



City of Powell, Ohio

City Council

MEETING MINUTES SEPTEMBER 17, 2013

A regular meeting of the Powell City Council was called to order by Mayor Richard Cline on Tuesday, September 17, 2013 at 7:30 p.m. City Council members present included Jon Bennehoof, Tom Counts, Mike Crites, Jim Hrivnak and Brian Lorenz. Sara Marie Brenner was absent. Also present were Steve Lutz, City Manager; David Betz, Development Director; Gene Hollins, Law Director; Susie Ross, City Clerk; the Press and interested parties.

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION

Mayor Cline opened the meeting to Citizen Participation for items not on the agenda. Hearing none, he closed the Citizen Participation session.

APPROVAL OF MINUTES

MOTION: Councilman Counts moved to approve the minutes of September 3, 2013 as submitted. Councilman Crites seconded the motion.

VOTE: Y 6 N 0

CONSENT AGENDA

Item

- Monthly Building Report
- Monthly Development Report
- Monthly Financial Report
- Monthly HDPI Report
- Monthly Police Report

Action Requested

Receipt of Electronic Report
Receipt of Electronic Report
Receipt of Electronic Report
Receipt of Electronic Report
Receipt of Electronic Report

MOTION: Councilman Counts moved to approve the Consent Agenda as submitted. Councilman Hrivnak seconded the motion.

VOTE: Y 6 N 0

RESOLUTION 2013-15: A RESOLUTION SPECIFYING THE MUNICIPAL SERVICES TO BE FURNISHED TO 60.23 ACRES, MORE OR LESS, WHICH IS PENDING ANNEXATION TO THE CITY OF POWELL.

Steve Lutz, City Manager, said at the last Council meeting Council adopted a pre-annexation agreement with the Shoppes at Wedgewood and Mt. Carmel Health System. He said this Resolution starts the proposed annexation process where the City notifies the County that if the land is annexed, the City will provide services to the area. Mr. Lutz said the actual annexation process requires a 90- to 120-day period before an annexation ordinance will come before City Council for consideration.

Councilman Crites asked when the annexation petition was filed. Gene Hollins, Law Director, said the petitioner filed the annexation on Friday morning. He said Staff was aware it would be filed so they prepared the resolution so it could be considered in due course. He said the City must submit a resolution of services and forward it to the County Commissioners within 20 days of the date of the filing of the annexation. He said after they take action and deliver the transcript of their proceedings to us, it starts a 60-day waiting period during which time the City cannot take any action. Mr. Hollins said at the end of that period, Staff may place it on the next City Council agenda for their consideration and the legislation will have two readings.

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

MOTION: Councilman Counts moved to adopt Resolution 2013-15. Councilman Crites seconded the motion.

VOTE: Y 6 N 0

SECOND READING: ORDINANCE 2013-35: AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR METRO DEVELOPMENT LLC FOR 119 SINGLE FAMILY HOMES ON 69.798 ACRES, LOCATED ON THE SOUTH SIDE OF HOME ROAD APPROXIMATELY 1,000 FEET WEST OF STEITZ ROAD.

Tabled from September 3, 2013

Mr. Lutz said the applicant for this proposed development has requested that this ordinance be tabled to Council's October 1st meeting. He said they are still working on meeting the terms within the legislation that requires the property to be added to the LCIFA. He said that is still being negotiated.

Mayor Cline opened this item to public comment.

Jay Siefrin, 4507 Hunter's Bend, Liberty Township, said he lives in Liberty Village which is just south of the proposed development. He said he is the President of the Homeowner Association and they have 34 homeowners and 4 more lots to develop. Mr. Siefrin said they have some concerns about this and they spoke during the Sketch Plan review before the Planning & Zoning Commission; unfortunately they missed the other two meetings. He said the developer addressed a few of their concerns in the modification proposed. He said they have 20 lots in the southeast corner that adjoin their development which is a reduction from the initial 23 lots proposed. Mr. Siefrin said if they are familiar with Bakircay Lane, they will note that it has one-acre lots that immediately jump into smaller ¼-acre lots. He said this proposal is a replication of that plan; he distributed an aerial map of the area (Exhibit 1). Mr. Siefrin said this is not a good transition plan from their neighborhood of ¾- to 1-acre lots to ¼-acre lots in this development. He said 120 homes on 70 acres with 30 acres of green space ends up being something that is not a cohesive visual conversion from one neighborhood to another and that causes concerns from a property value perspective. Mr. Siefrin said a traffic study noted that 44% of the homes would likely travel south through Hunter's Bend to Steitz Road and that equates to 90 vehicles twice daily. He said they are not here to say they should not develop but they are asking for something that is a little more cohesive. Mr. Siefrin said they can take the 23 lots and reduce it to 12 lots. He said those lots would then be about ½ acre which would make a transition from 1 acre to ½ acre lots to ¼ acre lots. He said that would reduce the number of homes from 119 to 111 and that would reduce traffic flow on their street. He said they could also close access to Hunter's Bend and provide an emergency access easement on the stub road instead. He said that would eliminate all of the traffic concerns for their subdivision. Mr. Siefrin said they requested a 50' easement and the developer has planned for a 25' easement and that is acceptable. He said in the Sketch Plan review their development was never referenced in the construct of the development and the developer expressed zero concern about anything to the south of this development. Mr. Siefrin said their primary concerns are the safety of their children, the property value of their homes and the fluidity of the two subdivisions. He said this is not conducive to the type of neighborhood they are trying to establish in Powell.

Hearing nothing further, Mayor Cline closed the public comment session.

MOTION: Councilman Counts moved to table Ordinance 2013-35 to the next Council meeting scheduled for October 1, 2013. Councilman Crites seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2013-44: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A PRE-ANNEXATION AGREEMENT WITH SPECTRUM ACQUISITION POWELL, LLC AND HENDY ENTERPRISES, LTD. AND DECLARING AN EMERGENCY.

Mr. Lutz said the City has been petitioned to annex undeveloped property off of Sawmill Parkway (indicated). He said it is on the east side of the parkway just across from the Mt. Carmel Urgent Care site and north of the Shoppes at Wedgewood. Mr. Lutz said this site has a contract pending with Spectrum Acquisition Powell, a company out of Colorado that develops retirement communities. He said they have 27 communities in 12 states, including one in Westlake, Ohio. He said they are proposing a facility that would provide 130 housing units that are broken into retirement living, assisted living and a special memory care unit.

David Betz, Development Director, said at this time the only access to this property is from Sawmill Parkway and that makes it a less desirable choice for retail developers. He said this proposal is a good use for this property. Mr. Betz said like other retirement facilities they will offer independent living on up to memory care and that will provide a very low impact on the community. He said people will come to visit but those who are residents will not generate many trips in and out. He said there will be vehicles that come and go from time-to-time to provide transportation to shopping and limited parking will be required for visitors and service providers. Mr. Betz said the building itself (Exhibit A) is a very good use for the site when looking at the impacts on the community and the location. He said he looks forward to working with the applicant.

Glen Dugger, Smith & Hale, LLC, representing the applicant, said Staff has described the proposal well and he is available to answer questions. He said there are some issues to work through but Spectrum has been looking in Central Ohio for the past 6-9 months and are very excited about this property. He said this will probably be their first community built in Central Ohio.

Councilman Counts asked about the significant impacts this type of use will have on community services. Mr. Dugger said Spectrum believes this type of use is needed in this quadrant of the County because people will have a place for housing and assistance to their parents. He said they do tend to have higher emergency runs than a typical office building of the same size but typically there is not police impact. He said this part of Powell and Liberty Township is underdeveloped from a sanitary sewer standpoint and they are working through those issues. Mr. Dugger said they hope this will be resolved in favor of this proposal. He said the residents will be elderly and not in heavy demand of services such as fire and water. He said the biggest use will be for emergency runs and he will submit better information about their costs at the next reading.

Councilman Lorenz asked if this would be the first senior living facility in the City. Mr. Betz said this would be the first of this nature but there are some senior apartments off of Liberty and Village Park Drive. Councilman Lorenz asked about their staffing levels. Mr. Dugger said this is not a full nursing facility which requires the certificate of the compliance submitted to the State. He said this facility is for people who can take care of some or all of their daily needs. He said people in the memory care unit will have different types of needs. Mr. Dugger said there will be 28 full-time equivalents with physicians in and out on a daily basis.

Councilman Bennehoof asked if the entire footprint will be three stories. Mr. Betz said the center part is three stories and the wings are two stories. Councilman Bennehoof asked about the density per acre allowed on this space. Mr. Betz said this will be placed into a Planned Commercial District and that has no density requirement for this type of use. He said it is a permitted use and will be one of those that must fit within all of the other issues such as sanitary service and stormwater detention/retention. He said those will set the maximum limit of the development on this property.

Mayor Cline asked about the number of full-time workers. Mr. Dugger said when this first came along in terms on annexation, they discussed staffing within the high 20's. Mayor Cline asked if they typically have a physician, nurses or LPNs on staff or will it be more like custodial/maintenance staff. Mr. Dugger said it tends to be the latter but the memory unit requires higher level staffing for residents who require more attention. He said this unit is the step below a full service nursing home.

Councilman Hrivnak asked how this facility compares with the one at the south end of Sawmill Road. Mr. Dugger said he has not been in that facility so he cannot provide a comparison. He said there is a trend in this industry to get away from full-time nursing and focus on developments where each resident obtains only the services that individual needs.

Councilman Bennehoof said Mr. Dugger referred to staff as full-time equivalents or FTEs. He asked if their estimate of 28 employees would mean they would have 56 half-time employees. Mr. Dugger said in a facility like this some people work full-time and some work half-time.

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

Mr. Lutz said Council may take this to a second reading if they like. Councilman Counts put forth a motion to determine the wishes of Council.

MOTION: Councilman Counts moved to suspend the rules in regard to Ordinance 2013-44. The motion died for lack of a second.

Mr. Dugger said he will try to find an estimated payroll for their facility and information on the other facility in the area. He said he will have information on impact to the community as well.

Ordinance 2013-44 was taken to a second reading.

FIRST READING: ORDINANCE 2013-45: AN ORDINANCE DETERMINING NOT TO ISSUE ADDITIONAL DEBT FOR THE PURPOSE OF ACQUIRING LAND AND INTERESTS IN LAND FOR PARKS AND RECREATIONAL PURPOSES, CONSTRUCTING AND INSTALLING RECREATIONAL IMPROVEMENTS, INCLUDING WALKING AND BIKING TRAILS, BALL FIELDS, AND OTHER PARK FACILITIES, AND ALL NECESSARY APPURTENANCES THEREFOR.

Mayor Cline asked about the revised version of Ordinance 2013-45 provided to the members of Council this evening. Mr. Lutz said there was one typo in the ordinance and he does not believe it was substantive. Ms. Ross said the revision was simply the addition of the word "to." Mayor Cline said they will work from the revised Ordinance 2013-45.

Mr. Lutz said the ordinance is before Council at the request of the County Auditor and he recommends they suspend the rules and adopt the ordinance this evening. He said in 2002 Powell voters approved a bond issue which permitted the City to construct the park system. He said they asked the voters to give them approval to issue up to \$7 million in bonds to build the parks. Mr. Lutz said often projects are not completed on time and they run over budget but in this case the park project was completed on time for \$1 million less than expected. He said as a result of the 2012 issue where City voters approved renewal of the issue for upcoming years, the County Auditor asked that the City clarify that they have no intention of issuing the final \$1 million within the 2002 issue.

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

Councilman Counts said they should all be proud they are voting in favor of not issuing any additional debt as that is quite an achievement in City government. Mayor Cline said this is a useful and favorable exercise because it allows the Auditor to address other issues and they are assuring the residents there is not an additional \$1 million in debt pending.

MOTION: Councilman Counts moved to suspend the rules in regard to Ordinance 2013-45. Councilman Crites seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Counts moved to adopt Ordinance 2013-45. Councilman Bennehoof seconded the motion.

VOTE: Y 6 N 0

COMMITTEE REPORTS

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

Finance Committee: Councilman Counts said this will be the first of their budget meetings and he encouraged all members of Council to attend because it is a very important part of what they do. *Next Meeting:* October 22nd, 7:00 p.m.

Operations Committee: No report. *Next Meeting:* October 15th, 6:30 p.m.

Planning & Zoning Commission: Mr. Betz said on October 9th they will be working through the Preliminary Development Plan for the Trowbridge property where the Powder Room is located. He said a couple of smaller projects are moving forward from preliminary to final reviews and will be before Council soon. *Next Meeting:* October 9th, 7:00 p.m.

CITY MANAGER'S REPORT

Mr. Lutz said last month all Department Heads put together their proposed 2014 budgets and Staff will hold internal budget meetings this month in preparation of the budget meetings of the Finance Committee in October.

OTHER COUNCIL MATTERS

There were none.

MOTION: Councilman Counts moved at 8:45 p.m. to adjourn the meeting. Councilman Crites seconded the motion. By unanimous consent, the motion was approved.

DATE APPROVED: October 1, 2013

Richard Cline 10/6/13

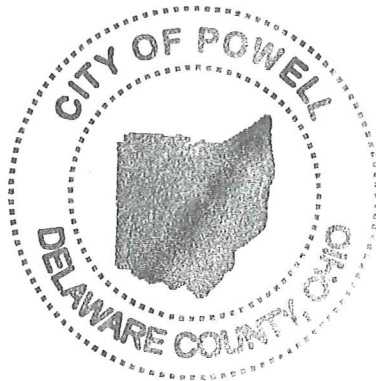
Richard Cline
Mayor

Date

Sue D. Ross

Sue D. Ross
City Clerk

Date



City Council

Jon Bennehoof

Sara Marie Brenner

Richard Cline, Mayor
Tom Counts

Mike Crites

Jim Hrivnak

Brian Lorenz

