



City of Powell, Ohio
City Council

MEETING MINUTES
December 20, 2016

CALL TO ORDER/ROLL CALL

A regular meeting of Powell City Council was called to order by Mayor Brian Lorenz on Tuesday, December 20, 2016 at 6:30 p.m. City Council members present included Jon Bennehoof, Frank Bertone, Tom Counts, Jim Hrivnak, Brian Lorenz, and Brendan Newcomb. Daniel Swartwout was absent. Also present were Steve Lutz, City Manager; Eugene L. Hollins, Law Director; Dave Betz, Development Director; Debra Miller, Finance Director; Megan Canavan, Communications Director; Karen J. Mitchell, City Clerk, and interested parties.

EXECUTIVE SESSION: EXECUTIVE SESSION IN ACCORDANCE WITH OHIO REV. CODE SECTION 121.22(G)(1) PERSONNEL AND (3), PENDING OR IMMINENT LITIGATION.

MOTION: Councilman Hrivnak moved at 6:30 p.m. to adjourn into Executive Session in accordance with O.R.C. Section 121.22 (G)(3), Pending or Imminent Litigation. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Bertone moved at 7:15 p.m. to adjourn from Executive Session. Councilman Hrivnak seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Bennehoof moved at 7:30 p.m. to reconvene into Open Session. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

OPEN SESSION

PLEDGE OF ALLEGIANCE

PRESENTATION: Mayor Lorenz presented the following Olentangy Liberty High School athlete/teams with a certificate of recognition for their outstanding achievement in 2016:

- Sidney Reineke, 2016 State Singles Qualifier, Tennis, Coach William Thieman
- Girls Field Hockey, 2016 OHSAA State Tournament, Coach Marianne Flannery
- Girls Cross Country, 2016 OHSAA Division 1 Finalist, Coach Darrell Dewese
- 2016 Olentangy Liberty Football, State Playoffs, Coach Steve Hale

CITIZEN PARTICIPATION

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

APPROVAL OF MINUTES – December 6, 2016

MOTION: Councilman Bennehoof moved to adopt the minutes of December 6, 2016. Councilman Bertone seconded the motion. Mayor Lorenz abstained. By unanimous consent of the remaining members of Council, the minutes were approved.

CONSENT AGENDA

Item

Monthly Reports – November, 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.

RESOLUTION 2016-23: A RESOLUTION SPECIFYING THE MUNICIPAL SERVICES TO BE FURNISHED TO 108.851

+/- ACRES, MORE OR LESS, WHICH IS PENDING ANNEXATION TO THE CITY OF POWELL.

Steve Lutz, City Manager: At the last City Council meeting the City unanimously approved a Pre-annexation Agreement for a proposed single-family residential development located on the east and west side of Steitz Road between Rutherford and Home Roads. The next step in this process is adopting the service resolution which is forwarded to the county informing them that the City is willing to provide municipal services for this development. This development will be going through P&Z and will be coming back to Council at a future date. Mr. Hart, who represents the developer, is here to answer questions.

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

MOTION: Councilman Counts moved to adopt Resolution 2016-23. Councilman Bennehoof seconded the motion. By unanimous consent of the remaining members of Council, Resolution 2016-23 was adopted.

SECOND READING: ORDINANCE 2016-63: AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN TO CONSTRUCT A 3,672 SQUARE FOOT ADDITION TO AN EXISTING CHILD CARE FACILITY AT 14 GRACE DRIVE.

Mr. Lutz: Tonight is the second reading of this proposed addition to the Big Hearts Little Hands child care center. Dave will give a brief review of the proposal.

David Betz, Development Director: The property is at the northeast corner of Grace Drive and Liberty Street. Basically, the addition fills in the center part of the existing building and puts an addition on the front. The plans are attached to the ordinance that show there will be revised landscaping and sidewalk out in front. There is no need for additional parking because the existing parking meets our requirements for parking for the site. They have worked with neighbors in back for fencing and everyone is happy with the process. P&Z recommended approval.

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

MOTION: Councilman Counts moved to adopt Ordinance 2016-63. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2016-68: AN ORDINANCE TO VACATE A PORTION OF A DRAINAGE EASEMENT AND A PORTION OF A LANDSCAPE BUFFER EASEMENT, LOCATED ON REAL PROPERTY OF RECORD IN PLAT CABINET 2, SLIDES 542-542A, IN THE RECORDER'S OFFICE, DELAWARE COUNTY, BEING LOT 1978, JOHN D. WOLF COMMERCE PARK SECTION 2, AND DECLARING AN EMERGENCY.

Mr. Lutz: This is regarding the storage facility that was recently approved by City Council. As we went through the approval process, it was noted that there was a landscape buffer and drainage area on the west side of the property. As part of the development plan, you saw that it had been shifted where they had acquired some property on the east side. What this legislation will do is vacate that landscape buffer and drainage area on the west side so the developers can close on the property and there won't be those encumbrances on the property. Dave and Karen did circulate a revised exhibit that property shows the vacated easements are there on the west side and not on both sides.

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 2016-68. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Bennehoof moved to adopt Ordinance 2016-68. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2016-69: AN ORDINANCE AMENDING ORDINANCE 2010-59 TO ADD A CERTAIN PARCEL OF REAL PROPERTY TO THE DECLARATION OF PUBLIC PURPOSE MADE IN THAT ORDINANCE AND DECLARING AN EMERGENCY.

Mr. Lutz: This Ordinance adds Spectrum II to our Sawmill Parkway Tax Increment Finance District which was discussed when Spectrum II was approved. Spectrum II is the assisted living memory care facility under construction on Old Sawmill Road right now. If this is approved tonight, we will get it filed with the county tomorrow and that way it will go on the tax roll first thing next year and we capture the incremental increase.

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 2016-69. Councilman Counts seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Bennehoof moved to adopt Ordinance 2016-69. Councilman Counts seconded the motion.

VOTE: Y 6 N 0

COMMITTEE REPORTS

- Development Committee: Next Meeting: February 7, 2017, 6:30 p.m.
- Finance Committee: Next Meeting: January 10, 2017, 7:00 p.m.
- Operations Committee: Next Meeting: January 17, 2017, 6:30 p.m.
- ONE Community: Next Meeting: TBD. We did not meet tonight because of the Executive Session. We have not settled on a new regular meeting date.
- Planning & Zoning Commission: Next Meeting: January 11, 2017, 7:00 p.m. We may not have a meeting in January depending on what happens with submittals which are generally pretty low this time of year.
- Powell CIC: Next Meeting: December 19, 2016, 6:00 p.m. We had our annual meeting yesterday. The officers will remain the same.
- Zoning & Building Code Update Diagnostic: Next Meeting: January 24, 2017, 6:00 p.m.

CITY MANAGER'S REPORT

- We will not have a Council meeting on the first Tuesday of January so the next Council meeting will be January 17, 2017.
- We have two Council meetings in 2017 that we may want to reschedule to the Wednesday of that week because they fall on holidays: July 4th (Independence Day) and November 7th (Election Day). Council agreed by unanimous thumbs up to move those two Council meetings to Wednesday, July 5 and November 8 at 7:30 p.m.

OTHER COUNCIL MATTERS

There were none.

ADJOURNMENT

MOTION: Councilman Bennehoof moved to adjourn the meeting at 7:49 p.m. Councilman Bertone seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: January 17, 2017

 _____ Date 2/7/17

 _____ Date 2/8/2017

Brian Lorenz Mayor
Karen J. Mitchell City Clerk



City Council
Brian Lorenz, Mayor

Jon Bennehoof Frank Bertone Tom Counts Jim Hrivnak Brendan Newcomb Daniel Swartwout