



**City of Powell, Ohio**  
City Council

**MEETING MINUTES**  
**DECEMBER 17, 2013**

A regular meeting of the Powell City Council was called to order by Mayor Richard Cline on Tuesday, December 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; Debra Miller, Finance Director; Megan Canavan, Public Information Officer; Gene Hollins, Law Director; Susie Ross, City Clerk, 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 December 3, 2013 as submitted. Councilman Crites seconded the motion.

VOTE: Y 5 N 0 Abstain: Bennehoof

**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 adopt the Consent Agenda. Councilman Bennehoof seconded the motion.

VOTE: Y 6 N 0

**RESOLUTION 2013-24: A RESOLUTION TO ESTABLISH THE HEALTH REIMBURSEMENT (HRA) ACCOUNT AGENCY FUND.**

Steve Lutz, City Manager, said the City has an employee that is turning 65 this year and under Federal Law, HSA accounts may not be utilized by persons once they reach this age. He said they plan to set this employee up with an HRA which is a similar account that is allowed by law. He said this resolution will allow establishment of this account and cover this employee and others who will reach this age in 2014.

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

MOTION: Councilman Counts moved to adopt Resolution 2013-24. Councilman Crites seconded the motion.

VOTE: Y 6 N 0

**FIRST READING: ORDINANCE 2013-60: AN ORDINANCE ACCEPTING THE ANNEXATION OF A 60.23 ACRE TRACT, MORE OR LESS, TO THE CITY OF POWELL.**

Mr. Lutz said this is the first reading of the ordinance accepting the annexation of the Shoppes at Wedgewood and the Mt. Carmel Health Care System properties. He said the Shoppes at Wedgewood is a new development that was approved in Liberty Township and is currently under construction with Target as the primary tenant. Mr. Lutz said this annexation relocates municipal boundaries; the businesses are willing to have an additional layer of City income and property taxes so they may receive City services such as those from the Powell Police Department. He said the Resolution of Services was approved a while ago and in the future the terms and agreements of the Pre-Annexation Agreement will come before Council. He said under State Law this will need to go to a second reading because of the timing.

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

Ordinance 2013-60 was carried to a second reading which will take place at the first regular meeting in January 2014.

**FIRST READING: ORDINANCE 2013-61: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2013.**

Mr. Lutz said they planned ahead but the weather is not cooperating so they are requesting this additional appropriation of \$25k so they may continue to keep the salt bin full to prepare for the upcoming weather.

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

MOTION: Councilman Counts moved to suspend the rules in regard to Ordinance 2013-61. Councilman Bennehoof seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Counts moved to adopt Ordinance 2013-61. Councilman Bennehoof seconded the motion.

VOTE: Y 6 N 0

**COMMITTEE REPORTS**

**Development Committee:** No report. *Next Meeting:* January 7<sup>th</sup>, 6:30 p.m.

**Finance Committee:** No report. *Next Meeting:* January 14<sup>th</sup>, 7:00 p.m.

**Operations Committee:** No report. *Next Meeting:* January 21<sup>st</sup>, 6:30 p.m.

**ONE Community:** No report. *Next Meeting:* January 13<sup>th</sup>, 7:00 p.m.

**Planning & Zoning Commission:** No report. *Next Meeting:* January 22<sup>nd</sup>, 7:00 p.m.

**CITY MANAGER'S REPORT**

Mr. Lutz welcomed Tom Gallick, a new reporter to the City. He said Tom was working for a daily paper in the Newark area. He said it was impressive to know that Tom had already done a lot of background research on what is currently happening in Powell and is completely up to speed.

Mr. Lutz said at the last Council meeting there was a list of liquor licenses up for renewal and Council decided they would not request a hearing. He said they would like to get a thumbs-up from Council to notify the ODLG because several permits were found to be located in the Township. The members of City Council had no objection.

Mr. Lutz said at the first Council in January they will hold an organizational meeting where they elect the Mayor and Vice Mayor. He said Ms. Canavan has scheduled photographs of each member of Council as well as a group photo. He said a reminder will be sent. He said in packets was a proposal from an individual to help with the Council Goal Setting Session. He said the last couple of years they have used Marty Saperstein, who conducts the City's Community Survey. Mr. Lutz said the use of a consultant helps them with new ideas and ensures they are going in a consistent direction. He said the cost for this proposal is \$3k. Mr. Lutz said first he will need to know if there is consensus on Council to use a consultant. He said he contacted Ms. Novak and she has a standing commitment on Tuesdays but is available on Monday, February 3<sup>rd</sup>. He said she is also available on Monday, February 10<sup>th</sup> but there is a conflict with the One Community meeting. He said they can start a little earlier and hold a 2-3 hour session. Mayor Cline asked if there are any known conflicts. The members of Council had no objections. Councilman Crites asked if they paid the same amount to Mr. Saperstein. Mr. Lutz said he does not have the numbers before him but it was in the \$1,500-\$2,000 range. He said they will complete some work up front to maximize the time during the session. Councilman Bennehoof asked if they could they preview some work products of other sessions, if available. Mayor Cline said the question tonight is whether they are in agreement to use Ms. Novak's services. The members of Council did not voice any objections.

**OTHER COUNCIL MATTERS**

Councilman Hrivnak said the Powell CIC will meet tomorrow night at 6 p.m. at the Liberty Tavern.

Mayor Cline offered **Resolution 2013-25, "A RESOLUTION RECOGNIZING SARA MARIE BRENNER'S TENURE AS A COUNCIL MEMBER OF THE CITY OF POWELL 2010-2013.** He apologized that the resolution was not prepared in time to be on the agenda. He said this is the end of Ms. Brenner's term and they typically recognize each member of Council at that time.

Mayor Cline opened Resolution 2013-25 to public comment. Hearing none, he closed the public comment session.

MOTION: Mayor Cline moved to adopt Resolution 2013-25. Councilman Crites seconded the motion.

VOTE: Y 6 N 0

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

MOTION: Councilman Counts moved at 7:45 p.m. to adjourn into Executive Session in accordance with O.R.C. Section 121.22 (G) (3), Pending Litigation. Councilman Bennehoof seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Counts moved at 7:50 p.m. to adjourn from Executive Session. Councilman Hrivnak seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Bennehoof moved at 7:50 p.m. to reconvene in Regular Open Session. Councilman Crites seconded the motion.

VOTE: Y 6 N 0

City Manager Steve Lutz reported that Liberty Township has notified the City regarding their intent to discontinue utilizing the City for their Commercial Building Department.

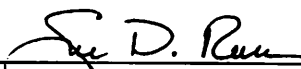
MOTION: Councilman Crites moved at 7:55 p.m. to adjourn from Regular Open Session. Councilman Lorenz seconded the motion.

VOTE: Y 6 N 0

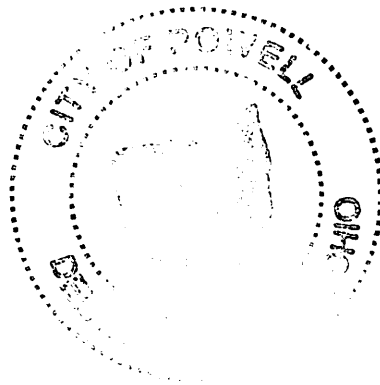
**MINUTES APPROVED: January 7, 2014**

  
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Richard Cline  
Mayor

1/21/14  
Date

  
\_\_\_\_\_  
Sue D. Ross  
City Clerk

1/21/2014  
Date



**City Council**

Jon Bennehoof

Sara Marie Brenner

Richard Cline, Mayor  
Tom Counts

Mike Crites

Jim Hrivnak

Brian Lorenz