



City of Powell, Ohio
City Council

**COUNCIL COMMITTEE OF THE WHOLE
MEETING MINUTES
JULY 29, 2014**

A Council Committee of the Whole meeting was called to order by Mayor Jim Hrivnak on Tuesday, July 29, 2014 at 7:30 p.m. City Council members present included Frank Bertone, Jon Bennehoof and Richard Cline. Mike Crites, Tom Counts and Brian Lorenz were absent. Members of the Liberty Township Trustee Board included Shyra Eichhorn, Melanie Leneghan and Tom Mitchell. Also present were Steve Lutz, City Manager; Dave Anderson, Liberty Township Administrator; and Susie Ross, City Clerk.

PLEDGE OF ALLEGIANCE

STATE ROUTE 750/SAWMILL PARKWAY GRANT FUNDING REQUEST DISCUSSION

Mayor Jim Hrivnak welcomed the parties to this discussion.

Mr. Anderson said the handout shows how the funding is provided (Exhibit 1). The engineering drawing is provided and the larger map shows the project limits: the increase in the width of SR 750 to five lanes from Galloway Drive west to the entrance of the Zoo and the addition of a right turn lane on Sawmill Parkway north of SR 750. The grant funding has to be backed up with \$300k in matching local funds. They have discussed funding with the Columbus Zoo but their comments related to the failure of the levy and their inability to assist financially. The Township has discussed the possibility of a split of that amount with \$150k put in from both the Township and the City of Powell, with the City's portion coming from the TIF funds. On behalf of the Township Trustees, Mr. Anderson asked that the City of Powell contribute \$150k to help make this project happen.

Mayor Hrivnak asked about the timing of the construction. Mr. Anderson said they are looking at a two year build time starting in July 2015. Mr. Lutz said they are looking at having money in hand by late fall 2014. Mr. Anderson said they need the commitment now. He discussed the past, current and future roadway projects in the area. Mayor Hrivnak asked if the Board of Trustees approved funding of this grant. Mr. Anderson said the Board approved a resolution last night. \$150k has been committed from their road funds budget and they plan to go forward with the Permissive License fee process. The first two years from those funds alone would help make this project happen.

Mayor Hrivnak said there was some concern on the part of the City:

- ***The Zoo is causing the traffic yet they say they have no funding to help pay for the improvements.***

Mr. Mitchell said he shares that frustration; this will benefit the Zoo and this is something they would like to see. Ms. Leneghan said she just found out that when the Zoo wanted all of the additional parking lots they attended a meeting with the Homeowner Association for Wedgewood Park and committed to that community that they would widen SR 750 all the way up to Sawmill Road. Mr. Anderson said the 29-year Zoo levy that recently ended brought in \$18 million per year. He assumes they will go back to the ballot but there are no guarantees and even if it is approved now the funding will not be available until 2016. Ms. Leneghan said the whole burden lies on the Zoo because they are the cause for the necessity to widen the road. They should hold them to their commitment to widen the road. Mr. Bennehoof said Mr. Lorenz suggested the Zoo could raise their parking fees and use that revenue to help with the road project. Ms. Leneghan said the parking was just raised significantly from \$5 to \$8. Mr. Bennehoof said regardless of the argument, the Zoo has a shortfall and commitments could be out the window; they could look bad if they use their monies to fund this project. Mr. Mitchell said they can suggest ways for the Zoo to make revenue and put pressure on them but this funding is needed now.

- ***The taxpayers within the City may be paying twice for the project.***

Mr. Cline said everyone who lives in the City pays roughly the same 6.82% in property tax as those who live outside of the City in the Township. Mr. Lutz said residents of the City do not pay the Road and Bridge Tax. Mr. Cline said he has been asked by residents why City residents should pay twice and he doesn't have a good answer. Mr. Anderson said the Township portion will be funded by the Road and Bridge tax fund so

City taxpayers will not be paying twice. There will be a return on investment for the citizens of the City. Mayor Hrivnak asked if the Township license plate fee would affect residents within the City. Mr. Anderson said it would only effect those in the unincorporated part of the Township.

- ***Is it legal for the City of Powell to expend tax dollars on areas outside of the City?***

Mr. Cline said it is very tough to justify one dollar, much less \$150k to be spent outside of the jurisdiction when the entity that is getting all of the benefit is saying they will not assist financially. Mr. Anderson said the City has parcels that are abutting this road. The intersection at Sawmill Parkway and SR 750 is functioning at an "F" and the improvements could bring it up to a "B" or "C" to allow a significant impact for the residents. Mr. Lutz said the outlots in front of Giant Eagle are not in the City but the northeast corner is within the City. He said the outlot across from the Wendy's is also within the City.

Mr. Bennehoof said he has been pro and con on this issue. He said if the City Council decides to provide the funding it will be very important to distribute the message correctly to the community. He said if they divide the funding of \$150k by the population in the City, essentially the project will cost each man, woman and child \$10.00. Mr. Anderson said the Township is working on a grant for the repair of Sawmill Road that has portions within both jurisdictions. Mr. Lutz said that road is in terrible shape and is beyond just patching. It goes in and out of the City and the Township and it requires both communities to do it at once. Mr. Anderson said it is at the top of both lists. Mr. Lutz said they are submitting a grant which would be a complete mill and overlay of Sawmill Road from Powell Road south to the cul-de-sac at the south end. The grant is for an approximately \$500k project and if they get the grant, the Township and the City would each be responsible for about \$70k. Mr. Anderson said they have the grant but need to complete the funding and the work can be done next year. He said that is a \$90k reduction in what the \$160k City would pay for its split. He said he feels comfortable moving forward with this funding.

Ms. Eichhorn said she has had a hard time on this one and has asked residents if they want to spend more now or fight to get funds from the Zoo or ODOT. More than the majority consistently said they would do it to get it done now and have better traffic flow. Liberty Township cannot fund the entire \$300k now and if they can't get funds from the City they will have to go back to the voters. She said she would be very appreciative of the City's funding and this would be a positive action to show that the Township and City are trying to work together. She knows that \$150k is a lot of money and a big decision and the Trustees appreciate the chance to have this discussion.

Mr. Bertone said there was discussion about the widening coming all the way up to Murphy Parkway but he did not see that on the plans. Mr. Anderson said the widening ends east of Galloway Drive. He said if they cannot raise the local funds they will have to fight to get back to the top of the pile for another grant. He said they hoped to corner the Zoo for the last furlong. Mr. Bennehoof asked if they could go to the Zoo for funding in the future. Mr. Lutz said he and Mr. Anderson spoke earlier in the week and both recognized that they have not had much of a relationship with the Zoo in the past. The Zoo, City and Township are all growing and the Township and City need to have regular meetings with the Executives and Board Members from the Zoo.

Mayor Hrivnak asked to note on the record that Councilman Tom Counts was an advocate of involving the Zoo in the funding. He said he hoped they would match the contribution of the Township and the City. He said Councilman Brian Lorenz thought the Zoo could raise parking fees and use the increase to help fund this project.

Mr. Lutz said it would be beneficial for everyone here to show their cards tonight. He said they cannot take action at this meeting but can at the regular Council meeting on August 5th.

Mr. Bertone said he has been pro and con on this issue and to this point he was mostly con until he heard about the side benefits that could be more tangible down the road. He agrees with Mr. Cline that the City residents should not have to pay twice and that will need to be clarified in their communications. He said he is concerned that the Murphy Parkway project and potentially the Center at Powell Crossing construction could be going on during the same time as this project. One would not be able to travel in any of the four directions with all of these project going on at exactly the same time and that is a lot to ask. Mayor Hrivnak asked if the State will coordinate with other projects. Mr. Anderson said they are very good about working with the other entities. Mayor Hrivnak said he hopes they can assist in this case. Mr. Bertone said the Township's efforts toward this grant are commendable. He asked about the City paying into ODOT efforts. Mr. Lutz said it is likely the new "norm" and usually there is a local match to any grant. They need to keep in mind is that this is a \$7.5 million project and they are fortunate to be talking about a \$300k match. Mr. Bertone asked if the Zoo contributed anything toward Phase I or II. Mr. Lutz said they did not. Mr. Anderson said they donated all of the rights-of-way.

He said partnerships are how things are going to get done in the future. Mr. Mitchell said there is a tight timeline and the Township needs to respond to the State as soon as possible.

Mr. Bennehoof said he is in favor of the funding because of the offset of the OPCW project on Sawmill Road and the relief improvements in this project will help the traffic in the downtown. This funding is a small percentage of the project. He said Mr. Lorenz has indicated he is interested in providing the funding but he would like to see the Zoo contribute their share. Mr. Bennehoof said in the future a new relationship should be formed with the Zoo and the City and Township should continue their cooperative relationship.

Mr. Cline said he has all of the same concerns he had when they started except he is pleased to see that there is a segment of the project that abuts the City. He disagrees that this project will help downtown Powell traffic. It may make it worse because it may move the bottleneck further east. Currently their residents experience bottlenecks in several other areas and if they can alleviate or provide relief to one of those bottlenecks it is better than none. He said he is concerned about the timing of the projects but there is not much they can do. Mr. Cline said he completely disagrees with the idea that the 2016 Sawmill Road project is a windfall that should be counted toward this because they would have cooperated and achieved that grant regardless of this project. The City is looking at a \$35 million hole for capital improvement needs that they cannot fulfill. Mr. Cline said everyone should be commended for leveraging dollars for this project. He said he came into this meeting against the funding and now he is firmly on the fence.

Mr. Bertone said he came from being firmly on the "con" side to now being on the "pro" side. He would love to see something as development progresses that highlights that travelers can go through downtown and it will cost them 25 minutes or they can turn right and be at I 270 in 4 minutes. It would get a majority of folks detracted to move south in some way. The funding for this project is a collaborative effort and will be a positive story for the City. The residents and their feedback is paramount in his mind. He said he will feel good about this decision when he looks back in the future.

Mayor Hrivnak said he also does not think this project will assist traffic in the downtown but it will assist those who want to leave the area. It will not mean any less cars coming downtown and should help the residents of Powell get back to their destinations. He agreed that each project has to stand on its own merit. The extension of the bikepath is worth something to the City residents and he can support this. Ms. Leneghan said when they talk about bikepaths, the addition of 1.23 miles of bikepaths for all of the residents will be a big gain. Mayor Hrivnak said they cannot change the decision of the Zoo but they can work collaboratively to build a relationship with them for the future.

Mr. Lutz said the legislation for this funding will be on Tuesday's Council agenda. Mr. Cline said he appreciates the Trustees coming to this meeting and giving their thought process. He said that has been very helpful. Ms. Eichhorn said they all have learned a lot more about the pro's and con's and she hopes this is the start of many more discussions. Mr. Lutz said in the past there have been very few of these sorts of meetings and they have been very painful; this meeting has been wonderful and no one has had a hidden agenda. Mayor Hrivnak said he will contact Mr. Mitchell and set up a schedule for future meetings. Ms. Leneghan said they will not always agree on everything but having a productive conversation and knowing they are all trying to better communicate is important. She said all of the Trustees agree that this is not fair that the Township has to pay for this and it is not fair that the City has to pay for it; at the end of the day it is a lot of money that has been acquired through the grant and it would be heartbreaking to lose the project for this community. Mr. Anderson said there are many opportunities out there for the two communities to work together. Some of the items on the City's capital improvements list may contact the Township. Mr. Cline said the people around this table have tried in the past to find ways to work cooperatively and generate income for these types of projects; it is time to renew those discussions to make things work for the residents in both communities.

ADJOURNMENT

The meeting was adjourned at 8:43 p.m.

MINUTES APPROVED:

 8-21-14
Jim Hrivnak
Mayor Date

 8/21/2014
Sue D. Ross
City Clerk Date



City Council

Jim Hrivnak, Mayor

Jon Bennehoof

Frank Bertone

Tom Counts

Mike Crites

Richard Cline

Brian Lorenz