitive retail electric market.

Governmental Aggregation Services. The Community, as a Governmental Aggregator, will serve as purchasing agent for the Aggregation. As purchasing agent, the Governmental Aggregator shall (i) select a Competitive Retail Electric Service Provider (“Provider”) to supply the Aggregation, (ii) negotiate the terms of supply between the Provider and each Aggregation participant, and (iii) oversee the enrollment procedures administered by the Provider.

The Contract. The supply contract negotiated by the Governmental Aggregator for the Aggregation (the “Contract”) shall be for firm, full-requirements supply. Each Aggregation participant will be individually bound to the Provider by the terms of the Contract and will be solely responsible for payment and performance. The electric supply charges for the Aggregation will be included in the Contract that will be negotiated by the Governmental Aggregator. All electric supply charges will be fully and prominently disclosed in consumer enrollment materials (such as the Opt-out Notice), available on the Provider’s website, and available by calling the Provider’s toll-free customer service telephone number. The surcharge authorized under Section 4928.20 of the Revised Code will not be charged.

Eligibility, Opt-out Disclosures, and Pooling Accounts. The Community will work with the Provider to adhere to the requirements of Section 4901:1-21-17 of the Ohio Administrative Code in creation of the opt-out disclosure. The Community, or a party authorized by the Community, will request from the local electric distribution utility (the “Utility”) a list of all customers residing within the Community’s boundaries, including those who have opted off the pre-enrollment list. Per Section 4901:1-21-17(D)(1)(a), the list will include an updated list of names, addresses, account numbers, rate codes, percentage of income plan (PIPP) codes, load data and other related customer information, consistent with information that is available to Providers. The following customers are not eligible: customers already under contract with a certified electric services company; customers that have a special contract with the Utility; customers that are not located within the Governmental Aggregator’s boundaries; customers on PIPP, customers that have opted out of the aggregation, and mercantile customers that

have not provided affirmative consent. It is the intention of the Community to offer its Aggregation Program to all eligible residential and non-mercantile customers in all customer classifications and in all rate categories. The Community realizes that factors such as consumption patterns and peak demand impact rate classes differently. Consequently, some customers may not benefit by a particular rate offer. Therefore, all customers will be afforded the opportunity to opt-out of the Program at least every three (3) years without paying a switching fee. Using this list of eligible accounts, the Provider, with the assistance of the Governmental Aggregator, will review the list to verify that the eligible accounts are located within the geographic boundaries of the Community and that an area within the Community boundaries has not been inadvertently filtered from the list. The Provider will also remove from the eligible list those customers who appear on the “do not aggregate” list as stated under division (c) of Section 4928.21 of the Revised Code. Within thirty (30) days of receipt of the list from the utility, the Provider, with assistance from the Governmental Aggregator, will prepare and mail an “Opt-out Notice” to each account that remains on the eligible list after it has been reduced as noted above. The Opt-out Notice will inform the eligible account holder that the Governmental Aggregator has formed an automatic (or “Opt-out”) aggregation, provide the price for the electric supply to the Aggregation and other terms and conditions of service, and explain how the account holder can decline participation in the Aggregation.

As required by 4901:1-21-17 of the Ohio Administrative Code, the Opt-out Notice will indicate that the account holder has twenty-one (21) days to affirmatively respond by telephoning a toll-free number or returning a postcard to the Provider that is included in the Opt-out Notice.

The Provider will receive all Opt-out requests and any Opt-out Notices that were undeliverable by mail and will remove those accounts from the eligible account list. Upon completion of the twenty-one (21) day Opt-out period, the Provider will notify the Utility of the remaining accounts that will form the Aggregation, and through an electronic data interchange transaction, enroll the Aggregation. Upon enrollment, each participant will receive an enrollment notice from the Utility that will indicate that the enrollee may rescind its participation in the Aggregation by contacting the Utility within seven (7) calendar days.

In addition to the initial twenty-one (21) day Opt-out period, each participant will be provided an opportunity to opt-out at least every three years without paying an early termination fee.

Billing. Aggregation participants will receive a single, monthly bill from the Utility, which will include charges from the Provider for its electric supply, as well as the Utility distribution charges. Aggregation participants will be billed according to their Utility billing cycle.

Credit, Collections and Deposits. The Utility’s credit and collection policy and policies regarding deposits will apply to the Aggregation participants and shall be administered by the Utility. Neither the Governmental Aggregator, nor the Provider will implement additional policies with respect to credit, deposits, and collections.

Concerns and Complaints. Aggregation participants will have multiple means of communicating concerns and reporting complaints. As a general rule, concerns regarding service reliability and billing should be directed to the Utility. The Utility will continue to read meters, handle billing, and generally

have the most information about the physical service to a location or account. Questions regarding the administration of the Aggregation should be directed to the Provider. The Provider’s customer service center will, at a minimum, be available by telephone Monday through Friday between the hours of 8:00 am to 7:00 pm ET. Any unresolved disputes should be directed to the Public Utilities Commission of Ohio and/or the Ohio Consumers Council. As a convenience, below is a list of helpful toll-free telephone numbers.

<u>Nature of Complaint</u>	<u>Contact/Phone Number(s)</u>			
Outages/Emergencies	AEP	1-800-672-2231	Ohio Edison	1-888-544-4877
Service turn on/off	AEP	1-800-672-2231	Ohio Edison	1-800-633-4766
Billing Disputes	AEP	1-800-672-2231	Ohio Edison	1-800-633-4766
Price/Joining/Leaving Program	Provider Customer Service		TBD	
Program Regulatory Questions	Provider Customer Service		TBD	
Unresolved Disputes	Public Utilities Commission		1-800-686-7826	
Unresolved Disputes	Ohio Consumers Council		1-877-742-5622	

The Provider will attempt to resolve all customer complaints in a timely and good faith manner. The Provider shall investigate and provide a status report to the customer when the complaint is made directly to them and/or the Community within three (3) business days following the Provider’s receipt of the complaint. Or in the case of a Public Utilities Commission of Ohio (“PUCO”) complaint the Provider will investigate and provide a status report to the customer and PUCO staff within three (3) business days following Provider’s receipt of the complaint. If an investigation into a complaint received from the customer or a complaint referred by the PUCO is not completed within ten (10) business days, then a status report will be given to the customer, and, if applicable, the PUCO. These status reports will be given every three (3) business days until the investigation is complete, unless the action that must be taken takes longer than three (3) business days and the customer has been notified. Final results of a PUCO-referred complaint will be provided to the PUCO either orally (phone) or in writing (e-mail, written correspondence), no later than three (3) business days after the investigation is completed. The final results will be provided in writing to the customer no later than three (3) business days after the investigation is completed. Customers retain the right to contact the PUCO regarding complaints and disputes. All customers have the right to contact the PUCO by writing to Public Utilities Commission of Ohio, ATTN: IAD, 180 E. Broad St., Columbus, OH 43215-3793; by fax to (614) 752-8351; through their website at www.puc.state.oh.us or by calling toll free (800) 686-7826 (VOICE) or 7-1-1 (TTY-TDD). Records of customer complaints will be retained for two (2) years after the occurrence of the complaint. A copy of the complaint record will be provided to the PUCO within three (3) business days, if requested.

Moving Within the Community. Aggregation participants who move from one location to another within the Community boundaries and retains the same account number, will remain an Aggregation participant and will receive the same price they would have received if their location had not moved.

An Aggregation participant who moves from one location to another within the Community boundaries and is assigned a new account number may enroll their new account in the Aggregation and receive the same price as they would have received if their location had not moved, provided the new

account is eligible for Aggregation. An Aggregation participant who moves within the Community and receives a new account number may be dropped from the Aggregation by the Utility, but they will not be charged an early termination fee from the Provider. If a participant is dropped from the Aggregation due to a move within the Community, the participant must contact the Provider to be re-enrolled within 60 days of being dropped.

Moving Outside of the Community. An Aggregation participant who moves out of the Community boundaries will no longer be eligible to participate in the Aggregation, but they will not be charged an early termination fee from the Provider.

Enrolling After the Opt-out Period. Residential and small business accounts located within the Community's boundaries that were initially eligible to join the Aggregation but chose to opt-out of the Aggregation, or otherwise weren't included in the Aggregation, may join the Aggregation after the expiration of the initial Opt-Out Period by contacting the Provider. The rate for those joining the Aggregation after the expiration of the Opt-out Period may be different from the rate negotiated for the Aggregation by the Government Aggregator.

If the Provider is able to offer to newly eligible customers the same price that is provided to the current Aggregation participants, the Provider may refresh the Aggregation by providing those who move into the Community the opportunity to be included automatically, rather than waiting until the next pricing term of the Contract. The process for refreshing the Aggregation with new enrollments would follow the process noted above for determining eligibility, providing Opt-out Notices, and pooling the accounts. (Current Aggregation participants and those who previously declined participation would not receive the Opt-out Notice intended only for newly eligible customers.)

From: [Sidnee Stanley](#)
To: [Elaine McCloskey](#)
Subject: Make Energy Aggregation the Norm for Delaware
Date: Friday, January 6, 2023 4:30:34 PM

Caution! This message was sent from outside your organization.

Dear Elaine McCloskey,

My name is Sidnee Stanley; I am a senior at Hayes High School and I am emailing on the behalf of my generation about how the city of Delaware is continuing to use fossil fuels despite the worsening global climate crisis. The people of Delaware are asking for the city to switch to energy aggregation for the sake of current and future generations.

Sincerely,
Sidnee Stanley

From: [Stacy B. Chaney](#)
To: [Elaine McCloskey](#)
Subject: public comment for 1/18 public hearing on energy aggregation
Date: Wednesday, January 18, 2023 2:02:19 PM

Caution! This message was sent from outside your organization.

January 18, 2023

Members of Council and Energy Alliance,
Thank you for taking the time to hear from the public.

I would encourage you to select an **all renewable energy option for our aggregation**.

Individual households will still have the option to choose a brown energy provider through PUCO and the Energy Choice Ohio program. The market you create for renewable energy through the aggregation gives those of us who want to invest in climate-friendly power solutions and domestic energy the option to pay less. Choosing renewable energy for the aggregation is a win-win.

With approximately 6000-8000 households involved in the aggregation, never again will you have the opportunity to make such a positive change for our world. As someone who works with historical researchers, I can assure that they will back at this moment and the actions of this Council. The issue of climate change has been settled by science, dating back at least as far as 1979 internal reports from ExxonMobil. The time to move forward for a more sustainable option that's less reliant on foreign fossil fuels is now.

As a side note, I would also respectfully ask that you stipulate a requirement for **net-metering** from the energy provider. That will enable those of us who invested in household solar panels to still get the full benefit of contributing to the electrical grid. Net-metering encourages local renewable energy generation and enables individual households to be a part of the solution, which is a large part of why we invested in the solar panels to begin with.

Thank you for your time, and for your careful consideration of this matter.

Sincerely,
Stacy Chaney-Blankenship and Jerrel Blankenship,
943 Executive Blvd, Delaware, Ohio 43015

From: [David Carpenter](#)
To: [Elaine McCloskey](#)
Subject: Electricity Aggregation
Date: Wednesday, January 18, 2023 11:59:09 AM
Attachments: [icon.png](#)

Caution! This message was sent from outside your organization.

Mayor Riggle, Vice Mayor Shafer, Members of Council, Mr. Homan, Mr. Kridler,

As this aggregation process moves forward, I am both excited and anxious about the possibilities. It is very likely that we can lock in a contract that gets ahead of the significant rate hikes expected this summer. I am especially happy about the opportunities to contract for renewable energy, but I am concerned that we might get stuck with an option that, instead, props up the fossil-fuel industry. Given that atmospheric carbon dioxide, average temperatures, sea-level rise and other attributes of the climate crisis are increasing faster than many worst-case predictions, and the likelihood that we are already at the cusp of having any opportunity to reverse these trends, I believe it is essential that we do what we can to improve our chances of survival. Therefore, I am encouraging the City Council to choose renewable energy. Should you choose a multi-option selection, please make the renewable option the default.

Anytime we purchase something, we have to weigh the benefits and costs of that purchase. Often, greater value demands a higher price. In the current market, it would appear that purchasing Renewable Energy Credits adds more value than cost. Both the renewable and brown-power (fossil fuel) aggregation options could save Delaware residents as much as 3 to 4 cents/kWh from the standard rate this summer, with the renewable option perhaps 0.4 cents/kWh higher than the brown-power option. It is possible that the difference in price may be only about 10% of the savings, and as little as 3% of the price of the generation portion alone of an electric bill. Down the road, there could be other choices, opportunities to invest directly in local renewables instead of buying RECs at a premium to procure renewable power.

If people are given the option of opting into green power, with the default being a brown-power rate, this could lock people into using brown power after it has lost all near-term efficacy, thus supporting fossil fuels even if the market for them has naturally collapsed. This creates two problems: 1) If we are to mitigate climate change, this would hinder our ability to do so, 2) it would defy the Council resolution to support lower prices AND renewable energy¹.

Of course, we need to be reasonable about how we define "renewable." Renewable, by definition, means replenishable. Neither gas nor nuclear are replenishable. The government of the State of Ohio may have recently declared that gas is "green," but reasonable people will disagree. The Statehouse may just as well have declared that cows are vegetables.

We would not be in this situation if it were not for the confusion that has been sown by the fossil-fuel lobby. I have heard disinformation presented and submitted to this Council that I would like to address.

Yes, solar doesn't work at night, and wind turbines don't work when the wind isn't blowing. But intermittency doesn't imply unpredictability nor unreliability. Solar, in particular, is simple, often with no moving parts. It is extremely durable and reliable and requires very little (if any) maintenance.

Intermittency is not a problem until solar and wind combine to nearly 50% of total generation², a situation that is probably well over a decade away in any region of the US, much more so in Ohio where renewables currently provide only 3% of our electricity. Some intermittency can be resolved by transmitting power from one region to the next. Modest storage capacity can shift excess generation to later in the day when there is still high demand, reducing the maximum required generation capacity. Solar and wind generation is less dependent on weather than most presume. Solar and wind predictability is actually quite high over the time scales where PJM (our regional transmission organization) is allocating resources and when averaged over the full PJM area (which extends from New Jersey to parts of Illinois, 13 states and the District of Columbia³).

Fossil-fuel advocates often obfuscate efficiency, capacity and generation numbers. Efficiency is precalculated into both capacity and generation numbers. Capacity is a measure of maximum peak power. Generation is a measure of total energy. Both are important in assessing electricity generation and transmission ability, but they are not interchangeable. The regional transmission organizations couldn't function without accurate knowledge of these numbers.

Some critique or exaggerate the land resources required for solar and wind generation. However, if the United States relied entirely on renewable energy, it would require less than 2/3 of the total land area currently used by fossil fuel use and extraction². Proper placement can reduce this area even more. 40% of solar could be on rooftops⁴, even more over parking lots, pollinator fields, brownfields and grazing land.

Some complain about renewable subsidies. Yes, renewable energy is subsidized. But fossil fuels receive larger total direct subsidies, and enormous amounts of indirect subsidies. You can't look at only one side of a ledger sheet. The nature of the subsidies also should not be ignored – the fact that with renewable energy you are incentivizing a solution for the future, while with fossil fuels you are propping up the stranded assets of the problem-causing past. Lazard's⁵ compares the levelized service life costs of many types of electricity generation, both with and without certain subsidies, while accounting for construction, supply and operation, and decommissioning.

One thing renewable energy can't fix on its own is the type of mismanagement that occurred in Texas last winter. Transmission, distribution and generation of all types failed there simultaneously. It should be noted that both solar and wind power have been durable, reliable and successful in far more harsh environments. Texas also suffers from being an electricity grid interconnection island separated from both the eastern and western grid interconnection regions that serve the rest of the United States and Canada.

One of the greatest advantages of renewable energy is that it distributes power sources. Lots of small generation facilities spread all over the service area and close to the users are more resilient to terrorism, and natural disasters (and even war, as in Ukraine). This also reduces transmission requirements and cost. Distributed power sources are easier to incorporate into microgrids, adding even more to the reliability, durability, and resilience of our power supply.

The superiority of renewable energy is, in my view, overwhelming. The only reason it is contested is because the owners of fossil fuels and their facilities have lots of money to influence the public and to influence the markets to maximize their profits (and, for a while, depreciated legacy generation plants). We will not need to worry much about base-load requirements until renewables surpass 50% of total generation. I think Delaware should be part of future solutions, not part of the problem. I believe we should either select a 100% renewable provider, or make renewable the default option if residents are given a choice between renewable and brown power.

David Carpenter
932 Executive Blvd.,
Delaware, OH 43015

- 1) Delaware City Council Resolution No. 22-45, 9/12/2022
- 2) <https://www.cncb.com/2022/12/29/why-isnt-the-us-electrical-grid-run-on-100percent-renewable-energy-yet.html>
- 3) www.pjm.com
- 4) <https://www.nrel.gov/docs/fy16osti/65298.pdf>
- 5) <https://www.lazard.com/media/451881/lazards-levelized-cost-of-energy-version-150-vf.pdf>




Mail Delivery Subsystem <mailer-daemon@googlemail.com>

11:38 AM (19 minutes ago)



to me





Address not found

Your message wasn't delivered to **EMcCloskey@delawareohio.ne** because the domain delawareohio.ne couldn't be found. Check for typos or unnecessary spaces and try again.

[LEARN MORE](#)

The response was:

DNS Error: DNS type 'mx' lookup of delawareohio.ne responded with code NXDOMAIN Domain name not found: delawareohio.ne Learn more at <https://support.google.com/mail/?p=BadRcptDomain>

----- Forwarded message -----

From: David Carpenter <astrohiker2@gmail.com>

To: EMcCloskey@delawareohio.ne

Cc:

Bcc:

Date: Wed, 18 Jan 2023 11:37:58 -0500

Subject: Electricity Aggregation

----- Message truncated -----



Reply

Forward



Item Cover Page

CITY COUNCIL AGENDA ITEM REPORT

DATE: January 23, 2023

SUBMITTED BY: Elaine McCloskey

ITEM TYPE: Staff Reports


AGENDA SECTION: **FINANCE DIRECTOR'S REPORT**

SUBJECT: December 2022 Report

SUGGESTED ACTION:

ATTACHMENTS:
[20221231 Finance Director Report.pdf](#)



TO: R. THOMAS HOMAN, CITY MANAGER
FROM: ROB ALGER, FINANCE DIRECTOR 
SUBJECT: DECEMBER 2022 FINANCIAL REPORT
DATE: JANUARY 9, 2022

BACKGROUND

The purpose of this report is to provide a brief review of the revenues and expenditures for the following funds: General Fund, Fire/EMS Income Tax Fund, Recreation Center Income Tax Fund, Stormwater Fund, Water Fund, Wastewater Fund, and Refuse Fund.

Actual revenues and expenditures are compared to the budget to assess potential overages/shortages in budgeted categories. Comparisons with figures from last fiscal year are also included to indicate the differences by year, since budgeting techniques remain relatively uniform from one year to the next.

Appendix A details the year-to-date activity for all the city's active funds. It is important to note the ending balance, encumbrances, and unencumbered balance. The unencumbered balance is the amount remaining in the fund if the city were to expend all the monies listed as encumbrances. The ending balance is the amount of funds available to the city as of December 31, 2022, and ties to the amount listed in Appendix B.

Appendix B is the Financial Statement for the city as of December 31, 2022. This statement provides a listing of the city's funds held at various financial institutions. Also presented is a chart comparison of some investing strategies made in November and December of this year to earn more interest.

Appendix C is the Debt Schedule for the city through December 31, 2022. All principal and interest payments that have been paid to date are included in the schedule. Also included is a quick note regarding our recent S&P rating for our short-term issuances.

Appendix D is a graphical representation of the water and wastewater utility consumption billed on a monthly basis in terms of units billed as well as dollars.

Appendix E is the full Fund statements that are represented below in the graphs.

GENERAL FUND

The General Fund is the main operating fund for the city and is used to account for all financial transactions which are not reported in other funds. Major sources of revenue include income tax and property tax. Please refer to page three for a breakdown of the revenues and expenditures through December 31, 2022.

Revenues

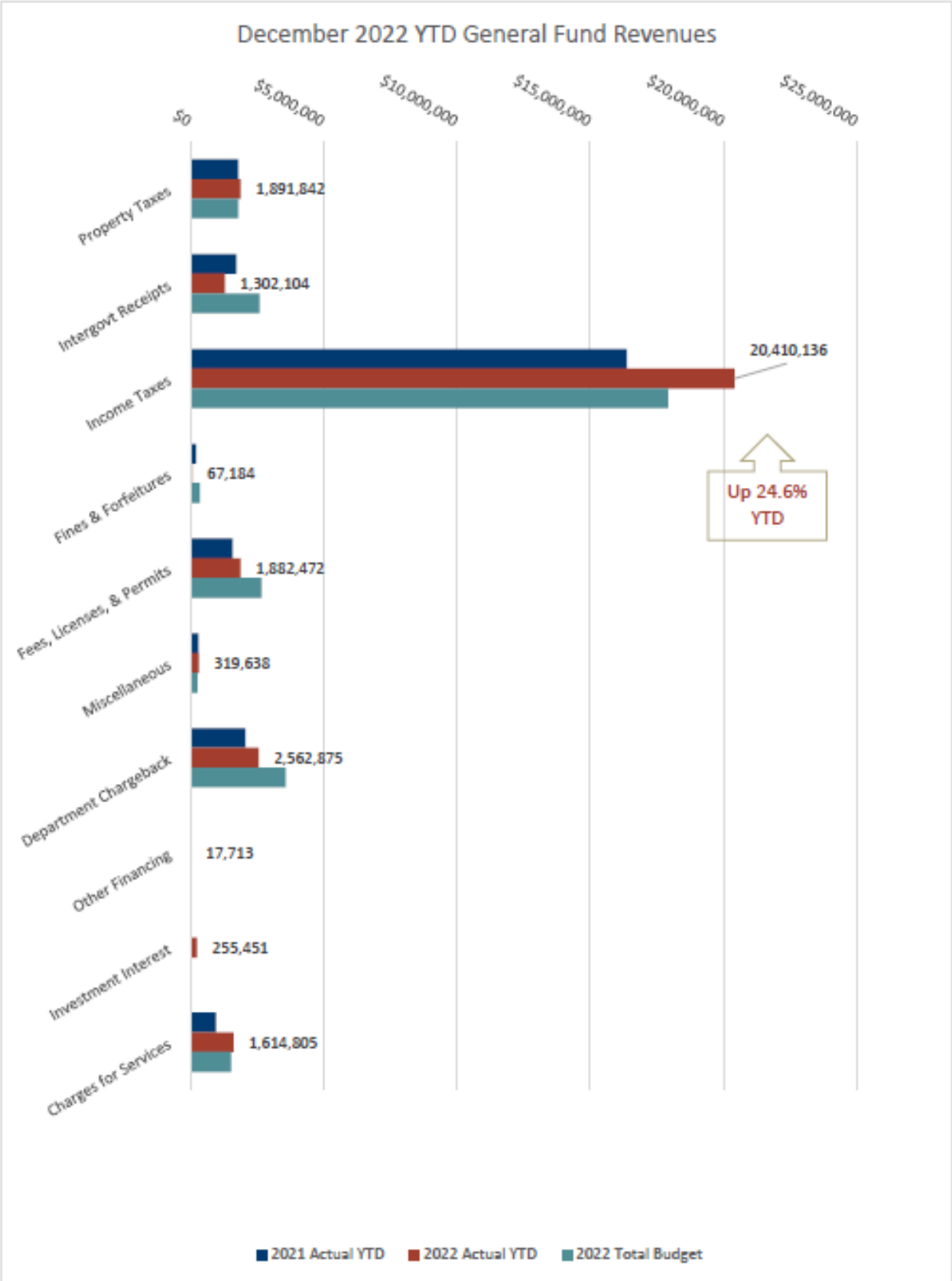
The General Fund revenues are performing as expected. However, the following revenue sources require additional explanations:

- Property Taxes – Settlement revenue is received after the 1st and 2nd half real estate collection periods in March and August respectively. 1st and 2nd half collections totaled \$1,891,842 reflecting an increase of just \$87,414 or 4.8% from the prior year. This increase is attributed to the growth continuing in the City.
- Intergovernmental – Total intergovernmental receipts were \$1,302,104 or - 25.05% less than the amount received during the same period in the prior year. This decrease is largely attributed to the receipt of \$405,203 in 2021 as a grant reimbursement received for the East William Street project. The General Fund had advanced the money to the Capital Improvement Fund at the end of 2020 to cover the final invoice of the year.
- Income Tax – Year-to-date receipts total \$20,410,136, which is \$4.0m or 24.6%, greater than amount the City received during the same period in the prior year.
- Charges for Services and other Fees – Chargebacks for the General Fund related services attributed to special revenue and enterprise funds through December 2022 were transferred from those funds. The transfer from the Budget Reserve fund of just over \$1m was deemed not warranted. With that considered, Charges and Fees are up \$651k or 67.6% over 2021 at this time.

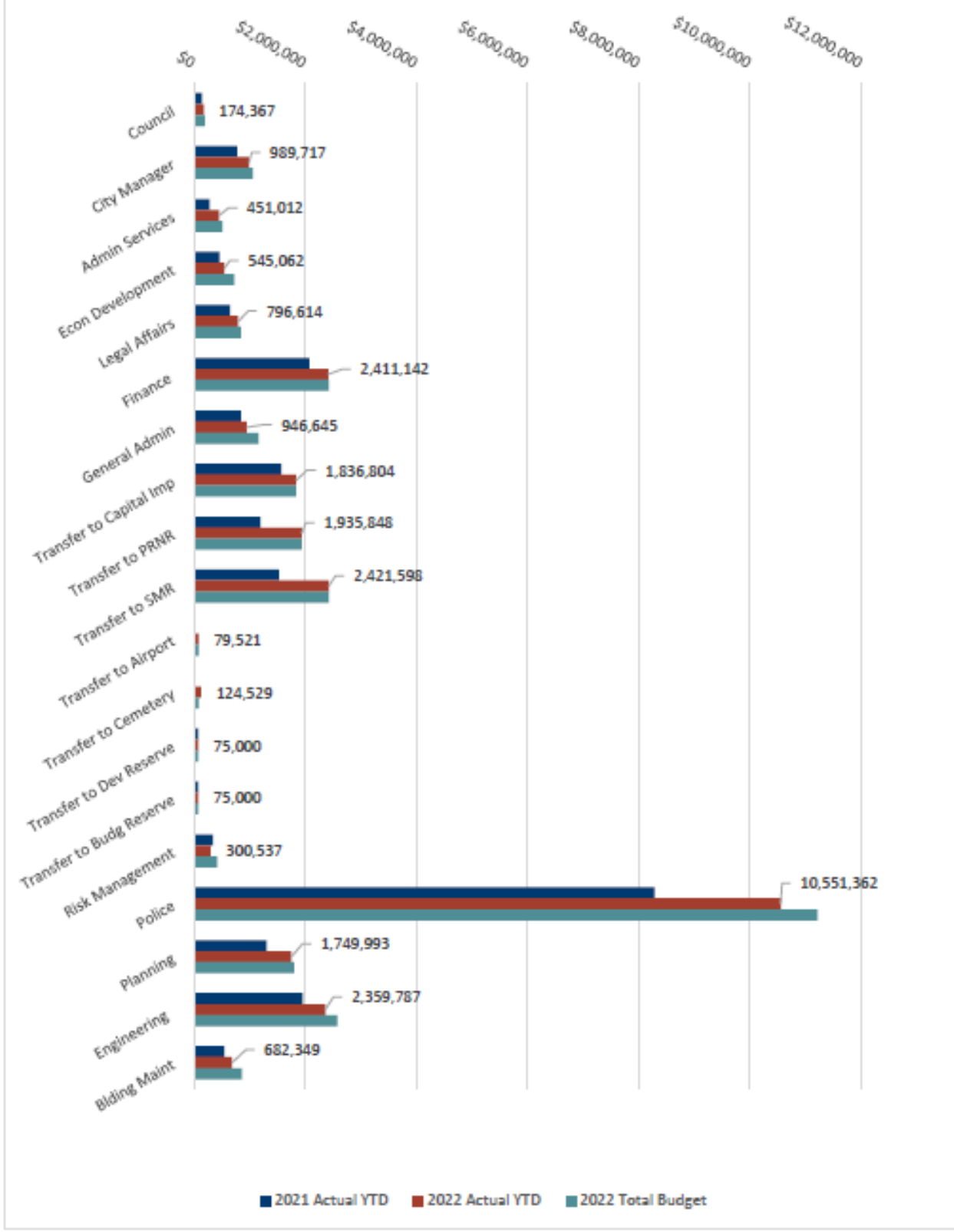
Expenditures

The General Fund expenditures performed as expected through December 31, 2022. However, the following expenditures require additional explanations:

- Transfers – Transfers to the following funds have been made to the Recreation Fund (\$1,935,848) as well as the Streets Maintenance Fund (\$2,421,598) and the Capital Improvement Fund (\$1,836,804).



December 2022 YTD General Fund Departments



FIRE/EMS INCOME TAX FUND

The Fire/EMS Income Tax Fund is a Special Revenue Fund which means that the resources are restricted to only funding expenditures that support the Fire Department. Please refer to page five for a breakdown of the revenues and expenditures through December 31, 2022.

Revenues

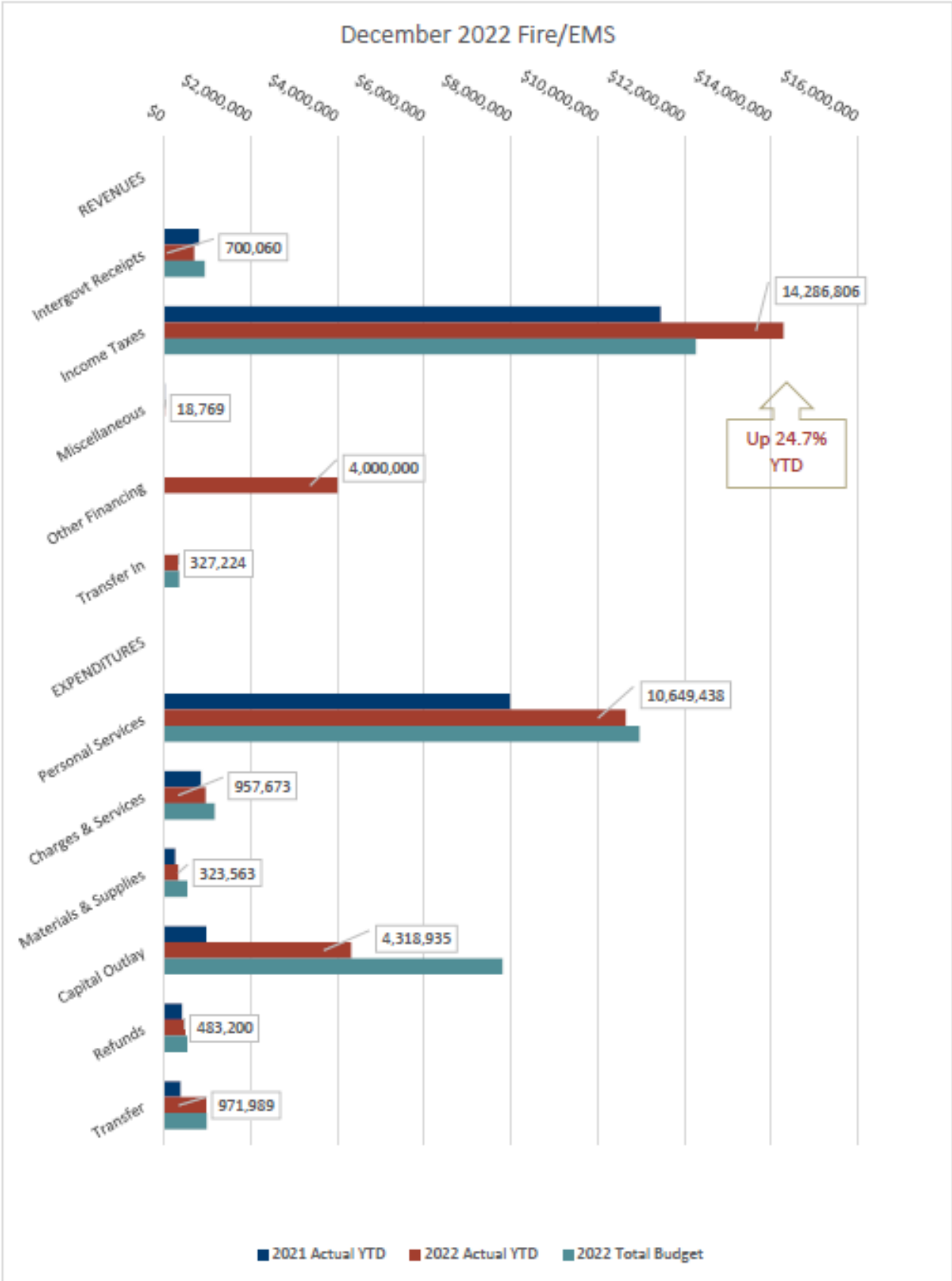
Several sources of revenue support this fund, including intergovernmental as well as income tax collections.

- **EMS Service Agreement** - The City contracts with Delaware County to provide EMS services to certain unincorporated portions of the County. To date, the City has received \$696,937.50 in reimbursements.
 - For the 2022 fiscal year, the City will receive quarterly distributions of \$232,312.50 from Delaware County for EMS services.
- **Income Tax** – Year-to-date receipts total \$14,286,806, which is \$2.83m, or 24.7%, greater than amount the City received during the same period in the prior year.
- **Bond Anticipation Note** – The City sold notes totaling \$9.4m in July, of which \$4m was posted to the Fire/EMS Income Tax Fund to fund the purchase and renovations to the future Station 305.

Expenditures

Fire/EMS Income Tax Fund expenditures performed as expected through December 31, 2022 with the following explanation needed:

- **Capital** – The City closed on the Eastside property for Station 305 at the purchase price of \$3,995,000.



STORMWATER FUND

The Stormwater Fund is an Enterprise Fund that was established to account for the costs of repairing, replacing, and improving the city's storm drainage system. User fees sustain the expenditures of this fund. Please refer to page eight for a breakdown of the revenues and expenditures through December 31, 2022.

Revenues

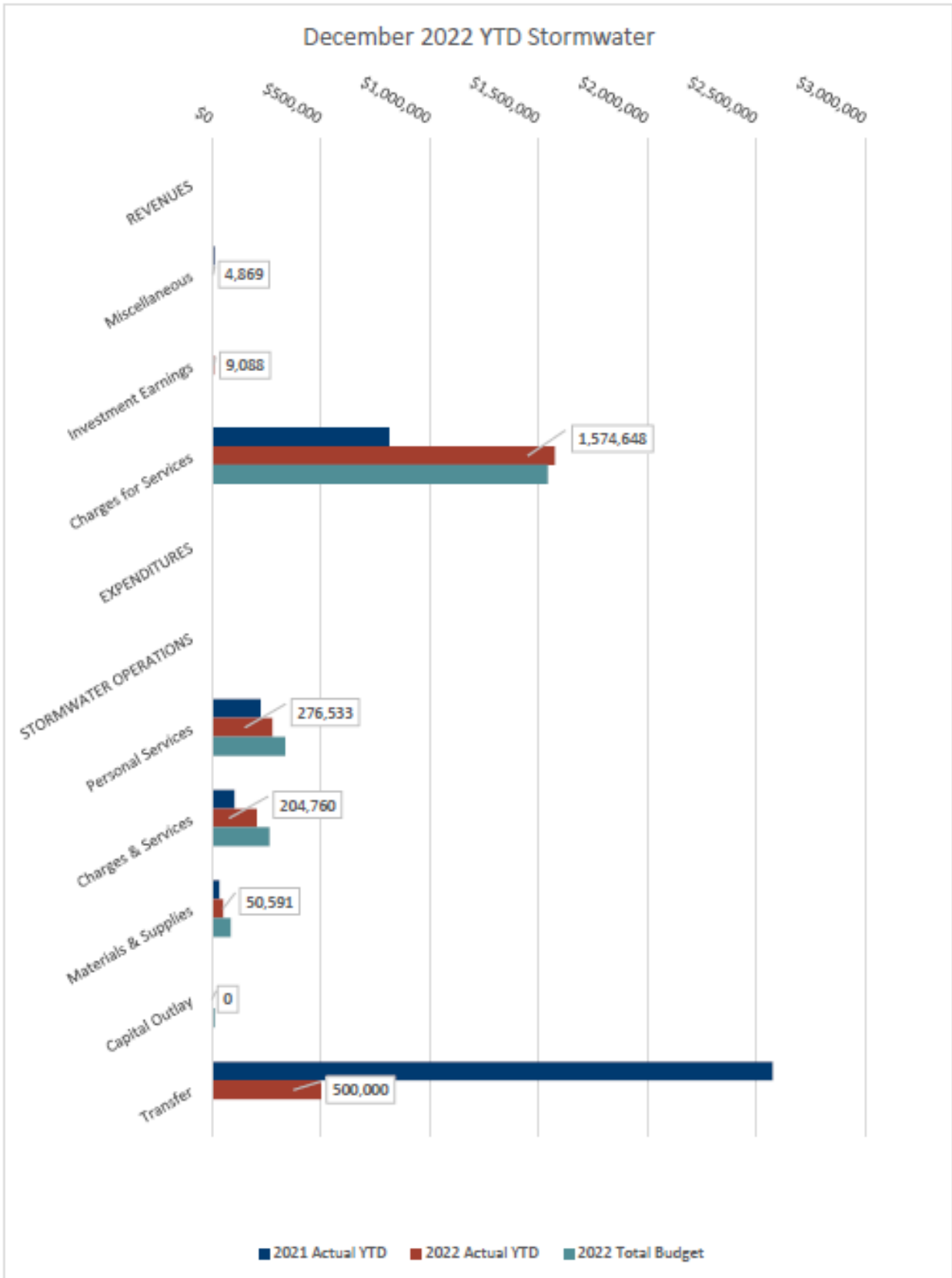
The Stormwater Fund revenues are performing as expected. However, the following revenue sources require additional explanations:

- **Charges for Services** – Year-to-date service charges totaled \$1,574,648 which is \$761k (93.6%) greater than the amount collected during the same period in the prior year. This is greatly attributable to the increase in fees for the average size structure from \$2.50 to \$4.50 per month.

Expenditures

The Stormwater Fund expenditures performed as expected through December 31, 2022. However, the following expenditures require additional explanations:

- **Transfers** – Transfers totaling \$2,574,862 were processed to the Stormwater Capital Fund through June of last year. This year, \$500,000 was transferred to fund capital improvements.



WATER FUND

The Water Fund was established to account for the treatment and distribution of water to resident and commercial users. This fund is also an Enterprise Fund, with user fees financing the expenditures. Please refer to page ten for a breakdown of the revenues and expenditures through December 31, 2022.

Revenues

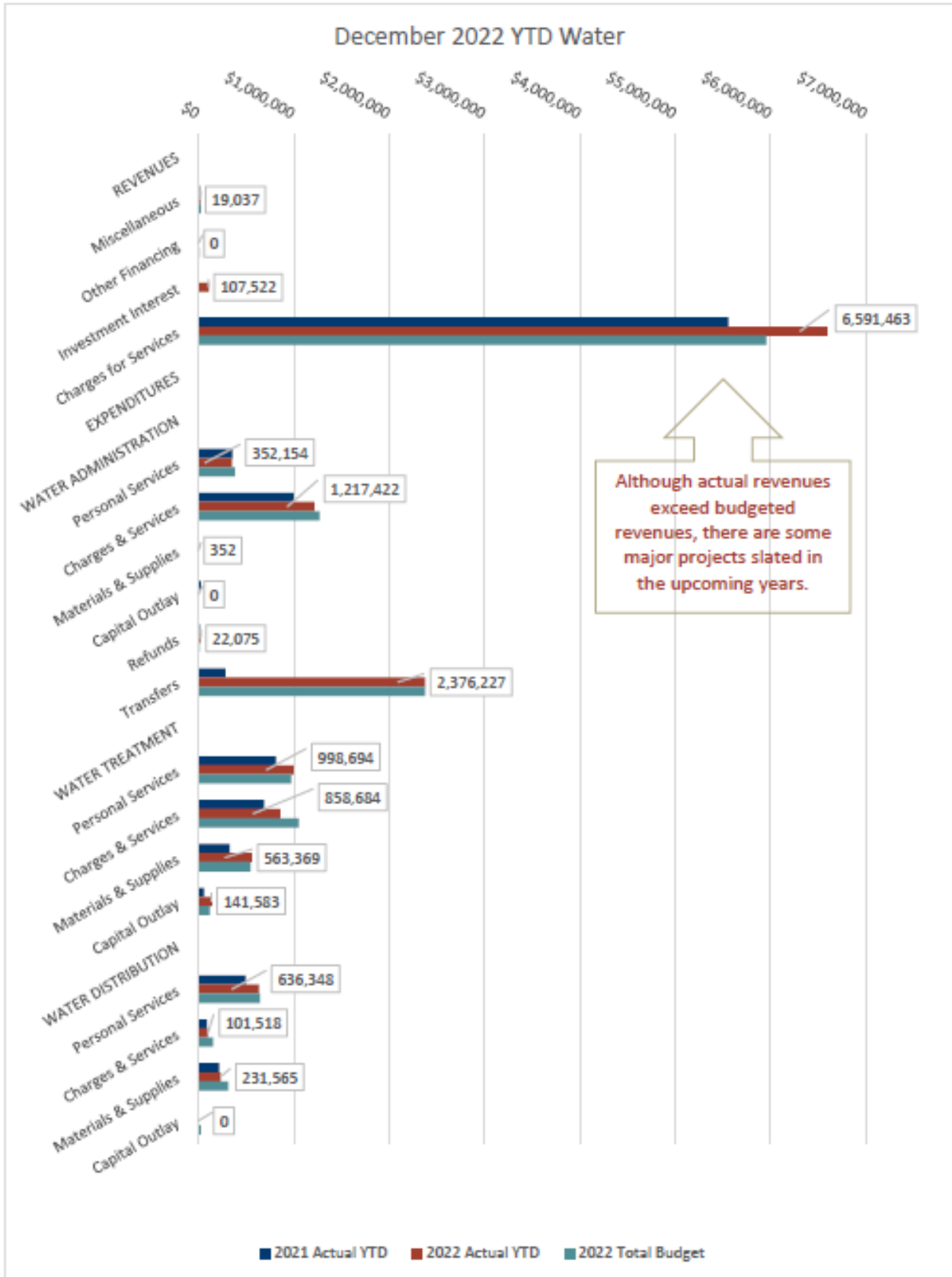
The Water Fund revenues are performing as expected. However, the following revenue sources require additional explanations:

- **Charges for Services** – Included in this category are Services Charges & Collections.
 - **Meter Charges** – Year-to-date meter charges for water consumption totaled \$6,591,463 which is \$1.03m or 18.6% greater than the amount collected same period from the prior year.
 - **Capacity Fees** – Year-to-date receipts total \$2,358,082 and these fees are deposited into the Water Capacity Fee Fund (Fund 536).

Expenditures

The Water Fund expenditures performed as expected through December 31, 2022. However, the following expenditures require additional explanations:

- **Transfers** – Transfers to the amount of \$2,376,227 were processed to the Water Construction Capital Fund to cover current project costs.
- **Charges & Services** – Chargebacks to the General Fund made through December, totaled \$833,319 for the year.



WASTEWATER FUND

The purpose of the Wastewater Fund is to provide wastewater collection and treatment service to resident and commercial users. This fund is also an Enterprise Fund, with user fees financing the expenditures. Please refer to page twelve for a breakdown of the revenues and expenditures through December 31, 2022.

Revenues

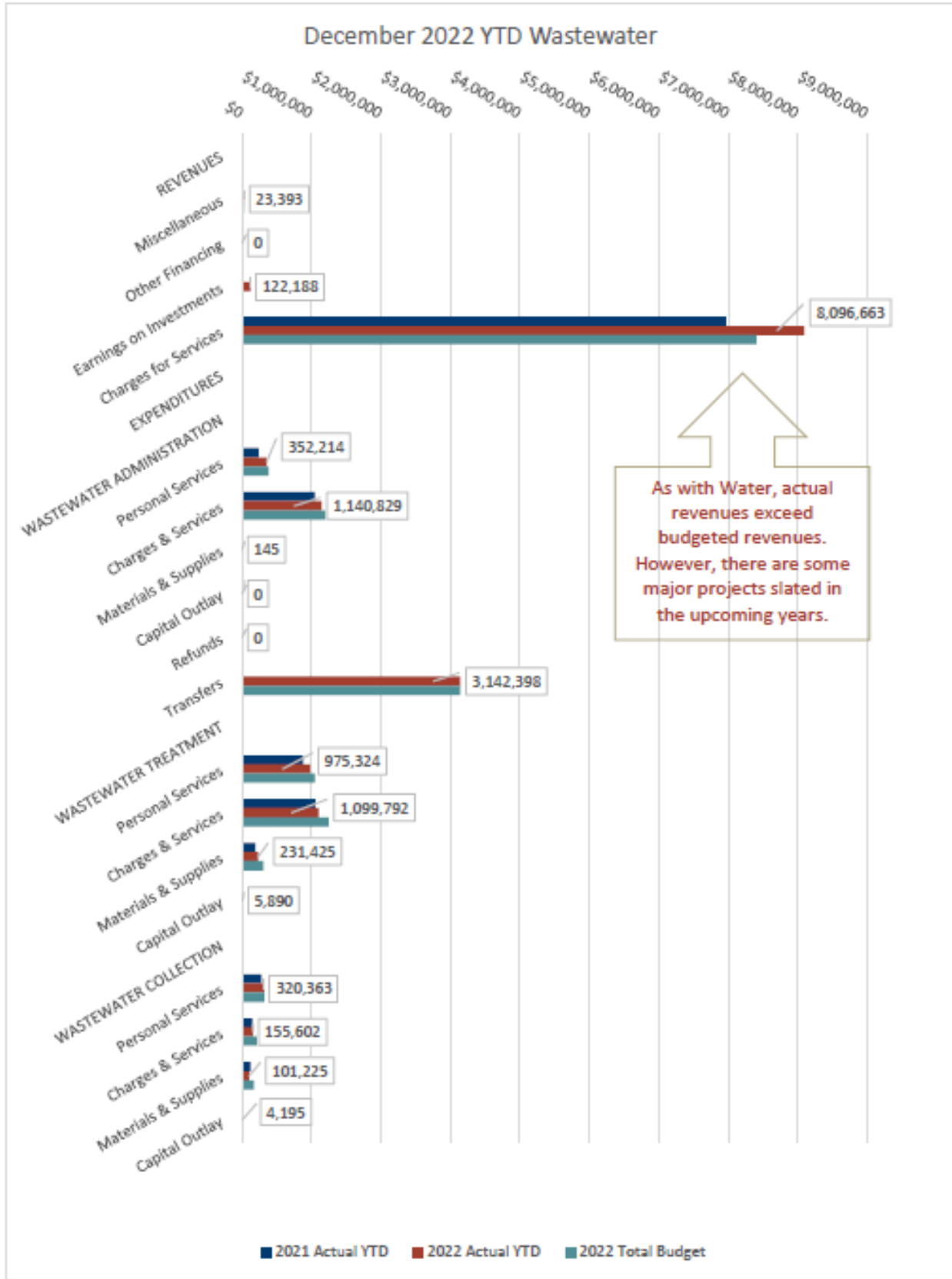
The Sewer Fund revenues are performing as expected. However, the following revenue sources require additional explanations:

- **Charges for Services** – Included in this category are Services Charges & Collections.
 - **Meter Charges** – Year-to-date meter charges for sewer treatment totaled \$8,096,663 which is \$1.13m or 16.2% greater than the amount collected same period from the prior year.
 - **Capacity Fees** – Year-to-date receipts total \$1,469,759 and these fees are deposited into the Wastewater Capacity Fee Fund (Fund 546).

Expenditures

The Wastewater Fund expenditures performed as expected through December 31, 2022. However, the following expenditures require additional explanations:

Charges & Services – Chargebacks to the General Fund made through December, totaled \$791,339 for the year.



REFUSE FUND

The Refuse Fund accounts for the costs of providing refuse services. This fund is an Enterprise Fund which means that the main source of revenue is the monthly fees charged to residents for this service. Please refer to page fourteen for a breakdown of the revenues and expenditures through December 31, 2022.

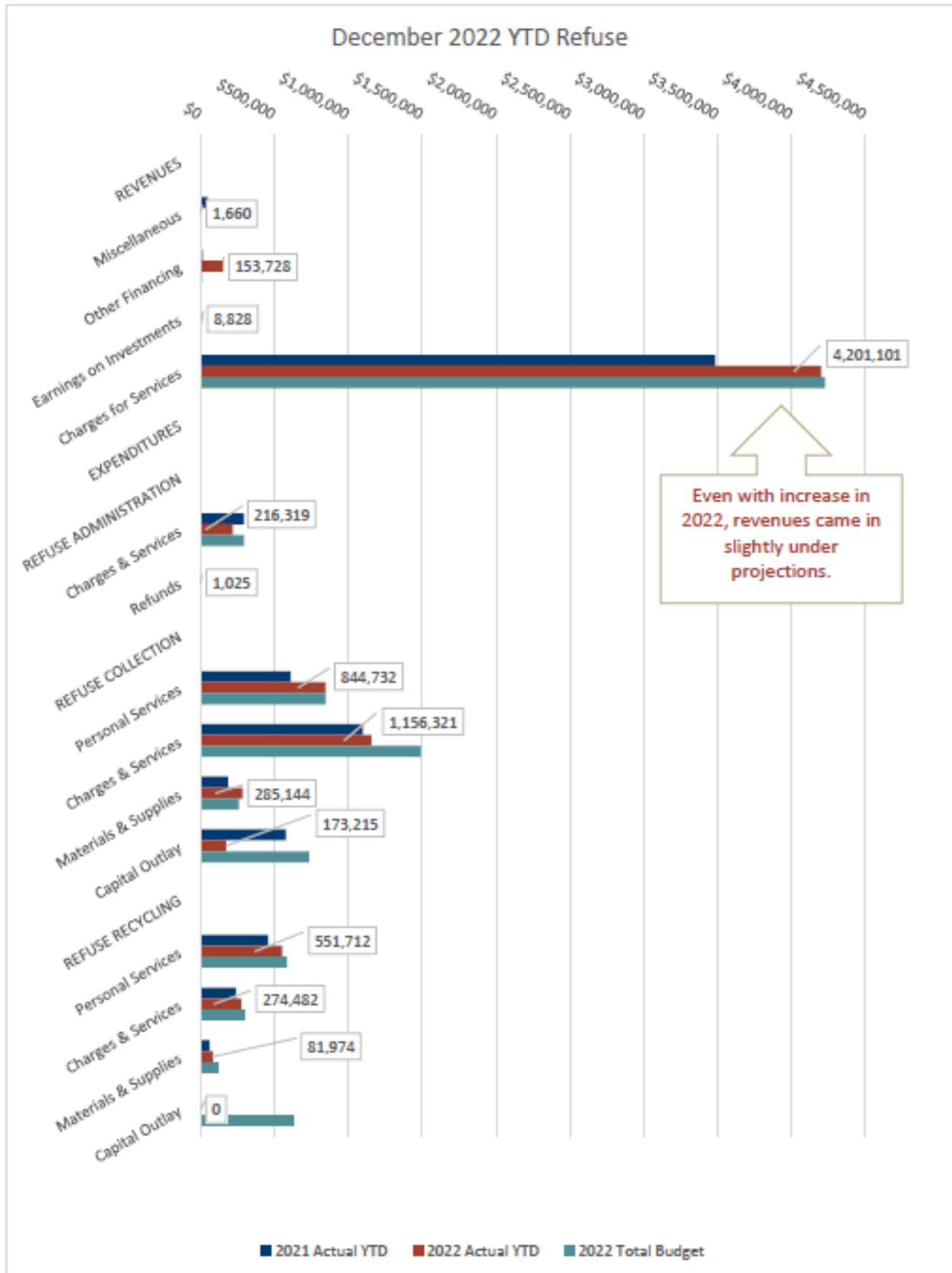
Revenues

The Refuse Fund revenues are performing as expected. However, the following revenue sources require additional explanations:

- **Charges for Services** – Year-to-date receipts total \$4,201,101 which is \$719k or 11.7% greater than the amount received from the same period in the prior year. This is attributable to the increased monthly fee of \$2.40 or 11.65% to the average household.

Expenditures

The Refuse Fund expenditures performed as expected through December 31, 2022.



APPENDIX A

YEAR TO DATE FUND REPORT
December 31, 2022

Fund #	FUND	BEGINNING BALANCE	YTD REVENUES	YTD EXPEND	ENDING BALANCE	ENCUMB	UNENCUMB BALANCE
101	General Fund	\$ 8,487,712	\$ 30,324,221	\$ 28,506,887	\$ 10,305,046	\$ 764,959	\$ 9,540,087
200	Street Maintenance	406,312	4,568,584	4,237,287	737,608	276,989	460,620
201	State Highway Fund	72,134	172,201	111,855	132,480	10,839	121,641
202	License Fee Fund	417,200	672,061	56,176	1,033,084	259,450	773,634
204	Performance Bond Fu	988,440	40,000	60,000	968,440	-	968,440
210	Parks & Recreation	35,859	2,370,827	2,181,995	224,691	111,072	113,619
212	Cemetery Fund	60,827	337,192	341,521	56,498	14,572	41,926
215	Tree Replacement Fu	351,727	227,986	52,618	527,095	5,479	521,616
222	Airport Fund	217,591	1,426,623	1,503,514	140,700	220,389	(79,689)
223	T-Hangar Fund	204,989	103,214	89,674	218,529	-	218,529
231	Fire/EMS Income Tax	11,650,243	19,332,859	17,704,797	13,278,305	2,069,697	11,208,608
233	Rec. Center Income	4,920,608	3,098,320	2,622,323	5,396,605	47,030	5,349,575
235	Airport TIF Fund	151,384	24,064	-	175,449	-	175,449
236	Glenn Road Bridge T	2,959,714	1,954,116	1,579,935	3,333,896	17,676	3,316,220
237	Sky Climber/V&P TIF	-	33,124	33,124	(0)	-	(0)
238	Mill Run TIF Fund	-	97,166	97,166	-	-	0
239	Winterbourne TIF Fu	-	-	-	-	-	0
240	Municipal Court Fun	1,404,441	2,648,489	3,403,404	649,525	16,013	633,512
241	Court-IDIAM Fund	58,937	26,732	35,322	50,346	-	50,346
250	Drug Enforcement Fu	53,261	2,195	191	55,265	-	55,265
251	Court-Alcohol Treat	671,038	52,783	33,783	690,038	4,121	685,917
252	OMVI Enforcement/Ed	6,980	1,066	-	8,046	-	8,046
253	Police Judgment Fun	60,319	33,012	5,646	87,685	9,500	78,185
254	Police Federal Judg	6,527	35	2,232	4,331	-	4,331
255	Park Exaction Fee F	79,629	-	17,050	62,579	1,729	60,850
256	Computer Legal Rese	831,688	176,873	120,600	887,961	102,050	785,912
257	Court Special Proje	623,966	279,899	202,832	701,033	69,763	631,270
259	Probation Services	976,599	468,256	291,020	1,153,835	8,288	1,145,547
261	Police Disability P	178	327,047	327,225	-	-	0
262	Fire Disability Pen	177	327,047	327,225	-	-	0
265	Opioid Recovery Fun	-	9,951	-	9,951	-	9,951
272	Community Promotion	28,855	114,811	85,000	58,666	10,000	48,666
275	Commercial TIFs	-	-	-	-	-	0

APPENDIX A

YEAR TO DATE FUND REPORT
December 31, 2022

Fund #	FUND	BEGINNING BALANCE	YTD REVENUES	YTD EXPEND	ENDING BALANCE	ENCUMB	UNENCUMB BALANCE
282	FEMA Grant Fund	849	-	-	849	-	849
284	Local Coronavirus R	-	-	-	-	-	0
285	Local Fiscal Recove	2,162,219	2,179,483	700,000	3,641,702	-	3,641,702
291	Comm. Development B	-	12,254	12,254	-	-	0
292	Police Fed Treasury	8,839	2,023	-	10,862	-	10,862
295	Revolving Loan Fund	293,817	61,548	103,264	252,101	-	252,101
296	Housing Program Inc	-	-	-	-	-	0
299	CHIP Grant Fund	-	-	-	-	-	0
300	General Bond Retire	33	3,758,080	2,001,915	1,756,198	-	1,756,198
301	Park Improvement Bo	2	2,317,028	2,315,750	1,280	-	1,280
302	SE Highland Bond Fu	-	824,997	824,600	397	-	397
410	Capital Improvement	1,040,676	7,572,323	6,930,900	1,682,099	3,164,117	(1,482,019)
412	Ohio Public Works C	-	696,653	546,653	150,000	89,108	60,892
415	Point Project Fund	387,387	958,487	858,445	487,429	383,143	104,286
430	FAA Airport Grant F	9,209	553,892	453,191	109,911	76,000	33,911
431	FAA Alloc/Imp Grant	83,532	218,635	302,168	-	-	0
440	Equipment Replaceme	109,986	388,000	245,702	252,284	308,623	(56,339)
460	Northwest NCA Fund	-	-	-	-	-	0
491	Parks Impact Fee Fu	2,490,490	695,003	570,000	2,615,494	57,116	2,558,377
492	Police Impact Fee F	452,923	122,072	129,839	445,156	-	445,156
493	Fire Impact Fee Fun	798,552	242,949	1,256	1,040,244	-	1,040,244
494	Municipal Impact Fe	628,611	320,683	80,102	869,191	-	869,191
496	Glenn Road South Co	1,955,172	809,165	792,050	1,972,287	-	1,972,287
497	Glenn Road Middle C	-	-	-	-	-	0
498	Glenn Road North Co	267,867	161,853	175,495	254,225	-	254,225
499	Terra Alta NCA Fund	-	-	-	-	-	0
501	Golf Course Fund	219,224	263,541	158,980	323,785	160,382	163,403
520	Parking Lots Fund	52,985	41,339	55,693	38,631	7,764	30,867
523	Stormwater Fund	895,682	1,588,605	1,031,885	1,452,402	40,008	1,412,394
524	Stormwater Capital	778,422	2,222,500	2,157,692	843,230	409,525	433,704
530	Water Fund	2,821,365	6,718,022	7,499,991	2,039,396	178,419	1,860,977
531	Water Construction	630,749	2,376,227	2,268,306	738,670	373,073	365,598
533	Water Utility Reser	2,000,000	-	-	2,000,000	-	2,000,000

APPENDIX A

YEAR TO DATE FUND REPORT
December 31, 2022

Fund #	FUND	BEGINNING BALANCE	YTD REVENUES	YTD EXPEND	ENDING BALANCE	ENCUMB	UNENCUMB BALANCE
535	Water Deposit Fund	114,053	10,248	1,611	122,689	-	122,689
536	Water Capacity Fee	12,996,970	2,358,082	3,400,321	11,954,731	301,075	11,653,655
538	Watershed Grant Fun	-	-	-	-	-	0
540	Wastewater Fund	7,401,131	8,242,244	7,529,402	8,113,974	424,817	7,689,157
541	Wastewater Construc	3,145,137	1,500,000	1,870,522	2,774,615	978,532	1,796,083
543	Wastewater Utility	2,000,000	-	-	2,000,000	-	2,000,000
546	Wastewater Capacity	7,753,540	3,110,768	4,628,603	6,235,705	42,779	6,192,926
548	SE Highland Sewer F	202,735	992,400	834,200	360,935	-	360,935
550	Refuse Fund	1,022,130	4,365,317	3,584,924	1,802,522	1,352,687	449,836
601	Garage Rotary Fund	55,033	869,013	841,527	82,519	27,405	55,115
602	Information Technol	49,743	1,839,311	1,702,504	186,549	60,224	126,326
610	Self-Insurance Fund	501,643	10,017,077	8,640,674	1,878,047	8,730	1,869,317
620	Workers Compensatio	3,285,467	5,140	414,282	2,876,326	193,219	2,683,107
701	Fire Donations Fund	1,283	550	-	1,833	-	1,833
702	Park Donations Fund	7,749	-	-	7,749	-	7,749
703	Police Donations Fu	10,620	23	1,012	9,631	-	9,631
704	Mayor's Donations F	2,035	900	47	2,888	1,000	1,888
705	Project Trust Fund	1,276,591	212,659	25,079	1,464,172	-	1,464,172
707	Unclaimed Funds Tru	57,589	-	-	57,589	-	57,589
708	Muni Court Unclaime	112,641	148	-	112,789	-	112,789
709	Development Reserve	752,793	75,000	5,652	822,141	88,667	733,474
710	Budget Reserve Acco	1,288,864	75,000	-	1,363,864	-	1,363,864
750	Cemetery Perpetual	36,658	216	1,624	35,250	-	35,250
801	State Highway Patro	-	39,257	35,151	4,106	-	4,106
803	State Building Perm	1,858	12,700	13,249	1,308	-	1,308
805	Retainage Fund	-	-	-	-	-	0
811	Berkshire JEDD Fund	107,361	519,030	519,526	106,865	-	106,865
812	Berkshire JEDD2 Fun	-	30,677	61	30,615	-	30,615
		<u>\$ 95,999,550</u>	<u>\$ 138,631,873</u>	<u>\$ 128,296,503</u>	<u>\$ 106,334,921</u>	<u>\$ 12,746,026</u>	<u>93,588,895</u>

APPENDIX B

CITY OF DELAWARE, OHIO
 FINANCIAL STATEMENT
 December 31, 2022

	Weighted Average Interest Rate	YTD Interest Earned	Weighted Average Maturity (Days)	Ending Balance
<u>Checking/Depository</u>				
Checking (Operating & Payroll)*		-		21,145,356
Total Bank Deposits		\$ -		\$ 21,145,356
 <u>Investments</u>				
Redtree	0.83%	216,227		65,343,141
Star Ohio	0.36%	328,435		19,525,614
Total Investments		\$ 544,662		\$ 84,868,755
TOTAL BANK DEPOSITS & INVESTMENTS		\$ 544,662		\$ 106,014,111

* The city participates in an Earning Credit Allowance program. The City maintains a minimum balance in the checking account so that a credit is earned that then offsets the monthly service charge.

I certify that the balances stated above are true to the best of my knowledge.

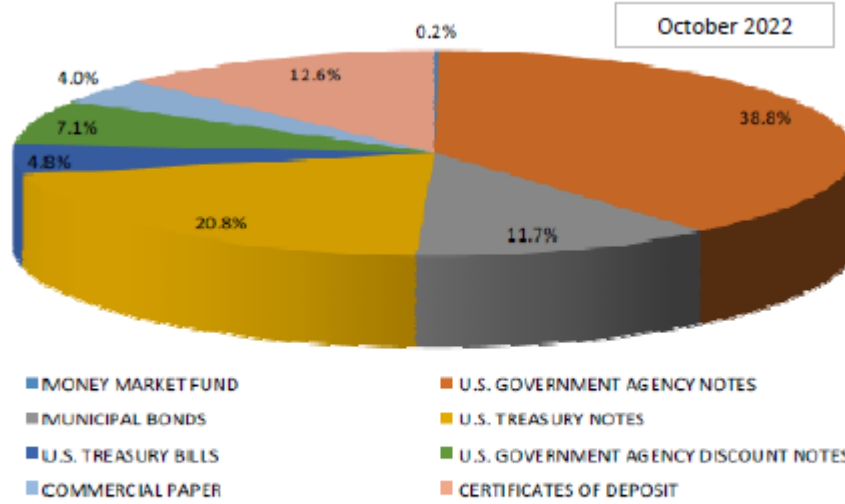
Robert Alger
 Finance Director

12/31/2022
 Date

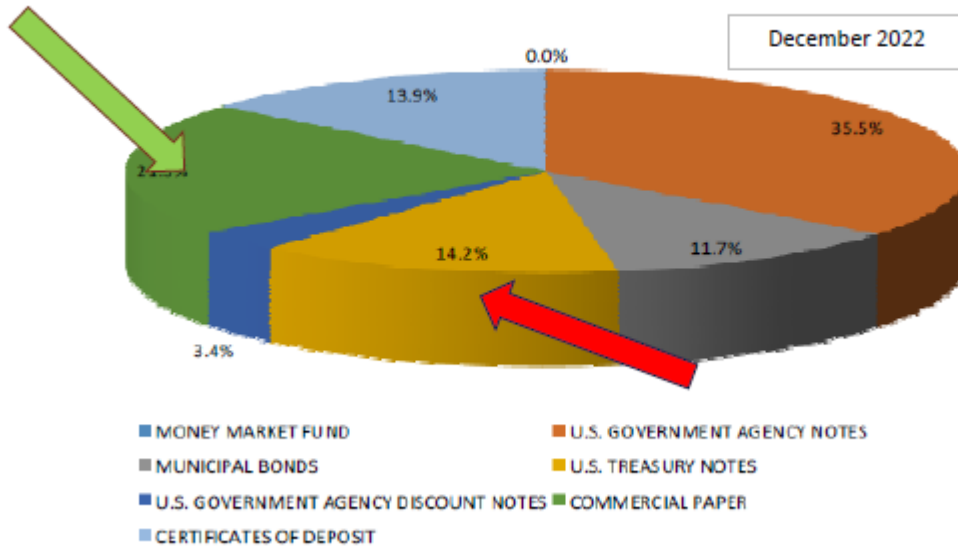
R. Thomas Homan
 City Manager

12/31/2022
 Date

APPENDIX B



Between October 2022 and January 2023, we redeemed over \$12.8m in investments [mostly T-notes] held at an average yield of 1.46% and purchased over \$13.5m [mostly CP] that will yield an average of 5.1%. Even with the realized loss for the redemption, we will net a few \$100k more at the end.



APPENDIX C

CITY OF DELAWARE
DEBT SCHEDULE
December 31, 2022

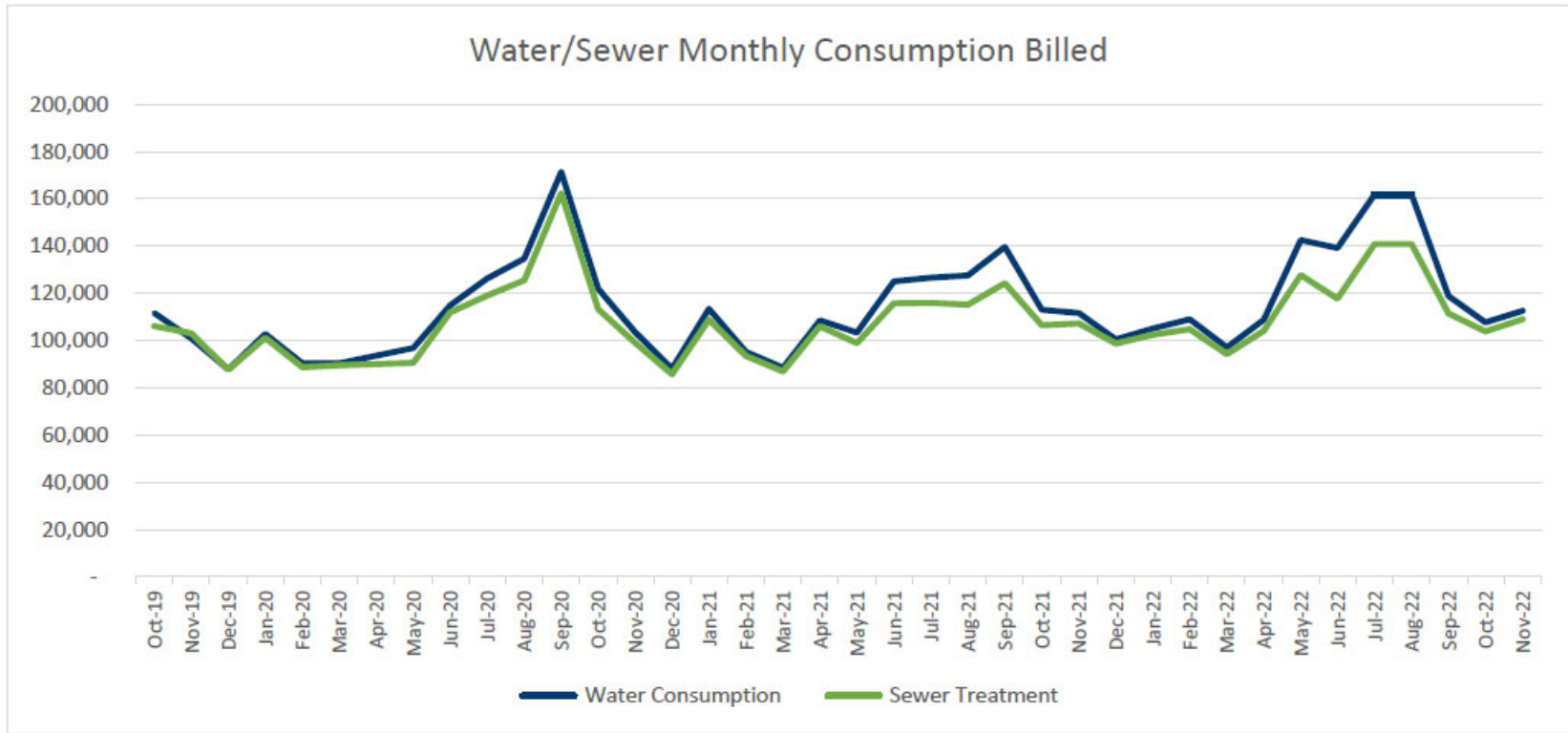
Bonds	Outstanding Balance 12/31/2022	General	Fire/EMS	Rec Levy	Police Impact Impact Fee	Municipal Impact Fee	Glenn Rd. TIF/NCA	Water User Fee	Water Capacity Fee	Wastewater User Fee	Wastewater Capacity Fee
2021 General Obligation Bonds	3,470,000	\$ -	\$ 1,214,500	\$ -	\$ 798,100	\$ 485,800	\$ 971,600	\$ -	\$ -	\$ -	\$ -
2020 Recreation Levy Bonds	8,415,000	-	-	8,415,000	-	-	-	-	-	-	-
2019 GO Bonds	16,995,000	1,029,375	-	-	-	1,715,625	5,170,000	-	-	-	9,080,000
2017 General Obligation Bonds	4,560,000	495,037	2,100,000	-	-	-	-	-	1,533,704	-	431,259
2015 General Obligation Bonds	4,315,000	-	180,000	1,950,000	-	-	2,185,000	-	-	-	-
OWDA Sewer Projects	6,815,842	-	-	-	-	-	-	-	-	587,525	6,228,317
OWDA Water Projects	26,077,114	-	-	-	-	-	-	16,732,788	9,344,326	-	-
Total Long Term Debt	\$ 70,647,956	\$ 1,524,412	\$ 3,494,500	\$ 10,365,000	\$ 798,100	\$ 2,201,425	\$ 8,326,600	\$ 16,732,788	\$ 10,878,030	\$ 587,525	\$ 15,739,576
Fund Balance Reserves		\$ 11,137,401	\$ 12,011,274	\$ 4,974,059	\$ 436,025	\$ 848,730	\$ 6,455,152	\$ 1,425,648	\$ 11,582,445	\$ 6,841,865	\$ 6,375,346
Notes											
2022 Bond Anticipation Notes	\$ 9,400,000	\$ 5,400,000	\$ 4,000,000								
Annual Debt Service	\$ 9,126,844	\$ 837,615	\$ 631,632	\$ 2,315,750	\$ 129,191	\$ 78,638	\$ 789,050	\$ 1,285,729	\$ 963,011	\$ 152,930	\$ 1,943,298
2022 Revenue		\$ 29,233,920	\$ 13,547,665	\$ 2,557,031	\$ 100,000	\$ 240,100	\$ 2,441,689	\$ 7,987,500	\$ 2,500,000	\$ 8,952,789	\$ 3,642,398

At the end of December, the City was 'rated' for short-term borrowings by Standard & Poors. The City received a **SP1+** rating, which is the highest rating we could achieve. It should be noted, however, that this is only for our short-term borrowings and does not change our long-term bond rating of Aa2.

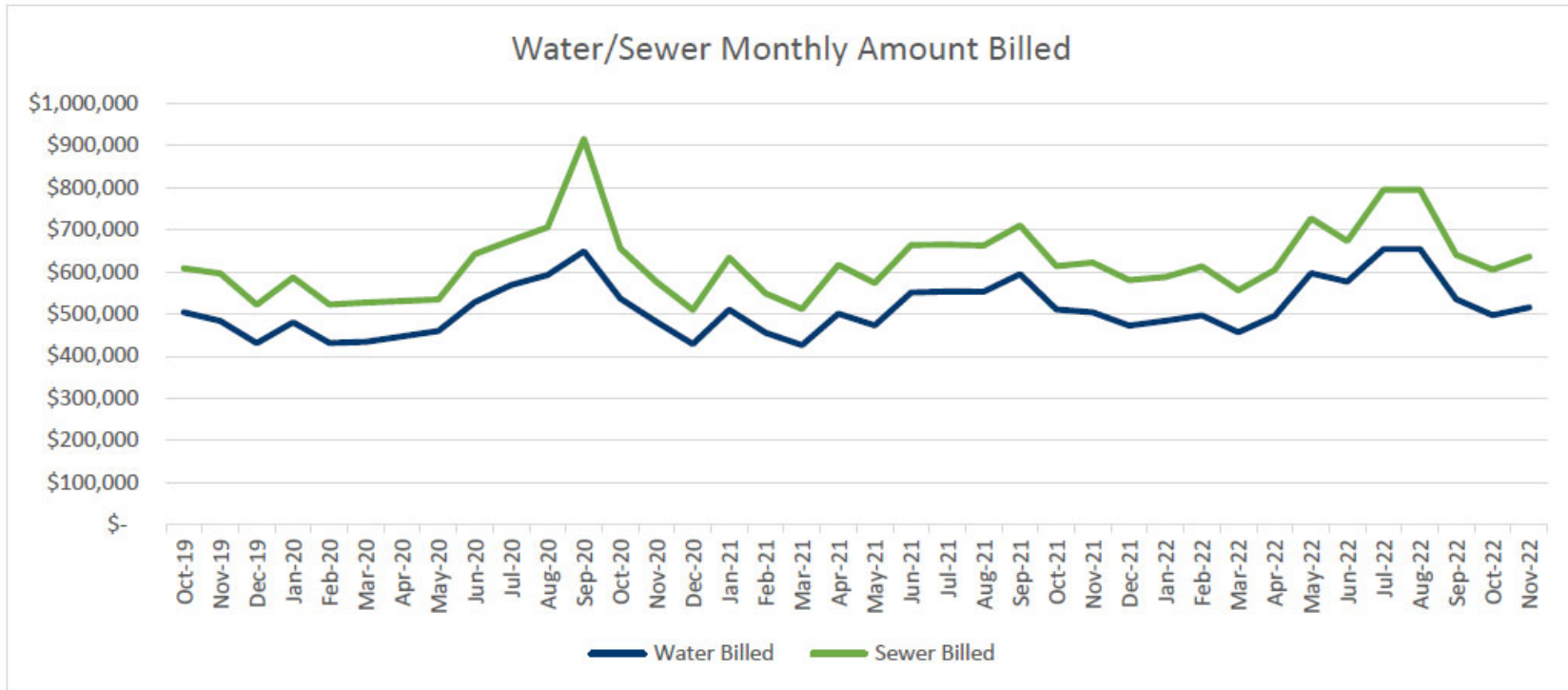
APPENDIX D

Billing Month	Consumption Period	Water Customers	Water Consumption	Water Billed	Sewer Customers	Sewer Treatment	Sewer Billed	Refuse Customers	Refuse Billed	Stormwater ERU	Stormwater Billed
Nov-19	Oct-19	13,243	111,664	\$ 504,206	13,000	106,141	\$ 608,906	14,599	\$ 300,738	28,011	\$ 70,028
Dec-19	Nov-19	13,211	100,944	\$ 483,479	12,966	103,133	\$ 596,428	14,595	\$ 300,649	27,976	\$ 69,941
Jan-20	Dec-19	13,270	87,728	\$ 431,208	13,024	87,642	\$ 522,014	14,631	\$ 301,390	36,363	\$ 90,907
Feb-20	Jan-20	13,219	102,900	\$ 480,375	12,975	101,172	\$ 587,089	14,382	\$ 296,269	28,119	\$ 70,297
Mar-20	Feb-20	13,240	90,393	\$ 431,582	12,994	88,700	\$ 522,680	14,651	\$ 301,820	28,156	\$ 70,390
Apr-20	Mar-20	13,278	90,392	\$ 433,859	13,031	89,541	\$ 527,488	14,707	\$ 302,973	28,156	\$ 70,390
Jun-20	May-20	13,386	96,858	\$ 460,005	13,138	90,592	\$ 534,923	14,687	\$ 302,549	28,221	\$ 70,552
Jul-20	Jun-20	13,415	114,917	\$ 528,781	13,166	111,910	\$ 642,513	14,727	\$ 303,372	28,240	\$ 70,600
Aug-20	Jul-20	13,402	126,267	\$ 569,456	13,156	119,040	\$ 675,202	14,755	\$ 303,959	28,348	\$ 70,870
Sep-20	Aug-20	13,473	134,662	\$ 592,850	13,227	125,526	\$ 706,345	14,837	\$ 305,640	28,245	\$ 70,612
Oct-20	Sep-20	13,475	171,441	\$ 649,461	13,227	162,429	\$ 916,105	14,857	\$ 306,057	28,318	\$ 70,796
Nov-20	Oct-20	13,506	121,983	\$ 537,031	13,257	113,341	\$ 656,170	14,867	\$ 306,269	28,368	\$ 70,921
Dec-20	Nov-20	13,513	103,585	\$ 481,446	13,260	99,078	\$ 576,854	14,897	\$ 306,879	28,387	\$ 70,967
Jan-21	Dec-20	13,596	88,116	\$ 429,022	13,344	85,685	\$ 509,956	14,926	\$ 307,486	36,651	\$ 91,627
Feb-21	Jan-21	13,589	113,480	\$ 510,649	13,337	108,889	\$ 634,005	14,984	\$ 308,666	28,450	\$ 71,124
Mar-21	Feb-21	13,611	95,261	\$ 455,609	13,361	93,516	\$ 549,420	15,008	\$ 309,159	28,461	\$ 71,152
Apr-21	Mar-21	13,644	88,539	\$ 425,993	13,394	86,934	\$ 512,288	15,028	\$ 309,578	28,484	\$ 71,211
May-21	Apr-21	13,681	108,530	\$ 501,133	13,431	106,030	\$ 617,478	15,085	\$ 310,754	28,496	\$ 71,239
Jun-21	May-21	13,713	103,451	\$ 473,191	13,462	98,957	\$ 573,844	15,120	\$ 311,462	28,693	\$ 71,733
Jul-21	Jun-21	13,772	125,063	\$ 551,043	13,519	115,754	\$ 664,380	15,134	\$ 311,762	28,559	\$ 71,397
Aug-21	Jul-21	13,760	126,665	\$ 553,714	13,508	115,943	\$ 665,168	15,112	\$ 311,306	28,563	\$ 71,407
Sep-21	Aug-21	13,829	127,547	\$ 553,266	13,576	115,191	\$ 663,382	14,962	\$ 308,227	28,593	\$ 71,482
Oct-21	Sep-21	13,889	139,641	\$ 594,909	14,570	124,327	\$ 710,723	15,006	\$ 309,117	28,652	\$ 71,631
Nov-21	Oct-21	13,886	113,059	\$ 511,343	13,635	106,501	\$ 614,330	15,046	\$ 309,956	28,835	\$ 72,086
Dec-21	Nov-21	13,923	111,635	\$ 504,552	13,670	107,278	\$ 622,541	15,093	\$ 310,921	28,817	\$ 72,042
Jan-22	Dec-21	13,947	100,478	\$ 472,658	13,693	98,758	\$ 581,025	15,139	\$ 311,856	36,576	\$ 91,441
Feb-22	Jan-22	13,948	105,145	\$ 484,339	13,694	102,502	\$ 588,342	14,864	\$ 341,871	28,857	\$ 129,856
Mar-22	Feb-22	13,964	108,997	\$ 496,657	13,712	104,821	\$ 613,582	14,943	\$ 343,696	28,851	\$ 129,829
Apr-22	Mar-22	14,000	97,152	\$ 457,002	13,748	94,263	\$ 556,432	15,034	\$ 345,786	28,870	\$ 129,915
May-22	Apr-22	14,045	108,877	\$ 495,885	13,791	104,163	\$ 605,105	15,144	\$ 348,302	28,940	\$ 130,231
Jun-22	May-22	14,141	142,544	\$ 597,344	13,885	127,755	\$ 727,462	15,225	\$ 350,175	29,039	\$ 130,674
Jul-22	Jun-22		139,241	\$ 577,386		117,752	\$ 673,764	15,256	\$ 350,890	29,072	\$ 130,825
Aug-22	Jul-22	14,207	161,842	\$ 654,273	13,949	140,850	\$ 795,658	15,336	\$ 352,726	29,090	\$ 130,904
Sep-22	Aug-22	14,207	161,842	\$ 654,273	13,949	140,850	\$ 795,658	15,336	\$ 352,727	29,090	\$ 130,905
Oct-22	Sep-22	14,265	118,909	\$ 535,494	13,933	111,490	\$ 640,807	15,345	\$ 352,944	29,155	\$ 131,198
Nov-22	Oct-22	14,274	107,754	\$ 497,281	14,014	103,873	\$ 605,496	15,366	\$ 353,412	29,158	\$ 131,209
Dec-22	Nov-22	14,317	112,611	\$ 515,813	14,058	109,066	\$ 636,243	15,399	\$ 354,182	36,792	\$ 165,563

APPENDIX D



APPENDIX D



GENERAL FUND
STATEMENT OF REVENUE AND EXPENDITURES
December 31, 2022

	2021 Actual YTD	2022 Actual YTD	2022 Total Budget	2022 % of Budget
REVENUES				
Property Taxes	1,807,143	1,891,842	1,808,511	104.61%
Intergovt Receipts	1,737,256	1,302,104	2,597,962	50.12%
Income Taxes	16,375,421	20,410,136	17,914,582	113.93%
Fines & Forfeitures	220,592	67,184	365,000	18.41%
Fees, Licenses, & Permits	1,589,896	1,882,472	2,670,000	70.50%
Miscellaneous	303,491	319,638	269,504	118.60%
Department Chargeback	2,067,253	2,562,875	3,584,011	71.51%
Other Financing	-	17,713	5,000	0.00%
Investment Interest	29,888	255,451	19,350	1320.16%
Charges for Services	963,472	1,614,805	1,527,504	105.72%
Total Revenues	25,094,412	30,324,220	30,761,424	98.58%
EXPENDITURES				
Council	147,278	174,367	191,283	91.16%
City Manager	774,625	989,717	1,056,460	93.68%
Admin Services	278,971	451,012	508,905	88.62%
Econ Development	458,757	545,062	726,797	75.00%
Legal Affairs	648,825	796,614	841,635	94.65%
Finance	2,071,431	2,411,142	2,420,091	99.63%
General Admin	843,948	946,645	1,157,743	81.77%
Transfer to Capital Imp	1,567,332	1,836,804	1,836,804	100.00%
Transfer to PRNR	1,198,104	1,935,848	1,935,848	100.00%
Transfer to SMR	1,524,037	2,421,598	2,421,598	100.00%
Transfer to Airport	-	79,521	79,521	100.00%
Transfer to Cemetery	-	124,529	81,978	151.91%
Transfer to Dev Reserve	75,000	75,000	75,000	100.00%
Transfer to Budg Reserve	75,000	75,000	75,000	100.00%
Risk Management	335,247	300,537	419,122	71.71%
Police	8,281,802	10,551,362	11,215,505	94.08%
Planning	1,307,572	1,749,993	1,801,942	97.12%
Engineering	1,949,974	2,359,787	2,574,023	91.68%
Blding Maint	539,195	682,349	863,535	79.02%
Total Expenditures	22,077,099	28,506,887	30,282,790	94.14%
Beginning Balance		8,487,712		
Ending Balance		10,305,045		
Encumbrances		764,959		

FIRE/EMS INCOME TAX FUND
STATEMENT OF REVENUE AND EXPENDITURES
December 31, 2022

	2021 Actual YTD	2022 Actual YTD	2022 Total Budget	2022 % of Budget
REVENUES				
Intergovt Receipts	805,945	700,060	930,000	75.28%
Income Taxes	11,456,788	14,286,806	12,267,554	116.46%
Miscellaneous	12,604	18,769	3,500	536.26%
Other Financing	-	4,000,000	3,000	0.00%
Transfer In	-	327,224	343,611	95.23%
Total Revenues	12,275,337	19,332,859	13,547,665	142.70%
EXPENDITURES				
Personal Services	7,975,692	10,649,438	10,966,469	97.11%
Charges & Services	848,675	957,673	1,160,074	82.55%
Materials & Supplies	254,567	323,563	532,233	60.79%
Capital Outlay	970,400	4,318,935	7,801,851	55.36%
Refunds	406,562	483,200	535,000	90.32%
Transfer	380,947	971,989	974,857	99.71%
Total Fire Expenditures	10,836,843	17,704,798	21,970,484	80.58%
Beginning Balance		11,650,243		
Ending Balance		13,278,304		
Encumbrances		2,069,691		

STORMWATER FUND
STATEMENT OF REVENUE AND EXPENDITURES
December 31, 2022

	2021 Actual YTD	2022 Actual YTD	2022 Total Budget	2022 % of Budget
REVENUES				
Miscellaneous	10,250	4,869	5,000	97.38%
Investment Earnings	870	9,088	-	100.00%
Charges for Services	813,513	1,574,648	1,542,902	102.06%
Total Revenues	824,633	1,588,605	1,547,902	102.63%
EXPENDITURES				
STORMWATER OPERATIONS				
Personal Services	221,255	276,533	334,675	82.63%
Charges & Services	103,340	204,760	263,221	77.79%
Materials & Supplies	32,805	50,591	84,891	59.60%
Capital Outlay	20	-	12,000	0.00%
Transfer	2,574,862	500,000	-	0.00%
Total Ops Expenditures	2,932,281	1,031,884	694,787	148.52%
Beginning Balance		895,682		
Ending Balance		1,452,403		
Encumbrances		40,008		

WATER FUND
STATEMENT OF REVENUE AND EXPENDITURES
December 31, 2022

	2021 Actual YTD	2022 Actual YTD	2022 Total Budget	2022 % of Budget
REVENUES				
Miscellaneous	14,742	19,037	25,000	76.15%
Other Financing	-	-	10,000	0.00%
Investment Interest	4,946	107,522	500	21504.40%
Charges for Services	5,558,933	6,591,463	5,952,000	110.74%
Total Revenues	5,578,620	6,718,022	5,987,500	112.20%
EXPENDITURES				
WATER ADMINISTRATION				
Personal Services	356,778	352,154	379,837	92.71%
Charges & Services	995,575	1,217,422	1,271,990	95.71%
Materials & Supplies	160	352	750	46.93%
Capital Outlay	25,000	-	-	0.00%
Refunds	15,903	22,075	12,000	183.96%
Transfers	284,968	2,376,227	2,376,227	100.00%
Total Admin Expenditures	1,678,384	3,968,230	4,040,804	98.20%
WATER TREATMENT				
Personal Services	813,902	998,694	970,248	102.93%
Charges & Services	689,015	858,684	1,053,015	81.55%
Materials & Supplies	330,136	563,369	543,368	103.68%
Capital Outlay	61,216	141,583	117,000	121.01%
Total Trmt Expenditures	1,894,269	2,562,330	2,683,631	95.48%
WATER DISTRIBUTION				
Personal Services	494,136	636,348	647,646	98.26%
Charges & Services	88,226	101,518	154,715	65.62%
Materials & Supplies	219,570	231,565	314,580	73.61%
Capital Outlay	-	-	25,000	0.00%
Total Dist Expenditures	801,932	969,431	1,141,941	84.89%
Total Expenditures	4,374,585	7,499,991	7,866,376	95.34%
Beginning Balance		2,821,365		
Ending Balance		2,039,396		
Encumbrances		178,419		

WASTEWATER FUND
STATEMENT OF REVENUE AND EXPENDITURES
December 31, 2022

	2021 Actual YTD	2022 Actual YTD	2022 Total Budget	2022 % of Budget
REVENUES				
Miscellaneous	1,839	23,393	25,000	93.57%
Other Financing	-	-	15,000	0.00%
Earnings on Investments	5,411	122,188	3,850	3173.71%
Charges for Services	6,967,425	8,096,663	7,408,939	109.28%
Total Revenues	6,974,675	8,242,244	7,452,789	110.59%
EXPENDITURES				
WASTEWATER ADMINISTRATION				
Personal Services	238,728	352,214	379,837	0.00%
Charges & Services	1,047,935	1,140,829	1,198,433	95.19%
Materials & Supplies	176	145	900	0.00%
Capital Outlay	25,000	-	-	0.00%
Refunds	-	-	8,500	0.00%
Transfers	-	3,142,398	3,142,398	100.00%
Total Admin Expenditures	1,311,839	4,635,586	4,730,068	98.00%
WASTEWATER TREATMENT				
Personal Services	879,578	975,324	1,046,722	93.18%
Charges & Services	1,054,398	1,099,792	1,245,916	88.27%
Materials & Supplies	186,762	231,425	307,378	75.29%
Capital Outlay	-	5,890	6,000	0.00%
Total Treat Expenditures	2,120,738	2,312,431	2,606,016	88.73%
WASTEWATER COLLECTION				
Personal Services	277,856	320,363	319,005	100.43%
Charges & Services	147,975	155,602	328,543	47.36%
Materials & Supplies	122,762	101,225	170,416	59.40%
Capital Outlay	1,380	4,195	13,100	32.02%
Total Coll Expenditures	549,973	581,385	831,064	69.96%
Total Expenditures	3,982,550	7,529,402	8,167,148	92.19%
Beginning Balance		7,401,131		
Ending Balance		8,113,973		
Encumbrances		424,817		

REFUSE FUND
STATEMENT OF REVENUE AND EXPENDITURES
December 31, 2022

	2021 Actual YTD	2022 Actual YTD	2022 Total Budget	2022 % of Budget
REVENUES				
Miscellaneous	48,102	1,660	-	0.00%
Other Financing	12,950	153,728	10,000	1537.28%
Earnings on Investments	347	8,828	300	2942.67%
Charges for Services	3,481,642	4,201,101	4,224,912	0.00%
Total Revenues	3,543,041	4,365,317	8,460,124	51.60%
EXPENDITURES				
REFUSE ADMINISTRATION				
Charges & Services	293,964	216,319	293,037	73.82%
Refunds	265	1,025	300	341.67%
Total Admin Expenditures	294,229	217,344	293,337	74.09%
REFUSE COLLECTION				
Personal Services	609,542	844,732	847,363	99.69%
Charges & Services	1,099,638	1,156,321	1,491,127	77.55%
Materials & Supplies	184,424	285,144	260,179	109.60%
Capital Outlay	578,876	173,215	735,515	23.55%
Total Collect Expenditures	2,472,480	2,459,412	3,334,184	73.76%
REFUSE RECYCLING				
Personal Services	457,610	551,712	585,579	94.22%
Charges & Services	239,661	274,482	299,364	91.69%
Materials & Supplies	62,228	81,974	120,600	67.97%
Capital Outlay	1,742	-	633,243	0.00%
Total Recycle Expenditures	761,242	908,168	1,638,786	55.42%
Total Expenditures	3,527,951	3,584,924	5,266,307	68.07%
Beginning Balance		1,022,130		
Ending Balance		1,802,523		
Encumbrances		1,352,687		

APPENDIX E

REC CENTER INCOME TAX FUND
RECREATION LEVY SUMMARY
December 31, 2022

Account #	Description	2014 Expended	2015 Expended	2016 Expended	2017 Expended	2018 Expended	2019 Expended	2020 Expended	2021 Expended	2022 Expended	2022 Encumbered	2022 Remaining Budget	Total 2014 - 2022
Phase 1 - \$20,000,000													
233-0233- 5230	Design	7,090	0	0	0	0	0	0	0	0	0	0	7,090
5513	Other Park Improvements	14,981	0	0	0	0	0	0	0	0	0	0	14,981
5521	National Guard City Alternatives	117,500	0	0	0	0	0	0	0	0	0	0	117,500
5533	Veterans Park Restroom/Shelter	0	100,000	150,000	0	0	0	0	0	0	0	0	250,000
	Total	139,571	100,000	150,000	0	0	0	0	0	0	0	0	389,571
Phase 2 - \$3,800,000													
233-0233- 5501	Houk Rd. Site Improvements	0	0	0	0	0	235,000	0	0	0	0	0	235,000
5522	Park Asphalt Projects	306,291	59,111	27,841	0	0	0	0	0	0	0	0	393,243
5523	Park Seal Coating Projects	36,025	100,894	0	0	0	0	0	0	0	0	0	136,919
5524	Smith Park Trail	27,461	3,699	205,818	0	0	0	0	0	0	0	0	236,978
5525	Park Irrigation	0	0	0	0	0	0	0	0	0	0	0	0
5526	Park Aeration	20,109	0	0	0	0	0	0	0	0	0	0	20,109
5527	Parks General Construction Projects	113,737	6,250	12,645	57,797	148,270	48,464	0	0	0	0	0	387,163
5528	Dog Park	32,354	34,003	0	0	0	0	0	0	0	0	0	66,357
5529	Drainage & Excavation Projects	2,608	0	0	0	0	0	0	0	0	0	0	2,608
5530	Miscellaneous Park Improvements	42,715	0	0	18,532	0	0	0	0	0	0	0	61,247
5531	Veterans Park Parking Lot Addition	337,203	0	0	0	0	0	0	0	0	0	0	337,203
23323300 550300 PK003	Wayfinding and Signage	0	0	0	21,160	2,590	61,357	30,758	14,633	0	0	50,000	180,498
5534	Veterans Park Playtoy	0	152,551	94,449	0	0	0	0	0	0	0	0	247,000
5535	Splashpad Construction	5,300	479,956	51,627	12,791	34,302	0	0	0	0	0	0	583,976
5536	Parkland Acquisition/Improvement	0	722,272	428,577	0	0	0	0	0	0	0	0	1,150,849
5537	Park Improvements Contingency	3,040	0	0	0	0	0	0	0	0	0	0	3,040
5538	Pickleball Courts	0	17,035	0	0	0	0	0	0	0	0	0	17,035
5710	In House Design	0	4,237	0	0	0	0	0	0	0	0	0	4,237
	Total	926,843	1,580,008	820,957	110,280	185,162	344,821	30,758	14,633	0	0	50,000	4,063,462
	Phase 1 Totals	139,571	100,000	150,000	0	0	0	0	0	0	0	0	389,571
	Phase 1 Reimbursements	72,000											72,000
	Phase 1 Net Cost	67,571	100,000	150,000	0	0	0	0	0	0	0	0	317,571
	Phase 1 Net Cost 2009-2013												19,609,505
	TOTAL PHASE 1 COSTS												19,927,076
	Phase 2 Totals	926,843	1,580,008	820,957	110,280	185,162	344,821	30,758	14,633	0	0	50,000	4,063,462
	Phase 2 Reimbursements		212,722										212,722
	TOTAL PHASE 2 COSTS	926,843	1,367,286	820,957	110,280	185,162	344,821	30,758	14,633	0	0	50,000	3,850,740
	TOTAL ALL PHASES												23,777,816

PK003; In 2021, the City implemented Munis software and all accounts changed to a new format; Organization/Object/Project.