

City of Powell, Ohio
City Council

MEETING MINUTES
June 20, 2017

CALL TO ORDER/ROLL CALL

A regular meeting of Powell City Council was called to order by Mayor Brian Lorenz on Tuesday, June 20, 2017 at 7:35 p.m. City Council members present included Jon Bennehoof, Frank Bertone, Tom Counts, Jim Hrivnak, Mayor Brian Lorenz, Brendan Newcomb, and Daniel Swartwout. Also present were Steve Lutz, City Manager; Eugene L. Hollins, Law Director; Gary Vest, Chief of Police; Dave Betz, Development Director; Debra Miller, Finance Director; Megan Canavan, Communications Director; Chris Huber, City Engineer; John Moorehead, Assistant City Engineer; Karen J. Mitchell, City Clerk, and interested parties.

OPEN SESSION

PLEDGE OF ALLEGIANCE led by the Boy Scouts, Troop 428

PRESENTATION: Delaware County Health District Update – Sheila Hiddleston, Health Commissioner

- The opioid issue is hitting Ohio hard. While Delaware County has not been hit as hard as other areas in Ohio, it is important to make sure that it doesn't get any worse. DCHD is working with community partners to develop an action plan that looks at education and prevention to treatment and recovery.
- Council should be getting the Mosquito Monday updates every other week. It contains the status of all the mosquitos that are collected in the traps within the City limits. DCHD only sprays in response to finding disease per the CDC guidelines:
 - For West Nile, DCHD will spray about a 1 mile radius around the case.
 - For Zika, DCHD will spray about a 100 yards around infested area.
- DCHD will be present at Powell Festival this Friday and Saturday.
- The Youth Health Assessment has been completed. All county school districts participated with over 10,000 students. The data results are just beginning to be analyzed.
- DCHD is aware that Council will be voting on the Tobacco 21 initiative. One of the questions on the Youth Risk Behavior Survey for smokers was, where do you get your cigarettes? The third most common response was that they were getting it from friends or friends of older siblings who were over age 18. DCHD supports this initiative and would like to see its passage.

Councilman Newcomb: What's the number one and two response to the smoking question?

Ms. Hiddleston: Either they took them from a store or borrowed them from somebody. If Council would like to have a presentation about the data from the Youth Health Assessment, DCHD is preparing a 15 minute presentation and we would be willing to present it to you.

MOTION: Mayor Lorenz moved to amend the agenda to add Item 12(a) for proposed Ordinance 2017-29 that would restrict left-hand turns at the Four Corners. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

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 – June 6, 2017

Councilman Newcomb requested a change to the fifth paragraph on Page 13 of the minutes by deleting the words "of the."

MOTION: Councilman Bertone moved to adopt the minutes of June 6, 2017 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 Action Requested
Departmental Reports – May 2017

Receipt of Electronic Report

Ordinance 2017-26: AN ORDINANCE TO GRANT FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS OF GOLF VILLAGE SECTION 7, PHASE D, PART 3 AS THE SAME IS NUMBERED AND DELINEATED UPON THE AMENDED PLAT THEREOF RECORDED IN OFFICIAL RECORD BK 1233, PAGES 1266-1267, DELAWARE COUNTY, OHIO RECORDER'S OFFICE.

Adoption

Ordinance 2017-27: AN ORDINANCE TO GRANT FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS OF THE PEDESTRIAN PATHWAY IMPROVEMENTS, A PART OF THE PRESIDENTIAL POINTE IMPROVEMENT PLANS AS APPROVED ON AUGUST 29, 2006, CONSTRUCTED BY PRESIDENTIAL POINTE, LLC. (EX. A)

Resolution 2017-15: A RESOLUTION TO ESTABLISH THE ESTIMATED REVENUES FOR THE CITY OF POWELL FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018. (EX. A)

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.

PRESENTATION: Powell Patriot 5K on the 4th - Tomas Gonzalez, Race Director. Mayor Lorenz explained that Mr. Gonzalez was unable to make it to tonight's meeting. Mr. Gonzalez is earning a badge for the Boy Scouts, has elected to organize this 5K race and is attempting to get some publicity for this event. It will be held on July 4th at Murphys Park. He is also collecting gently-used running shoes. Please contact Mayor Lorenz for further information.

SECOND READING: ORDINANCE 2017-20: AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR MARGELLO DEVELOPMENT COMPANY TO CONSTRUCT TWO VEHICLE STORAGE BUILDINGS AND TWO OFFICE/WAREHOUSE BUILDINGS OR FOUR OFFICE/WAREHOUSE BUILDINGS ON APPROXIMATELY 4.49 ACRES LOCATED AT WEST SAWMILL ROAD AT ZION DRIVE.

Steve Lutz, City Manager: We reviewed this in great detail at our last Council meeting. Development Director Dave Betz will give you a brief review. The applicant is present for any questions you may have.

Dave Betz, Development Director: The development consists of the vacant property to the west of Zion Drive along Old Sawmill Road. It finishes off the first two phases of this property development, including Presidential Plaza and the Revolution Dance building. The applicant will also be putting in a bike path along Presidential Parkway, outside the City, as requested by P&Z to make this connection to the pathway at Presidential [indicating]. I wanted to point out that page 1 of the attachment to the ordinance was changed from Office or Retail to Office or Ancillary Retail. That will allow for somebody like a carpet store to display their carpet or a tile store to display the tile and have some ancillary retail sales.

The project consists of four buildings. The interior two buildings would be for vehicle storage. The other two buildings would be for office-warehouse uses. These two buildings could also be converted from these buildings to office-warehouse buildings that are similar in design to these if the applicant finds the

market bears that instead. It's been through P&Z, and P&Z recommended approval with the conditions placed on the ordinance.

Vince Margello 3967 Presidential Parkway: I'm here to answer any questions.

Councilman Bennehoof: On the elevations that have frontage, is it going to be brick?

Mr. Margello: The elevations that face Old Sawmill Road will have brick and stone. The other drive that is on private property, which goes from Sawmill Parkway to Old Sawmill Road is basically my parking lot and my road and two of those buildings will have brick and stone. The other two will have Hardi-plank.

Councilman Newcomb: When's the bike path going to go in?

Mr. Margello: When we are doing the project.

Councilman Newcomb: As part of the first two buildings?

Mr. Margello: Well, no, it's part of the whole four buildings.

Councilman Newcomb: So building one and two are going to go in pretty soon and then you are going to wait on the storage buildings?

Mr. Margello: No. We are doing all four slabs at one time. When we put the parking lots in for the project, we will put the bike path in for Presidential Parkway.

Councilman Hrivnak: Is it important that Council know what the final decision is on what type of buildings these will ultimately be since we have an either/or type on the last two buildings? At some point will we be officially notified which type it is? I don't see anything in here that says it would have to come back to us with a final decision on the building type.

Mr. Betz: This would be an administrative act to do that.

Mr. Margello: What it's doing is giving me a bit of flexibility without having to come back through the whole process. You've already approved the buildings. As you know I did Village Pointe years ago and they were office/warehouses and they were successful. It seems like there's a big need for that again, so I'm weighing the facts on what I am going to do. I told Dave and Rocky that I would like that flexibility. I'm going to do the first two office/warehouse/ancillary retail/sports facility for the first two buildings and then I'm going to weigh the facts out and see what the demand is on the other two pads.

Councilman Hrivnak: Can you let us know what the final decision is when that is determined Dave so we can close that loop?

Mayor Lorenz: It is a planned district so Mr. Margello has that flexibility, zoning and building permits...[Mr. Margello: It's a commercial piece of land. When I brought it in years ago, all nine acres were commercial]. Okay.

Mr. Betz: Certainly.

Mayor Lorenz opened this item to public comment. Hearing none, he closed public comment and opened the floor for comments and questions from Council.

MOTION: Councilman Bennehoof moved to adopt Ordinance 2017-20. Councilman Counts seconded the motion.

VOTE: Y 7 N 0

SECOND READING: ORDINANCE 2017-21: AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR THE ELLIS COMPANY, LTD/COLE ELLIS TO RENOVATE AN EXISTING SELF-STORAGE SITE TO REMOVE BOAT AND RV STORAGE AND REPLACE IT WITH NEW SELF-STORAGE BUILDINGS FOR THE PROPERTY

Mr. Lutz: This is a renovation of an existing project which is located on the north side of Olentangy Street just off of Industrial Parkway. This is a second reading which was discussed in great detail at the last meeting. Dave will give a brief review. The applicant is here to answer any questions or to provide you additional information.

Cole Ellis, Ellis Company and Joe Miller, Attorney for Applicant: We are happy to answer any questions or provide additional information.

Councilman Hrivnak: Dave, the Fire Department looked at this and the buildings are spaced far enough that they can get in there? [Mr. Betz: Yes.] It looks tight, but if they okayed it, then I fine with it as well.

VOTE: Y 7 N 0

Mr. Lutz: This was discussed in great detail at the last Council meeting. As you are aware, the City's Operations Committee spent several months studying this proposed ordinance which would change the age in which you can purchase tobacco products within the City of Powell from age 18 to age 21. This legislation is very similar to what other communities in Central Ohio have done, including the City of Columbus, Upper Arlington and Bexley.

Mayor Lorenz opened this item to public comment.

Glenn Fisher, Delaware County Tobacco-Free Coalition: You have been kind enough to allow us to come here and tell you what we know about the subject. We are happy to answer any further questions from Council. I would like to mention a couple of statistics: According to the Library of Congress, 95% of smokers start before they turn 21 years of age. Nationally, 75% of Americans favor Tobacco 21 and 70% of smokers favor Tobacco 21, these are from the U.S. Department of Health in a 2015 survey.

Linda Diamond, American Lung Association: I have a couple of handouts I'd like to share. [Exhibit 2] I know we have talked a lot about this issue, so I won't belabor the point. The American Lung Association is very concerned with lung issues and smoking is a very big issue with lung problems. We have had 235 cities and counties that have adopted Tobacco 21. In addition to that, it includes two states: California and Hawaii. That takes in over 66 million people that are under a Tobacco21 law. Seven cities in the state of Ohio have adopted this. In this area, Columbus, Upper Arlington, Bexley, New Albany and Grandview Heights have adopted Tobacco 21. Powell would be a leader with its addition to that list. According to a 2015 report from the National Academy of Medicine if the minimum age were increased to 21, tobacco use would decrease by 12% by time today's teenagers become adults and smoking-related deaths would decrease by 10%. Smoking will be reduced by 25% in 15-17 year olds and 15% for 18-20 year olds. Nationwide we could prevent 223,000 deaths among people born between 2000-2019, including 50,000 who would not die from lung cancer. Lung cancer is the number one cancer-killer for men and woman. We hope you will help protect Powell's youth and make them healthier and happier people as they get older.

Honorable David A. Hejmanowski, Delaware County Probate/Juvenile Court: I am the county's probate/juvenile court's judge. In that capacity I sit on the Tobacco Coalition as well. I am here for a couple of reasons. First of all, folks don't magically gain significantly more insight at 18 years and one day then they did at 17 years and 364 days, which I think is partly why you are considering this legislation. Secondly, because juveniles cannot buy tobacco products, it tends to be their 18 year old friends who are purchasing those products for them.

Just today, I actually saw the results of the county's most recent Youth Behavior Study which the Health Department puts out and I wanted to share it with you because I think it is enlightening for consideration of what's in front of you. I wanted to give you just a couple of statistics from that report. These statistics relate to the number of teens who are engaging in other behaviors who either smoked or did not smoke. For example, the question of whether or not they drank alcohol in the last 30 days: Among nonsmokers, that was 13%. Among smokers it was 66%. Whether they had engaged in sexual intercourse in the last 12 months: Among smokers it was 63% and 17% for nonsmokers. Youth who had abused prescription medications in the last 30 days: Among nonsmokers that was 2% versus 27% who smoked. I am not suggesting that smoking leads to these other behaviors so much as I am suggesting correlation, rather than causation. If kids are willing to engage in smoking, they are also at times more willing to engage in other risky behaviors. So for us in the juvenile justice system, we look at smoking as an indicator of concern in other areas. For that reason, I applaud you for considering this ordinance.

Andrea Norris, Director of Community Wellness, Liberty Township YMCA: At the YMCA we have three major pillars that all of our programs fall under. The first is Youth Development, so we know that lifestyle habits begin to form at the age of 8. Second is Healthy Lifestyles, so we promote healthy lifestyles for children, families and their parents by offering a variety of programs to support them in chronic disease prevention, maintenance and correction. Our third pillar is Social Responsibility and that is what brings me here tonight. We know that communities do not improve unless we all work together. Even if we cannot control the consumption, but only control the purchase, it is helpful to minimize the exposure that our children and our walking community have to tobacco and the trickle effect it will have to other children who are not of age to purchase them.

Hearing nothing further, Mayor Lorenz closed public comment and opened the floor for comments and questions from Council.

Mayor Lorenz: I'd like to thank the Operations Committee and those in the audience who have been coming over the past couple of years to discuss this item with us. For me, I did poll some of the businesses and two of them had some concerns about enforcement and what might happen to them. But like many of us up here, I believe in a healthy community and I think sometimes we have to consider these opportunities and do the right thing.

Councilman Bennehoof: I have voiced my concern about those in the military that are under the age of 21, but I do intend to vote for this proposal because I was a smoker and I did start at a young age. I quit when my dad was dying of leukemia. It has nothing to do with smoking, probably, but I saw a

correlation there. He smoked. And, while I have that reservation and I want to voice it, I will be voting in favor of this ordinance.

MOTION: Councilman Hrivnak moved to adopt Ordinance 2017-24. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

SECOND READING: ORDINANCE 2017-25: AN ORDINANCE TO PROHIBIT CULTIVATION, PROCESSING, AND RETAIL DISTRIBUTION OF MEDICAL MARIJUANA WITHIN THE CITY OF POWELL AND DECLARING AN EMERGENCY.

Mr. Lutz: This too is a second reading which has been discussed in great detail in Operations Committee and at the last Council meeting. The state law, which will permit medical marijuana, does take effect later this fall. In the state's legislation, it specifically permits municipalities to either restrict or prohibit the retail distribution of medical marijuana. The City's ordinance before you would be a prohibition, not a moratorium. Communities around the outer belt [of Columbus] have been enacting or considering such legislation. Based on legal counsel's advice, the recommendation was to adopt this prohibition as opposed to a moratorium. If the City wishes to revisit it at any time they can as opposed to a moratorium.

Councilman Bertone: Again, this is another item we have been discussing for quite a while. I give many thanks to those of you who have provided input. To Steve's point, the conversation for us as a committee [was whether] to set it up as a moratorium versus prohibition. We favored the ban because it's something we feel that's more finite and something we can modify down the road. A moratorium would subject us potential challenges to such.

Mayor Lorenz opened this item to public comment. Hearing none, he closed public comment and opened the floor for comments and questions from Council.

MOTION: Councilman Counts moved to adopt Ordinance 2017-25. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

FIRST READING: ORDINANCE 2017-29: AN ORDINANCE PROHIBITING LEFT TURNS AT THE INTERSECTION OF OLENTANGY STREET (STATE ROUTE 750) AND LIBERTY STREET, AND DECLARING AN EMERGENCY.

Mr. Lutz: We discussed this at tonight's Council-Committee-of-the-Whole meeting. We are taking a look at prohibiting left turns during certain hours. The discussion focused on whether such restrictions should be permanent in nature or temporary in nature during the closure of the S.R. 315 project. What we plan to do in conjunction with this ordinance, whatever may be adopted, is to utilize our police officers to assist with the enforcement. We've also discussed placing a police officer at one or two other key intersections within our jurisdiction during peak hours which would be around 4:00 to 7:00 p.m. and most likely in the morning hours to help our residents cope with the increased traffic.

Mayor Lorenz: We have before us an ordinance that has some blanks in it in Section 1 and Section 2 for [days and] hours. I believe the recommendation would be 4:00 p.m. to 7:00 p.m., Monday through Friday. I'd like to take questions first, then public comment, and then have a discussion on it. Then we can modify the ordinance as needed.

Councilman Bennehoof: I just want to reiterate what I've said before. I know it is unpopular with some, but were we to pass anything tonight, we can always revisit it in the future. I don't think that it should be temporary. We discussed that in the Committee-of-the-Whole. I mentioned that I think limiting the left turn movements at the Four Corners at all hours of the day and night, all days of the week, would drive a behavior modification. I know it isn't popular but I think that it should be considered. I have made it a mission to go through downtown during non-peak hours so that I can experience traffic at that intersection during those times and I have sat through that light three times because somebody at the head of the queue wanted to make a left turn and nobody would let them. Even though it's legal, there's no signalization to provide for

that. So I do believe that there's an argument for making it an unlimited no left turns at the Four Corners and study it after we get the light at Grace done.

Councilman Counts: Gene, The way I read this ordinance now is there's no sunset provision, so it would be permanent, correct?

Mr. Hollins: That is correct. Until amended by a later ordinance of Council. We did double check. Any type of new traffic control device in Powell needs to be done by ordinance by Council. In some other communities, the City Manager would have authority to vary some of these requirements, but in Powell this is a Council function, so you would have to come back and do something with this ordinance to change it.

Mr. Lutz: Also, right now you can insert in Section 1 where it states that 'left turns shall be prohibited from Olentangy Street (State Route 750) to Liberty Street between the hours of', the first blank is what the current restrictions are: 4:00 p.m. to 7:00 p.m. and the second blank is Monday through Friday. That is the legislation that is currently on our books.

Mr. Hollins: We are reiterating something you previously adopted.

Councilman Swartwout: If we pass this ordinance, would we eliminate this 'days a week' language and make it more.....[Mr. Lutz: It would be whatever Council decides on this ordinance. If you want it weekdays...] Unless it was seven days a week? Because you would have to specify if it was anything less than seven?

Mr. Lutz: Correct.

Mayor Lorenz: If Council desires to make this temporary in conjunction with the S.R. 315 improvements, could another section be added to a date certain, like September 1st or upon completion? [Mr. Lutz: Yes.] And that would negate the need to go back and amend this.

Mr. Hollins: Except Section 1 would rescind your 4:00 to 7:00 p.m. restriction for east-west traffic. [Councilman Hrivnak: We could just strike Section 1]. I was double checking to see where I could find it in your Codified Ordinances, but since it is reiterating something that's already on books, you may want to delete that.

Councilman Counts: If this were totally temporary, then once it expires, the old ordinance would go into effect?

Mr. Hollins: The problem being this would, in essence, repeal the prior ordinance by implication.

Councilman Counts: So basically, we don't have a choice.

[Multiple speakers]

Mr. Hollins: If we reiterated the restriction and gave it a sunset date, it would sunset that restriction as well because we have overridden our prior ordinance by a subsequent ordinance. So I'd just strike Section 1.

Mayor Lorenz opened this item to public comment.

Vince Margello, 1900 W. Powell Road: I'm shocked about what's going on because I knew nothing about this. And being a major landowner in the downtown, are you telling me Mayor that you want to pass this tonight on an emergency and then it becomes effective tonight? [Mayor Lorenz: That is correct.] I just waited three weeks on a project for a second reading that had no controversy. Now you want to pass something that I call almost like a rezoning of the Four Corners. I think that the businesses in downtown should be made aware of this. It's the businesses that this is basically going to affect. I also believe this is an ODOT screw-up with what's going on with S.R. 315. They are not redirecting the traffic correctly. Jon, I travel that intersection many a times before this. I probably go through that intersection 15-20 times a day. Sometimes you have to wait 3-4 minutes to get through, sometimes you have to wait 5-6 minutes, but it's never 10, 20, 30 minutes to get through that intersection. I just think the businesses and landowners downtown that pay a heavy commercial tax for fire, police and especially the school system, ought to be notified of this so they can

at least give their input on this before you do a passage of something like this. I will reiterate: this is an ODOT screw-up. That traffic needed to be redirected differently because of the closing of S.R. 315.

Tom Kipfor, 413 Ashmore Circle East: While I was agreeing with the gentlemen about whatever change is put in place should be permanent, I was also sympathizing with the local business owners. Those of us that want to get to local businesses the concern that was rolling in the back of my mind is: what is Council going to do if you do eliminate left-handed turns for those people that come into town that don't live here and will be using the parking lots and the local businesses, their alleyways and access ways to make turns? So they may not make a left hand turn at the corner, but they may turn around at Local Roots. You see that happen. I'd ask you to think about it and maybe it's worth some additional consideration rather than an emergency measure.

Emily Duncan, 301 Weatherburn Court: My experience with this whole traffic debacle, whoever is to blame, is that on Monday at 4:45 p.m., it took me 20 minutes to get from my home on Weatherburn Court, in Falcon Ridge, to Tyler Run which is 1.9 miles away. I was literally trapped in my neighborhood. I couldn't go north, south or anywhere. I want to ask, in addition to saying that I appreciate what Mr. Margello is saying about the businesses, I do think that something needs to be done sooner rather than later as it is not a sustainable issue right now. We can't go anywhere at night and are trapped in Falcon Ridge in that Bennett Parkway corridor.

You mentioned a couple of cops being posted at intersections. What are those intersections?

Mr. Lutz: Specifically, Bennett Parkway & Liberty Road; Bennett Parkway & Olentangy Street; and the Four Corners.

Ms. Duncan: Thank you. As far as restricting left turn lanes, has there been any thought to turning the signal into a one directional, left any time, everybody takes their turn? The businesses are taken care of, they can have their left turns, traffic moves a bit smoother, and you don't risk people running into each other on those lefts.

Mayor Lorenz: We have done that in the past, actually. We considered it and as part of our Keep Powell Moving initiative as well. Our consulting engineer has told us that it doesn't work because of the geometries of the intersection and actually bogs down the traffic even more. It doesn't make any measurable gains for moving traffic because you have to slow down so much to make the turns anyway, it inhibits the wait. If you do that I think that each cycle's about 80 seconds? [Chris Huber, City Engineer: 60-80 seconds.] So then you would be having, if you were going in one direction, you'd be waiting for 2 ½ minutes before you even got a chance to get up to the light.

Andi Moore, 94 W. Olentangy St: My concern is that I am on the left if you are going in multiple directions. How will customers from out of town – because a lot of my customers are not from Powell – how do they know how to get to my store? Will there be signage for stores? How will that be addressed?

Mayor Lorenz: Earlier, and you were here, we talked about additional routing signage, so we will implement that. The Chief has been given the authority to go ahead and make that happen.

Ms. Moore: Specifically for our stores, I mean. If you are re-routing traffic through, that's a problem. [Mayor Lorenz: No, we have not considered that.] How does it work as a business if we are going to do all day [left-turn restrictions], which I agree with you as a traveler because it is really annoying. I get it. As a business person, if you are doing an all-day [left-turn restrictions], it doesn't work for us. So, if you have to eliminate all left-hand turns, 4:00 p.m. - 7:00 p.m. would be favorable.

Councilman Bennehoof: Andi, were you aware of the signage conversation we had earlier? There is signage for wayfinding, so Murphy Parkway, Bennett Parkway, Grace Drive - without signals at the moment and we are working on getting signals there - there's not a real good way in the northeast quadrant other than going over to Sawmill come around to Liberty. A lot of folks are coming from out of town so there is an issue with signage to get to downtown. It's a complex problem. We have had Doyle Clear in here more times than I can count in the last year, so we have had a lot of counsel on this issue. And to your point, I understand and kind of agree with you, businesses do need a little bit more notice.

F. Martin Pickens, 160 Glen Abbey Ct: I like the intent of [Ordinance] 2017-29. I think maybe for now keeping the [restriction of] the other part of the intersection from 4:00 p.m. - 7 p.m. is the easiest thing to do. Second of all, it's uniform with the other part that is restricted during those same hours. Later on you can revisit that if you need to. I also sympathize greatly with the business owners. They need to be kept in the loop. Last summer we had two sessions of Keep Powell Moving - wonderful. I was at both sessions. Everybody I spoke to at those sessions loved it. Didn't have any negative comments about it whatsoever. I suggest we have another one and concentrate specifically on the S.R. 315 closure and the issue at the Four Corners for this session and we can have it may in the next two weeks or so. Put the announcement out on the website, do whatever you need to do.

After talking with Chief Vest and his plan, I like it. I like that he's a man that seems to be on top of the situation. I know the people that I've talked to in my neighborhood are upset with the police chief right now and feel he doesn't seem to be doing anything. But I say any government agency, like in business, has a budget and he's going to have to pull overtime to pull police off their normal beats to direct traffic. Every time he goes over that budget he has to come before you and I'm sure he would rather not have to do that a whole lot. I like what he suggests and I think we all ought to get on board support his ideas.

Hearing nothing further, the Mayor closed public comment and opened the floor for comments and questions from Council.

Councilman Hrivnak: I suggest the following for consideration: We talked in the Committee-of-the-Whole about starting the police at the intersections in the evening, Monday through Friday, 4:00 p.m. - 7:00 p.m. We talked about signs directing people to not necessarily stores, but alternate paths around town. I think we should start that right away. I think we need to amend Ordinance 2017-29 to make it a temporary ordinance and to make it only in conjunction with the 315 closure. I also suggest that we take it to a second reading. In two weeks we give the businesses a chance to weigh in, but more importantly, we evaluate the impact of the Police Department and the signs. If the police are in the intersections and they're making a great enough impact, maybe we don't need to do anything with the left-turn. I do agree that businesses need to be heard. I mentioned that in the Committee-of-the-Whole, and we see that here in a resounding fashion.

Councilman Counts: I would modify Jim's potential amendment in one respect and that is I would get rid of Section 1 completely because that's existing. So we are really only talking about, if we were to agree to this amendment, is a change to the Liberty Street turns. My sense is that this is a less drastic change than the other way. The other point that I think is important is unless we do something now, no one is going to get to any business for the next two months. Yes, it would be nice to wait. Yes, it would be nice to get more input, but I think we have to do something now. Likewise, it needs to be temporary because I have always been concerned about the impact of no turns on the businesses. We need to come up with some alternate ways, which has been talked about in Keep Powell Moving, in order to navigate the downtown area and that's very important before we consider any kind of no left turn restriction in the downtown area. That would be my change to your proposed amendment.

Councilman Swartwout: Initially I was of the mind that it should be [an] all hours [left-turn restriction], but I think the business owner who is here has raised some very good points. And now I think a 4:00 p.m. - 7:00 p.m. restriction might make more sense. I still tend to believe that it should be permanent with the idea that we can come back and change it at any time. However, if it is going to be temporary and that is the consensus, I would recommend that the end date is a date that isn't directly on the date that 315 opens back up but is at least a week or two after that opening. And I echo Tom's point as well. I know people that just don't go downtown at all because of the traffic. If something is not done, those are people that will continue to not go downtown and will continue not to frequent those businesses at any time.

Councilman Bennehoof: I made a misstatement earlier. I do agree that we should not be making a drastic or taking a draconian measure without better notification to the businesses. I'm sure that there will be pros and cons out of the businesses because they'd like to see better throughput and there's no quick fix here. I do, however, think that no left turns in rush hour probably makes good sense for all directions and the wayfinding signs are prime in my opinion.

Councilman Bertone: I advocate a lot of what Jim and Tom have said. I advocate a temporary approach. I advocate doing something soon - today. I am worried about a two week delay. Our next meeting is not until

July 5th and that window of opportunity – the feedback we are receiving is very negative and is coming at a high rate of frequency. It is temporary. I would prefer a date certain to coincide with the 315 closure. I'm open to Dan's point in terms of a week or two after whatever it may be. Wayfinding signs, police engagement, whatever we need to do in order to keep things moving, is what this group should be discussing this evening and I believe that something needs to happen today.

Councilman Newcomb: I would prohibit left hand turns from 4:00 p.m. to 7:00 p.m., Monday through Friday and I would do it immediately and on a temporary basis.

Mayor Lorenz: I think this ordinance is all about compromise and being responsive [to the community]. We have been dealt a difficult hand here. I think Vince made a great point, as well as others, about notice. And I don't like to pass things immediately without getting public input, but I feel like Frank. I have been getting public input on this [closure] for weeks now so I'm comfortable with passing something tonight if we end up passing it at all. I'm also one who advocates highly on eliminating the left hand turn all the time, but I don't think that it's fair to do that without a sufficient public notice even though we have been talking about it through the years and with Keep Powell Moving. I would agree with Dan. I like the idea of releasing it shortly after 315 opens back up. I think this is a responsible thing to do for all of our residents, business owners and citizens and I think we need to do it now. I don't think we can wait.

MOTION: Councilman Counts moved to amend Ordinance 2017-29 by deleting Section 1 and renumbering the Sections that follow Sections 1-4; amending what is currently Section 2 to read, "[T]hat left turns shall be temporarily prohibited from Liberty Street to Olentangy Street (State Route 750) between the hours of 4:00 p.m. to 7:00 p.m., Monday through Friday, for a period of time until two weeks after the completion of the 315 improvements, as determined by the City Manager." Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Counts moved to suspend the rules in regards to Ordinance 2017-29. Councilman Bertone seconded the motion.

VOTE: Y 6 N 1 (Hrivnak)

MOTION: Councilman Counts moved to adopt Ordinance 2017-29. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

Mr. Lutz: Just for clarification for Council. For business owners, obviously we will not be able to get signs up tomorrow evening prohibiting the turns. Initially what you will see is the use of our police officers directing traffic and I'm sure even after we get the signs up, we will make use of police officers to facilitate the change in turn restrictions.

COMMITTEE REPORTS

Development Committee: Next Meeting: July 5, 2017, 6:30 p.m.

Finance Committee: Next Meeting: July 11, 2017, 7:00 p.m.

Operations Committee: Next Meeting: July 18, 2017, 6:30 p.m.

ONE Community: Next Meeting: Next Meeting: July 10, 2017, 4:30 p.m. We did have a meeting where we did discuss the possible suspension of activities for ONE Community due to a variety of conflicting pressures between the two subdivisions – Liberty Township and Powell. We did not come to the conclusion – it was pretty strongly recommended that we stay the course from the Committee and I got input from two of the trustees that they are very committed to this. We are going to have another meeting and it will be our next regularly scheduled meeting the second Monday to discuss it in greater detail.

Planning & Zoning Commission: Next Meeting: June 28, 2017, 7:00 p.m.

Powell CIC: Next Meeting: TBD

Zoning & Building Code Update Diagnostic: Next Meeting: June 27th at 6:00 p.m.

Powell Fest: June 23-24, 2017. We are working on final preparations. There will be great entertainment both days. There is a variety of food vendors, a kids zone in the back, and the marketplace vendors around the bike path area. We have had great support from our sponsors. We are still looking for volunteers. There are enhanced fireworks at 10:15 p.m. on Saturday.

CITY MANAGER'S REPORT

Mr. Lutz: Just a reminder as noted on the agenda, our next Council meeting is on Wednesday, July 5th at 7:30 p.m. because of the July 4th holiday.

OTHER COUNCIL MATTERS

There were none.

EXECUTIVE SESSION: EXECUTIVE SESSION IN ACCORDANCE WITH O.R.C. SECTION 121.22(G)(1) PERSONNEL MATTERS, SECTION O.R.C. SECTION 121.22 (G)(2) PURCHASE OF PROPERTY FOR PUBLIC PURPOSES (LAND ACQUISITION), AND SECTION O.R.C. SECTION 121.22(G)(3) PENDING OR IMMINENT LITIGATION.

MOTION: Councilman Hrivnak moved at 8:49 p.m. to adjourn into Executive Session in accordance with O.R.C. Section 121.22(G)(1), Personnel Matters, Section 121.22(G)(2) Purchase of Property for Public Purposes (Land Acquisition), and Section 121.22(G)(3) Imminent or Pending Litigation. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0


MOTION: Councilman Bennehoof moved at 9:40 p.m. to adjourn from Executive Session into Open Session. Councilman Swartwout seconded the motion.

VOTE: Y 7 N 0

ADJOURNMENT

MOTION: Councilman Hrivnak moved to adjourn the meeting at 9:40 p.m. Councilman Bertone seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: July 5, 2017



Brian Lorenz
Mayor

7/7/17

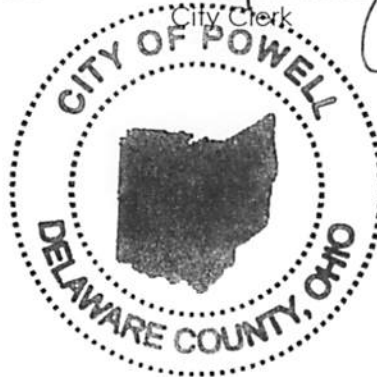
Date



Karen J. Mitchell
City Clerk

7/7/2017

Date



City Council

Brian Lorenz, Mayor

Jon Bennehoof

Frank Bertone

Tom Counts

Jim Hrivnak

Brendan Newcomb

Daniel Swartwout