**Minutes of the Delaware City Council Meeting**

Wednesday, June 8, 2022

Mayor Fishler called the meeting to order at 6:01pm.

Roll call of members present; Burt Davis, Larry Tibbott, Kevin Clark, Barb Ries, Rick Lahr. Absent: None.

Request from Lucasland LLC for exception to City Code

Gary Wegmann and Dan Lucas were present to discuss with the Council the sale of the Lucasland Property on the east side of Delaware and requesting permission for hunting to be permitted on the property so it can be marketed as recreational hunting property. The Council discussed the request with Wegmann and Lucas and expressed concern with the proximity of the land to Highway 20 and residential properties. Also discussed were the history of the parcels, removal of the property from the City, DNR hunting restrictions, options for the property, and the need for the City Attorney’s review of the request. The Council asked for the City Attorney’s review of the request for permission to allow hunting on the parcels and an opinion on unannexing the parcels to discuss at their July 9, 2022, City Council meeting.

Building Permit Applications

Amelia Trainor, 130 West Jefferson Street, addressed the Council about window and siding replacement they were doing at their property and asked if a building permit was needed. The Council responded that a permit was not needed because they were just replacing existing windows and siding. Mrs. Trainor also asked if the Council would consider installing a stop sign at West Jefferson and 6th Street to make it a four way stop. The Council agreed to discuss the request.

The Council discussed other building projects in the City that were not completed, how to address their condition, and utilizing ECIA to contact them about their properties. Motion by Davis, seconded by Tibbott to have ECIA send a letter to the owners of the property at 100 East Adams Street and 300 East Jefferson Street informing them of improvements needed and potential grant funding that is available. On call of roll: Ayes: Davis, Tibbott, Ries, Lahr. Nays: Clark. The Council asked the Clerk to call the owner of 100 East Adams Street to discuss the status of his project. The Council also asked the Clerk to get additional information on the grant programs from ECIA to provide to other residents.

Livestock Applications

The Council reviewed the livestock application from Tom Schirmer. Motion by Lahr, seconded by Clark to approve the livestock application of Tom Schirmer for the property at 110 West Virginia Street with the following provisions: two horses permitted from May 1, 2022-September 1, 2022 and water service is paid for during that period. Motion carried, all ayes.

Larry & Teresa Tibbott Alley Vacation Request

Larry Tibbott addressed the Council stating they have asked about the potential for vacating the alley next to their property at 201 4th Street before and would like the Council to revisit their request. Tibbott noted the alley has not been developed and with the location of the city park and fire station, it doesn’t seem likely the alley would be used. The Council discussed the request, offering half to the adjacent property owners, and alleys versus streets. Following discussion, the Council agreed to hold a public hearing on the vacation of the alley at their next meeting and to have Mayor Fishler talk to the adjacent property owner about their interest in half of the alley.

Approval of Cigarette Permit & Liquor License Renewal for Gary’s Liquor & Wine

Motion by Davis, seconded by Ries to approve the renewal of the Cigarette Permit and Off Premise Liquor License for Gary’s Liquor & Wine. Motion carried, all ayes.

Sewer Lagoons Fencing/Mowing

The Council discussed the fence repairs needed at the sewer lagoons to allow for sheep/goats to be placed there. Council Member Davis stated he would contact Hutchison’s to see if they would donate the materials needed to repair the fence. Council Member Tibbott stated he had been in contact with Dewey Domeyer, and he was interested in placing sheep at the lagoons for the summer. The Council also reviewed an updated quote from Goats on the Go and discussed a timeframe to repair the fencing. Motion by Clark, seconded by Lahr to approve the purchase of fence repair supplies if unable to have them donated. Motion carried, all ayes.

Dust Control

Mayor Fishler reviewed estimates for dust control from Sno Go, Nutrien Ag, and Three Rivers. The Council discussed the streets to be treated and the products each of the companies use for dust control. Motion by Lahr, seconded by Clark to proceed with the estimate from Three Rivers in the amount of $0.75 per foot for one application. Motion carried, all ayes.

Agriculture Zoning & Chicken Ordinance

The Council reviewed a map of Delaware and discussed the areas to include in the agriculture zoning district and updating the livestock definition to include chicken restrictions.

Purchasing Policy

No action.

Department Reports

Fire/Civil Defense: Alex Elgin informed the Council that the annual breakfast will be June 19; they are waiting on the title to the old fire truck and then will sell it; and updated on building maintenance and equipment repairs/purchases.

Streets: Mayor Fishler asked if the property owner at 2165 230th Avenue could have 100 feet of dust control placed in front of his property and he would reimburse the City. The Council agreed this would be fine. Council Member Lahr informed the Council that he is waiting to hear on the street grant and noted that there are some potholes to be filled.

Park: Council Member Ries noted the security light at the park is working well. Council Member Tibbott commented that a neighboring property owner had a complained about the light shining in their bedroom. The Council asked the Clerk to contact Alliant to see if the light can be tilted down a little. Mayor Fishler commented that Dave Wilson said he would do the electrical work in the next couple of weeks. Alex Elgin noted that he would get mulch for the park. Council Member Ries also discussed having a city picnic, will discuss at the next meeting.

Water: Alex Elgin updated the Council on hydrant work that had been done and repairs that were needed. Erin Learn discussed delinquent utility accounts with the Council.

Sewer: Alex Elgin updated the Council on sewer lagoon maintenance.

Other Business

The Council discussed a garbage complaint received, the location of the proposed fence at 216 7th Street, the State’s new ATV/UTV legislation, and the City’s LP contract renewal.

Standing Business

Motion by Ries, seconded by Davis to approve the following Standing Business items: the minutes of the May 14, 2022, City Council meeting; the payment of the bills; the Delaware County Sheriff’s Office May 2022 Report; and the May 2022 Revenue and Expense Report.

Motion by Lahr, seconded by Tibbott that the meeting adjourn at 8:40am. Motion carried, all ayes.

Erin Learn, City Clerk