



City of Powell, Ohio
City Council

MEETING MINUTES
September 1, 2015

CALL TO ORDER/ROLL CALL

A regular meeting of the Powell City Council was called to order by Mayor Jim Hrivnak on Tuesday, September 1, 2015 at 7:30 p.m. City Council members present included Frank Bertone, Tom Counts, Jon Bennehoof, Jim Hrivnak, Brian Lorenz, and Mike Crites. Richard Cline was absent. Also present were David Betz, Development Director; Rocky Kambo, GIS Planner; Chris Huber, City Engineer; Megan Canavan, Communications Director; Debra Miller, Finance Director, Eugene Hollins, Law Director; Steve Lutz, City Manager, Karen J. Mitchell, City Clerk, and interested parties.

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION

Mayor Hrivnak opened the citizen participation session for items not on the agenda. Hearing none, he closed the public comment session.

PROCLAMATION – Prostate Cancer Awareness Month – Linda Hoetger, Ohio Regional Champion for ZERO

PROCLAMATION– Hunger Action Month – *Mid-Ohio Foodbank*

PRESENTATION: Geographic Information System (GIS) upgrade update – *Rocky Kambo, GIS Planner.*

Mr. Kambo: The task is to develop an easy to use, accessible, and attractive GIS system. Improvements include redesigned PDFs, online interactive maps, and a real-time asset management system. The next steps are to optimize, advertise and refine the system.

APPROVAL OF MINUTES – August 18, 2015

One correction was noted in the minutes.

MOTION: Councilman Counts moved to adopt the minutes of August 18, 2015, as amended. Councilman Bennehoof seconded the motion. By unanimous consent of the remaining members of Council, the minutes were approved, as amended.

RESOLUTION 2015-10: A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Steve Lutz, City Manager: This is one of the first steps in the annual budgeting process and Debra Miller will review it with you. We have a budget commission in Delaware County and what this resolution does has no impact on the amount money we are actually going to be putting together in our proposed budget.

Debra Miller, Finance Director: This is an annual resolution that is based on the millage that we are going to collect for property taxes in the City of Powell. The 1.2 mills is for our general fund. As far back as I can see, at least 20 to 30 years, this number hasn't changed. The 2.6 mills is the voted debt and that number has been level for the couple years and I foresee it staying at 2.6 for the next couple of years as well. This is for our 2016 collections.

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

MOTION: Councilman Counts moved to adopt Resolution 2015-10. Councilman Bennehoof seconded the motion.

VOTE: Y 6 N 0

SECOND READING: ORDINANCE 2015-04: AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FOR 5.37 ACRES AT 185 N. LIBERTY STREET FROM CITY OF POWELL R, RESIDENCE DISTRICT TO CITY OF POWELL DR, DOWNTOWN RESIDENCE DISTRICT. *Tabled from the August 18, 2015 meeting.*

Bill Pizzino for the developer: Mr. Hallapy has asked me to come here tonight. We are requesting that this be tabled at this point in time based on the comments that he [Mr. Hallapy] has received from council and the community. He wants to revise the plan and come back at a time in the future with those revisions that incorporate the comments that have been made.

Councilman Bennehoof: Gene, do we have any direction on the tabling?

Mr. Hollins: Does he [Mr. Hallapy] want it postponed indefinitely or to a date certain?

Mr. Pizzino: I believe Mr. Hallapy's looking to come back in the next 30-45 days or so. We've got some revisions to make in the plan, but it won't be a long period of time.

Mr. Hollins: I'd say the appropriate motion would be to postpone it indefinitely, which allows you to bring it back off the table at any future meeting when the developer has completed the revisions.

Councilman Bennehoof: One of the things we wrestled with is notice. We would have to make sure we re-notice it again when it comes back. The logistics would be that we would untable it at some time in the future, notice it, and then hear it.

Mr. Hollins: If we knew ahead of time what meeting they wish to request it be brought off the table, staff may be able to take care of public notice. But either way, we will make sure there is public notice for when it will be back on the table.

Councilman Counts: Don't we formally have to put it back on the table if we table it indefinitely?

Mr. Hollins: Yes. There would be a formal motion to bring it back on the agenda.

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

Councilman Bennehoof: I think we ought to hear from the developer at his request, officially go through and bring it on the table, and then noticing it in a public forum, so that we are sure that all the proper notifications have been made to ensure clarity to the public that it's being redressed.

MOTION: Councilman Bennehoof moved to indefinitely table Ordinance 2015-04 until notified by the developer that he would like it untabled in the next council meeting available after the request to untable is made, to allow for public notice of the second reading. Councilman Counts seconded the motion.

VOTE: Y 6 N 0

SECOND READING: ORDINANCE 2015-38: AN ORDINANCE ACCEPTING THE ANNEXATION OF A 43.88 ACRE TRACT, MORE OR LESS, TO THE CITY OF POWELL.

Mr. Lutz: This is the proposed annexation of the southeast corner of Sawmill Parkway and Seldom Seen Road. And continuing on with tonight's theme of tabling, in your packet was a request from the developer that this item be tabled until the September 15th meeting so it will coincide with the second reading of the proposed Powell Grand zoning map amendment legislation.

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

MOTION: Councilman Bennehoof moved to table to a date certain of September 15, 2015 the second reading of Ordinance 2015-38. Councilman Crites seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2015-41: AN ORDINANCE ACCEPTING THE ANNEXATION OF 113.59 ACRES, MORE OR LESS, FROM LIBERTY TOWNSHIP TO THE CITY OF POWELL.

Mr. Lutz: Tonight is the first of two meetings regarding this proposed annexation. This 113 acres covers what was formally known as the Shamrock Golf Course. Earlier this year, the City of Powell, Liberty Township and the developer, Romanelli & Hughes, entered into a pre-annexation agreement and a cooperative economic development agreement regarding this site. Earthwork site improvements are taking place right now on the site. This site will end up containing 166 upscale homes. It's being developed pursuant to the plan which was adopted by Liberty Township. We do recommend taking this to a second reading.

Councilman Bennehoof: These are single family, free-standing units?

Mr. Lutz: Correct.

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

Ordinance 2015-41 was taken to a second reading.

COMMITTEE REPORTS

Development Committee: *Next Meeting: Tuesday, September 1, 2015, 6:00 p.m.* Discussions continued as to signal optimization and traffic in and around the downtown area. We made some in-roads and are beginning to formulate a plan on how to improve the intersection and the areas around the intersection. Mayor Hrivnak: There was an update on the 2015 sidewalk repair program. The committee accepted the request by the engineer to combine the 2015 with the 2016 sidewalk program. The Murphy Parkway engineering update and design – the engineering is nearly complete. We should be out for bid and have a contract this fall. Councilman Bennehoof: It should be noted that the sidewalk program is being deferred due to its [small] size.

Finance Committee: *Next Meeting: Tuesday, September 8, 2015, 7:00 p.m.*

Operations Committee: *Next Meeting: Tuesday, September 15, 2015, 6:30 p.m.*

ONE Community: *Next Meeting: Monday, September 14, 2015, 7:00 p.m.*

Planning & Zoning Commission: *Next Meeting: Wednesday, September 9, 2015, 7:00 p.m.* Mr. Betz: At the next meeting it will be the second of two published public hearings for adoption of the comprehensive plan. I anticipate P&Z adopting it at that time and sending on to Council for review.

Comprehensive Plan Steering Committee: *Next Meeting: Tuesday, September 22, 2015, 6:30 p.m.*

Powell Community Improvement Corporation: *Next Meeting: TBA.* Mr. Betz: We had a brief meeting last week. We were able to assess two projects: Approve the payment to Market Liberty Crossing, and review the status of the lease and deposit for Howard Hanna Realty at 44 N. Liberty Street.

CITY MANAGER'S REPORT

Mr. Lutz: As I briefed you earlier, Brad Sprague, the City's financial advisor, passed away this past weekend. He had a unique ability to be able to condense very complex information into layman's terms. Brad was one person I worked with who, when presenting figures to me, I never questioned them. He was always right on target and it was very comforting to have Brad look at information and, if he gave a thumbs up, then you knew it was good. Our thoughts are with Brad's family during this period of time.

As we are aware, CSX was scheduled to repair the Olentangy Street rail crossing last fall and they did not proceed with that because of the lack of materials. Then they were scheduled to do it at the beginning of spring and have never followed through on that, but promised it would be done this fall. We're still trying to lock them down on a date and we have not received anything yet. If we don't get a commitment shortly, I will work with some state legislators or the PUCO [to get this done].

Mayor Hrivnak: Does that relate as well to the queue cutter?

Mr. Lutz: It does not. The queue cutter has been awarded a bid.

Councilman Bennehoof: Is there any chance that CSX is attempting to coordinate their effort at the crossing with the queue cutter work?

Mr. Lutz: No. We are letting the queue cutter go forward and have that be done instead of trying to have them coordinate with CSX because that would be disastrous. I don't have a lot of confidence in CSX right now.

OTHER COUNCIL MATTERS

There were none.

EXECUTIVE SESSION: EXECUTIVE SESSION IN ACCORDANCE WITH OHIO REV. CODE, SECTION 121.22(g)(8) ECONOMIC DEVELOPMENT

MOTION: Councilman Bennehoof moved at 8:19 p.m. to adjourn into Executive Session in accordance with Ohio Rev. Code, Section 121.22(g)(8), Economic Development.

Mr. Hollins: The Executive Session is necessary to protect the interest of an economic development applicant or the possible investment or expenditure or of public funds to be made in connection with an economic development project.

Councilman Crites seconded the motion.

VOTE: Y 6 N 0

MINUTES APPROVED: September 15, 2015

JH
Jim Hrivnak
Mayor

9-18-15
Date

Karen J. Mitchell
Karen J. Mitchell
City Clerk

9-18-2015
Date



City Council

Jim Hrivnak, Mayor

Jon Bennehoof

Frank Bertone

Tom Counts

Mike Crites

Richard Cline

Brian Lorenz