



**City of Powell, Ohio**  
City Council

**MEETING MINUTES**  
**May 3, 2016**

**CALL TO ORDER/ROLL CALL**

A regular meeting of Powell City Council was called to order by Mayor Brian Lorenz on Tuesday, May 3, 2016 at 7:30 p.m. City Council members present included Jon Bennehoof, Frank Bertone, Jim Hrivnak, Brian Lorenz, Brendan Newcomb and Daniel Swartwout. Tom Counts arrived at 8:00 p.m. Also present were Eugene L. Hollins, Law Director; Steve Lutz, City Manager; Megan Canavan, Communications Director; David Betz, Development Director; Chris Huber, City Engineer; Karen J. Mitchell, City Clerk, and interested parties.

**PLEDGE OF ALLEGIANCE**

**PRESENTATION:** Del-Co Water Update and New Rate Structure – Glenn Marzluf, General Manager/CEO, Exhibit 1.

- Del-Co is a customer owned, 501(c) corporation, governed by an elected 10 member Board of Directors that currently serves customers in 7 counties.
- Del-Co has finished a master plan (which looks out 20 years), rate analysis and the Douth Reservoir project.
  - Master Plan – four of the main projects that are currently somewhere in process are:
    - O'Shaughnessy Source Water Intake
    - Olentangy Plant Expansion
    - Expand Thomas E. Steward Plant
    - Transmission Lines from 3 plants
  - Future Master Plan – some of the bigger ones include:
    - Ralph E. Scott Plan expansion
    - Thomas E. Steward Plan expansion
    - Additional Reservoirs with Columbus
    - Raw waste pump station
  - Overall, the master plan identified \$230 million in projects over the next 20-30 years
  - Rate Structure Change
    - This is the first time Del-Co has changed the rate structure in its history.
    - The first three tiers are similar to past structure. There will be a 10 cents per 1,000 gallon increase for these tiers. This is less than a 2% increase for most people.
    - Conservation Tier is new and is the highest tier rate. It adds \$4.10 for every 1,000 gallons used beyond 25,000 gallons.
      - Infrastructure must be sized for the peak demand period.
        - Both commercial and residential customers use 34.1% more water during peak summer months over winter months.
        - Residential customers use 149 gallons per day in the winter time. Those same residents use 233 gallons per day during the summer months – a 57% increase in just the residential class.
      - Based on past growth and water usage as outlined in the master plan, as well as the anticipated growth based on past use, Del-Co anticipates growth will double in size and water consumption in 20 years.
    - The goal of the rate structure change is to reduce customers outdoor water use and make our existing resources last longer.
    - 1.6% of bills sent out would have been effected by the conservation tier rate if it was in effect in 2015.
    - City of Powell has 3,752 customers
      - 15% of Powell residents would have been effected by at least one bill based on their 2015 usage if the conservation tier was in effect.

- 2.3% of the bills sent to Powell residents would have usage that is effected by the conservation tier.
    - No conservation tier for non-residential customers.
- Spent \$26 million on the Doubt Reservoir Project to get source water.
- Spending \$45 million on current projects.
  - All are necessary but if it wasn't for our peak summer demand, they probably wouldn't be building them for another 5-15 years.
  - Trying to delay as many future projects as they can.

Mr. Marzluf: With respect to some questions regarding infrastructure and the things going on in Flint, Michigan, Del-Co was formed in 1969 and our system turned on in 1974, so the oldest of our pipes through most of our system is less than 40 years. Most of our system is from recent growth and is from around 1990 and newer. It's almost all plastic pipe. To my knowledge there isn't any lead pipes or any lead joints in the system. On the villages that we have taken over, such as downtown Powell, Sunbury, Galena and others, I am unable to tell you what all the materials are in those pipes. But we are confident that we do not have an issue. Del-Co uses conventional lime softening to soften the water. The calcium dust and orthophosphate coats the pipe to prevent any corrosion. Fixtures are also a source for potential issues with lead, but that would be isolated to that fixture.

Councilman Hrivnak: Do you have a testing program for water quality throughout your system?

Mr. Marzluf: Yes. We test water at every one of our plants every 2 hours. We continuously check the water coming into the plant. Some of the key indicators - if something were to get into the water that our online system tests for that would require us to shut the plant down and call in the experts - are tested 24/7/365. We take samples out in the system every day and test those as well.

The lead and copper, which is what has been in the news media as of late, as long as you have been in compliance you only test every 3 years.

Mayor Lorenz: Have you guys moved north of Home Road now on the installation piece? It looks like there's a bunch of pipe in front of Scioto Reserve still and I was just curious.

Mr. Marzluf: I can't tell you exactly where they are working right now. I know we just got approval to go underneath the railroad, something we've been waiting on. We just got the official notice. It's taken us well over a year to get the official permit to install, but we are working on that.

#### **CITIZEN PARTICIPATION**

Mayor Lorenz opened the citizen participation session for items not on the agenda.

Garry Swackhamer, 76 Scioto Street: Now that everything is coming to a head in regards to Powell Crossing, myself and my neighbors have not seen what was approved by the Historic Commission as to what this is going to look like once it's built. We are trying to get ahold of some drawings and/or specifications of what this will ultimately look like.

Mayor Lorenz: I would advise you to contact Dave Betz, our Development Director and he can probably share drawings and plans with you to give you the details on the plans for the center that will be built. Dave can help you with that because he would have the most up to date documents.

Hearing nothing further, the Mayor closed the public comment session.

#### **APPROVAL OF MINUTES – April 19, 2016**

MOTION: Councilman Bertone moved to adopt the minutes of April 19, 2016. Councilman Bennehoof seconded the motion. Councilmen Bennehoof and Hrivnak abstained. By unanimous consent of the remaining members of Council, the minutes were approved.

#### **RESOLUTION 2016-12: A RESOLUTION DETERMINING THE PRIMARY INSPECTION AREA TO REPAIR OR REPLACE SIDEWALKS IN THE CITY OF POWELL. (EX. A) (EX. B)**



Steve Lutz, City Manager: Back in 2003 the City implemented the sidewalk repair program. Sidewalks were in disrepair. Under the Ohio Revised Code, residents are responsible for repairing their sidewalks. After some studying, we created a program where we would identify different parts of town every year and the City would inspect sidewalks in those sections of town. We had a criteria which identified if a sidewalk did not meet one of various criteria and the property owner would be notified that a repair has to be made. We give residents an option to either make the repairs themselves or the City will repair the sidewalk and the resident will pay the City back either through a one-time payment or through a five-year assessment. Tonight begins the first step in our sidewalk repair program and Chris will get into the primary inspection area this year. Just to remind everyone and to educate our newer council members, I am providing a copy of our sidewalk repair program so you can read how it works.

Chis Huber, City Engineer: This year we have two general areas in our primary area. If you look at Exhibit A, the first area is in the Grandshire subdivision and there are two areas located there. The second area [Exhibit B] is in Powell Place near Seldom Seen. Traditionally, our sidewalk program follows where the street program has been the year before, or within the same year, in order to stay in that same area. This year is a little bigger than last year. There is a section in Grandshire that is not shaded. Those areas have either been done in prior years or we are waiting for a more opportune time to do certain areas as it relates to our street program.

Councilman Bennehoof: What percentage of streets in town have sidewalks?

Mr. Huber: If I'd venture to guess, probably 60-70 percent.

Councilman Bennehoof: This doesn't look like that large of an area [Mr. Huber: No] for inspection. If I recall, last year's or maybe the year before, was larger. Is there some algorithm that you use to get through the whole City in a certain period of time, 10 years, 5 years, whatever? And how does that work?

Mr. Huber: We look at where our street program has been and where we've done intersection improvements and it's very important when we construct the intersection improvements; (in which we probably construct about a 100 feet of sidewalk per intersection with the city program outside of the sidewalk program) which effects the sidewalk adjacent to the lots in that area. We are very careful not to assess a property and then a few years later rip out the sidewalk in which they have paid for and put in a new ramp and sidewalks with our intersection improvements. That is why we try to follow the street program so that we can avoid that. We also look at where the sidewalks and where the deficiencies are the worst and if we see something that may not follow the street program, we might say this is a bad area, let's go ahead and do this area. As we move forward with our street program, we will be getting into subdivisions where we have not performed intersection improvements yet, such as Ashmoore. Once we get into these subdivisions, I anticipate the sidewalk program to be much larger than this year.

Councilman Hrivnak: Can you tell us a little bit about the secondary inspection area? You do make an inspection of all the sidewalks for the City for large defects as well.

Mr. Huber: Yes, every year we inspect the entire City - every sidewalk - for significant deficiencies. For example, if there is a 2 inch vertical separation toe tripper we flag that and we add that as part of the program. I think this year we might have 2 or 3 of those lots that will be on our bid for this year that is outside the primary area. Every year that seems to get smaller and smaller as we annually inspect the City, as you would expect.

Councilman Hrivnak: Yes. That is a lot of work. They have to go check every block of every sidewalk on all streets.

Councilman Newcomb: On Exhibit A, how come all of Delaney Circle isn't yellowed out?

Mr. Huber: If you look at Bethany Street and go to the east of that and south, that was on the previous program that we performed when we paved Grandshire Drive. The portion to the west of Bethany - there are 2 intersections there. When we repave that street, which I anticipate in the next 2-3 years, we're going to do significant sidewalk improvements at those intersections, which might overlap what we might assess to property owners there. So we'd rather wait and see where that falls and do it at the same time.

Councilman Newcomb: The pathway in front of Local Roots to the historical building, is that considered a sidewalk?

Mr. Huber: No. The pavement there off of.... [Mr. Lutz: The City maintains the asphalt paths around town in most cases.] I think it's more of a roadside. It's just pavement continued from the road. I don't know if we consider that a path.

Councilman Counts: The sidewalk program is 12-15 years old. About 5 or 6 years ago we relooked at the program both in terms what constituted the need for repair and made some adjustments based on how the program has gone in the past. The other thing we did was we really beefed up the notice provisions and the announcement and the time period by when staff goes out to check these. I think all those things has helped cause this program to run relatively smoothly over the last 5-6 years.

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

MOTION: Councilman Counts moved to adopt Resolution 2016-12. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

#### **PROPOSED 2016 COMMUNITY ATTITUDES SURVEY**

Mr. Lutz: Marty Saperstein has taken the feedback and comments he received from all of you and has prepared an updated draft which was included in your packets. I just want to make sure that your suggestions have been incorporated in this draft. He is planning on probably beginning the survey work towards the end of next week.

Council reviewed and discussed the proposed draft and made one revision to it.

#### **COMMITTEE REPORTS**

**Development Committee:** Next Meeting: Tuesday, May 3, 2016, 6:30 p.m. We met this evening. Staff was kind enough to be at the meeting in force again and we got updates on quite a few items that Development is working on: Zoning Code update, Keep Powell Moving, as well as economic development efforts. We got a nice report on the downtown workday on April 16<sup>th</sup>. We also got some status updates on the Murphy Parkway rail crossing still under consideration. We hope to have the new bike path engineering done by the end of May. Seldom Seen and Liberty intersection safety grant – no answer back on that yet. We spent a little bit of time at the end of the meeting on some things that Megan would like to communicate from our meeting in her information segments. A good meeting, all-in-all and our next meeting is the first Tuesday in June.

**Finance Committee:** Next Meeting: Tuesday, May 10, 2016, 7:00 p.m.

**Operations Committee:** Next Meeting: Tuesday, May 17, 2016, 6:30 p.m.

**ONE Community:** Next Meeting: Tuesday, May 17, 2016, 6:30 p.m. At our last meeting Tom Mitchell of Liberty Township, my co-chair, chaired that meeting as I was absent due to another commitment. It was a very energetic meeting. We have a few key additions to the team. Terry Doodan, who is a graphic designer and landscape architect. She will be a key component of the beautification program and I think we're going to see some good movement on that space. There was a discussion about a logo for the organization. Our next meeting is May 17<sup>th</sup>, and Terry will have her first cut at the ideas that were presented to her for a logo. We're going to come out with a printed piece that we're going to be using to hand out at street markets, etc. about ONE Community, its mission and on the reverse it will have all the bike paths and the connectors that are planned and that sort of thing. The Economic Development Director for the county is going to come visit at our next meeting. They have been visiting the township and Tom's had a relationship with them and asked if he would come and present to the group.

**Planning & Zoning Commission:** Next Meeting: Wednesday, May 11, 2016, 7:00 p.m. There are three items on the agenda. You can see them on the current proposals page on the website.

**Powell CIC:** Next Meeting: Monday, May 23, 2016, 6:00 p.m. We are working on a new website. That website will be more pointed to economic development in the City. We will also have links there to the City's website, the county website and a few others. We're excited to see that. Megan has gotten us all excited based on what she told us this evening.

**Zoning & Building Code Update Diagnostic Committee:** Next Meeting: Tuesday, May 24, 2016, 6:00 p.m. We are starting to get into the meat of the thing now. We are talking about updating not only the zoning code but the development process. I would invite any and all that would be interested to come and attend. Mayor Lorenz asked if there was a time table established and Councilman Hrivnak confirmed that they had.



## CITY MANAGER'S REPORT

Mr. Lutz: Three brief items. Each spring our police department recognizes one of police officers for their efforts over the past year. A few weeks ago, Police Officer Audrey Wilt was recognized as our police officer of the year. Officer Wilt was heavily involved with our citizen police academy alumni group, Mystery Night Out, and a variety of community events.

Beginning next week, you may see a street sweeper or two throughout your neighborhood. We begin our city-wide street sweeping on a contract basis next week.

We are now part of the Pepsi generation. Every five years we go out for proposals on our soft drink vendor and Pepsi is our new vendor. So that is why last week our vending machines were removed and they will be replaced by new ones.

## OTHER COUNCIL MATTERS

Councilman Swartwout: I've taken a look at the supplement to Columbus Monthly. It looks really, really sharp. I think it's a high quality piece of work. I just wanted to say thank you to Megan and everyone involved with that. I think it's a fantastic representation of the City.

Mayor Lorenz: Thanks Dan. I was going to mention that myself. I wanted to quickly mention that I was able to participate in a panel discussion about growth outside of 270 with the Columbus start up conference today. I was happy to talk about Powell and all the great things we have going on here. I had several inquiries about economic development and what's happening in the town, so it was a privilege to participate.

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

Councilman Bennehoof moved at 8:22 p.m. to adjourn into Executive Session in accordance with O.R. C. Section (G) (3) Pending or Imminent Litigation. Councilman Hrivnak seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Hrivnak moved at 8:45 p.m. to adjourn from Executive Session. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Counts moved at 8:45 p.m. to reconvene in Regular Open Session. Councilman Newcomb seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Counts moved at 8:45 p.m. to adjourn from Regular Session. Councilman Newcomb seconded the motion.

VOTE: Y 7 N 0

MINUTES APPROVED: May 17, 2016

    
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Brian Lorenz                      Kevin Mitchell                      6/8/2016  
Mayor                                      City Clerk                                      Date

## City Council

Brian Lorenz, Mayor

Jon Bennehoof

Frank Bertone

Tom Counts

Jim Hrivnak

Brendan Newcomb

Daniel Swartwout