



**City of Powell, Ohio**  
City Council

**MEETING MINUTES**  
**September 20, 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, September 20, 2016 at 7:36 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 Steve Lutz, City Manager; Megan Canavan, Communications 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 - Prostate Cancer Awareness Month** – *Linda Hoetger, Ohio Regional Champion for ZERO.* Mayor Lorenz read the proclamation and declared the month of September to be Prostate Cancer Awareness month in the City of Powell.

**PRESENTATION – Strategic Planning Update** – *Bob Lamb, Economic Development Director, Delaware County. (Exhibit 1)*

- Encourage more commercial development to shift tax burden away from residents.
- There are currently 80,000 cars – or 80% of the working population - on the road every day heading south to Franklin County to work.
- Delaware County Economic Development Action Plan
  - Population growth in Delaware County grew from 50,000 in 1990 to 193,013 today.
  - Delaware County has highly educated, higher median income, higher homeownership and a lower poverty rate than comparable counties.
  - Highest two county economic priorities are:
    - Helping small businesses; and
    - Improved community facilities.
  - Economic challenges:
    - Commute/traffic times;
    - Water & sewer infrastructure; and
    - Development process.
- Recommendations
  - Standardize development processes.
  - Increase lobbying efforts for transportation funding to relieve traffic congestion.
  - Incentivize development of at least five industrial/office sites.
  - Formalize tax incentive agreements with townships, cities and school districts to promote high wage jobs.
  - Marketing

Councilman Hrivnak: Bob's been part of our CIC meetings previously and CIC is working on one of Council's initiatives to develop our economic development plan. We've been monitoring your work and we think our plan will compliment yours. Our group is anxious to look this over and use this, with Staff's help, to further our plan. One thing we are already working on is the development process and it's difficult for people to come into our area and open a new business or develop a new site. One of the things we are going to put on the CIC's website is a step-by-step list of how to do that.

Mr. Lamb: It's amazing what just some education can do to help move that process forward and putting in place tools that are readily available out there through different software packages/companies to help the submittal and tracking processes to make it more user-friendly. I'm really excited about what you guys are doing as a community when it comes to looking at how to be more engaged with the commercial side of things. You play a huge role in encouraging investment throughout this area, not just from a City standpoint, but also from the school district standpoint.

Councilman Bennehoof: The multi-use path, you're involved in that aren't you? [Mr. Lamb: Yes, my office is where it's housed. Jenna Jackson with my office is leading that endeavor]. I had called Barb Lewis and I think she referred me to you. I wanted to discuss getting a seat on that commission. We have a path initiative in ONE Community and we are trying to link the township and the City with paths.

Mr. Lamb: As that committee is being flushed out, the final list has not been approved by the commissioners at this point, so I'd be happy to put a representative from ONE Community's name into the mix. That committee will be engaging various stakeholders throughout the county. As part of that we are looking to have another group established that is directly related to individuals engaged in multi-use paths that will serve as a sounding board as the committee finalizes its recommendations. So there will be multiple ways to weigh in to the committee not just being part of the committee.

#### **APPROVAL OF MINUTES – September 6, 2016**

MOTION: Mayor Lorenz requested one change to paragraph 12 on page 6 to interchange the words "Engineers" and "Manual" in the title. Councilman Hrivnak moved to adopt the minutes of September 6, 2016 as amended. Councilman Bennehoof seconded the motion. By unanimous consent of the remaining members of Council, the minutes were approved as amended.

#### **CONSENT AGENDA:**

##### Item

Monthly Reports – August 2016

##### Action Requested

Receipt of Electronic Report

MOTION: Councilman Hrivnak moved to adopt the Consent Agenda. Councilman Bennehoof seconded the motion. By unanimous consent of the remaining members of Council, the Consent Agenda was adopted.

**SECOND READING: ORDINANCE 2016-42: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE LIBERTY TOWNSHIP TRUSTEES FOR THE PURPOSE OF ENTERING INTO A JOINT MULTI-USE PATHWAY IMPROVEMENT PROJECT IN AN UNINCORPORATED AREA OF LIBERTY TOWNSHIP ALONG NORTH LIBERTY ROAD KNOWN AS THE RUTHERFORD ROAD TRAIL SECTION.**

Mr. Lutz: The City and township have been in discussions about jointly bidding and constructing our bike paths. We've prepared an agreement which is being reviewed by the county prosecutor who is the township's legal counsel. The individual who is responsible for reviewing this was on vacation last week and the week prior. As a consequence, we recommend tabling this until the October 4<sup>th</sup> City Council meeting in which time the City and township should have had a chance to review everything.

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

MOTION: Councilman Bennehoof moved to table Ordinance 2016-42 to a date certain of October 4, 2016. Councilman Bertone seconded the motion.

VOTE:            Y   7                      N   0  

**FIRST READING: ORDINANCE 2016-43: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO AWARD A BID TO \_\_\_\_\_ IN THE AMOUNT OF \$ \_\_\_\_\_ FOR THE POWELL PARK IMPROVEMENTS, AND DECLARING AN EMERGENCY.**

Mr. Lutz: Friday afternoon we opened bids for our park paving project which includes in Adventure Park repairing the basketball court; at Arbor Ridge Park repairing the tennis courts; and at Library Park repairing the multi-use courts. We received two bids. Our engineer's cost estimate was \$127,000. We had two very good bids. We checked out the apparent low bidder and do recommend awarding a contract to Heiberger Paving in the amount of \$125,485. We have placed an emergency clause on this. If Council suspends the rules, our desire, and the contractor's desire, is to get as much of the work done this construction season, weather-permitting.

Councilman Bennehoof: Have we had any experience with Heiberger Paving?

Mr. Lutz: The City has not. Meyers & Associates, our consultants, have checked them out and recommend awarding a contract to them.

Councilman Bertone: The money from here, is that coming from the capital improvements of 2012?

Mr. Lutz: Yes. This is from the 7 million dollar bond issue and the money has already been appropriated.

MOTION: Councilman Hrivnak moved to amend Ordinance 2016-43 to add the contractor of Heiberger Paving to the title, the second Whereas clause, and Section 1 in place of the blank line; and add the amount of \$125,485 in the second blank line of the title. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

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

Councilman Swartwout: The bids opened September 16<sup>th</sup>. When did the bids close - at the same time?

Mr. Lutz: The bids are advertised a couple weeks ahead of time and then we advertised a public bid opening at which time anybody submitting a bid has to have it submitted at that time or prior to.

Councilman Swartwout: So it's a date certain?

Mr. Lutz: A date and time certain. The bid openings are actually held here and typically a contractor will just walk their bid in with an envelope and stay here for the opening.

Councilman Bennehoof: You don't really conduct any orals or anything like that especially for something in the order of \$129K, but for larger things, such as the Seldom Seen Park for a couple million dollars. Would there be orals that go along with the openings of the bids?

Mr. Lutz: Typically on a big project, we just make sure that they've met all the requirements and then if we are not familiar with the contractors, we interview clients to find out how they've done. This work is specific work related to parks. The City didn't have any knowledge of these contractors but Meyers & Associates were familiar with these companies.

Mayor Lorenz: I would like to go on record to say that I support suspending the rules on this seeing how it could be done this year. It's a capital improvement that was voted on by our residents so I think it would be wise for us to try to get this passed tonight and get this work done this year.

MOTION: Councilman Bennehoof moved to suspend the rules in regard to Ordinance 2016-43. Councilman Hrivnak seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Bennehoof moved to adopt Ordinance 2016-43. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

#### COMMITTEE REPORTS

**Development Committee:** Next Meeting: October 4th, 6:30 p.m.

**Finance Committee:** Next Meeting: October 11th, 7:00 p.m. We met last week and had a lengthy agenda. We discussed the proposed telephone contract. We asked that Staff come back with some more information. We discussed the proposed intersection improvements at Liberty & Seldom Seen Roads. We also discussed going to a paperless agenda. Finally, we had a discussion of capital improvements.

Councilman Bennehoof: Tom, I understand the decision that was made about the digital program. I sent a note this morning raising issue with the background or Staff work that went into the ROI and suggested that there might be a revisitation of that estimate because I had heard that there were

significantly more than 4 hours a month spent putting together the package. I also noted that the fully burdened rate was not used on the calculation and I thought those two might change the ROI. I would like to formally request that Staff make a revisit of that justification of at least those two things.

**Councilman Counts:** Our discussion was relatively lengthy and there were a lot of other items we talked about. For instance, what we do with large paper documents that are not easily read on the screen. We talked about confidential information and how we handle that. But I think the biggest thing was that there was not a consensus among the council members as to what the best way to deal with it – whether to use your own equipment or have City buy equipment for Council's use. There were some on Council choosing not to go paperless all together. So the consensus was that if you want to go electronic by all means go electronic, but that given the inconclusive economic benefits, we didn't feel that it was worth going paperless across the entire Council.

**Councilman Bennehoof:** It's the business justification that I'm taking exception with not the decision that was based on that justification. That is why I'm asking for a revisit of that ROI.

**Operations Committee: Next Meeting:** September 20th, 6:30 p.m. We met tonight and discussed a variety of items including body cameras from Chief Vest, the Sawmill Road speed and safety efforts, and Lechler building updates, etc. Staff will revisit that topic with some lower cost alternatives. We will pass some of those additional items back over to Development Committees.

**ONE Community: Next Meeting:** September 20th, 6:30 p.m. We recapped our communication program. We've shared the logo with everyone. If we can, we would like to acquire a tent with a backdrop. The estimated cost is approximately \$300 for the tent and backdrop with logo. I am requesting out of Council's discretionary budget approximately \$300 to purchase the tent. The Township will contribute half of the funds and we would contribute the other half, so it may be slightly more than that. Council gave a thumbs up to the expenditure with no objections.

**Planning & Zoning Commission: Next Meeting:** October 12th, 7:00 p.m.

**Powell CIC:** Next Meeting: TBD. We met on Monday this week. We went through some updates on projects we have. We are still working with the IRS to straighten out our tax return. We are also working on an overhaul to the website with Megan. We talked about a new incubator site, specifically the one at the end of Grace Drive. There was no final conclusion, but we realize that our income stream is rather tenuous. We have a couple of potential new businesses that Staff is working with. Hopefully they will be able to share that with us at the next meeting. We have established the fourth Wednesday of the month at 6:00 p.m. to be our standing meeting.

**Councilman Bennehoof:** How long has the real estate agent been in the incubator building? And where does that revenue stream currently go?

**Mr. Lutz:** A couple of years. The lease that Howard Hanna has goes to the CIC and CIC then shares a portion of that back to the City's general fund.

**Zoning & Building Code Update Diagnostic:** September 27, 2016, 6:00 p.m.

#### **CITY MANAGER'S REPORT**

There are two items. As we are aware, the City's salt storage facility is small. We had been in conversations with the County Engineer who's looking to build a new salt facility on the southeast corner of Sawmill Parkway and Hyatts Road. We have been notified by the County Engineer that this facility will not be constructed in time for this season. We will continue to use our salt storage at Adventure Park.

The second item is Murphy Parkway's opening will be on September 30, 2016 at 2:00 p.m. Megan will show a brief video we put together that we will put out shortly to the public. [Shows video]

#### **OTHER COUNCIL MATTERS**

**Mayor Lorenz:** I want to thank all our first responders that participated in the ceremony on 9/11. We had a lot of good feedback.

**Councilman Counts** presented his analysis of the 2016 Community Attitudes Survey with respect to capital improvements. Discussion was held as to capital improvement funding needs and education of the public about those needs.

**ADJOURNMENT**

MOTION: Councilman Bennehoof moved to adjourn the meeting. Councilman Hrivnak seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned at 8:48 p.m.

**MINUTES APPROVED: October 4, 2016**

	10/18/16		10/19/2016
Brian Lorenz Mayor	Date	Karen J. Mitchell City Clerk	Date

