



City of Powell, Ohio
City Council

MEETING MINUTES
NOVEMBER 5, 2014

A regular meeting of the Powell City Council was called to order by Mayor Jim Hrivnak on Wednesday, November 5, 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; Megan Canavan, Communications Director; David Betz, Jeff Snyder; Director of Parks, Recreation and Public Service; Silas Bowers, Asst. Director of Parks, Recreation and Public Service; Chris Huber, Acting City Engineer; Gene Hollins, Law Director; Susie Ross, City Clerk; and interested parties.

PLEDGE OF ALLEGIANCE
Boy Scout Troop 428

CITIZEN PARTICIPATION

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

Brian Ebersole, 215 Squires Court, said he is here to address Council about the Charter Amendment that passed yesterday. They have been here for a number of months discussing the high density issue and they have heard it said that there is only a small group of people that are supporting this issue. They have now seen that there is an overwhelming majority of people who do not want to see it in the downtown area. He brings this up because he wants to hear the intentions of City Council. At the end of this meeting there is an Executive Session about pending litigation and he assumes that has to do with the developer wanting to contest this amendment. Mr. Ebersole said the main issue is whether it is constitutional and when they wrote this thing they proposed an advisory council to make non-binding recommendations to Council and there are even provisions in the amendment for Council to make changes to the plan as they see fit except they must keep the ban on high density housing. He wants to hear if Council will just lay down and not fight for what the citizens want. He said this amendment is now part of the Powell City Charter and in 12.02 it states that if parts of the amendment are invalid it is severed from the language; he hopes the goal is to keep as much of the amendment as possible. Mr. Ebersole said he would like to hear Council's thoughts on leveraging that, especially to keep the ban on high density housing in the downtown Powell area.

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

Mayor Hrivnak said the Charter amendment passed and therefore the direction to Council is clear. Council will begin straight away. He anticipates there may be some litigation and they will discuss that later in Executive Session to see how the City can defend this amendment against that litigation.

PROCLAMATION –Pancreatic Cancer Awareness Month, Jill Pierson

Mayor Hrivnak read a proclamation in recognition of Pancreatic Cancer Awareness Month and presented it to Ms. Pierson and her daughter, Cora. Ms. Pierson said her mother died of pancreatic cancer in 2010 and she is a volunteer with the Pancreatic Cancer Action Network. This organization speaks to local government about raising awareness of this disease; the statistics are very dismal. She thanked City Council for their support.

APPROVAL OF MINUTES

MOTION: Councilman Cline moved to adopt the minutes of October 21, 2014. Councilman Crites seconded the motion. By unanimous consent, the minutes were approved.

THE PARK AT SELDOM SEEN ROAD MASTER PLAN DISCUSSION

Steve Lutz, City Manager, said earlier this summer they had an open house to start the process of developing a master plan for the Park at Seldom Seen. This park will be developed in several stages as they do not have the funding to do it all at once. The bond issue approved by voters in 2012 will provide some of the funds to begin the initial construction of the park. During the open house they received numerous comments and changes have been incorporated into the plan based on the comment and feedback received. There was

quite a bit of input regarding the incorporation of a dog park into this park but after looking into the size of the site, a 5-8 acre dog park would take up a lot of the space. The northwest section of the park has to be retained for wetlands; there are several areas of wetlands on the site and through a Federal permitting process they will be allowed to move those to the northwest area of the site. City Council will have to discuss in the future a policy decision regarding whether there is the desire for a dog park in the community and if there is a location in the City for this type of facility. Two designers are here tonight to discuss the Master Plan.

Steve Kolwitz, ASLA, POD Design Landscape Architects, provided an overview of the Master Plan:

- Two access points from Moreland Street and from Seldom Seen Road
- Proposed indoor athletic building along Seldom Seen
- Parking
- Athletic fields – one full size soccer field and others of smaller size
- Playgrounds
- Restroom facilities
- Large natural area where wetlands will be enhanced
- Proposed service complex
- Salt storage area
- Internal trails for specific uses
- Enhanced vegetation between the park and the neighboring homes and also between the park and the railroad tracks

Pete Scott, CSI, Meyers & Associates, reviewed the structures on the site:

- Five structures on site - placement has to work with wetland conditions, visibility from Seldom Seen Road and interaction between park and public service traffic.
- Similar materials and architecture throughout site.
- Athletic Building includes indoor fields, offices, conference room, party room and restrooms.
- Unique design for salt storage structure with sound dampening.
- Added screening for service building and salt structure.
- Heavily landscaped buffers.
- Internal pathways that lead to elements on the site.
- Restroom facilities and Concession areas with additional shelter from inclement weather.
- Service Building includes areas identified by the City as required for offices and machinery storage.
- Parks and Recreation Department will be housed in a separate wing of the Service Building. They proposed separate entrances with an exterior patio that connects into the park area.
- Renderings show buildings utilizing architectural elements to break up massing and the addition of a tower to accentuate the main entry area.
- The entire park is ADA compliant, including the playgrounds.

Councilman Cline asked if the tower is a light well with natural lighting. Mr. Scott said at this time it is. Councilman Cline asked if the service bay area is intended to be a single story or will there be an upper level with storage. Mr. Scott said at this time it is single story but there is plenty of opportunity to add storage upstairs.

Councilman Bennehoof said he recently learned more about wetlands from Staff:

- If they move 1 acre of wetlands they must increase it to 1.5 acres.
- They are governed by very strict Federal/State/EPA regulations.

He said at their ONE Community meeting they have discussed a desire to add a First Responders themed area at the park to recognize the local Police and Fire. He said it seems like the park could use more restrooms. Mr. Kolwitz said they have the opportunity to modify that as the planning continues. This has more restrooms than most parks of this size. They look at accessibility and distance of travel standpoints so they are as convenient as possible. As they refine the plan they will make sure they are adequate. Councilman Bennehoof said the private/public venture building may have restrooms that could be accessible during non-operating hours.

Councilman Cline said he wants to make it clear that there is not funding at this time for the private/public venture building that houses indoor fields. Assuming this park goes forward in 2015, unless something changes that building will not be built. This is a concept building and today there is none today and there may never be money to build it.

Councilman Counts commended the designers on this excellent concept. The salt storage facility shows a lot of imagination compared to what these facilities typically look like; he questions the difference in the cost between this design and a typical salt storage structure. Mr. Scott said this is a large, high structure that will hold

45k cu. ft. of salt and it will be more expensive than typical storage. Councilman Counts said certain things on this site are not negotiable and the wetlands will take up a lot of the space. They will need a certain amount of parking, a salt barn and a service facility so he would like to know how much land they have left for other options. Mr. Kolwitz said if they break down the site there is a quarter that is wetlands, a quarter is parking, a quarter is the buildings near Seldom Seen and a quarter is the flexible space for athletic use or passive activities. Some of those have footprints that are difficult to maneuver around and playgrounds and paths can be woven in around other areas.

Mr. Kolwitz said they cannot fit anything more on the site and if the venture building does not work they can shift things around a little. This is the latest version of concept and it is efficient in parking, layout and access. Councilman Counts said some in the community would like to see a dog park on this site but what would that mean in terms of the loss of other areas. Mr. Scott said that would mean they would lose all of the athletic fields. Councilman Counts asked if they normally find dog parks in the same place as people parks. Mr. Kolwitz said sometimes together and sometimes out further. A bigger question is probably whether a dog park is appropriate relative to the residences around it; it can be a noisier activity. Mayor Hrivnak asked if they have separate parking areas when the uses are mingled. Mr. Kolwitz said they try to find a way to develop the site so parking is separate. Mr. Scott said traffic is something they consider when planning access and parking so they can keep functions separate. Councilman Counts asked about the phasing in terms of their funding. Mr. Lutz said they won't know about the funding for this park until after they open the bids for the construction of Murphy Parkway. They plan on opening those bids in spring/summer 2015 and that will provide them an answer of how much they have left of the \$7 million in capital improvement funds. The plan has always been to build bike paths, install traffic signals and build Murphy Parkway and whatever funds are left will be used for this project. Mr. Scott said Phase 1 would implement the wetland/stormwater mitigation. Phase 2 will be up to the City in terms of priorities. It is cost effective to establish fields and parking; the service building could also be constructed in the first phase. Councilman Bennehoof said this plan shows a very good use of the wetlands as a nature preserve.

Councilman Lorenz said they have done a great job of dividing active and passive areas. He asked if they considered flipping the service facility with the other facility due to noise considerations near the residential areas. Mr. Kolwitz said rather than driving in past the service facility they will drive in to a facility that is part of the park program. They positioned the service facility so it is not right up against the residential area. This concept shows how the elements fit the best from an access standpoint. Councilman Lorenz asked if the proposed boardwalk is similar to Glacier Run. Mr. Kolwitz said it is. Councilman Lorenz said some LEED-type functions have been added such as daylighting in the tower and south-facing towers, the use of bio-swales and planning without too much impervious surface for parking. He asked if they are contemplating any other LEED features. Mr. Kolwitz said nothing at this stage is developed with an eye toward a LEED certification but they are proactive to using responsible solutions. Mr. Scott said the challenge is that it is a large pole barn type building that will include some conditioned space. Councilman Crites said when he first saw this property he had some serious reservations about it being developed as a park; they have done an extraordinary job and he likes the concept very much. He is interested in hearing what the public has to say about this plan. Councilman Bertone asked about the storage capacity of the salt barn. Mr. Kolwitz said it holds about 45k cu. ft. of salt. Mr. Lutz said it holds 1500 tons which is a year's supply of salt. Councilman Bertone asked if there will be special access from across the tracks. Mr. Scott said that is correct. Councilman Bertone asked about the number of parking spaces required if they assume the private building will go forward. Mr. Kolwitz said they planned it for sufficient parking for the games in progress as well as those who are arriving for the next event.

Mayor Hrivnak thanked Mr. Snyder and Mr. Bowers in the Parks, Recreation and Public Service Department for their work on this project. Jeff Snyder, Director of Parks, Recreation and Public Service, said he likes this concept very much.

Mayor Hrivnak opened this item to public comment.

Connie Coghlan, 261 Cedarbend Court, Powell Place, indicated the location of her home near this property. She said she really likes the design of the buildings and the idea of the park but she is concerned about the noise and light pollution. They have lived there 11 years and have built a nice screened porch on the back of their home. Things have happened to decrease their enjoyment of the porch such as train noise at the crossing, noise from Sawmill Parkway, the adjacent large buildings that create light pollution, and the nearby day care facilities. She can hear kids on a playground that is far away and all of the cheering people, whistles, screaming from games will be heard all weekend long. She said her biggest fear is the noise from the fields. Ms. Coghlan said she knows they are lacking fields but she also knows what it is like to hear the noise from an active park. The designers talked about more trees on the perimeter. She said there is a small mound behind her home but

the landscaping has died because it is not a good place to plant trees. There really is not buffer and she can see and hear everything on the other side. The residents in this area are desperate for more buffer and are now going to have activity behind their homes during every evening and all day long during the weekends. They would like a much better noise barrier. She appreciates the design of the salt barn; it is much better than a pole barn. Ms. Coghlan said there is a large tree on this property and she hopes it will be preserved. She said her last concern is one of security. They have had to call many times about vandals at the Lift Station. She is worried that the Police will only be able to go so far within the park for access and it may be more of a problem when that area is isolated.

Shreya Sirivolu, 297 Donerail Avenue, said she is a Senior at OLHS and she initially proposed the dog park initiative two years ago. She said she is thankful they considered incorporating a dog park into this park. She said there has been a lot of momentum within the community and even though it has not been considered for this park she hopes they will continue to consider it in a future park. She said other cities have dog parks and Powell should consider it because there is a great dog community here.

David Bridgman, 611 Village Park, asked about the night lighting requirements for the service building and salt barn. He also asked about the decibel levels for trucks backing up compared to the train noise.

Mr. Scott said he does not have a decibel comparison but it is a big concern for them with a location near the development. There are other measures that can happen but will affect the cost. They will try to create a loop to limit the amount of backing by the trucks but there will always be some backing. There is no plan at this time for lighting the salt barn other than minor security lighting. There will be security lighting on the buildings but none for the fields. Mayor Hrivnak said the most activity at the salt barn will be on stormy winter nights when people are inside their homes so the noise will be limited. Mr. Kolwitz said three of the bays have drive-thru access and there is a fourth smaller bay so most of the trucks will pull through. They will make sure it works well. Mr. Lutz said at the current facility they have residential buildings close by and they can get measurements of the distances. He is unaware of any complaints from those homes. They can see how this compares to the current situation.

Bobby Srivastava, 3259 Winding Woods Drive, said he lives within walking distance to this site. He said he has lived here about two years and has enjoyed watching the development of the community and the City. He is excited about the park at this site. In reading the information he was not under the impression that the venture building would not be included because of financial implications. He asked what that means in terms of giving Council the funding to move forward on something like that. He said this plan is great but if there are limitations he would like to know what they need to do in terms of getting the funding. He said it may be a ballot issue or something Council can plan for the future using money in the reserves. Mr. Srivastava said they do a great job of informing the public. He and others in the community would be very interested in learning more about funding so they can garner more public support. He said he appreciates the thoroughness and detail of this plan.

Chris Manning, 227 Smokewood Road, Woods of Powell, said he has been a Powell resident for 17 years. He wonders why are moving the salt barn to this location and to hear about the plans for the property where it is currently located. Mr. Lutz said the Public Service operations are currently at the Adventure Park. They have three bays that store the salt for the entire City and a lot more vehicles and trucks than they can store there. Keeping the equipment outdoors year-round is very hard on equipment and is an eyesore. Mr. Lutz said for many years the City has had a plan to construct a Public Service Facility that would meet the needs of the community and this plan reflects that need. Their current salt storage was built mostly in-house years ago and it typically has to be stocked three times throughout the winter. The difficulty with stocking salt is that often they cannot get salt during the winter or they run out and cannot get timely deliveries. The proposed barn could hold an entire year's worth of salt. As they begin to look at the Adventure Park site it is not large enough to accommodate the needs of the current community and the vision has been to someday build a facility on this site. The thought is that the current Adventure Park structure is fairly simple and it could be utilized for some of the Parks and Recreation classes that are currently scheduled in the community rooms causing many conflicting dates and times.

Mr. Manning asked if they know the cost of relocating/constructing this building. Mr. Lutz said at this point they put together a Master Plan and if people are comfortable with the concept the consultants can then go back and determine estimated costs. Mr. Manning said he appreciates what they have done to change the aesthetics of the buildings.

Hearing no further comments, Mayor Hrivnak closed the public comment session. He thanked Mr. Scott and Mr. Kolwitz for their work on this first look at this exciting project.

RESOLUTION 2014-23: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE DELAWARE, OHIO CITY PROSECUTOR'S OFFICE.

Mr. Lutz said for years the City has entered into a contract with the Delaware City Prosecutor's Office for legal services and prosecuting cases. Staff received the new contract for next year and the fee per contested case will increase from \$175 to \$185. In a typical year the City spends \$12k-\$13k for prosecuted cases. Mr. Lutz said in the past they have always considered this to be a very fair cost and one that would be tough to beat if they used any other provider. Other than the rate increase this is essentially the same contract as last year.

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

MOTION: Councilman Cline moved to adopt Resolution 2014-23. Councilman Crites seconded the motion. By unanimous consent, Resolution 2014-23 was adopted.

FIRST READING: ORDINANCE 2014-56: AN ORDINANCE AUTHORIZING AMENDMENT TO THE FEE SCHEDULE OF THE CITY OF POWELL.

Mr. Lutz said this ordinance is for the annual changes to the Fee Schedule for the City. There is only one proposed addition/change on page 19 entitled "After Hours Inspections". The fee requires a minimum of three hours billed at \$140 per hour. The Building Department will primarily utilize this fee when they have to inspect new exhibits at the Columbus Zoo. Often they are called in after regular work hours right up to the grand opening and this would cover those expenses. He recommended they take this ordinance to a second reading; it does not go into effect until January 1st and it ties in with the first reading of the budget at the next Council meeting.

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

Ordinance 2014-56 was taken to a second reading.

FIRST READING: ORDINANCE 2014-57: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO AWARD A BID TO RUMPKE OF OHIO, INC. FOR THE RESIDENTIAL GARBAGE, REFUSE, RECYCLING AND YARD WASTE SERVICES CONTRACT.

Mr. Lutz said bids were opened last week and the City received only one bid. Two other waste haulers took out bid packets but did not bid. Staff recommends they award the bid to Rumpke; they are currently paying \$17.14 per household per month and under the new bid, effective January 1, 2015, that rate would drop to \$16.95 per household per month. That rate is guaranteed for three years. As part of this contract, residents can rent a 65 gallon wheeled recycling container for \$2.00 per month or a larger 96 gallon container may be rented for \$3.50 per month. The Operations Committee discussed refuse services before this went to bid and they requested that the bids include lids for the smaller recycling bins; Rumpke did not bid on that line item.

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 2014-57. Councilman Cline seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Bennehoof moved to adopt Ordinance 2014-57. Councilman Cline seconded the motion.

VOTE: Y 7 N 0

FIRST READING: ORDINANCE 2014-58: AN ORDINANCE AUTHORIZING THE DIRECTOR OF DEVELOPMENT TO ISSUE A ZONING CERTIFICATE TO TIDE DRY CLEANERS AND TO WAIVE THE REQUIREMENTS OF SECTION 1105.10 (H) OF THE CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

Mr. Lutz said this matter was discussed with the Development Committee earlier this evening.

David Betz, Development Director, said a couple of years ago the City approved a Final Development Plan for Tide Cleaners at the corner of Galloway Drive and Sawmill Parkway and Tide opted to develop their store in Pickerington before coming to Powell. They are now ready to build and in the meantime the County Sanitary Engineer has established a certain amount of capacity for vacant land along the corridor that is subject to draining within the Leatherlips Pump Station. When they looked at the Spectrum and Ganzhorn sites they

mentioned that they were working on a regional solution for additional sewer capacity. Plans are currently being done for sewer to take some of the Leatherlips area off line and allow for the development of the parcels that include the site for Tide Cleaners. Tide Cleaners would like to start construction of their building and utilize a contract between them and the Sanitary Engineer. This legislation allows Tide Cleaners to get started on construction prior to Staff knowing they have sewer capacity. Staff will hold them to their Certificate of Occupancy so it will not be granted until the agreement is finalized. City staff approves but needs the approval of Council.

Councilman Cline said if they end up with the worst case scenario and they complete construction and the County Sanitary Engineer says they have no sewer capacity, could the City be left with an empty building. Mr. Betz said whether or not the sewer is completed before they open, Tide Cleaners will contract to temporarily "rent" residential equivalent units or capacity from another vacant piece of land. They will end up with a building that has sewer. In the worst case scenario they would end up with an empty building but Tide does not intend for that to happen. Councilman Lorenz said they discussed this at length at Development Committee and they recommend approval. Councilman Bennehoof said he is aware that the Spectrum/Ganzhorn sewer solution is progressing and Tide was going to ride on that capacity. Their intention is to construct the building over the winter and the timeline should work with that.

Steve Collins, VP of Development, Tide Cleaners, said they were prepared to start construction in July and have not been able to work with the County to come to an agreement to allow them to work off of the ERUs allotted to their development. They have been working on a number of different solutions and currently they have an offer from Spectrum to borrow some of their ERUs for a short period of time. Delaware County is favorable to that solution for a short period of time while the overall issue is resolved.

Mayor Hrivnak asked Staff what happens if the ERUs are borrowed for a short period of time and they expire prior to a permanent solution. Mr. Betz said Staff very much anticipates that the permanent solution will happen but the final contract has not been completed. Gene Hollins, Law Director, said the only temporary aspect is that if something is built on another property and they need them; there are other potential sources where ERUs can be borrowed. Staff will pass those along to Mr. Collins. He anticipates there will not be this ERU cap once the private entities finalize the design. The County has a comfort level that it will be built and will provide the solution so no more borrowing will be necessary. Mr. Hollins said there are a number of sources for them to borrow ERUs temporarily until the line is available. Mr. Collins said they will not start construction until they have a plan from the County that the line is approved. They want to be prepared so they can break ground as soon as possible this winter so they can open in the spring. Councilman Bennehoof asked about the scale of the issue. Mr. Betz said an ERU is a residential equivalent unit that equals out to about 190 gallons per day in usage. Tide Cleaners has 2.8 and they need 4 so they are approximately 1,100 gallons a day short. Mr. Collins said the majority of their water usage does not go down the sewer; it goes into their boiler and is used to press clothing. In the dry cleaning process no water is used and in the laundry process water is used but the majority is being used in steam. Mr. Betz said steam is a non-quantifiable amount.

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

MOTION: Councilman Lorenz moved to suspend the rules in regard to Ordinance 2014-58. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Bennehoof moved to adopt Ordinance 2014-58. Councilman Lorenz seconded the motion.

VOTE: Y 6 N 1 (Cline)

COMMITTEE REPORTS

Development Committee: Councilman Lorenz said this evening they discussed the Tide Cleaners matter and also continued the discussion on a possible multi-family moratorium. With some consultation with the Law Director that will be wrapped up in Executive Session in the future. They received an update on the Capital Improvements list and Staff has worked very hard to acquire easements for bikepaths on the west side of North Liberty Street and on the north side of Rutherford Road. They are also nearing completion of signalized intersections at Galloway and Sawmill Parkway and also Village Club & Sawmill Parkway. One of the mast arms at Village Club and Sawmill Parkway remains to be installed because of a water issue. They should be operational in the future. *Next Meeting: Wednesday, November 5th, 6:30 p.m.*

Finance Committee: No report. *Next Meeting: Tuesday, December 9th, 7:00 p.m.*

Operations Committee: No Report. *Next Meeting: Tuesday, November 18th, 6:30 p.m.*

ONE Community: Councilman Bennehoof said the First Responders met last week and Silas Bowers from Staff is attending because of the park aspect. The other initiatives are moving forward. *Next Meeting: Monday, November 10th, 7:00 p.m.*

Planning & Zoning Commission: Mr. Betz said they will meet next week to discuss the Final Development Plan for a Bed & Breakfast at the corner of Grace Drive and East Olentangy Street. *Next Meeting: Wednesday, November 12th, 7:00 p.m.*

Comprehensive Plan Steering Committee: Councilman Crites said the Committee met and discussed the public outreach component of the Comprehensive Plan, stakeholder interviews and a community tour for the Steering Committee. They also had a presentation from Dr. Bill Lafayette, the Committee's Municipal Financial Consultant. They discussed land use decisions and how to determine whether or not they are financially feasible. Most importantly they moved into three breakout groups and discussed land use, transportation and open space issues in order to help identify for the consultants the hot topic issues in those areas. They hope to have a community tour in mid-November. *Next Meeting: Tuesday, December 9th, 6:30 p.m.*

Powell Community Improvement Corporation: No Report. *Next Meeting: TBA*

CITY MANAGER'S REPORT

A Veterans Day Service will be held at the Veterans Memorial on Tuesday, November 11 at 11 a.m. All are invited to attend.

OTHER COUNCIL MATTERS

Councilman Bennehoof said Powell resident Kay Barry passed away recently and it is important to note that she has been a matriarch in this community and the community has benefitted from her generosity. They discussed in Development Committee that it is important that Council do something as a display of effort for the Four Corners. They need to have more discussion on signal optimization; he suggests they get Mr. Clear involved in some way to look at past data and possible low cost initiatives to change programming to set up a different signalization. If they were to do no left turn they would have to determine how that would be enforced. The Four Corners are an issue of concern of the residents.

Councilman Bennehoof learned that the Fire Department has acquired health screenings and he assumes the Police Department does as well. Mr. Lutz said the City has an annual wellness program provided through grants that is voluntary for the employees. Councilman Bennehoof said the Township also has a fuel depot and may be amenable to collaborating with the City for access. Mr. Lutz said he tried to negotiate an agreement a couple of years ago that would be financially beneficial to the City and he can reach out to the Township Administrator again.

EXECUTIVE SESSION: EXECUTIVE SESSION IN ACCORDANCE WITH O.R.C. SECTION 121.22 (G) (3), PENDING LITIGATION.

MOTION: Councilman Crites moved at 9:16 p.m. to adjourn into Executive Session in accordance with O.R.C. Section 121.22 (G) (3), Pending Litigation. Councilman Cline seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Cline moved at 10:00 p.m. to adjourn from Executive Session. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

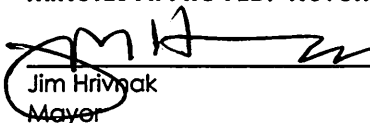
MOTION: Councilman Cline moved at 10:00 p.m. to reconvene in Regular Open Session. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

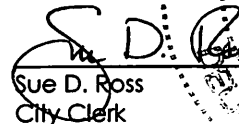
MOTION: Councilman Cline moved at 10:00 p.m. to adjourn from Regular Open Session. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

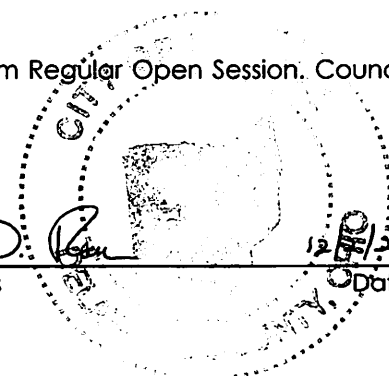
MINUTES APPROVED: November 18, 2014

 12-2-14

Jim Hrivnak Date
Mayor

 12/2/2014

Sue D. Ross Date
City Clerk



City Council

Jim Hrivnak, Mayor

Jon Bennehoof

Frank Bertone

Tom Counts

Mike Crites

Richard Cline

Brian Lorenz