



**City of Powell, Ohio**  
City Council

**MEETING MINUTES**

**March 1, 2016**

**CALL TO ORDER/ROLL CALL**

A regular meeting of the Powell City Council was called to order by Mayor Brian Lorenz on Tuesday, March 1, 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; Debra Miller, Finance 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.

**PROCLAMATION:** *Certificate of Recognition of Christopher Mitchell, Troop 117, for his Eagle Scout award.*

Christopher Mitchell: This is my second time speaking before Council. I would like to share some remarks I also shared with the Eagle Scout. [presentation]

Councilman Hrivnak: Can you tell us more about your Eagle Scout project and what it has turned into?

Mr. Mitchell:

- My project was a 5K Event named Who Let the Dogs Out 5K at Liberty Park.
  - 400 participants (excluding volunteers)
  - 100 dogs
  - Raised over \$4,000 dollars and \$1,500 in pet supplies for the Humane Society
  - Created awareness for the Humane Society
  - Will now be an annual event
    - This year at Liberty Park on April 3<sup>rd</sup>

**APPROVAL OF MINUTES – February 16, 2016**

MOTION: Councilman Bennehoof moved to adopt the minutes of February 16, 2016. Councilman Bertone seconded the motion. By unanimous consent of the remaining members of Council, the minutes were approved.

**RESOLUTION 2016:08: A RESOLUTION AUTHORIZING THE USE OF A PORTION OF THE PROCEEDS OF BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF POWELL, IN THE PRINCIPAL AMOUNT OF \$2,200,000, TO BE ISSUED FOR THE PURPOSE OF DESIGNING, ENGINEERING, AND CONSTRUCTING VARIOUS ROAD IMPROVEMENTS, WATER IMPROVEMENTS, SEWER IMPROVEMENTS AND OTHER RELATED INFRASTRUCTURE IMPROVEMENTS; ACQUIRING LAND FOR PARK-RELATED PURPOSES, AND CONSTRUCTING VARIOUS PARK-RELATED INFRASTRUCTURE, TO REIMBURSE THE CITY'S GENERAL, PERMANENT IMPROVEMENT, OR BOND CONSTRUCTION FUND FOR MONEYS PREVIOUSLY ADVANCED FOR SUCH PURPOSE.**

Debra Miller, Finance Director: When the City issues bonds – sometimes when you are doing the timing of the bonds, you might want to go ahead and start some projects and spend some money. So when you have that plan, you go ahead and pass a resolution like this to be able to reimburse yourself with those bond funds. If you don't have one of these resolutions on record, then you cannot reimburse yourself. So what we are doing is setting the paperwork up so if we choose to reimburse ourselves for something or start something before July 31<sup>st</sup>, which is out target date to get the monies, we can do that.

Councilman Swartwout: Is this resolution related to Ordinance 2016-11?

Ms. Miller: Yes it is. Basically, this one gives me authority to reimburse ourselves [the City]. And the second one [Ordinance 2016-11], which you will vote on later tonight, is if we decide to spend some of that money, that gives me the authority to spend it. It's a two prong process.

Councilman Newcomb: How is the 2.2 million broken out as far as acquiring land for park related purposes?

Ms. Miller: Of the 2.2 [million], one million is the park and 1.2 million is for the construction for the water and all the other parts.

Councilman Newcomb: And what about the park related infrastructure?

Ms. Miller: All park would be in that one million.

Councilman Swartwout: Is this related to the Powell Grand TIF?

Ms. Miller: Yes, it is. That is the bond monies that I will be issuing later this year.

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

Councilman Bertone: It is pretty clear to me. Without it, we obviously have limited ability to reimburse ourselves and/or expend the funds that we need to build out not only the park, but various surrounding improvements.

Councilman Swartwout: Earlier this year we set up Resolution 2016-05 which is the public improvement fund which is what in the ordinance that 2.2 million is going into - the public improvement fund - correct?

Ms. Miller: It is a possibility that it would go into that fund.

Councilman Swartwout: We also set up in [Resolution] 2016-07 the park improvement fund. Why wouldn't the park related items go into the park improvement fund instead of the public improvement fund?

Ms. Miller: It probably should and we can make that correction. But at this time, I don't see us really spending any of the park improvement monies.

Councilman Swartwout: Can we make that correction?

Ms. Miller: Yes you can.

Councilman Swartwout: So essentially none of this money is anticipated right now for being spent on the park.

Ms. Miller: At this time, I'm actually not anticipating any of this money to be spent. It's just in case we get a bill or we start something before the bond monies are here.

Councilman Swartwout: In the ordinance we're advancing that money though, correct?

Ms. Miller: You're giving me the authority to advance it. I don't plan on advancing it unless we need it.

Councilman Bennehoof: Gene, to satisfy Daniel's concern about separation of monies, how would you recommend amending this and can it be easily done verbally?

Ms. Miller: It would be done on the appropriation ordinance [2016-11] coming up, not this one.

Gene Hollins, Law Director: We don't want to rush through a bond issuance. We want to make sure we are doing it in a manner that gets us the best deal on the money – the lowest interest on the money. That timing would be June or July so we get well timed bond issuance. We have TIF agreement obligations that may or may not come due before then. For that purpose, we will just go ahead and set up the right funds, the right potential advances, the right reimbursement resolutions that are necessary if we want to reimburse any advance from the bond proceeds. It may never happen, but a lot of it has to do with timing of the bond issues which we think the best time to do that would be this summer.

Councilman Bennehoof: So this one is just authorizing any activities to follow and doesn't need any

amendment?

Mr. Hollins: This one specifically comes from our bond counsel and it's a crossing-the-Ts and dotting-the-Is just in case we want to reimburse ourselves.

MOTION: Councilman Bennehoof moved to adopt Resolution 2016-08. Councilman Bertone seconded the motion.

VOTE: Y 5 N 1 (Newcomb) AB 1 (Swartwout)

**FIRST READING OF ORDINANCE 2016-10: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2016. (EX A)**

Steve Lutz, City Manager: Full time city employees are eligible to receive health insurance benefits from the City. Several years ago we switched from a traditional insurance plan to a health saving account. Under federal law, if someone is receiving Social Security, they are not eligible for a Health Savings Account. In that case we put those employees in a Health Retirement Account. We have one employee who is in an HRA for the City. Under the federal HRA regulations, every year it's use it or lose it money-wise. We have \$891.36 which will be coming back to the City and this Ordinance permits us to put that money back into the City's General Fund.

Mayor Lorenz 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 2016-10. Councilman Hrivnak seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Counts moved to adopt Ordinance 2016-10. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

**FIRST READING OF ORDINANCE 2016-11: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2016. (EX A)**

Ms. Miller: This ordinance gives us the ability to utilize any of the monies that we are going to get in the bond fund ahead of time – 2.2 million. I would like to make the recommendation to change the way it's written. The line that says "Seldom Seen TIF, Public Improvements Funds, Capital Outlay", change that to 1.2 million. And then add the "Seldom Seen TIF, Park Public Improvements Fund, Capital Outlay" one million. That way one million is applicable to the park fund and 1.2 million is applicable to the public improvement funds. As stated a few minutes ago, at this time I don't anticipate this being used, but this is just in case.

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

MOTION: Councilman Counts moved to amend Ordinance 2016-11, both Section 1 and Exhibit A in the following respects: That the amount for the Seldom Seen TIF, Public Improvement Funds, Capital Outlay should be \$1.2 million and add an additional line that is the Seldom Seen TIF, Park Improvement Fund, Capital Outlay is one million. And that's both for Section 1 and Exhibit A. Councilman Hrivnak seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Counts moved to suspend the rules in regard to Ordinance 2016-11. Councilman Bertone seconded the motion.

VOTE: Y 5 N 2 (Newcomb, Swartwout)

MOTION: Councilman Counts moved to adopt Ordinance 2016-11. Councilman Bertone seconded the motion.

VOTE: Y 6 N 1 (Newcomb)

**COMMITTEE REPORTS**

**Development Committee:** Next Meeting: Tuesday, April 5, 2016, 6:30 p.m. Development Committee met this evening and we reviewed the public attitude survey with Mr. Saperstein. The committee recommended that this be sent to Council at its earliest opportunity. We also had a few updates on some other projects.

**Finance Committee:** Next Meeting: Tuesday, March 8, 2016, 7:00 p.m.

**Operations Committee:** Next Meeting: Tuesday, March 15, 2016, 6:30 p.m.

**ONE Community:** Next Meeting: Tuesday, March 15, 2016, 6:30 p.m. We have one committed/confirmed new or replacement member.

**Planning & Zoning Commission:** Next Meeting: Wednesday, March 9, 2016, 7:00 p.m.

**Powell CIC:** Next Meeting: Tuesday, March 22, at 6:00 p.m.

### CITY MANAGER'S REPORT

Mr. Lutz: Last week the Powell Area Chamber of Commerce awarded Jim Hrivnak the President's Award. This is an award that is not presented annually, it's only as deemed fitting. The President's Award is given to those individuals that go above and beyond for the success of the community. The Chamber recognized Jim for a variety of activities over the last two years as Mayor and being very visible in the community. Mayor Jim was recognized. Congratulations.

### OTHER COUNCIL MATTERS

There was none.

### ADJOURNMENT

Councilman Counts moved to adjourn the meeting. Councilman Bertone seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned at 8:02 p.m.

### MINUTES APPROVED: March 15, 2016

  
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Brian Lorenz  
Mayor

4/16/16  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Karen J. Mitchell  
City Clerk

4/16/2016  
\_\_\_\_\_  
Date



### City Council

Brian Lorenz, Mayor

Jon Bennehoof

Frank Bertone

Tom Counts

Jim Hrivnak

Brendan Newcomb

Daniel Swartwout