



**City of Powell, Ohio**  
City Council

**MEETING MINUTES**  
**FEBRUARY 3, 2014**

A regular meeting of the Powell City Council was called to order by Mayor Jim Hrivnak on Monday, February 3, 2014 at 7:30 p.m. City Council members present included Jon Bennehoof, Frank Bertone, Richard Cline, Tom Counts, Mike Crites, and Brian Lorenz. Also present were Steve Lutz, City Manager; David Betz, Development Director; Megan Canavan, Public Information Officer; Gene Hollins, Law Director; Susie Ross, City Clerk, and interested parties.

**PLEDGE OF ALLEGIANCE**

**CITIZEN PARTICIPATION**

Mayor Hrivnak opened the meeting to Citizen Participation for items not on the agenda.

Paul Mohler, 188 Wagon Trail North, spoke about The Center at Powell Crossing proposal. He said he was at the last Planning & Zoning Commission meeting where they reviewed the Final Development Plan for this proposal and it was tabled so they could get information from this City Council meeting and the Development Committee meeting. Mr. Mohler said he brought up the traffic problem in this area and they discussed it; from what they see in the papers there is quite a problem at the railroad tracks and we are keeping a Police Officer there most of the day to make sure no one blocks the tracks. He said they want to put even more traffic into that area and he does not understand how they can do that. Mr. Mohler said according to the developer's traffic study, Olentangy Street is now at capacity; if it is capacity now, how can they stand these extra cars coming in, especially in a congested area like the railroad tracks. He said he understands that there is something in the works for a queuing system but he does not think that will solve the traffic problem. Mr. Mohler said their building is not 250' from the yards in Murphy Park, it is 250' back from the houses and that includes their yard, a little buffer and their apartments. He said that is not enough and one of his neighbor's garage is only 120' from the development. Mr. Mohler said for some reason the Planning & Zoning Commission wants to see this go through. He said they assured him they would bring this up at the Council meeting but he does not see anyone from the development present. He said he wants City Council to know what is going on before this gets to them. He said he will not quit fighting this because he does not want apartments in his back yard. He said knows they hear it all of the time, but Council has to do something about the traffic on S.R. 750. He said they are not even taking into consideration that the land across the street from this site could be developed. He said there is only a house there now and if it is developed there will be more congestion.

Hearing no further comment, Mayor Hrivnak closed the Citizen Participation session.

**APPROVAL OF MINUTES**

Mayor Hrivnak said the code allows Council to do voice votes on the minutes, consent agendas and resolutions. He said he will ask for a voice vote on these items unless a member of Council wishes to have a roll call vote. He asked that they state that request during the discussion phase and a roll call vote will be taken.

Mayor Hrivnak said Ms. Ross made him aware of one correction on page 1 in the vote count for Resolution 2014-04. The correction was noted.

MOTION: Councilman Lorenz moved to approve the minutes of January 21, 2014 as corrected. Councilman Crites seconded the motion. By unanimous consent, the minutes were approved.

## CONSENT AGENDA

### Item

- *Liquor Permit Request  
Fudbar dba Mia Cuchina, 230 W. Olentangy Street*

### Action Requested

*Waive request for hearing*

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

## **RESOLUTION 2014-04: A RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATION FOR SAFE ROUTES TO SCHOOL FUNDING.**

Steve Lutz, City Manager, said the Feds have earmarked funds available for Safe Routes to School projects. He said the Delaware County Health District has been working on a project to secure some of those funds for the Olentangy School District at Tyler Run Elementary School. Mr. Lutz said both the City and Township will participate in this project and it includes adding speed limit signs with flashing beacons on Salisbury Drive, reconstruction of curb ramps on Salisbury at the intersections of Stamford, Manchester and Tiller, and adding more bike racks at Tyler Run. He said the improvements cost approximately \$100k and the City would commit up to \$7k in matching funds. He said Liberty Township has done the same and other funds would come from the Tyler Run Elementary PTO and the school district. Councilman Crites asked about the extent of the "in-kind" donations. Mr. Lutz said the majority of that is coming from the Delaware County Engineer Department who has been putting together the engineering plans for the project. He said there is nothing significant to be provided by the City. Councilman Bennehoof said for clarification asked about the funding amount within the resolution. Mr. Lutz said the \$300k figure is in regard to the entire project which involves other schools in the Olentangy School district. He said only \$100k is for the Tyler Run project. Councilman Counts asked if the City's portion would come out of the contingency fund. Mr. Lutz said if they are awarded this funding Staff will look at the best place for the funding and bring forward an appropriation ordinance. Councilman Bertone asked about the time line for the decision for this grant. Mr. Lutz said this will be submitted in early March and he is not sure about the time frame for awarding the grant.

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

MOTION: Councilman Cline moved to adopt Resolution 2014-04. Councilman Crites seconded the motion. By unanimous consent, Resolution 2014-04 was adopted.

## **FIRST READING: ORDINANCE 2014-05: AN ORDINANCE AMENDING ORDINANCE 2010-59 TO ADD CERTAIN PARCELS OF REAL PROPERTY TO THE DECLARATION OF PUBLIC PURPOSE MADE IN THAT ORDINANCE, AND DECLARING AN EMERGENCY.**

Mr. Lutz said this ordinance will be taken to a second reading at the next meeting in February. He said this is the final component of the Shoppes at Wedgewood/Mt. Carmel Health System pre-annexation agreement which was approved by Council last fall. He said this ordinance will add those two properties into the City's Sawmill Parkway Commercial TIF District. Mr. Lutz said these properties will be in the district for the approximately 26 years left on that TIF. He said under the pre-annexation agreement, the developer anticipates public infrastructure improvements to be between \$800k and \$900k and the City will offset up to \$500k of those costs; they will be reimbursed with the funds from the TIF as they become available. He said The Shoppes at Wedgewood are anticipated to generate \$1.2 million over the life of the TIF and they have not estimated the Mt. Carmel Health System revenues because they do not have development plans from them yet. Mr. Lutz said one thing that is different for this addition is that the Liberty Township Fire Department will be made whole just as they have already done for the Olentangy Schools. He said they will not lose any of the incremental increase in revenues.

Councilman Cline said the way the ordinance is worded, they will delete former Exhibit A to the previous ordinance and replace it with the Exhibit A provided. He said on the Exhibit the Commercial TIF is designated in green and the Mt. Carmel and Wedgewood Limited Partnership parcels are delineated in shades of blue; he does not see anything within the text of the ordinance that says which parcels are affected. He asked if this Commercial TIF was always a make-whole TIF with the Fire Department or is it only these two parcels that would be made whole. Mr. Lutz said only these two parcels will make the

Fire Department whole and that has not been done in the past. He said Staff will review the wording with the Law Director and follow up at the second reading.

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

Ordinance 2014-05 was carried to a second reading.

**COMMITTEE REPORTS**

**Development Committee:** Mayor Hrivnak said the Committee will meet tomorrow and the topic of discussion is the railroad crossing on Olentangy Street and the possible change in traffic pattern involving Depot Street. *Next Meeting: February 4<sup>th</sup>, 6:30 p.m.*

**Finance Committee:** No report. *Next Meeting: February 11<sup>th</sup>, 7:00 p.m.*

**Operations Committee:** No report. *Next Meeting: Tuesday, February 18<sup>th</sup>, 6:30 p.m.*

**ONE Community:** Councilman Bennehoof said some business constituents have been recruited and they are looking for others. *Next Meeting: Monday, February 10<sup>th</sup>, 7:00 p.m.*

**Planning & Zoning Commission:** Mr. Betz said they have been working on several proposals and some will be before Council as Final Development Plans in the near future. Mayor Hrivnak said he has asked Ms. Ross to send the draft form of the Planning & Zoning minutes to the members of Council by email so they can keep track of the work of the Commission. *Next Meeting: Wednesday, February 12<sup>th</sup>, 7:00 p.m.*

**CITY MANAGER'S REPORT**

No report.

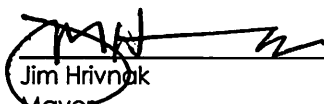
**OTHER COUNCIL MATTERS**

Councilman Lorenz said he has been appointed to the Development Committee for Olentangy Local Schools and he wanted to bring that to the attention of Council. He said he does not perceive any conflicts. Councilman Bennehoof said he supports the appointment as this will be great for the Schools.

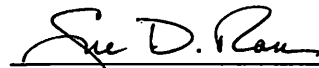
**ADJOURNMENT**

**MOTION:** Councilman Cline moved at 7:50 p.m. to adjourn the meeting. Councilman Crites seconded the motion. By unanimous consent, the meeting was adjourned.

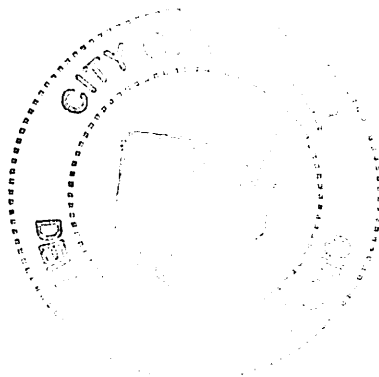
**MINUTES APPROVED: February 18, 2014**

  
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Jim Hrivnak  
Mayor

3-18-14  
\_\_\_\_\_  
Date

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

3/18/2014  
\_\_\_\_\_  
Date



**City Council**

Jim Hrivnak, Mayor

Jon Bennehoof

Frank Bertone

Richard Cline

Tom Counts

Mike Crites

Brian Lorenz