



**City of Powell, Ohio**  
City Council

**MEETING MINUTES**  
**MARCH 3, 2015**

A regular meeting of the Powell City Council was called to order by Mayor Jim Hrivnak on Tuesday, March 3, 2015 at 7:35 p.m. City Council members present included Frank Bertone, Richard Cline, Tom Counts, Mike Crites and Brian Lorenz. Jon Bennehoof was absent. Also present were Steve Lutz, City Manager; David Betz, Development Director; Debra Miller, Finance Director; Gene Hollins, Law Director; Susie Ross, City Clerk; and interested parties.

**CALL TO ORDER/ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**CITIZEN PARTICIPATION**

Mayor Hrivnak opened the citizen participation session for items not on the agenda.

Brendan Newcomb, 239 Weatherburn Drive, said as a follow up on the Development Committee, he recommends the book "Walkable City" by Jeff Speck. He said it is about cities, traffic and walkability. He noted the eight steps to be taken to create a walkable neighborhood. He recommended it to City Council as an interesting read.

Hearing no further public comment, Mayor Hrivnak closed the citizen participation session.

**PROCLAMATION – Shen Yun Performing Arts**

Mayor Hrivnak read a proclamation for the Shen Yun Performing Arts Show. Executive Director Baihua Zhou, Rose Liao, and Ying Yuan were present to receive the proclamation. A brief trailer for the show was presented. Ms. Zhou said the performance provides stories and legends through singing and dancing to revive the 5000 year old civilization. They have the best classical Chinese dancers in the world, the costumes are handmade and they combine a full western orchestra with Chinese instruments. She expressed her appreciation of the support of City Council.

**PRESENTATION – Shelia Hiddleson, Delaware General Health District**

Shelia Hiddleson, Health Commissioner, Delaware General Health District, provided an update on district activities. She said the last time she visited she shared that the Partnership for a Healthier Delaware County had just finished the health assessment. They took the five different assessments and prioritized the issues they will work on for the next five years:

- access to health care (physical, mental, dental and vision)
- overweight/obesity (contributors to chronic diseases)
- mental health focus (depression and suicide)
- food insecurity (17k people in the County who lack food or feel they do not have enough food)
- substance abuse (specifically looking at the opiate problem and prescription drug abuse)

Ms. Hiddleson said the Health District is taking the lead on the first two priorities, Mental Health is taking the lead on the mental health focus, the Drug Free Coalition is taking the lead on substance abuse and The Hunger Alliance is taking the lead on food insecurity. A plan has been developed and there are lots of people involved. Ms. Hiddleson provided a copy of the "CHIP" (Community Health Improvement Plan) and a "tool kit" for Council. They have already worked together on "Safe Routes to School" and the Health District would like to hear about any initiatives the City has planned for this community. She asked that the City share some of this information on the City Facebook page. She provided an update on the District Advisory Council, vacancies and member reappointments.

Ms. Hiddleson said the Health District has also completed its first Health Impact Assessment along with Berkshire Township and the developer of the mall. The District is neutral but is willing to work with communities to

determine resident concerns and how they can be mitigated. They invite the communities in the County to reach out to them when they are considering something that would impact the health of its residents. Ms. Hiddleston said they will hear a presentation about "Complete Streets" at the next meeting.

Mayor Hrivnak thanked Ms. Hiddleston for the update and the guidance she provides to the community.

**APPROVAL OF MINUTES**

MOTION: Councilman Cline moved to approve the minutes of February 17, 2015. Councilman Crites seconded the motion. By unanimous consent, the minutes were approved.

**CONSENT AGENDA**

<u>Item</u>	<u>Action Requested</u>
RESOLUTION 2015-02: A RESOLUTION TO CONDITIONALLY ACCEPT AND BEGIN THE REQUIRED MINIMUM TWO-YEAR MAINTENANCE PERIOD FOR THE PUBLIC IMPROVEMENTS IN THE RESERVE AT SCIOTO GLENN, PHASE 1 SUBDIVISION AS THE SAME IS NUMBERED AND DELINEATED UPON THE PLAT THEREOF RECORDED IN OFFICIAL RECORD 1305, PG 196-99, DELAWARE COUNTY, OHIO RECORDER'S OFFICE.	Adoption

MOTION: Councilman Cline moved to adopt the Consent Agenda. Councilman Lorenz seconded the motion. By unanimous consent, the Consent Agenda was adopted.

**FIRST READING: ORDINANCE 2015-07: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2015.**

Debra Miller, Finance Director, said this ordinance requests approval of three appropriations:

- a request to appropriate \$350 that is left in the Powell Festival Fund to be used for festival promotional items
- a request to appropriate \$1,360 for Police training that was received from the State of Ohio and can only be used for that purpose
- a request to unappropriate \$6,649.73 of the funds that they thought would be used for the Voted Capital Improvements, Capital Outlay fund in 2014 so they may be used in 2015

Mayor Hrivnak opened this item to public comment. Hearing none, he closed the public comment session.

MOTION: Councilman Cline moved to suspend the rules in regard to Ordinance 2015-07. Councilman Bertone seconded the motion.

VOTE:            Y   6              N   0  

MOTION: Councilman Cline moved to adopt Ordinance 2015-07. Councilman Lorenz seconded the motion.

VOTE:            Y   6              N   0  

**FIRST READING: ORDINANCE 2015-08: AN ORDINANCE TO VACATE A PORTION OF A ROADWAY EASEMENT, LOCATED ON OUTLOT NO. 1 ON THE PLAT OF POWELL, OF RECORD IN PLAT BOOK VOLUME 2, PAGE 268, IN THE DELAWARE COUNTY, OHIO RECORDER'S OFFICE, AND DECLARING AN EMERGENCY.**

Steve Lutz, City Manager, said this proposed ordinance was discussed by the Development Committee earlier this evening. This property has a proposal that is going through the Planning & Zoning process at this time.

David Betz, Development Director, identified the property in question that was a part of the original plat of Powell in 1876. He said the property line goes to the center of Lincoln Street. Based on the survey submitted by the applicant there is a 20' right-of-way easement along Scioto Street to the south and there is also a right-of-way along Lincoln Street. The ordinance will vacate the easement so the right-of-way marked in red will be swapped for the right-of-way marked in blue (Exhibit A). The applicant is proposing two office buildings on the property and it will return to the Planning & Zoning Commission on March 11<sup>th</sup> for further review of the development plan. Many changes have been made to the plan to reduce the number of buildings and their size to accommodate concerns. Mr. Betz said Staff recommends approval as does the Development Committee.

Mayor Hrivnak asked for confirmation that the Scioto Street easement is there in case they ever decided to cross the railroad. Mr. Betz said it is; the location of the old depot is nearby and there used to be access. He indicated the location of the railroad tracks and said there is likely no need to have the extension in this area because there is an opportunity at Case Street. Staff feels this right-of-way easement is not needed. There are no utilities or improvements in that area.

Sean Snyder, 315 Ashmoore Circle W., property owner, said this is a right-of-way swap. When he bought the property 4-5 months ago they did not have a really good idea of where the setbacks were along the road in the front. He originally had his building set too far to the front so he has reduced the size of the buildings. It will be beneficial if this is approved; he will give the other right-of-way back and make some improvements in the front area. He is proposing one smaller building to be used by his wife's photography studio and storage of his personal vehicles. There will also be a larger building to hold his business with five employees. He will have offices in the front with storage in the back for merchandise for online backpacking/tent sales and his business where they provide bathroom accessory parts for the hotel industry.

Mayor Hrivnak opened this item to public comment. Hearing none, he closed the public comment session.

Councilman Lorenz said this was discussed in Development Committee and they have no objection to this land swap. He personally thinks it is great that Mr. Snyder is keeping and expanding his business here in Powell.

MOTION: Councilman Cline moved to suspend the rules in regard to Ordinance 2015-08. Councilman Crites seconded the motion.

VOTE:            Y   6              N   0  

MOTION: Councilman Cline moved to adopt Ordinance 2015-07. Councilman Crites seconded the motion.

VOTE:            Y   6              N   0  

#### **COMMITTEE REPORTS**

**Development Committee:** Councilman Lorenz said they met earlier this evening and discussed a couple of items. Soon they will bring forward a resolution of support in continuing a transit line operated by COTA. They had concerned residents at the meeting because there is discussion by COTA of eliminating a bus line that serves Powell residents. They also discussed the easement voted on this evening and continued discussion on their 2015 goals. Councilman Lorenz said they also discussed an item regarding a traffic study and Staff was given assignments to come back with information on future discussion items. *Next Meeting: Tuesday, April 7<sup>th</sup>, 6:30 p.m.*

**Finance Committee:** Councilman Cline said they meet next Tuesday and will discuss the Trans Associates request for additional funding to respond to Council's inquiry regarding the Four Corners. Mayor Hrivnak said it was discussed at the Development Committee and they felt it was a wise investment. *Next Meeting: Tuesday, March 10<sup>th</sup>, 7:00 p.m.*

**Operations Committee:** No report. *Next Meeting: Tuesday, March 17<sup>th</sup>, 6:30 p.m.*

**ONE Community:** Mr. Betz said the fundraiser they are discussing is tentatively scheduled for August 7<sup>th</sup>. *Next Meeting: March 9<sup>th</sup>, 7:00 p.m.*

**Planning & Zoning Commission:** Mr. Betz said the Commission will meet next week. There are two different Lincoln Street office developments to review and the developer is back with the Final Development Plan for the Powder Room property. He is planning condominiums on that property. *Next Meeting: Wednesday, March 11<sup>th</sup>, 7:00 p.m.*

**Comprehensive Plan Steering Committee:** Councilman Crites said they met on February 24<sup>th</sup> and received some feedback from the consultants with respect to the public open house held on February 5<sup>th</sup>. They also made plans for the second open house which has been scheduled for April 15<sup>th</sup>. *Next Meeting: Tuesday, March 24<sup>th</sup>, 6:30 p.m.*

**Powell Community Improvement Corporation:** No report. *Next Meeting: TBA*

#### **CITY MANAGER'S REPORT**

No report.

#### **OTHER COUNCIL MATTERS**

Mayor Hrivnak said if the members of Council have input on the proposal from Trans Associates they should send it to Councilman Cline. A handout was provided to Council this evening from the County Engineer; it provides updates on road projects in and around the County.

Councilman Lorenz said March 14<sup>th</sup> Kinsale will hold their St. Patrick's Day celebration. He asked that Staff reach out to the residents to let them know about the road closures for the race. Mr. Lutz said they will send post cards to those on the route. Councilman Cline reminded Council about the April 15<sup>th</sup> deadline for Financial Disclosure reports.

**EXECUTIVE SESSION: EXECUTIVE SESSION: EXECUTIVE SESSION IN ACCORDANCE WITH O.R.C. SECTION 121.22 (G) (1), PERSONNEL (BOARD & COMMISSION INTERVIEWS/APPOINTMENTS).**

MOTION: Councilman Cline moved at 8:05 p.m. to adjourn into Executive Session in accordance with O.R.C. Section 121.22 (G) (1), Personnel (Board & Commission Appointments). Councilman Crites seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Lorenz moved at 8:55 p.m. to adjourn from Executive Session. Councilman Counts seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Cline moved at 8:55 p.m. to reconvene in Regular Open Session. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

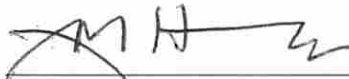
MOTION: Councilman Cline moved to appoint Mike Linehan to the Board of Zoning Appeals. Councilman Counts seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Lorenz moved at 8:56 p.m. to adjourn from Regular Open Session. Councilman Cline seconded the motion.

VOTE: Y 6 N 0

**MINUTES APPROVED: March 17, 2015**

  
\_\_\_\_\_  
Jim Hrivnak  
Mayor

4-6-15  
Date

  
\_\_\_\_\_  
Sue D. Ross  
City Clerk

4-7-2015  
Date

