



City of Powell, Ohio
City Council

MEETING MINUTES
February 16, 2016

CALL TO ORDER/ROLL CALL

A regular meeting of the Powell City Council was called to order by Mayor Brian Lorenz on Tuesday, February 16, 2016 at 7:34 p.m. City Council members present included Jon Bennehoof, Frank Bertone, Tom Counts, Jim Hrivnak, Brian Lorenz, Brendan Newcomb and Daniel Swartwout. Also present were Eugene L. Hollins, Law Director; Steve Lutz, City Manager; Megan Canavan, Communications Director; Chris Huber, City Engineer; Dave Betz, Development Director; Karen J. Mitchell, City Clerk, and interested parties.

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION

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

PRESENTATION: School Levy – *Olentangy Local Schools presented by Julie Feasel and Mindy Patrick, Julie Feasel, Vice President of Communications for the Ohio Chamber of Commerce and veteran member of the Olentangy Local School Board (Exhibit 1)*

- Olentangy Local School District is made up of 95 square miles, including four cities (Columbus, Westerville, Powell and Delaware) and seven townships (Liberty, Orange, Genoa, Berlin, Berkshire, Concord and Delaware).
- Academically, the district is in the top .05% nationally when ranking schools that have multiple high schools.
- Statewide, the district is the largest high performing school district, with a performance index of 108.7. In central Ohio, only Upper Arlington performs at a higher level.
- Second lowest in spending on cost per pupil in central Ohio.
 - Latest data from the Ohio Dep't. of Education, shows Olentangy spends \$9,699 to educate each student; whereas Upper Arlington spends over \$14,000 to educate each pupil.
 - Majority of funding (70%) comes from the property taxpayers.
 - Average district receives \$4,409 in state funding; Olentangy receives just \$534; and private schools get \$1,181.66.
 - Reasons for lack of state funding.
 - Philosophy at the statehouse that those who can afford to pay more do so (high property wealth and high median income, such as Olentangy School District property owners, do not get as much state money).
 - State funding is capped (See Exhibit 1, SFPR Summary Worksheet Report).
- Growth impacts – Olentangy is the fastest growing school district in the state.
 - Most noticeable at the high school level.
 - Maximized space with no room to grow or expand.
 - Peak high school enrollment doesn't hit until 2043.
- The school board determined that 1600 students was the best size to offer best academics and extracurricular opportunities for the students – small enough for the principal to know all students by name, but large enough to offer an array of opportunities.
- The decision was made to move forward with a fourth high school. 88 acres have already been purchased on Berlin Station Road in anticipation of a new high school. The Land has already been paid for but still need money to build the school. Financing for the school will be through the sale of bonds that will not add millage to the bond debt.
 - March 15th Ballot:
 - 5.9 mill operating levy because we need operating funds for all of our programs.

- 1 mill permanent improvement fund for upkeep of our current buildings as well as for technology upgrades. Currently paying for improvements from operating dollars. This new fund will be for improvements only, and future boards cannot use it for anything else.
- Cost is \$241.50 per 100,000 of property value as determined by the county auditor, not Zillow.
- One vote for all three items.
- Last operating levy passed in 2011. Due to operating efficiencies, the district has worked with this levy for the last 5 years instead of the 3 years as originally promised.
- Any additional state money would be applied to extend this March 15th levy.
- Asking all municipalities to keep the lines of communications open.

Mr. Lutz: I would like to thank Julie for the figures you come out with every year on the estimated enrollment. It's amazing that in the past 20 years, you've been right on target. We know we can rely on those numbers to be accurate.

Ms. Feasel: This year we were off by four students. For me, that's a bullseye.

APPROVAL OF MINUTES – February 2, 2016

One correction was noted in the minutes by Councilman Bennehoof.

MOTION: Councilman Counts moved to adopt the minutes of February 2 2016 as amended. Councilman Hrivnak seconded the motion.

VOTE: Y 6 N 0 AB 1 (Bennehoof)

CONSENT AGENDA

Item

- Monthly Reports – January 2016

Action Requested

Receipt of Electronic Report

MOTION: Councilman Hrivnak moved to approve the Consent Agenda. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

SECOND READING OF ORDINANCE 2016-08: AN ORDINANCE TO APPROVE THE 2016 REPLACEMENT PAGES TO THE POWELL CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

Steve Lutz, City Manager: The codification catches us up with legislation enacted at the state level in 2015 as well as various ordinances of general and permanent nature which were passed by the City Council as well.

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

Councilman Swartwout: I did have a question regarding the drafts we received from the Codifier. On Page 51 of the Tables of Special Ordinances, it has listed Ordinance 2015-18 that was repealed in the referendum last year. So I was wondering about the inclusion of it in the codified ordinances this year.

Mr. Hollins: We can get word to the Codifier. It was probably forwarded to them just as a package and picked up as one that became effective when in fact it did not. This is really more index than anything. It is not something that you are actually adopting tonight. This is indexed to other things that you have adopted. We can get this particular page corrected and recirculate it. It is incorrect and we don't want to have it in there that way.

MOTION: Councilman Counts moved to adopt Ordinance 2016-08. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

FIRST READING OF ORDINANCE 2016-09: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MKSK FOR THE PURPOSE OF PERFORMING PROFESSIONAL DESIGN & PRELIMINARY

ENGINEERING SERVICES FOR THE DOWNTOWN POWELL STREET SYSTEM IMPLEMENTATION PLAN, AND DECLARING AN EMERGENCY.

Mr. Lutz: At the February 2nd Development Committee, this matter was reviewed. As you are aware, there are going to be a lot of changes occurring in the next twelve months regarding traffic in Powell. We have a \$6 million dollar plus project taking place at Sawmill Parkway and Powell Road which is being funded by the City, the township, the county and the state. We have a \$2 million dollar Murphy Parkway project going in. We're designing traffic signals at Powell Road and Grace Drive and North Liberty Street and Grace Drive. The City is focusing on the Transportation Plan which was included in the Comprehensive Plan. Dave Betz is going to give a brief review regarding the proposed MKSK contract which you have before you tonight.

Dave Betz, Development Director: This is the next step in implementing the Comprehensive Plan as it relates to transportation issues that we have identified within that plan. We identified several roadways as part of our general roadway network within our city. Some of those are small little roads in our downtown areas that will provide alternative routes for people to go so that we can restrict turns at the Four Corners and therefore not install turn lanes at the Four Corners. When we went through our Comprehensive Plan process, it was found through that process and the traffic engineer's projections, that it was most beneficial to have these smaller roadway connections to give alternative routes so that we can avoid turn lanes and not have turning movements at the Four Corners. His projections showed that it really benefited the ability for getting cars through Powell.

This proposal sets forth a package at the end – deliverables that will be showing these roadways in terms of their design, rights-of-way, cross sections, where they will go, cost estimates and start getting into some prioritization of those. MKSK will be working with Trans Associates, both of whom have worked on our Comprehensive Plan update. They already have the data and expertise, knowledge of our community, and they have run the projections to the point where this can be continued in this next step. Also, the EMH&T Engineers were part of the process when it comes to looking at engineering issues and getting a 'preliminary engineering stage.'

The proposal does set up a fee schedule for the consulting. They also recommend a contingency to be in place for unknown conditions and that is set forth on pages 6-7 [of Exhibit A].

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

Councilman Hrivnak: As chair of the Development Committee, I can tell you that this comes from the Development Committee with a recommendation. We discussed the fact that the Comprehensive Plan identifies that these are the possibilities and know we're taking those possibilities and making them into a concrete plan – not in one small area, but in the whole downtown. We had a brief taste of what happens when we try to do one street downtown – it's 'go over there and do the other street and don't bother me.' I think the only way we can make a unified plan is to do the entire thing. This is the type of plan MKSK has put together for us. I also like that these gentlemen were all involved in the Comprehensive Plan so there's very little time devoted to getting them up to speed. All their time and energy can be put forward to a development plan for us.

Councilman Counts: I recommend that we approve this. I think one of the things is - is this the kind of project you should do internally or externally. Our staff has lots of projects on their hands. This is an important project that needs to be done in a timely manner. I think using an external consultant to help in this process is important.

Councilman Swartwout: At this stage, I notice in this Ordinance, there's listed a vote on a rules suspension. Now I've not voted against a rules suspension since I've been on Council; however, I would vote against one here because I think this is not so much an administrative task, as it is an appropriation of money and I think this is something that should be out there to the community longer. This information was basically on the website late Friday. We had the holiday weekend. I think it would not be wisest to suspend the rules on this and if we did suspend the rules on this, I might vote no purely on procedural matters without even getting to the substance of this because I think this is something that we should take to a second reading.

Councilman Bennehoof: We've had a good bit of experience of MKSK beyond the Comprehensive Plan in past years. They do very good work. I've mentioned earlier tonight that I'm a consultant and these rates are very competitive. I am much in favor of 'The people have spoken.' A lot of people continue to knock on my

door and say 'Get the traffic fixed.' I think we need to take every effort that we can to move things forward and I am in favor of this ordinance.

Councilman Bertone: I think as Steve depicted earlier, we have a laundry list of great efforts going forward this year. This whole exercise with MKSK ladders this opportunity for us to continue the momentum we are building towards improving our overall traffic solution. In my point of view, for us to table this or not to move forward with this would actually hinder our abilities to keep the momentum going.

Councilman Newcomb: I would just repeat the comment I made at the committee meeting. I have reservations with moving forward with this now. Given all the other improvements that are going to be taking place this year – Murphy Parkway, installation of the two lights, work that's taking place on 750 and Sawmill, I would prefer that a study of this sort wait until those matters are done. We've been told that they will all be completed this year. That is my one reservation about the contract.

Mayor Lorenz: I'm in concurrence with most of Council here. We worked on this through the Comprehensive Plan. This is the next logical step for us to make. This is an organization that guided us through the Comprehensive Plan. While it may be idealistic to engage other firms to complete the work, it makes perfect sense to have someone who has been working in the community for over 2 years. We have to use the subject matter expert - if we were to do this in-house, we would probably have to hire two people doubling what this contract would cost us. I think we are in a good spot here. I feel comfortable going forward. The residents have directed us to do so and so I am in favor of the Ordinance too.

MOTION: Councilman Bennehoof moved to suspend the rules in regard to Ordinance 2016-09. Councilman Counts seconded the motion.

VOTE: Y 5 N 2 (Newcomb and Swartwout)

MOTION: Councilman Bennehoof moved to adopt Ordinance 2016-09. Councilman Bertone seconded the motion.

VOTE: Y 6 N 1 (Swartwout)

COMMITTEE REPORTS

Development Committee: Next Meeting: Tuesday, March 1, 2016, 6:30 p.m.

Finance Committee: Next Meeting: Tuesday, March 8, 2016, 7:00 p.m. We heard an update on the upcoming audit. We also worked on our goals which revolve around the capital improvements.

Operations Committee: Next Meeting: Tuesday, February 16, 2016, 6:30 p.m. We met this evening. We had an extended conversation on many of our ongoing traffic improvement opportunities.

ONE Community: Next Meeting: Tuesday, March 15, 2016, 6:30 p.m. We had a 'leadership' meeting on the 15th. Retired Chief Bemans, Tom Mitchell, Larry Coolidge and I attended. We refocused the efforts of ONE Community on two main things – we noted that there are some charter updates and amendments that we want to make, but our main focus was on membership and scope. We are going to narrow our scope and achieve some quick wins. The first one is that we're going to improve communications profile. We are going to be setting up a Facebook [page] and maybe some other social media opportunities. Perhaps develop a logo. Each of us have people to target for additional membership. Our next meeting will be opposite Operations meeting.

Planning & Zoning Commission: Next Meeting: Wednesday, March 9, 2016 at 6:00 p.m. We will not have a meeting on February 24th.

Powell CIC: Next Meeting: Tuesday, February 23, at 6:00 p.m. We will be talking about our goals for the upcoming year and reviewing the financials for last year and the taxes thereto. We will meet here.

CITY MANAGER'S REPORT

Mr. Lutz: Included in your packet was an update regarding staff looking at the intersection of N. Liberty and Seldom Seen Roads. Two years ago, the City and the county applied for a grant. That intersection is within both of our jurisdictions. Back then we did an analysis of constructing a roundabout for that intersection or a traffic signal with a northbound turn lane. For numerous reasons, it was determined that adding a turn lane and traffic signal was the best approach for improving traffic at that intersection. We will once again be looking at applying for a grant this year for that project which is about 1.6 million dollars.

Also included in your packet was a financial disclosure statement which all elected officials have to file by May 15th. As you start to get involved in that if you need any assistance, just give us a call.

Finally, Powell Festival sponsorship package. If you know of any businesses or individuals that are interested in sponsoring, feel free to approach them and talk to them. We have plenty more copies we can hand out to you if you need them.

OTHER COUNCIL MATTERS

Councilman Bennehoof: Jim and I were going to talk about our strategic initiatives. I know other members of Council want to be on that committee and I'm hopeful that it will be worked into a first or third Monday. I understand that it's another evening out, but it was going to be another evening out anyway. I'm hopeful that I can persuade the body to consider a first and third Monday so I can be more intimately involved.

Mayor Lorenz: It pertains to the proposed initiative to update/upgrade the Zoning Code.

EXECUTIVE SESSION: EXECUTIVE SESSION IN ACCORDANCE WITH O.R.C. SECTION 121.22 (G) (2) LAND ACQUISITION AND O.R.C. SECTION 121.22(G)(8) ECONOMIC DEVELOPMENT.

Councilman Hrivnak moved at 8:15 p.m. to adjourn into Executive Session in accordance with O.R. C. Section (G)(2) Land Acquisition and O.R.C. Section 121.22(G)(8) Economic Development. Councilman Counts seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Bennehoof moved at 9:05 p.m. to adjourn from Executive Session. Councilman Hrivnak seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Bertone moved at 9:05 p.m. to reconvene in Regular Open Session. Councilman Newcomb seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Swartwout moved at 9:05 p.m. to adjourn from Regular Session. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

MINUTES APPROVED: March 1, 2016


Brian Lorenz
Mayor

3/7/16
Date


Karen J. Mitchell
City Clerk

3/7/2016
Date

