



City of Powell, Ohio
City Council

MEETING MINUTES
DECEMBER 2, 2014

A regular meeting of the Powell City Council was called to order by Mayor Jim Hrivnak on Tuesday, December 2, 2014 at 7:45 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; Debra Miller, Finance Director; Susie Ross, City Clerk; and interested parties.

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION

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

Tom Happensack, 127 Kelly's Court, said he has been an adversary against what the Council would like to see. He did that for the community but they are now past that and it is time to work together. He has no ill will toward the members of Council and hopes that goes both ways. He has not made their lives easy but on November 4th the people spoke and by a 12 point margin Council heard loud and clear that the development within the City that City Council would like to see is not what the public wants to see. He hopes they will take that into consideration. Mr. Happensack said he hopes the City is mindful as they go through the legal process that the City residents have spoken and they expect to be supported. He has a concern if Mr. Hollins is going to represent the City in this matter because of potential ethical issues; Mr. Hollins was against the amendment and has written briefs opposing it. He does not have anything against Mr. Hollins but does not know how one can turn around and represent them. Mr. Happensack said he looks forward to working with City Council. He is not of any power on the Charter Amendment and what was in that but he is more than willing to discuss its vision and how they can go forward from here. They are far along on the Comprehensive Plan and if there is a way to meld the two together that would be a great thing to do; they would all be supportive of that.

Chip Thompson, President of the Delaware County Fair Board, said he talked to Council a couple of months ago seeking support for increasing the bed tax in Delaware County by three percent. Since that time the Fair has received some support from the Farm Bureau of Delaware County through a vote of their membership, Liberty Township voted unanimously to support their efforts, and the Delaware County Financial Authority voiced their support. Mr. Thompson provided an Economic Impact Study conducted by Ohio Wesleyan University. He said it shows that the Delaware County Fair had a \$6.7 million economic impact on the County back in 2008; they do not have funds to have another study done but this shows there is an impact. The Delaware County Fair does not receive enough revenue through ticket sales to support the infrastructure. Mr. Thompson asked that the Powell City Council do what other organizations have done and support these efforts through a resolution.

Councilman Lorenz asked how the City of Powell will be helping when they do not have any motels or hotels in the City. Mr. Thompson said Liberty Township does not either but their support is very valuable. When he sits down with State Representatives and Senators he would like to be able to use Council's support as another piece of "ammunition" to show that the Delaware County Agricultural Society is a good thing and the County Fair should continue to exist.

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

Mayor Hrivnak spoke to Mr. Happensack's comments. The Charter Amendment is the law now and they will defend it with all of their resources. Mr. Hollins is still the City Law Director and is providing background information but another attorney was hired as well.

APPROVAL OF MINUTES

MOTION: Councilman Cline moved to adopt the minutes of November 18, 2014. Councilman Crites seconded the motion. By unanimous consent, the minutes were approved.

SECOND READING: ORDINANCE 2014-59: AN ORDINANCE TO ACCEPT THE PROPOSED BUDGET, AND TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF POWELL, DELAWARE COUNTY, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015.

Steve Lutz, City Manager, said at the last meeting they went through a lengthy summary of the budget. He provided a brief review for the second reading. He thanked the Finance Committee for their time reviewing and discussing the budget and Ms. Miller, the members of the Finance Department and all City Department Heads for their work on this balanced budget.

Councilman Cline said it was apparent in the Finance Committee review of the budget that the Department Heads and Staff understood that their direction was toward a status-quo budget. They understand that they must live within their means and that makes it much easier for the Finance Committee to recommend approval of this budget. He asked if they have had the sufficient advertising time period for the amendments so they can vote tonight. Mr. Lutz said Council may adopt the budget as it stands this evening; if they make any other amendments they will need to have another reading in two weeks.

Mayor Hrivnak opened this item to public comment.

Tom Happensack asked for clarification about the drop in expenditures between this and the last budget. Mr. Lutz said during the recessionary periods they really tightened their belts. Revenues have been stronger the last couple of years and in the 2014 budget they funded several one-time items which had been delayed during the recessionary periods.

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

MOTION: Councilman Cline moved to adopt Ordinance 2014-59. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

FIRST READING: ORDINANCE 2014-64: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2014.

Debra Miller, Finance Director, said this is an appropriation of \$10k from the Street Maintenance and Repair Fund to cover any emergency salt needs or snow plow repairs during the end of the year when Council does not have meetings. Councilman Bennehoof said they did a similar thing last year. Ms. Miller said they did and actually asked for \$20k because they were experiencing a lot of snowfall.

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 2014-64. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Cline moved to adopt Ordinance 2014-64. Councilman Crites seconded the motion.

VOTE: Y 7 N 0

COMMITTEE REPORTS

Development Committee: Councilman Lorenz thanked the Council Members for attending the meeting this evening. It was good to receive an update about the Murphy Parkway Extension engineering. Substantial concerns were heard from the residents about tree clearing, stormwater retention and runoff. Safety features were noted and discussed at length. The relationship of the crosswalk to the railroad crossing grade and the intersection at Liberty Road were discussed as well. *Next Meeting: Tuesday, January 6, 6:30 p.m.*

Finance Committee: Councilman Cline said there is nothing pressing on the next agenda so that meeting will be canceled. The meeting scheduled for January 13th will be moved to a date to be announced. *Next Meeting: TBD*

Operations Committee: No report. *Next Meeting: Tuesday, January 20th, 6:30 p.m.*

ONE Community: Councilman Bennehoof said the First Responders met yesterday and it was poorly attended. *Next Meeting: Monday, December 8th, 7:00 p.m.*

Planning & Zoning Commission: No report. *Next Meeting: Wednesday, December 10th, 7:00 p.m.*

Comprehensive Plan Steering Committee: No report. *Next Meeting: Thursday, December 11th, 6:30 p.m.*

Powell Community Improvement Corporation: No report. *Next Meeting: Thursday, December 18th, 6:00 p.m.*

CITY MANAGER'S REPORT

Mr. Lutz said the annual Holidays in Powell event will take place on Saturday, December 6th with the tree lighting at 5:30 p.m.

Prior to the December 16th Council meeting they will hold a City Council Goal Update Discussion. Mayor Hrivnak said they will review the goals they set at the beginning of the year and discuss any changes or additions.

OTHER COUNCIL MATTERS

Councilman Bennehoof said he was interested to see a draft ordinance about the Four Corners but disappointed they could not discuss it during the Development Committee. He has been intentionally refusing to make a left hand turn at the Four Corners and he found it not to be too egregious to manage that navigation. He feels the community would benefit from Council doing something sooner than later about the Four Corners intersection. Councilman Bennehoof said he had the Engineering Department make the map presented to the Committee so they can see the alternative routes. The problem with left hand turns is that it is generally not the local traffic; people will learn how to bypass. He does not know that they can entertain the proposed ordinance in session without having discussed it in the Development Committee.

Mayor Hrivnak said they should vet the legislation at the committee level first. Councilman Lorenz said he put this ordinance together and they have this on the next Development Committee agenda. The ordinance enacts a study to eliminate left hand turns at any direction at the Four Corners. They have discussed it a little and the feeling is that there is an issue and they should try something that is relatively cost-prohibitive besides the cost of enforcement. This ties in with the Comprehensive Plan update and the voted bond monies. They can discuss this in detail at the next Development Committee meeting.

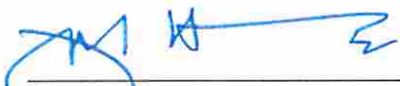

Mayor Hrivnak said they should invite the downtown merchants to the Committee meeting so they can provide input. Mr. Lorenz agreed. Councilman Cline said his business office is south of that intersection between Village Academy and the Four Corners and he makes 3-4 trips a day turning left on Olentangy Street. He has never been delayed during the daylight hours more than 20-30 seconds. They need to think about whether a 24/7 turn ban is the right approach. If Murphy Parkway is not complete this could make life miserable for him and all of the others with businesses in the area. Councilman Cline said he thought this was the adjunct to the prior ordinance that authorized Murphy Parkway that specifically said that they would study the Four Corners.

Mayor Hrivnak asked if this ordinance is a permanent restriction. Councilman Lorenz said this would allow them to study the ramifications for a period of ninety days to understand what they are and whether this is acceptable. If it is deemed to be acceptable or would make a significant improvement they could consider doing it permanently. Councilman Bennehoof said they have had discussions at the Development Committee about left turns and business owners have been present. He personally has interviewed 3 or 4 and asked them what they think should happen with the Four Corners and he has received a lot of negative feedback on turn lanes. Most of them said that no turns would make a huge difference. Councilman Cline said his situation may be somewhat unique because his clientele comes from all over the state and they use GPS to find his office. Councilman Counts suggested that the discussion be broader so that they look at the Four Corners and all of the possibilities. They owe it to the residents to come up with a plan of action. He is concerned that a temporary restriction would cause confusion among drivers and without Murphy Parkway open they will have all of that traffic trying to find a way through the southwest quadrant. He questioned whether this is appropriate to do before the extension is completed but believes it is worthy of broader discussion.

ADJOURNMENT

MOTION: Councilman Cline moved at 8:17 p.m. to adjourn the meeting. Councilman Counts seconded the motion. By unanimous consent, the meeting was adjourned.

MINUTES APPROVED: December 16, 2014

	12-22-14		12/19/2014
_____ Jim Hrivnak Mayor	Date	_____ Sue D. Ross City Clerk	Date

City Council
Jim Hrivnak, Mayor

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