



City of Powell, Ohio
City Council

MEETING MINUTES
MARCH 18, 2014

A regular meeting of the Powell City Council was called to order by Mayor Jim Hrivnak on Tuesday, March 18, 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; Debra Miller, Finance Director; Megan Canavan, Public Information Officer; Gene Hollins, Law Director; Susie Ross, City Clerk, and interested parties.

PLEDGE OF ALLEGIANCE

The colors were presented and Pledge of Allegiance led by Wolf Den of Cub Scout Pack 842.

CITIZEN PARTICIPATION

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

Barbara Lewis, 9230 White Oak Lane, Genoa Township, said she is here to observe and reach out; she has been visiting various governmental meetings.

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

APPROVAL OF MINUTES

MOTION: Councilman Cline moved to approve the minutes of March 4, 2014. Councilman Crites seconded the motion. By unanimous consent, the minutes were approved.

CONSENT AGENDA

<u>Item</u>	<u>Action Requested</u>
• Liquor Permit Request Saint & Wench LLC, 8730 Moreland Avenue	Waive request for hearing
• Liquor Permit Request The Daily Growler, 258 W. Olentangy Street	Waive request for hearing
• Monthly Building Report – February	Receipt of Electronic Report
• Monthly Development Report – February	Receipt of Electronic Report
• Monthly Financial Report – February	Receipt of Electronic Report
• Monthly HDPI Report – February	Receipt of Electronic Report
• Monthly Police Report – February	Receipt of Electronic Report

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

PROCLAMATION: March for Meals Month

Mayor Hrivnak read the proclamation recognizing March for Meals Month in the City of Powell. He presented the proclamation to Toni Dodge, Nutrition Program Manager for the Council for Older Adults. Ms. Dodge provided an overview of the services provides by the agency. She thanked Mayor Hrivnak for his service as he will deliver meals with their agency on March 19th.

RESOLUTION 2014-05: A RESOLUTION APPOINTING CITY COUNCIL MEMBERS TO COMMITTEES.

Steve Lutz, City Manager, said at the City Council Goal Setting Session they identified Committees and where they would like to serve and this resolution makes those appointments. He said the resolution needs to be amended to add Mr. Bertone to the Finance Committee.

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

MOTION: Councilman Cline moved to amend Resolution 2014-05, Section 1, to add "Frank Bertone" under the heading "Finance Committee." Councilman Crites seconded the motion.
By unanimous consent, Resolution 2014-05 was amended.

MOTION: Councilman Cline moved to adopt Resolution 2014-05. Councilman Crites seconded the motion.
By unanimous consent, Resolution 2014-05 was adopted.

FIRST READING: ORDINANCE 2014-13: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2014.

Mr. Lutz said this ordinance is in regard to the intersection of Seldom Seen and Liberty Roads and was discussed at the Finance Committee. He said half of the intersection is in the City's jurisdiction and the other half is within the County's jurisdiction. He said at the present time the intersection meets the warrants for a traffic signal and there are grant funds available that will cover 80% of infrastructure costs. Mr. Lutz said the County and City would like to apply for this funding and they will need to conduct a feasibility engineering study in April/May to identify whether a traffic signal or single lane roundabout is the best traffic solution for that area. He said the \$20k cost of the study would be split 50-50 between the City and the County. Mr. Lutz said they would be in a position to submit the grant application in June and the grant will be awarded in 2015; if they receive the grant they would engineer the project in 2015/2016. He said the estimated cost is about \$200k and it would be shared 50-50 with the City and the County. Mr. Lutz said the construction could take place in 2017 or 2018. He said the County will be constructing a roundabout at the intersection of S. Liberty Street and Jewett Road either this fall or next year.

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 2014-13. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Cline moved to adopt Ordinance 2014-13. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

FIRST READING: ORDINANCE 2014-14: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2014.

Mr. Lutz said this item has also been discussed in Finance Committee. He said the City has communications equipment on the DelCo Water tower in Adventure Park and have been notified that the equipment must be removed by April 7th so the tower may be repaired and painted. He said Staff has studied various short-term solutions for the period of time the equipment must be off the tower.

Debra Miller, Finance Director, said the cost to remove and return the equipment will be in the \$8k-\$10k range. She said the cost to continue the internet and phone capabilities on an interim basis will run between \$500 and \$5,000. She said that is a large range; they are testing the low cost solution of a mobile hot spot. She said if that does not work they will consider a bridge which takes mobile hot spots and links them to the building. Ms. Miller said all of the other solutions are more permanent and more costly. She said the repair company has until the end of September to complete their work so Staff is not sure when the equipment can be returned to the tower. She said they have estimated temporary service through September/October at a cost of approximately \$15k which could be transferred from the Contingency Fund. Ms. Miller said the second appropriation is for \$1,400 for electricity. She said when the annexation for Old Sawmill and Presidential Parkway was completed it included two traffic signals; those are now the responsibility of the City and Staff estimates it will cost \$1,400 for electric service for the rest of 2014.

Councilman Bennehoof asked how often the towers are repainted. David Betz, Development Director, said this is the first time in 20 years. Councilman Bennehoof asked if the City has any liabilities on other towers. Ms. Miller said they do not; this is a very reasonable situation for the City because DelCo does not charge them for the use of their tower.

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

MOTION: Councilman Bennehoof moved to suspend the rules in regard to Ordinance 2014-14. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Cline moved to adopt Ordinance 2014-14. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

FIRST READING: ORDINANCE 2014-15: AN ORDINANCE TO DESIGNATE THE NORTH LEG OF THE DEPOT STREET/POWELL ROAD INTERSECTION AS A RIGHT-IN/RIGHT-OUT ONLY INTERSECTION, AND DECLARING AN EMERGENCY.

Mr. Lutz said for several months the City has been studying the safety of the railroad crossing on Powell Road. He said after numerous meetings Staff has recommended they consider a temporary alternative to see how it impacts the traffic and the safety of the railroad crossing. He said they have considered how eastbound traffic on Powell Road may be facilitated by prohibiting left hand turns on the north leg of Depot Street. Mr. Lutz said eastbound vehicles on Powell Road turning left on Depot Street can cause a back-up and often vehicles are caught on the tracks. He said the Development Committee recommends a temporary measure to install bollards or something similar at the intersection to create a temporary "pork-chop" which permits right-in/right-out only turns.

Councilman Bennehoof explained for the audience the description and use of bollards and "pork-chops." He said the Development Committee determined this would be a temporary measure to be monitored and any further permanent actions would be taken if this measure does not produce the desired results. He said this is predicated on the fact that this is a very dangerous crossing because of the elevation and people deciding at the last minute to make the left turn, trapping cars on the tracks. Councilman Bennehoof said this may or may not result in the implementation of a permanent "pork-chop."

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

This item was taken to a second reading.

SECOND READING: ORDINANCE 2014-10: AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR THE CENTER AT POWELL CROSSING LLC, A DEVELOPMENT OF 14,000 SQ. FT. OF RETAIL IN TWO BUILDINGS, PRESERVING THE OLD HOUSE FOR COMMERCIAL USE, AND DEVELOPMENT OF 64 APARTMENT RESIDENTIAL UNITS ON 8.3 ACRES, LOCATED AT 147 W. OLENTANGY STREET.

Public Hearing

Mr. Lutz said this is the second reading of this proposed development and there was a lot of discussion at the last meeting. He said there were many questions and concerns raised about the traffic and how it would impact the area; along with the changes at Depot Street, the City is looking at the possibility of adding a queue cutter at railroad tracks. Mr. Lutz said the developer is going to recommend that this item be tabled to the May 6 or May 20 meeting; he would like to fund and undertake a comprehensive traffic study from west of the proposed development to the Four Corners. He said the Traffic Engineer can then take a look at the things the City is proposing such as the extension of Murphy Parkway, the queue cutter and the turn changes at Depot Street to forecast the actual impact on traffic. He said he can also look at different means to mitigate some of the traffic impact. Mr. Lutz said both the developer and the Traffic Engineer are present to answer questions.

Todd Faris, Faris Planning & Design, 243 N. High Street, on behalf of the applicant, said the applicant will take part with the City in a joint study to look at the traffic impacts and solutions that could mitigate this development as well as others within the downtown. Mr. Faris said they need time to complete the studies and provide further information to Council and Staff. Councilman Cline asked about a realistic time frame in which to complete the traffic study as contemplated.

Doyle Clear, TRANS Associates, said they held discussions with Staff to determine the scope of the work and now their primary focus is to identify two or three alternatives as to how to widen the roadway system, install the left turn lane and install the queue cutter effectively. He said they will discuss this with the Ohio Rail Commission to make sure they buy into the solution. Mr. Clear said they hope that within three/four weeks they will be able to have discussion with the City and the Rail Commission to get to a preferred plan. He said it will need to show geography, alignment and their main objective is to come up with a cost estimate for the engineering and final construction plans. Mr. Clear said once they have those costs there needs to be an evaluation of how this could be funded. He said the project would include widening the road, installing a turn lane and installing a queue cutter in the system. He said they are including the area described so they can determine how all of the concepts can fit into the area. He said it will take about three to four weeks to complete their work and then a couple of weeks for Staff's financial analysis; they want to have all of the numbers figured out before they return to Council. Mr. Clear said their goal is to get the information to Staff

the third week of April so it can go through Staff analysis and be forwarded to Council by May 5th. Councilman Cline said it sounds like a completed report with analysis will be to Council so they will have a week or two for review prior to this development coming back for a decision.

Councilman Bennehoof asked if there is an alternate meeting date because the Election falls on their scheduled meeting date of May 6th. Mr. Lutz confirmed that the meeting has been rescheduled to Wednesday, May 7th.

Gene Hollins, Law Director, suggested they continue tonight's hearing to May 20th and re-notify the public so they have another chance to provide comment. Councilman Lorenz asked if the number of variances requested will mean the applicant needs to go to the BZA. Mr. Betz said the variances are a part of the Development Plan process so it does not go to BZA; the variances will be a part of the decision made by Council. Councilman Bennehoof asked for confirmation on the number of variances. Councilman Lorenz summarized the four variances within the plan:

1. Retail Building #2 has a setback greater than the 25' foot maximum in order to further preserve the view of the restored Dr. Campbell House and to create a useable Village Green along the frontage;
2. Retail Building #1 has a side yard setback that is reduced from 5' to 3' adjacent to the railroad right-of-way and a setback reduced from 5' to 1' for the proposed trash compacter/dumpster enclosure;
3. Monument sign requires a variance to go from 16 sq. ft. per side to 32 sq. ft. to allow multi-tenant identification and 11.3 sq. ft. to identify "Powell Crossing" on the sign;
4. Parking variance to reduce total number of parking spaces by six.

Councilman Lorenz asked if the house has historical significance. Mr. Betz said it does as Dr. Campbell was the town doctor for the village and the Powell/Liberty Historical Society would like to see it preserved. Mr. Faris said the inside has been gutted and they plan to use the building for office spaces which will ultimately be marketed to outside users. Councilman Lorenz asked if that was considered when they planned the parking spaces. Mr. Faris said it was; they only reduced the parking spaces to save trees. He said if Council wants to add them back in and doesn't mind losing the trees they will do that. Councilman Bennehoof asked if the building will be remodeled in character or will keep the original look. Mr. Faris said the exterior will be what it is today with new windows added and a change in paint colors. He said the rest of the development and its architectural keys are taken from the Campbell House.

Councilman Bennehoof said on page 8 there is a description of four 16-unit dwelling units but the attachment provided from Staff shows five 16-unit structures. Mr. Clear said the City asked if they could align the driveway going into the development opposite Lincoln Street and in order to do so, the Milano Florist building would have to be acquired and removed. He said the assumption was that if that property became part of this development, there would be a possibility of adding 16 more units. Mr. Clear said their traffic study showed two alternatives: one with the plan currently in front of Council and the other, done at the request of the City, aligning the entrance with Lincoln Street. He said they City may have felt that moving the drive would create a straight four-way intersection. Mr. Clear said the opportunity is there to do that in the future if that situation ever came about.

Mayor Hrivnak opened this item to public comment.

Lannie Gilliam III, 300 Ridge Side Drive, said they previously discussed residential relief valves which would also be known as Olentangy Ridge and Bartholomew Run "off-ramps" and more traffic on Powell Road. He said the traffic engineer testified that Powell Road is already at or beyond capacity at peak times and adding more cars from this development would not have a major impact on Powell Road. Mr. Gilliam said they heard that Powell Road is the only route that fits the needs of drivers travelling east-west and other roads exist as relief valves for congested routes. He said they also heard that frequent travelers stay on the main road and frustrated locals will look for and find the best traffic path that minimizes traffic and travel time. Mr. Gilliam said they already do; Olentangy Ridge is developing into an off-ramp for Powell Road drivers. He said the drivers have figured out how to cut their commute by going on neighborhood streets. Mr. Gilliam presented a photo of his two children and said they live on one of the relief valve streets. He said many young families have moved into their area and this has become a great concern. He said frustrated commuters are stuck in traffic and they frequently cut through their neighborhood, not following speed limits or stopping at controlled intersections. Mr. Gilliam said they have been working with the Powell Police for months and there seem to be no solutions. He said he lives on the corner of Hopewell and Ridge Side Drive and many cars cutting through to Liberty pass by his home. He said the more cars that detour down the residential streets, the more dangerous it is for the families to play in their yards, cross the street, walk the dog or bike to the park. He said traffic on Powell Road is more than a line of cars stuck in traffic; it is a public safety issue for their

neighborhoods. Mr. Gilliam presented a written copy of his comments to Council (Exhibit 1). He said each heart on the handout represents where a child lives in their community.

Paul Mohler, 188 Wagon Trail North, said he brought up several things at the last meeting and it sounds like they are postponing things. He said he brought up the fact that a garage for the apartments is only 120' from back of their houses in Murphy Park. He said the last time they talked about a development on this property they talked about mounding and other things to stem pedestrian and bike traffic directly through their yards. Mr. Mohler said there will already be access through their community through the bike/walking path and that is enough. He said the traffic study says they are at or over capacity on Powell Road and he does not see how that will change without doing any of the projects mentioned. Mr. Mohler suggested they do those projects before they consider this project so they know what they are up against. He said right now they are getting the cart before the horse and that seems to be as usual in Powell and that is why they are in the position they are in. Mr. Mohler said the Four Corners is an atrocity and he never goes through Powell. He said the question of density has come up before and now they are talking about adding another 16 units. He said he would like to know if the preservation of the Campbell House means they are preserving the garage and shed or will they be torn down. Mr. Mohler said that will affect the density.

Ron Hoover, 150 Ridge Side Drive, congratulated the administration, City Council and the Police Department on doing a great job maintaining a great community. He asked how 64 apartment units will benefit their community because he does not see it. Mr. Hoover asked if there has been a study on property taxes associated with one single apartment unit. He said years ago he did a study on it and it was approximately \$600 per unit; he is sure it is a lot more now. Mr. Hoover asked if it is true that it costs about \$9k for one student at our schools per year. He said this development would not cover very much of that expense so it would throw all of the property tax burden back on the community. He said they have good schools and lots of people want to live in this community as a result of that. Mr. Hoover said the property taxes are already high and this would just add to that. He said he remembers that the public services required for apartments is a lot more than residential if one compares 64 apartments to 64 houses; there is more crime as well as more fire/emergency services and police services required. Mr. Hoover said he does not see how this will benefit their community. He said it will just add an extra tax burden on the community.

Patti Resatka, 204 Olentangy Ridge Place, said she had to ask herself what these folks would add to this community. She said those present are all homeowners and they have skin in the game. She said she has to ask what transient dwellers will bring to this community; are they going to volunteer for the Powell Festival and give their time to clean up trash? She asked if they are going to report things like broken sidewalks to the City and show concern about their fellow neighbors. She said she does not think they will come to Council meetings and participate in the community like the homeowners all do. Ms. Resatka said they participate because they care about the community and have skin in the game. She said her second point is that she looks at the large variety of businesses in downtown Powell and she wonders if apartment dwellers will patronize these businesses on a regular basis so it financially and positively impacts the businesses. Ms. Resatka said that is what she would hope for if they are going to bring more people to the downtown. She said she questions whether these people will bring their finances to the community in that way. Ms. Resatka said they will pay taxes through the developer but she does not see that they will give themselves or their time to the community or bring that much to the local businesses.

Leslie Lopes, 207 Woodedge Circle West, said in general her neighbors and others in Powell are concerned about the trend of apartments and dense housing in the community. She said she is glad they are doing a further traffic study and she is curious what will happen from that. She requested that the traffic engineer do a weekend study because she is afraid that people will not come to Powell because of the traffic. Ms. Lopes said they may turn off people as much as get transient people who might come in and be okay. She said she sees everything here as targeted toward families and that is their culture and what they are. Ms. Lopes said she wrote a letter to Council and would like to restate some points that concern her:

- 9 to 11 students are projected but there are 48 two bedroom apartments proposed. The traffic study said the development will only generate 50 cars during peak hours. There are either kids or cars and this needs to be clarified.
- There is an issue with traffic. She travels the back way to the zoo and everyone with a smart phone can find an alternative route. They will not be patient enough to wait through the horrible traffic and will cut through the residential neighborhoods.
- In the Comprehensive Plan it states that the desire was to "... develop a roadway system that serves the needs of the residents of Powell but does not flow traffic through the residential area." She said the traffic study says that the traffic will drive people to do just that.

- A Planning & Zoning Commission member was quoted in the paper that there will be a precedent set by these apartments as development moves forward in Powell.

Ms. Lopes said Council has a huge task before them to find solutions and a way to finance the costs. She said if they go back in time and look at the 50 S. Liberty development, it would be very different if those buildings had apartments on the second story; there are many great businesses there and that is revenue that happens throughout the day. She said it is rich, long-lasting revenue that they should be attracting. Ms. Lopes said she would appreciate it if City Council and the developer would consider those types of things. She provided Council with information about a survey called "Build Smart in Powell" (Exhibit 2).

Robert Santiago, 247 Glen Village Court, said he has lived here a long time and when he came this was a quiet place. He said unfortunately it is changing and he wants to emphasize that this decision is about the human element, not residents and buildings. He said they are all humans and they need to live in a decent place and if they change that by adding this stress and contamination it will become a horrible place. Mr. Santiago said that is not fair and they do not want to be in a situation where he has to pray for someone to let him out of their subdivision onto Powell Road. He said the density makes no sense because the crossing at the railroad has been analyzed and the City says it is dangerous. Mr. Santiago said unless someone magically removes the tracks from that area there is no way a study could be made that would make this development sensible for a population that is growing such as Powell. He said they have to take into consideration times when the traffic expands such as during the Powell Festival and other activities. Mr. Santiago said the magic answer is that this is not adding value to the human element.

Cindy Jakupcin, 247 Ridge Side Drive, said most importantly, Powell's Comprehensive Plan is 20 years old and it seems silly to have all of these projects based on a City plan that old. She said she is a realtor and an accredited buyer's representative; she cannot imagine giving a buyer 20 year old "comps" for a house. She said she and her husband have been here almost 23 years and the other subdivisions did not exist. Ms. Jakupcin said the closest grocery store and gas station were at I-270 and Sawmill Road or at Worthington Hills. She said they moved here because it was quiet and they wanted to raise their kids here. She said their children like to ride their bikes and last summer it proved dangerous with the added traffic in the area. Ms. Jakupcin said it is too crowded. She said bringing in apartments will not bring in tax dollars. She said their neighborhood homes average \$310k and they pay about \$7,500-\$8k per year in taxes. Ms. Jakupcin said in 2004 they updated the Downtown plan but that is now outdated. She said when they moved here there were 3,900 residents and there are now 12,376 residents in Powell. Ms. Jakupcin said it does not make sense to add more cars and a new plan needs to be done now. She said they cannot base these projects on a 20 year old plan.

Frank Vamos, 196 Wagon Trail South, said he was here last week and was disheartened with the talk about traffic. He said he may have read it wrong but it felt like the decision had already been made for some of the Council members. He said it felt like they already had the answers to the traffic problems with Murphy Parkway and the queue cutter. He said the additional traffic study will be a projection and he would love to hear from Council what they will see as an acceptable solution. He said that will help the audience paint a picture as to what they can expect in the future.

Jennifer Sweet, 235 O'Quinn Court, said she attended a couple of the P & Z meetings and she was disheartened by those meetings because all of the homeowners came in and presented their concerns about the traffic, the schools, the transients, the density and it seemed like that didn't matter. She said it didn't seem like they cared about the people. She said she doubts that the 12k people in Powell care about having apartments; they are homeowners and they moved here to be in a homeowner community. Ms. Sweet said when she was 20 she lived where the action was in the downtown and she did not want to live where there are antique shops. She said it is important to think about the kind of development they want. She asked about the point of doing a traffic study when Powell Road and SR 315 is closed; that will reduce the traffic a lot. She said they can make a traffic study say whatever they want. Ms. Sweet said they already know that the problem is that they are overcrowded. She said the last traffic study was done only at night and that does not show the traffic from the schools and mornings. Ms. Sweet said there are other drivers out there during the school year and it makes a big difference. She said in the summer the traffic is much less than in the wintertime. She said they did not consider the traffic from the zoo or Christmas lights. She said the traffic expert said they are at capacity so she does not know the point in doing more of the same. Ms. Sweet said they just had a problem where they considered closing one of the fire stations because they did not have the funding but now they are considering adding more people in apartments when they can't service their homes; she said that is a concern when adding high density housing to a community. Ms. Sweet said there will be a lot more issues with police; a homeowner will not destroy their own home but renters just don't

care. She said she does not see any reason to bring renters here because they do not have the kind of community that needs foot traffic; they are not downtown. She said she hopes the members of Council are also homeowners and care about that because it may not affect where they are today but it will affect everyone sooner or later. Ms. Sweet said she hopes they will take all of the issues mentioned to heart. She said no one has said they want this here but the developer.

Ron Beach, 217 Paddock Circle East, said he has been here 20 years. He said he spent almost 30 years in a corporation that developed affordable housing for seniors and they had 65 units in 14 states so he knows how to deal with the fact that this is a difficult topic. He said he is not opposed to progress but he is concerned that there are three proposals within about a mile vicinity which would add almost 300 units to the area. Mr. Beach said most of those are apartments. He said Harper's Pointe involves condos and he likes the development but he thinks there are problems with that already. He said there is a proposal to tear down the Powell Center and put in 160+ units and then there is this project of 64 units. Mr. Beach said the Police Chief said someone will get killed at the railroad tracks someday because of the traffic and the next thing they hear they want to put 64 units at the railroad tracks. He said he is a little hard-pressed to understand that logic. He said this is a very big project and he has reviewed the project plans as well as the plans for the Crawford-Hoying development. Mr. Beach said he is not opposed to any of the projects in specifics but he thinks the City needs to look at all of the projects and go back to revisit their long-range plan. He said he loves the idea of walking to the downtown but he does not think the residents from this development will do that; the people from those in nearby neighborhoods are the ones they really want walking downtown.

Stacey Haney, 135 Gainsway Court, said she is concerned about safety and how close these apartments are to the tracks. She said she wishes she could avoid the area because of the traffic but her business is downtown and she has to go to other locations within the area. She said she would like to see them update the Comprehensive Plan. Ms. Haney said some people think Murphy Parkway would help people avoid the downtown but just like the residents of Olentangy Ridge, she does not want people cutting through her neighborhood either. She said people will still travel downtown and they want them to drive past the businesses so she would like to see the City focus on turn lanes at the Four Corners. She said they could get rid of some of the on-street parking and she would be willing to give up the parking in front of her business. She said the businesses on the south side of Olentangy Street have their own lots and the availability of the Municipal Parking lot. Ms. Sweet said if they get rid of the on-street parking they could extend that area and add turn lanes. She said the on-street parking and the angled parking in front of Local Roots is dangerous because people pull or back out onto Powell Road. She said she knows this land will develop and it is an eyesore at this point; she is glad to know they are rebuilding the old house because she has heard it is not in good shape. Ms. Sweet said these traffic and safety issues have to be addressed first before development there is approved.

Jeanine Ellis, 301 Ridge Side Drive, said they have been homeowners in Olentangy Ridge for over 20 years and they have watched Powell grow from the sleepy community it was. She said it has changed a lot since they used to ride their bikes from Westerville to the zoo and would stop to talk to the farmers sitting on the steps of the country store. Ms. Ellis said her husband will not drive through downtown Powell because of the traffic but she does because she enjoys going to the local shops and restaurants. She said the traffic is a concern and it is ludicrous to think of doing a traffic study until after Powell Road is open in May. Ms. Ellis said they should also do it on evenings and weekends because a lot of people go to the zoo and traffic backs up in each direction. She said the Memorial Tournament is another example and those who attend will tell about what a pain it is to go through Powell. She said it is great to develop this site because it has been an eyesore but they need to determine if apartments are really what they want. Ms. Ellis asked who will want to live in those apartments because they would really need to be soundproof or the residents there would have to be deaf; it is not going to be a great place to live. She said she is also concerned about apartments in terms of crime and the value in adding more students to the school district. She said when her children started school at Olentangy there were 2k students and now there are 17k so they know about that growth. Ms. Ellis applauded Council on making a change to this area but they may want to look at other developments that would bring in revenue. She said Jeni's Ice Cream was a great fit for the downtown and they had done some planning and selected Powell because people could walk to their location. She said it has added to the night life of downtown Powell. Ms. Ellis said they should consider other things besides apartments; the tracks and traffic are a concern but she would also like to see more green space and preserving the natural beauty of downtown Powell.

Rob Flannery, 52 Bartholomew Boulevard, said he has been a resident since 1996 when they moved to town because they wanted sidewalks for their son who is in a wheelchair. He said it was such a great community at that time and the Four Corners was still a flashing light. He said so much has changed throughout the years

and they know change is inevitable but the City Council, Zoning Board and City leadership have to take a hard look at the direction they are headed. Mr. Flannery said they moved here to own a home that is within walking distance of a nice little central town and enjoy the community. He said when he was on the board of the homeowner association they had a big uproar because they needed to replace some trees and the residents talked about how important it was to preserve their neighborhood. He said the Council needs to consider what they are doing to the City when they add apartment buildings. Mr. Flannery said they are tearing down the shooting range and putting in upscale \$250k condos across from Bartholomew Run. He said it will absolutely add to the density problems and the traffic but now they are talking about apartments where the shopping center is and also 64 apartments on this site. He said \$800-\$1000 rent is not upscale to him; the apartments by Polaris Mall are \$1,400 and he considers that upscale. Mr. Flannery said they should consider if apartments rented for \$800/month are the kind of community they want here. He said this would really downgrade their property value and they would have these transients. He said this project and the apartment projects in general are so off-base for what this community is all about. Mr. Flannery said Council, Zoning and City management need to take a look at this. He said they should get their overall plan updated because Powell is not the same as it was 20 years ago and it won't be the same 20 years from now. He said it is ludicrous to do the traffic study now during the closure and he wonders what kind of remedy they will get when they look at numbers while traffic is being diverted. Mr. Flannery said they should look long and hard about the direction of the City; they should treat Powell like a city and focus on family because that is what Powell is all about.

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

Councilman Cline said several people tonight questioned the value of a traffic study that is completed when Powell Road and SR 315 is closed. He asked about the thought process about the accuracy and validity of a study under these circumstances.

Mr. Clear said he thinks there is a little bit of a misunderstanding about what is being proposed. He said they are not doing more traffic counts or trying to evaluate the traffic that is out there today. He said they have been asked to look at this from a theoretical standpoint to see what the Murphy Parkway Extension will do in terms of traffic. He said the way they do that is to do minimum travel time path studies, but that is not actually going out there and counting new cars. Mr. Clear said it is an evaluation of the impact of the Murphy Parkway Extension and how might it change the traffic volumes on Olentangy Street and the Four Corners in this area. He said when they say "traffic study" it is not a re-evaluation of projected traffic conditions; he has stated and believes there is more traffic demand that wants to go east-west that no matter how many traffic studies are done, they will never get a different answer than the demand wanting to go east-west is going to exceed the capacity of the roadway systems. Mr. Clear said the roadway systems are just not there. He said there are two ways to deal with future conditions and one is that they make the choice to add capacity and widen the roads through the downtown. He said some communities have done that because they thought it was the solution but it does not mean that the community has the on-street parking that is desired. He said they need distance from the travel lane to the sidewalk and parking is typically added to buffer the sidewalks from the traffic on the road. Mr. Clear because many communities want sidewalks, livability and the ability to walk within the area, they decide they are not going to add capacity but instead they ratchet the capacity down and let it be whatever they want from an urban design standpoint. He said in this case they admit that the traffic volumes are going to be high during peak hours and he does not disagree with what the citizens say about the volume of traffic passing through Powell because it is one of the few east-west roads in the system. Mr. Clear said they are trying to make what they have safe and that is the real purpose of the study offered by the developer; they want to provide a geometric evaluation of the roadway system, determine how they can get the turn lanes in and how they can satisfy the Ohio Rail Commission in terms of what they say the City has to do if they will fund a queue cutter. He said they have to follow some of their rules and regulations in order to get that funding.

Mr. Clear said he is not going to offer to them that he will find a magic bullet that gets rid of the traffic and makes everything work perfectly; if that is what they expect then this evaluation does not need to be done. He said they are offering to look at the system, see what things like Murphy Parkway do to the traffic, try to mitigate the impacts of this development the best they can with turn lanes, and give them a project that can generate enough funds to help fund some of the things they want to do in the downtown. Mr. Clear said they hope that they can complete the evaluations so that Council may be able to receive them at the beginning of May and see the geometry, the preferred plan, the details of what the Ohio Rail Commission will allow, the costs associated with the plan and suggestions of how it could be financed. He said people are calling this a traffic study but it is more of a roadway design alternative that has a little traffic within it.

Councilman Cline confirmed they will not have to get new traffic count data so the closure at Powell Road and SR 315 is not an issue. Mr. Clear said that is correct. Councilman Cline said their goal would be to look at a broader perspective than merely that stretch of road between the railroad tracks and the Campbell House. Mr. Clear said that is correct and they will see an even broader perspective when they start updating the Comprehensive Plan and Thoroughfare Plan. He said those will take a real look at how transportation systems work within the region.

MOTION: Councilman Counts moved to table Ordinance 2014-10 to the May 20th meeting of City Council. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

SECOND READING: ORDINANCE 2014-12: AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR WAG PROPERTIES, LLC, DBA TRINITY ALL STARS, FOR A NEW 17,348 SQ. FT. PRIVATE RECREATION FACILITY ON 1.996 ACRES ON THE SOUTH SIDE OF SELDOM SEEN ROAD BETWEEN VILLAGE PARK DRIVE AND LIBERTY ROAD.

Public Hearing

Mr. Betz said they went through this development in detail at the first reading and Council was ready to approve it but it needed to come to a second reading. He said the building is for a private recreation facility off of Seldom Seen Road that teaches gymnastics and cheerleading. Mr. Betz said a lot of time was spent with the Planning & Zoning Commission and Architectural Advisor in regard to building design. He said the site plan meets all of the City's requirements and they only heard public input at the initial meeting; the applicant made changes based on those comments and no further public input was received.

Michael Bush, Otter Construction, General Contractor representing the applicant, was present to answer questions.

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

Councilman Bennehoof said he is pleased to see a local business that is staying in the City and growing. He said they have done a nice job working with Staff to develop something other than a box-like structure. He asked if they know what the old building will become. Mr. Busch said they are currently renting so the owner has new tenant for the space.

MOTION: Councilman Cline moved to adopt Ordinance 2014-12. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

COMMITTEE REPORTS

Development Committee: No report. *Next Meeting: Tuesday, April 1st, 6:30 p.m.*

Finance Committee: No report. *Next Meeting: Tuesday, April 8th, 7:00 p.m.*

Operations Committee: Councilman Counts said they met prior to Council this evening. He said Staff identified an issue with the server in the Police Department. He said it is right next to transformers which are overheating the area and they need to find a solution. He said Staff identified a solution and something will come forward to Council to authorize which will resolve the situation. Councilman Counts said he is very pleased about the start of a community garden for Powell. He said a location has been found in Arbor Ridge Park and they told Staff they like the idea of the City sponsoring the garden to give it a good start. He said a community garden brings people out of their homes and into the parks so they can interact. He said this will not come to fruition until fall but will be moving forward. Councilman Crites asked how much property will be set aside for the community garden. Councilman Counts said it will be in a little corner by the tennis courts and this parcel was chosen because it has parking nearby and has water available. Councilman Counts said they also discussed the Radar Speed Monitoring sign policy and provided feedback to Staff. He said they will see that in the future. He said most importantly they heard about the Department of Agriculture's plan to complete aerial treatment for the gypsy moth. He said it is a preventative measure because the moth has the ability to devastate trees and ornamental plants. He said they are looking for the City's approval to complete the treatment in their area. He said other communities are targeted for this treatment as well. Councilman Counts said Ms. Canavan will work on a public information effort with the community to make sure the residents know this is a safe, useful treatment. Councilman Bennehoof asked if they know what time of day the treatment will take place. Mr. Lutz said it would likely be in June and will be weather dependent; he said advance notice will be given. Councilman Counts asked for City Council's approval; the Council members were in agreement to approve the treatment. *Next Meeting: Tuesday, March 18th, 6:30 p.m.*

ONE Community: Councilman Bennehoof said they met last Monday and they have approved the charter in principal. He said they reviewed and ranked a set of priorities and will attack the top three projects. He said they also discussed the Building Department issue and a sub-group will discuss that issue further. *Next Meeting: Monday, April 14th, 7:00 p.m.*

Planning & Zoning Commission: Mr. Betz said they have a meeting next Wednesday. He said they will review a plat for a new subdivision off of Home Road, demolition of two homes on Scioto Street in the old village and a Preliminary Development Plan for Santer Communities for 22 condominiums and a commercial building off of S. Liberty Street. *Next Meeting: Wednesday, March 26th, 7:00 p.m.*

CITY MANAGER'S REPORT

Mr. Lutz said every three years the Police Department goes through their accreditation process. He said they had the on-site visit in December and the accreditation hearing will be on Thursday and Friday.

OTHER COUNCIL MATTERS

Mayor Hrivnak said in packets they should have found a copy of City Council 2014-2015 initiatives. He said this is the result of their Goal Setting Session and each initiative has been assigned to a Committee. He said he will be anxious to hear periodic reports to understand how they are progressing on those efforts. Councilman Lorenz thanked the residents who came out tonight to share their thoughts and sent numerous emails to provide feedback about the Powell Crossing development.

EXECUTIVE SESSION

Councilman Cline moved at 9:16 p.m. to enter into Executive Session in accordance with O.R.C. Section 121.22 (G) (1), Personnel, Salaries and Benefits, and O.R.C. Section 121.22 (G) (3), Pending or Threatened Litigation. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Cline moved at 10:30 p.m. to adjourn from Executive Session. Councilman Counts seconded the motion.

VOTE: Y 7 N 0

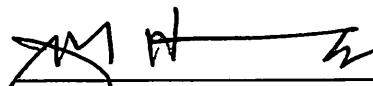
MOTION: Councilman Crites moved at 10:30 p.m. to reconvene in Regular Open Session. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

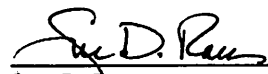
MOTION: Councilman Bennehoof moved at 10:30 p.m. to adjourn from Regular Open Session. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

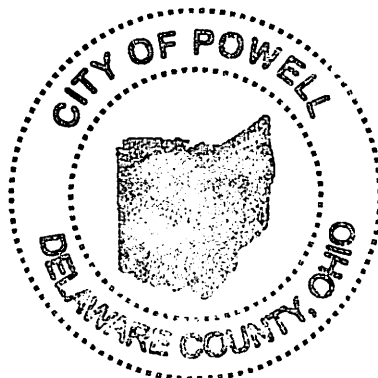
MINUTES APPROVED: April 1, 2014

 4-15-14

Jim Hrivnak
Mayor Date

 4-15-2014

Sue D. Ross
City Clerk Date



City Council
Jim Hrivnak, Mayor

Jon Bennehoof	Frank Bertone	Richard Cline	Tom Counts	Mike Crites	Brian Lorenz
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