



City of Powell, Ohio
City Council

MEETING MINUTES

August 2, 2016

OPEN SESSION

CALL TO ORDER/ROLL CALL

A regular meeting of Powell City Council was called to order by Mayor Brian Lorenz on Tuesday, August 2, 2016 at 7:32 p.m. City Council members present included Jon Bennehoof, Frank Bertone, Tom Counts, Jim Hrivnak, Brian Lorenz, and Daniel Swartwout. Brendan Newcomb was absent. Also present were Steve Lutz, City Manager; Eugene L. Hollins, Law Director; Rocky Kambo, GIS/Planner; Debra Miller, Finance Director; Chris Huber, City Engineer; 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 – National 8-1-1, Columbia Gas of Ohio. Columbia Gas and other utilities companies lead an effort for calling the 8-1-1 number to have site utilities located. Mayor Lorenz declared August 11, 2016 National 8-1-1 Day in Powell, Ohio.

APPROVAL OF MINUTES – July 19, 2016

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

Mayor Lorenz requested to move up the reading of Ordinance 2016-35 (Item 14 on the Agenda) to the next item to be heard in order to accommodate the developers that were presenting to Council.

MOTION: Councilman Bennehoof moved to amend the agenda and move up the reading of Ordinance 2016-35 as the next agenda item for consideration. Councilman Hrivnak seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2016-35: AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN FOR TRANSFORM CONSTRUCTION LLC, A PROPOSAL TO CONSTRUCT TWO MIXED-USE COMMERCIAL BUILDINGS CONTAINING APPROXIMATELY 8,800 SQUARE FEET ON A 0.999 ACRE SITE AT 176 AND 178 OLENTANGY STREET.

Steve Lutz, City Manager: Tonight is the first reading of this proposed development. The advertised public hearing will be at the next council meeting.

Rocky Kambo, GIS/Planner: This development follows closely behind the Armita Plaza development and is in the same location with the same type of uses, architectural design and benefits as with Armita Plaza. Specifically, this is located in the transition zone between the larger commercial areas on Sawmill Parkway and our historic downtown core. In this particular development, they follow the architecture closely in line with our historic downtown and, in doing so, expanded our historic downtown core further out and across the railroad tracks. We are also providing more amenities and services not only to our residents, but also to visitors that come to our community.

The northern building [indicating] is about 4,800 square feet and is being proposed as retail. It's an open

space that can be adjusted to any size needed for potential retailers. The building located to the south and along Powell Road is about 4,000 square feet and is dedicated to being a restaurant. What is unique about this design is that they have a patio that will be located along the edges of the restaurant. When we were doing our Comprehensive Plan update one of the things we heard from our residents was that they wanted a place to go – more restaurants, more outdoor spaces to enjoy, and the fact that we're getting just such uses is great for the residents, not to mention the fact that we're getting them in such a way that they are very well architecturally designed, adding to the community character that we have in the City.

Generally speaking, P&Z members were very favorable to this proposal, just as they were with Armita Plaza, knowing that it is bring economic development as well as the other things I've mentioned before to the City.

This proposal is located on the west side of Traditions Way. On the east side is Armita Plaza. These are two new developments coming in at the same time, so we are asking them to work with one another to enter into a cross-access agreement to share parking. We are also trying to work with the Village Pointe retail center to create an access with their parking lot so that customers can traverse between all three of those developments without having to come out on Powell Road. The agreement between Armita Plaza and Traditions Commercial are in play, but we are also trying to get the agreement with Village Pointe to get that access.

Todd Foley, POD Design, 100 Northwoods Blvd., Suite A, Columbus, OH 43235. We are excited to be here at this point in the process. We are in active discussion with a potential restaurant, but we are not in a position to share it yet. And we think the retail will fall in line very quickly.

As far as materials go, the architecture is in tune with what you saw with the Armita project: white finishes to the façade, board and batten, metal roof accents, stone water table. The patio space is intended to have stamped concrete and nice decorative railings. So definite attention to detail, recognizing that this is going to be highly visible and starting that transition to your downtown core. Landscaping, being a large component, wraps all the way around the patio space. We're fortunate that all the necessary road improvements were done as a part of this project back in 2008 when it was originally approved, so we won't have any more to deal with in that regard.

We do have an easement agreement in kind with the office building to the left to share parking spaces with them and, in turn, we are sharing the dumpster locations as well to consolidate those services. We have been juggling the Armita agreement that Rocky mentioned because between Village Pointe and Armita, everybody's been in and out of the country, so we are still working through that and have meetings set up in the next couple of weeks to do so. But both in principle have agreed to the idea of sharing that parking. All the conditions listed [in Ordinance 2016-35] were agreed upon. I am happy to answer any question you have.

Councilman Bennehoof: I really like the project and the appearance of it. The architecture blends in with the new existing buildings behind it. I have a question about the shared dumpster. Is that going to be relocated so it's more advantageous for...? It seems far for a restaurant to be using it.

Mr. Foley: Ideally you would want it to be closer, but for the refuse truck to go in and out without impacting those buildings up front, we felt that it was the best location. It's large enough for two dumpsters. It will actually get a formal enclosure to it that's going to have materials complimentary to the building. Right now I don't believe it currently has that type of architectural structure to it, so that is why we chose to locate it in that part of the site.

The unique thing with the office building being placed there already is we had to be sympathetic to the way their parking is and their circulation as well as maintaining the pedestrian routes that go through there. When we started to look at the geometries of how the refuse truck would physically pick the dumpsters up, the head on approach works the best.

Mayor Lorenz: Once that's all developed that quarter patio is going to have a nice vista for people that are out there.

Mr. Foley: There will be a great transition from the patio of somewhere close to 3 feet at its highest point. So the patio will sit up from the public sidewalk, which will create a unique situation, but not be so elevated that it's uncomfortable for people that are walking. We envision there is going to be a dry laid stone wall to help soften that transition and give it a little bit of a focal point. The farther up you go and farther out you go,

you'll eventually come back to grade.

Councilman Hrivnak: The pond in the back, is that part of the property or no?

Mr. Foley: It is not on our property. It's an L-shaped property. The pond, at the time in 2008 when the project was done, included the office piece, our parcel and the Traditions of Powell condominiums in the back. Our engineer confirmed the pond is sized to handle the storm water. I was part of the original zoning back in 2008, so I definitely recall that it was all intended to be together.

Councilman Hrivnak: Rocky, you concur that everything is good with the drainage?

Mr. Kambo: Yes. We've run it by our Engineering Department and they have been working alongside the applicant's team to ensure that the design that we have here is appropriate.

Councilman Counts: Is the restaurant building built as flexible space or is it intended for a 4,000 square foot restaurant?

Mr. Foley: The current plan is for a 4,000 square foot full service, single tenant restaurant. It's not going to have a sub-tenant or anything like that. One of the entries will be on the north side. There is also a door on the south side and a service door on the west.

Councilman Counts: In terms of building B, any anticipation of the kinds of potential tenants you would be looking for? Are you looking for four tenants that would each take 1,200 square feet or what's the market showing?

Mr. Foley: The way that we have it programed right now is to receive 4 tenants, if possible, and more traditional, 20-foot wide bay setting – more in line with the other types of the other business up here now - smaller businesses. We do not have anyone at the moment in mind for that space.

Councilman Counts: Is the contemplation that it would be true retail or are you looking at a service-oriented retail, or a combination of both?

Mr. Foley: I think it's a combination of both. The organization of parking, the uniqueness of it being set a little bit off the street and with everything the Armita project's bringing, I think you're going to see a very similar mix from what they are going to bring. The potential for a small dentist office or ice cream shop, something of that nature. It could accommodate any of those type of uses.

Councilman Counts: You mentioned you were involved with this when it was done 8 years ago. If I remember correctly, the plan was to have a restaurant where that restaurant is and then it fell through.

Mr. Foley: Yes, that was when the economy fell through and it went away quickly, but it was intended to be a restaurant. The retail building that you see was actually planned to be adjacent to the northern property line. At the time it worked, but it now it made better sense to move the building closer to the road. We can make that more of a pedestrian-friendly experience. It simplified the parking a little bit. At the time we did that there was no Armita Plaza next to it. Now we have a drive aisle, we are creating safe traffic conditions there. There is going to be a cross-walk so pedestrian connectivity can happen from those two sites. Plus, architecturally, we can screen the parking from the road.

Councilman Hrivnak: Can you tell where the connection might be if there is an agreement with Village Pointe?

Mr. Foley: If you see where the letter "A" is [indicating] on the middle drive aisle there, the logical place to put it is to extend it directly to the west and we would have one parking space and then the island where the tree is would be removed. That's where the connection would be. There are some subtle uniqueness's to it that make it a little challenging overall, but we can accommodate it. We made contact with them a few times, but we are still trying to work through that dialogue.

Councilman Hrivnak: Was there a lot of grade there?

Mr. Foley: To the naked eye it looks significant, but when we went out and actually surveyed it, we can accommodate it without any unreasonable slopes. The challenge is that you are coming up to a condition

on Village Pointe where there is traffic moving through that drive aisle potentially and can we interface that? But I think we can work with that.

The unique part of that is that this connection is not on our property to begin with. It was part of the office building when it was done, but that was a while ago. So we are continuing that dialogue and working directly with David [Betz] and Rocky [Kambo] on that as well.

Councilman Swartwout: Can we look at the materials?

[Council shown sample materials of stone, dimensional shingles, hardiplank].

Mr. Foley: The stone water table will be wrapped around both of the buildings. Dimensional shingles will be in the dark gray color. We're going with a hardiplank, a white, light gray combination and a white, five quarter trim throughout. The gray is where we have horizontal siding and the white is where we have the vertical siding.

One other major stone element is this fireplace that you will see on the south side of the building. We view that as an iconic element. There will be a dual sided fireplace that can be seen from inside and out and we're envisioning some sort of artistic logo or abstract piece of art, but we will be bringing that back when we figure it out. We haven't decided on it yet.

Councilman Bennehoof: What is your overall height at the cupola?

Thomas Coffey, Thomas Coffey Architecture & Design, LLC: 28.2 is what the highest peak is.

Councilman Bennehoof: And it's all one floor? It looks like it's two floors, but it's just air space.

Mr. Coffey: Yes. That's open. We have a scissors truss open space which would be in the main restaurant area that's open. Up front it would be open into the restaurant space which is on the right. On the left is what we envision as back of the house, kitchen, and bar area in the middle.

Councilman Bertone: Are all sides of the building this bright white?

Mr. Coffey: We have the gray where there is horizontal siding with white trim, and the vertical would be white. [Councilman Bertone: So it breaks it up.] Yes, it's not all white. There is some contrast. We didn't want to match Armita's colors, but did want to have similar materials and tried to compliment theirs.

Mayor Lorenz: What about your awnings?

Mr. Coffey: The awnings are a standing-seam metal [multiple speakers]. It is a clear aluminum and we have that in four places, two on building A and two on building B.

Mayor Lorenz: Do you have a color sample?

Mr. Coffey: We do not have a color sample for the awning. It's in the packet. It's a clear aluminum, standing seam awning that will have an aluminum frame. It's a galvanized look, a natural aluminum color.

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

Ordinance 2016-35 was taken to a second reading.

RESOLUTION 2016-15: A RESOLUTION TO REJECT ALL BIDS FOR THE 2016 SIDEWALK PROGRAM AND REBID THE SAME.

Steve Lutz: We went out to bids for our annual sidewalk repair program where the City performs the repair to the sidewalk and the residents pay the City back either directly or through a five year special assessment. As we all know, contractors are very busy now with all the work taking place. We received two bids and the lowest bid was for \$375 a square. In past years, our bids have been coming in about \$250 a square. This was well over the 10% of the Engineer's cost estimate and we don't think \$375 is fair to the residents. It wasn't a good bid. We recommend that we reject the bids and let Chris [Huber] and his department look at whether to go out to bid on this program late this year – November or December - or to hold it to make it part of next

year's sidewalk program and make it a bigger program. We will be coming back to the Development Committee regarding that. And if we reject the bids, we will notify the residents that the bids were rejected, the reason why, and what the next steps are.

Councilman Hrivnak: If the bids are rejected and we decide to delay the program, if somebody wants to opt in or opt out, would we be willing to entertain that?

Mr. Lutz: We talked about that from a staff standpoint where some residents may decide to just repair it themselves this fall. I don't think we would have any heartburn over that.

Councilman Bennehoof: Do we have a history of rejecting bids in the past?

Mr. Lutz: I can't remember the last time we had to reject a bid.

Chris Huber, City Engineer: I don't think we've ever rejected a bid since I've been with the City specifically on the sidewalk program, which we started in 2005. They have always been under our estimate.

Mr. Lutz: It didn't surprise us. This is a relatively small project and with the amount of work that's going on out there, it just wasn't a good time or a good project.

Councilman Bennehoof: And pushing it to next year with the economies of scale, etc.

Mr. Lutz: Right. And we will look at the timing issue.

Councilman Counts: Were the bidders different than those in the past?

Mr. Huber: We had similar bidders. In fact, one of the bidders was the contractor that was doing our street program this year and they're in town, and they still bid it high. So that speaks to how busy they are.

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

MOTION: Councilman Counts moved to adopt Resolution 2016-15. Councilman Bennehoof seconded the motion. By unanimous consent, Resolution 2016-15 was adopted.

Eugene Hollins, Law Director: One thing to add, Mayor and members of Council: We will go through the process, rebid if the formal bid process one more time. If the bids still come in high, we may come back to you and ask you to waive competitive bidding and we'll just go out, negotiate, and try to find a contractor. The bid process is intended to be the process to get us the lowest bid, but it's not a large dollar amount and if it makes sense to add it to another project or do something like that, work with a local contractor, we may come back and ask to waive competitive bidding.

RESOLUTION 2016-16: A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO FILE AN APPLICATION WITH THE MID-OHIO REGIONAL PLANNING COMMISSION (MORPC) FOR THE PURPOSE OF ACQUIRING FUNDS FOR RESURFACING SAWMILL PARKWAY AND FOR MAKING SPOT REPAIRS AS NEEDED TO THE PARALLEL ADJACENT MULTI-USE TRAIL.

Mr. Lutz: Development Committee had a detailed discussion regarding this resolution this evening. As you're aware, Chris has been applying for a federal grant which would mill and overlay Sawmill Parkway from Seldom Seen Road north to Home Road. We were notified last week that we are still in that grant process for consideration. The next step is to have Council approve this resolution which lays out what the grant entails. The total project is approximately \$1.9 million dollars and the grant pays for 80% of the construction cost. The City would be responsible for 20% construction cost and 100% engineering cost. If we do receive this grant, the City would receive about \$540,000 of the \$1.9 million dollar project. It's very beneficial if we are able to receive this grant funding. The funding for this grant will be for the year 2021.

Councilman Hrivnak: We did discuss this in some detail in Development Committee. I wanted to thank Chris in open session for his work to seek out these types of grants and apply for them. Thank you Chris.

Councilman Bertone: Chris or Steve, just one thing. You may have transposed the numbers. \$1.9 million

for the total project. The City would receive \$540K or is that our number?

Mr. Huber: The City would have to spend approximately \$540,000 of the \$1.9 million dollar cost.

Mayor Lorenz: I appreciate it too Chris. I think it's a great idea. The year we receive the grant funds is 2021, so the work would be done that year or the next year?

Mr. Huber: I'm anticipating the work would be done in 2018-2019. We talked about it in Development Committee that we would finance ahead of time and pay ourselves back.

Councilman Counts: I just want to make a comment before we vote on this. We hear lots of comments about how we should be applying for grants and how we can get grants for this and that. Grants are wonderful, as you can see. If we were to get this, we would save the City a boatload of money. But as we all know, and I don't think our residents do know, just how hard it is to get these grants as we saw with the traffic light at Seldom Seen and North Liberty. We applied for a grant and didn't get it, so we are back to square one to finding a means to fund that. Here is another attempt to get grant money, but they are few and far between. I think residents need to understand that we try to get those, but it's very hard.

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

MOTION: Councilman Bennehoof moved to adopt Resolution 2016-16. Councilman Bertone seconded the motion. By unanimous consent, Resolution 2016-16 was adopted.

FIRST READING: ORDINANCE 2016-28: AN ORDINANCE DESIGNATING PUBLIC DEPOSITORIES FOR THE ACTIVE, INTERIM AND INACTIVE FUNDS OF THE CITY OF POWELL, DELAWARE COUNTY, OHIO, AND DECLARING AN EMERGENCY.

Mr. Lutz: This matter was reviewed by the Finance Committee. Pursuant to City policy every three to five years we go out for a formal request for proposal regarding our depository. We did receive responses from seven different financial institutions. Based on the strength of Key Bank's proposal, we recommend that they become our primary depository. That is who we are currently with. We then identified the others that bid on the project as designated secondary. As always, we used StarOhio and StarPlus to hold money.

Councilman Counts: We talked about this at Finance and I think we are comfortable with the process that was used to select this and also our current bank.

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 2016-28. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Counts moved to adopt Ordinance 2016-28. Councilman Bennehoof seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2016-30: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A SEWER ASSESSMENT AND FINANCING AGREEMENT WITH VERONA LLC, AND DECLARING AN EMERGENCY.

Mr. Lutz: This matter was discussed in Development Committee and we're just getting it before the City Council. At next week's Finance Committee meeting, we're going to begin to take a look at specifics, special assessments amount, and then this will come back before City Council at your second meeting in August and first meeting in September. The reason we are bringing this forward now is if we get it to the county auditor by early September, we will be able to get it on the tax roles for payment in January.

In April 2015, the City approved a pre-annexation agreement with the Verona development, which is the old

Shamrock Golf Course site. It's a 113 acres and 166 lot subdivision. As part of the pre-annexation agreement, the City committed to bearing the cost for the sanitary sewer being paid through a special assessment placed on the on the properties within that subdivision. What this sewer provided us is to increase capacity of the entire region along with Spectrum. As you are aware, there was a shortage of sanitary sewer capacity. This sanitary sewer was work that was done on the east side of Sawmill Parkway just north of Seldom Seen Road. It went west along Seldom Seen Road and down through the Verona sight, and exited out on Powell Road in a westerly direction to the pump station. Gene will give a brief review of the actual agreement.

Mr. Hollins: The Sewer Assessment & Financing Agreement is going to look a lot like TIF agreements that you've looked at in the past because what it does is obligates the developer to agree to turn in a request to us to be assessed to be paid back for public infrastructure. In this case, we're actually using this as almost an investment of the City with some of our inactive funds and negotiated at 3% interest. So you will see the payback schedule when it's presented to Finance Committee with interest charges. We are using some of our funds almost to invest in this to provide the relief, free up the capacity of the sewer, so we can allow further commercial development on Sawmill Parkway. It is really one of those tools in the toolbox to use to fund infrastructure. You are familiar with both commercial and residential TIFs. You're very familiar with community authorities and how they impose charges to repay for infrastructure improvements. On this particular one, another tool is to ask the public body for a voluntary assessment. I don't know that anybody does involuntary assessments anymore, but there is a whole procedure for an involuntary assessment to charge properties for improving the road in front of their property. What isn't known as much is there is the same process through a voluntary petition. Police, city collect to give an amount of money from me per year and I will help build out the infrastructure that you need. That's the tool we're using from the toolbox this time. The amount will be similar but a little less than what the community authority charge would have been on these homes and it will only run for essentially 7 years if their build out schedule is completed as planned. We will get paid back in full with interest at 3% interest.

Councilman Bennehoof: And we learned in committee that this was building out excess sewer capacity beyond what was required for the development. I think staff should be commended for finding a way to better the bank rate interest. I think that's terrific.

Councilman Counts: All the improvements have been made and so the developer is looking for reimbursement for the cost that they have expended up to this point. [Mr. Hollins: You bet.] And Spectrum was part of this and have we already entered into similar agreements with them or will we?

Mr. Lutz: Yes and I think maybe we will touch on some of this in the next ordinance where Spectrum... [Mr. Hollins: Spectrum already built out the first leg of this then committed a certain amount of funds for that which would be overflow coming to this.] Yes. Spectrum had a \$1.2 million dollar - what they thought would be an investment in the sewer - they ended up with \$1.125 [million]. Spectrum will provide the City \$75,000 which will be used to help offset the Verona sewer, and will we will get into in a minute, which is a seven figure sewer investment.

Councilman Counts: And so the developer is going to then get paid in full once all these agreements [are signed] or do they get paid over time?

Mr. Lutz: No. And actually I think it's the contractor who gets paid.

Mr. Hollins: Understand they are paid in full not for their normal sewer infrastructure that serves that subdivision. They are paid in full for the new pump station on Powell Road and getting it up to what Spectrum built. And that takes it over to the Golf Village pump station. So it's the extraordinary public sewer line cost and the pump station cost.

Councilman Counts: Did I read somewhere that this assessment is somewhere between 6-8 years?

Mr. Lutz: That is what our desire is. The shorter the time period, the larger the assessment so you are just trying to balance it and we would like to get paid back sooner than later on our layout of funds. We are shooting for around a seven year period.

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

Ordinance 2016-30 was taken to a second reading.

Councilman Bertone: We discussed this in depth at the last Operations Committee and special thanks to Karen for her engagement with the project as well. I'm anxious to see this in place sometime soon. Obviously it would benefit us as a Council as well as the residents.

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 2016-33. Councilman Bennehoof seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Bennehoof moved to adopt Ordinance 2016-33. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2016-34: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2016.

Mr. Lutz: There is a cost to borrowing money even through notes. It's much less than bonds. Debra will review this appropriation.

Ms. Miller: We asked for them to give us more money than what we were borrowing so we were going to get a premium. We are going to use the premium to pay for our cost of issuance. To authorize me to spend that \$14,000 we are going to get in premium, I need an appropriation ordinance. We've split it between the two, public improvements and the park improvements. That's going to pay for our financial advisor and paper cost using the electronic form of doing the bids. Compared to bonds, this is extremely cheap.

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

MOTION: Councilman Bennehoof moved to suspend the rules in regard to Ordinance 2016-34. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman moved to adopt Ordinance 2016-34. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

COMMITTEE REPORTS

Development Committee: *Next Meeting:* August 2nd, 6:30 p.m. We did meet this evening and our business was mostly to vet the items on our agenda. We did get some updates from the engineers on Murphys Parkway and construction is on schedule. Regarding the bike path, the engineering's done. We are waiting on some agreements with Delaware County and Liberty Township for right-of-ways. The 750 and Grace Drive signal is ready to go up.

Finance Committee: *Next Meeting:* August 9th, 7:00 p.m. Next week, we will be having a tour of the City. All heads of the departments will be joining us. We will be visiting all sorts of public improvements to give us a sense of what the needs of the City are. It is an important meeting for all of us to be there. For those members of the Finance Committee, we will be meeting afterwards because we have a few items that have to be discussed, so we will add it on to the end of the tour.

Mr. Lutz: Just to piggyback Tom, I will send an email reminder. The bus tour will begin at 6:30 p.m. I anticipate the tour to last an hour and half. We will provide some pizza for those coming directly from work. It will be an advertised meeting to the public.

Councilman Bennehoof: What are you going to do if we are overwhelmed with the public? Mr. Lutz: We hope to have that situation, but I do not anticipate it.

Councilman Hrivnak: Was there any effort to invite Tom Gallick from the press? Councilman Counts: I assume that there will be an encouragement for him to come.

Operations Committee: *Next Meeting:* August 16th, 6:30 p.m.

ONE Community: *Next Meeting:* August 16th, 6:30 p.m. We have not met since our last meeting;

however, we've had some progress on our logo. We don't have consensus on it yet [indicating]. It renders black, but it was offered as blue. There was a suggestion that we remove the 'road' and 'street' indicators on it. I liked it as soon as I heard about it and I concur with the removal. We will act on that officially at our next meeting. That will put us in a position to move forward on our social media.

On another note, Larry Coolidge has done some research on tents for us to have a presence in some of our events. I will be requesting a budget of about \$300 for us to appropriate a tent. I will work with staff to make that official.

Planning & Zoning Commission: Next Meeting: August 10th, 7:00 p.m. We have three things on the agenda. One is an upscale storage facility. Another is condos on Old Sawmill and Zion Drive. And lastly is Harpers Point.

Mr. Lutz: Regarding Harper's Point. That is where there was a referendum on the development on the old shooting range site. We have asked Gene to put together a legal opinion based on what has been submitted by the developers to confirm whether we have the authority to review the proposed development or not because there is legal language that indicates there has to be differences on what is submitted. We will get a legal opinion for P&Z and Council to consider.

Councilman Bennehoof: Those differences have be substantial if I'm not mistaken. [Mr. Hollins: Yes. Material-type changes.] So do you have any preview? Has it already been submitted?

Mr. Kambo: It's available online right now.

Powell CIC: Next Meeting: TBD. The CIC met last week. I was out of town so I'll have a better report for you at our next meeting.

Zoning & Building Code Update Diagnostic Committee: Next Meeting: August 23rd, 6:00 p.m.

CITY MANAGER'S REPORT

Steve Lutz, City Manager: With respect to the Liquor Department requests included in the packet, no action is needed by the City because these two are located outside the corporate limits and have been forwarded to the township.

We have several meetings coming up with Keep Powell Moving. One tomorrow afternoon and one Thursday morning where we will have stakeholders, small group discussions. Several of you are going to try to attend those meeting. Our next public workshop will be on Tuesday, August 30th at 7:00 p.m.

This past Sunday we had the second of three markets. Sometimes we are a victim of our own success. It was very busy. Cars were parked everywhere. We are actually meeting with the chamber and police tomorrow to make sure we are doing the best we can so everybody can co-exist.

OTHER COUNCIL MATTERS

Councilman Bennehoof: I have a few things. Rocky and I had a conversation over my device because it is an android. It doesn't do the digital interface very well. When I received the electronic agenda, I can't click on the hyperlinked items and open them up as can be done on the iPad. I have asked for in the past and reiterate again with Karen and Rocky, that I'm interested in understanding what the time and materials that generating all this does - a cost-benefit analysis. I suggest that we consider putting an iPad in front of each of us as well as each of the P&Z members. These iPads would remain City property. That eases the administration and the technicalities that Frank is still suffering and I suffered. I will also tell you that this digital experiment is in flight, but it's not under management and I'm going to suggest that it go to the Operations Committee for oversight and management. All that said, do I need to propose something?

Mr. Lutz: Actually the mayor, Tom and I had already had a discussion and we were going to add this to Finance Committee's agenda on Tuesday. I know there was some discussions about e-packets which is fine. It's just that we need to be able to make sure that we provide everybody the resources necessary to actually execute that. I think you identified the things that might be necessary.

ACTION PLAN: Finance Committee will consider purchasing iPads for Council and P&Z to support an electronic docket.

Councilman Hrivnak: Jon, there is a light at the end of the tunnel. Since the beginning of the year, I've been doing it on this iPad and really have no trouble.

Councilman Bennehoof: Three other things. We claim to be a Tree City, which Rocky reminded me of and we have been burning paper at an alarming rate. We could apply to be a Smart City and I wonder if we should consider a Sister City. I'd just like to get those things out on the table and put them in the funnel somewhere that we can start thinking about living up to the Tree City and maybe stepping up to Smart and Sister City hood.

Mayor Lorenz: Maybe we can put those on the Committees too and figure out where they go.

ACTION PLAN: Add the topic of Sister City and Smart City to a Committee Agenda.

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

Councilman Hrivnak moved at 8:45 p.m. to adjourn into Executive Session in accordance with O.R.C. Section (G)(3) Pending Litigation. Councilman Bennehoof seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Bennehoof moved at 10:15 p.m. to adjourn from Executive Session. Councilman Hrivnak seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Swartwout moved at 10:15 p.m. to reconvene in Regular Open Session. Councilman Counts seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Bertone moved at 10:15 p.m. to adjourn from Regular Session. Councilman Counts seconded the motion.

VOTE: Y 6 N 0

MINUTES APPROVED: August 16, 2016

 9/6/16  9/1/2016
Brian Lorenz, Mayor Date Karen J. Mitchell, City Clerk Date

