

City of Powell, Ohio
City Council

MEETING MINUTES

April 2, 2018

CALL TO ORDER/ROLL CALL

A regular meeting of Powell City Council was called to order by Mayor Jon Bennehoof on Monday, April 2, 2018 at 7:27 p.m. City Council members present included Jon Bennehoof, Frank Bertone, Tom Counts, Brian Lorenz, Brendan Newcomb, Melissa Riggins and Daniel Swartwout. Also present were Steve Lutz, City Manager; Thad Boggs, Legal Counsel; David Betz, Development Director; Rocky Kambo, Assistant Director of Development; Debra Miller, Finance Director; Karen J. Mitchell, City Clerk and interested parties.

OPEN SESSION

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION

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

APPROVAL OF MINUTES – March 20, 2018 minutes.

MOTION: Councilman Bertone moved to adopt the minutes of March 20, 2018. Councilman Swartwout seconded the motion. By unanimous consent of the remaining members of Council, the minutes were approved.

PRESENTATION: Publication of the New Interactive Development Plans Map on the City's Website, by David Betz, Development Director. ([Exhibit 1- Council Development Plans Map](#))

David Betz, Development Director: I wanted to keep you apprised of new things that we are doing in our department. Specifically in our Geographic Information System, we have made it interactive for our residents as a meaningful part of our website. This idea came from Rocky [Kambo, Assistant Director of Development] after he got here and I started teaching him about development plans, where we kept them, etc. He found a better way of making it easier for our residents and Staff to access and share this information.

Mr. Kambo: The philosophy behind developing this tool was to improve transparency and accessibility as well as improve governmental efficiency. We wanted to create an easy to use and accessible system for referencing development plans. The current system of paper in a filing cabinet was inefficient and not always easily accessible. Having it all online and hyperlinked makes it easier to share the development plans, some of which are 300-400 pages long. This also allows us to have one master document for everyone to look at and work off of.

The City is a planned district community. That essentially means that any time something goes through and it is developed or built out, it has a development plan that's attached to that parcel, almost like its own personal zoning. It acts as the development plan for that particular parcel, so it's very important for us to always know what plan goes with which parcel so we can answer questions as to height, size, color, etc. of what goes along with it.

On the website, the parcels that are shaded light blue are parcels with a plan associated with them. Dark parcels currently do not have a plan linked yet. This means the parcel has not yet been developed or a plan has not yet been linked to that parcel. As soon as you click on any parcel, a pop up appears that gives you the name of the particular development and a hyperlink to the

development plan as a PDF. We accomplished this by scanning the paper documents, uploaded them to an FTP and hyperlinked it with the GIS data to the parcel. We are also now receiving new development plans in digital format from applicants and they are uploaded directly to the FTP once it is approved by Council.

This project started more than a year ago. We hope to go live in a month or so and we want to be sure we have put the correct development plan with its parcel. Once we go live, this will be found on our development toolkit page of our website. There is a potential to also add plat maps, engineering plans, zoning documents specific to each parcel within the City, as well as other documents to have it easily accessible by everyone.

Councilman Bertone: Thanks Rocky. Great work as always. Any risk associated with putting the wrong plans out there?

Mr. Kambo: There is and we have added some language to the webpage that this is for reference purposes only.

Councilman Lorenz: I love it. It's very appropriate in today's day and age and it is definitely necessary for development professionals. Nicely done.

Mayor Bennehoof: We have 8 or 10 parcels that don't have a plan. If you click on one of those, do they give additional information or do they only rely on the key?

Mr. Kambo: We are going to do something similar where we are going to configure a pop up statement that no plan exists for this parcel. So when you click on it you will always get some form of feedback.

Mayor Bennehoof: You mentioned a disclaimer. Do you imagine that someone might click and say 'Oh, that's not right' and do you give them an avenue to get back to a specific individual to update it?

Mr. Kambo: Yes. Any and all of our maps have a bubble with contact information within the City for questions, comments or concerns.

RESOLUTION 2018-07: A RESOLUTION CALLING ON THE OHIO GENERAL ASSEMBLY TO ENACT A BAN ON SEMI-AUTOMATIC ASSAULT-STYLE WEAPONS.

Steve Lutz, City Manager: At the last Council meeting, Councilman Newcomb presented this proposed resolution for consideration by Council.

Councilman Newcomb: Given the events that occurred in Parkland, Florida, I think we need to send a message to our state legislature. I gave each of you an article from the New York Times. In that article, there are two videos. One video clip is of a military-style assault weapon and the other video clip is from the incident at Parkland, Florida. It's not so much what you see as what you hear when comparing one weapon to another. [\[Exhibit 2 – New York Times Article\]](#)

[CLERK SHOWS VIDEO CLIPS]

So as you can hear, the AR15, which civilians can buy, is as powerful and as dangerous as military weapons. For that reason, I think we should send a message to the state legislature asking them to ban semi-automatic assault weapons in Ohio.

Councilman Lorenz: I think it's an interesting topic but I have a few initial thoughts. I'm not sure the City should be engaging in something that we have no authority – where we are stepping out of place – because these are state issues. Also, this is a clear violation and attack on Second Amendment rights

and I'm not going to support any resolution that diminishes our ability to regulate the Second Amendment. It is an issue we are probably not equipped to wrestle with and could be out of compliance should something happen down the road. These are the types of things that get cities in trouble for overreaching our bounds.

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

Councilman Counts: When I read this Resolution, my primary concern was it was taking a political position by the City. This is an issue which there are lots of varied opinions that people hold very strongly and emotionally. But we are not here to talk about my views on this particular issue. Nor as a representative of Council do I think we are here to create a position on behalf of the City on an issue which the City really has no input on the topic. We as a City have not historically taken political positions on issues affecting the general public, whether it's state, federal or even local, such as the Olentangy schools. Likewise, I wouldn't want bodies who have no input into the City to take positions affecting the City. So my actions tonight will not be based on what I believe is my personal view of this particular issue, but based on what the City, as a policy matter, should be or should not be doing.

Mayor Bennehoof: I agree with my colleagues. There is a responsibility and authority question that comes into play here and I don't think we measure to either one of these in this issue.

Councilman Newcomb: We are not the first City to do this. Akron and South Euclid have already done it. I also think of where we have raised the age of buying cigarettes in Powell from [age] 18 to 21 which I think, again, was to send a message to the state that we would like that raised. I think this is similar in that respect.

Councilman Bertone: I agree that we have raised the smoking age from [age] 18 to 21. But smoking is not a [Constitutional] Amendment. The Second Amendment is core to many folks and their beliefs and their biases. Whether on one side of this matter or the other, I agree it is walking a very fine line. From a policy-making point of view it is very different from cigarettes. While I commend you for the thought behind this, but I think this puts us over the line where the policy of this community should be or where this body should be.

Mayor Bennehoof: In response to the cigarettes analogy, we banned cigarette sales in the City, but we made it within our own boundaries. That's different than overreaching our authority. While I think everyone is affected by these [active shooter] events, I believe we have to concentrate and focus our attention on what we have the ability to change and take care of those things we are responsible for and have authority of.

So with that, if there are no other comments, what are the wishes of Council? Is there a second?

Councilman Counts: Are you assuming that a motion has been made?

Mayor Bennehoof: I assumed, yes. Is there a motion on the table?

Councilman Newcomb: I think there is a motion on the table and we spoke about it so therefore that's the second. So I think we are at the point of voting on it and I would ask for a roll call vote.

[Multiple speakers]

Councilman Counts: A point of order. Every motion of a resolution has to be moved by a councilmember and second been made for it to come before Council.

Councilman Newcomb: Can we get an opinion of Mr. Boggs?

Thad Boggs, Legal Counsel: Thank you. So every question before Council to be voted on has to have a motion and a second to put it before the body for a vote. There was discussion of the resolution, but there has not been a motion and a second on it at this point. So it would be up to Council to move and second it and then there be a voice vote on the resolution.

Councilman Newcomb: So I make a motion calling on the Ohio General Assembly to enact a ban on semi-automatic assault-style weapons.

Mayor Bennehoof: Is there a second?

No response.

Mayor Bennehoof: Being quiet, I take it there is not and the motion is fallow.

MOTION: Councilman Newcomb moved to adopt Resolution 2018-07. There was no second and the motion fails.

SECOND READING: ORDINANCE 2018-09: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2018. (EX. A) - Tabled from March 20, 2018.

Mr. Lutz: This item has been discussed many times since January by Council. It's a proposal to help the City with public information about the efforts of the Powell Citizen Financial Review Task Force. After the last discussion with Council, this matter was tabled. We sat down with a few Councilmembers and with MurphyEpson's President, Marie Keister who is here tonight, and discussed what we all heard from Council as to their concerns and items Council wanted to see in a communications piece. We've put together a new proposal which is before you tonight. This is very similar, in many aspects, to what we did with the Keep Powell Moving initiative.

Interestingly, earlier tonight in the Development Committee, we interviewed four residents who are interested in serving on the committee as Citizen Representatives. All four interviewees referenced the Keep Powell Moving initiative. It appears that residents are familiar with it. We were fortunate to use the services of MurphyEpson and Staff on that initiative to help educate our residents and businesses about that initiative. Right now, the Citizen Financial Review Task Force will be wrapping up their work in the next couple months and presenting a report to City Council in the middle of June. Marie, can you talk a little bit about what you have included in this proposal? I know during previous discussions, there has been some questions and concerns regarding what the goal is.

Marie Keister, MurphyEpson: Your Financial Task Force has really been asked to learn a lot about your finances and capital needs. Our firm was asked to develop a proposal on how we would help communicate those findings to the public. Originally, the proposal was to make that process open to the public and bring the public along the way on the process so as the Task Force was learning, we would share that information. I respect that you were wanting the Task Force to get more of their work done first and then once they really got their arms around the issues, at that point ask a firm like ours to help communicate that clearly. Your Task Force is really wrestling with some complex ideas and they have the time to really dig into it. The public is not going to spend that much time [on the issues], so they are going to want to take those easy to understand nuggets. Hopefully your Task Force will serve as liaisons to the public. It seems to me they have been very engaged. So the proposal is to provide them with a communications toolkit which really distills a lot of what they have learned and what their findings are into that very easy to understand language as well as some visuals to make it easy to understand.

Councilman Counts: That process of distilling, what does that mean for you and your staff? Do you have to go through everything that the Task Force has gone through, more or less?

Ms. Keister: Yes and no. We don't have to spend all the hours that the Task Force has on this. You have a great financial staff and we would be looking to them to provide us the content that is going to be flushed out in the findings report that the Task Force is preparing. So we would take that report and review and distill it – we chunk it – and make it into one paragraph or one phrase. It is not something that can be done instantly, but we will have a roadmap and we will have access to Staff as we have questions. As we write our distillation of that and use our own expertise to make sure it is understandable and written in a way that people can get their heads around it, we will be interacting with Staff or Task Force members to review it to be sure we've captured it correctly; have we captured the correct nuance through our editing process? The other thing we like to do is to create infographics. People are very visually-minded these days and you have to get to them quickly. That is the other skill we bring to the table.

Councilwoman Riggins: I'm looking at the revised proposal and I just want to be sure that we are clear when we stated the overall goals of this effort is to educate the public on the Task Force's research on transportation needs, funding and recommendations. I don't know that this is accurate. My understanding is that it is to educate the public on the Task Force's research through the three [sub]committees, Capital Needs, Revenue and Expenditures. Does Council agree with me? I don't believe we are still on transportation.

Councilman Counts: I think it is capital improvements.

Councilwoman Riggins: In reading through this, it looks like what you are doing is giving ideas, giving things to put online, but you are not actually doing it. You are basically giving it to us and we are the ones – or Staff – that actually needs to implement this. This is just basically ideas and graphics coming from you.

Ms. Keister: It's a little more concrete than that. We have to do our work by working with you and the Task Force to understand (1) what there is to educate, (2) who the stakeholders are that you are going to be speaking with, (3) what your concerns might be; and (4) what the public will be asking. Based on that, we will create very specific tools. Through the planning process, we will make sure that we are creating the tools you want. We anticipate that, at minimum, you will want an article description of what this was. You may want social media tools to explain what this process is and those social media images may draw you back to the website where you can find all the details that your Financial Review Committee has worked on.

I have many clients who pay us to do that, to actually go out and make presentations, to convene public meetings, to work with the media and so forth. You have a wonderful Staff here that is able to do that and work directly with the media. You don't have to pay me to do that, but we want to give you the tools and the words that you can reference so that everybody is speaking from the same song sheet.

The other thing is your Task Force has really immersed themselves, and they've shown great credit to your community. So we would anticipate that they would be spokespeople for their own recommendations. But again, you don't want to have everybody throwing out 'well, we kind of talked about this' or 'we kind of talked about that.' By giving them that toolkit, you are making sure that they are consistent, and yet personal, because everyone will put their own spin on it.

Councilwoman Riggins: The residents are the target audience. How are you going to get people to engage, to even read anything or see anything that's put out there, if they are not already going to the website or Facebook page, or aren't otherwise already engaged in the first place?

Ms. Keister: It might be easier if I give you an example. For [the] Keep Powell Moving [initiative], you had a lot of residents who were very concerned about traffic. Their reaction was 'just build another lane. That's the answer.' We worked very closely with Council and Staff to identify what the goals

were, what you wanted the public to understand, how you wanted to explain – and in many cases you were already doing – but the public wasn't aware of that. What we did was we developed the Keep Powell Moving initiative. We developed the talking points, the fact sheets and some social media images. At the same time you were conducting a downtown circulation study. While my firm was not tasked to create that downtown circulation study, we worked with that team and said here's how you can use these messages and these facts to help frame that downtown traffic study and downtown plan so that within a context of what people were thinking about and what they were concerned about, they could begin to see that connection between the traffic problems and ways to address those traffic problems.

We were not the engineers and we did not run the public meetings, but we did provide counsel on how to do that. That is what we would be doing in this: education strategy. The first task is to develop a plan. You are mostly hiring us to produce those tools. We will also be providing you with strategy. It may be along the lines of a number of events during the summer that your Task Force or Council may have an opportunity to talk about this issue and here is how you might go about that. Included in this is a training so we can give you ideas on how to do that, but also in our strategy, we would lay out those opportunities. We are trying to be mindful of your dollars.

Councilwoman Riggins: In the Keep Powell Moving [initiative], people were very upset about the traffic. Everybody had an opinion. In this situation, I am guessing most people don't even know that there is an issue with expenditures and revenue. If people are not interested and don't care enough to be interested, I'm trying to figure out what is it that you are going to plan or put together to get those people that don't know/don't care to get the information and graphics that you would put together for us?

Ms. Keister: Part of that comes back to making people care by describing what the problems are that the Task Force convened around, the purpose of that Task Force, and that there was enough of a problem that your community decided this was something that needed to be tackled. We need to tell that story to the public and explain this is why they met. We will never get 100% interest from people, but if we can get to those people who are very interested and send them ideas so that they can be a part of that conversation, then you will have helped to inform the public. But you are absolutely right. We can't make people be 100% interested, but doing nothing guarantees that they won't be interested. By giving them tools and development strategies so that you are attempting to educate them, you are going to be more likely to get their interest.

Councilman Counts: I think it was Dan [Swartwout] that first said this so eloquently. This committee has taken so much personal time to delve into this issue and have had the hard task of coming up with a recommended solution. It would be a disservice to those people who have volunteered their time if, when they finish their report, it simply gets presented to Council and never gets communicated to the residents.

Councilwoman Riggins: I agree with you 100%. I appreciate that you have taken the time to answer these questions. As the newest member of Council, I am trying to rationale in my own mind the price tag on this.

Councilman Newcomb: The proposal was reduced by about \$1,500. Was anything eliminated in that?

Ms. Keister: The first proposal was a different scope. It was to participate and monitor those Financial Task Force meetings and, after each meeting, we were reporting out and helping distill what was happening at those meetings in a very short, succinct word and series of communications. This scope is different. The first scope was leading you up to the point to where we know what the Task Force has concluded the second scope develops the strategy for how to communicate that finding out [to the public]. We are skipping that first part and going right to what the report out is. We are already estimating what the tools might be.

Councilman Newcomb: When does your work actually begin? Is it May or June?

Ms. Keister: My understanding is that the Task Force is already writing a draft right now and they hope to have it finalized in the next couple of weeks. It takes us a little while to take the draft and distill it, so the sooner the better as far as I am concerned, because I understand they want to bring it to you in June. We would like to work alongside them. Whenever we have the go ahead, we will dive in and start plowing through that content. We will also have to convene a couple of meetings with Staff, the Task Force and you, if you're interested, to reconfirm what your goals are, what you think people will want to know.

Councilman Newcomb: In the first proposal, it mentioned that there was a Phase 2. Is there a Phase 2 here?

Ms. Keister: This was Phase 2.

Councilman Newcomb: On page 2 of the new proposal, number 7, what's that mean regarding 508 compliant?

Ms. Keister: I apologize that this sentence was left in. It was when my contract review person went through it and asked if we needed to include anything about ADA compliance. It means if you do websites or any materials that they are assessable to people with disabilities. The answer is, as far as I know, you don't need to have a full blown ADA compliance on your website.

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

Councilman Counts: I've been involved in this for a while so perhaps the learning curve for me is a bit shorter. I understand we need to get everybody on board. Likewise, we need to get the entire community on board with this. As a Council, when we took the trip to see the City's needs, it was an eye-opener for us. The Task Force is going to have a similar trip in addition to going through all the materials. The residents won't have that opportunity in person, but may through the website or through our communications efforts.

The other thing that I think is really important is the timeline that we have going on here. The Task Force has been told that they need to have a report to us by the middle of June and that gives us a couple of weeks to delve into it ourselves. Probably the first and second meetings in July and we want those meetings to be good meetings in the sense that the residents, at the time this report comes out, are informed of what's going on and what's coming up before Council so when we have a Council meeting, if they are interested, they can come in here and speak on the issue intelligently. Because we have this very short timeframe we have to have some materials which allows us to communicate to the residents in an effective manner and I believe this proposal does that.

Councilman Swartwout: I've been involved with the sessions on this pretty much from the beginning. I think the revised scope we have before us now really answers all of my questions about the effectiveness of what was before us originally. I believe this revised proposal will be effective and that is why I will support this revised proposal even though I wasn't as thrilled with the original scope. Going back to the Keep Powell Moving [initiative] and what an adequate analogy that is, I remember sitting back at the conference room table when we were discussing what we were going to call this initiative and going from that place to having an open house here at City Hall where almost every seat was filled with residents who were engaged and ready to participate in this community's future. That's what I see happening with this proposal again. A community of citizens ready to engage with the tools needed and know that we are doing something together, that we are all on the same page – maybe not on what we agree on – but at least what we are talking about. This proposal is a good proposal and I

intend to support it tonight.

Councilwoman Riggins: I agree everything you just said. I agree with everything Tom [Counts] said. I agree that this is the number one priority. My problem is with the cost and quite frankly I'm still not sold on the cost. For what is being provided, I still have questions about that.

Councilman Newcomb: I think that by hiring a consultant we are sending out our own message and basically spending \$5,000 a month for the next six months. I don't think it's a message we want to send when we are attempting to raise people's taxes. I am not in support of this proposal.

Councilman Bertone: Marie, thank you for your flexibility and time as we have gone through this for a couple of months now. As you know, it's not always Plan A that plays out, but oftentimes, Plan B or C. As you refined this piece, I am feeling much more confident about what has been proposed here. Because of the effort the Task Force has put forth, I think it is a disservice for us not to support them in some fashion. If you talk to them, many of those folks, from the time they came on to today, it has been an eye-opener. From their perspective, it's information that we need to get to the residents. While we do have a very capable and competent Public Information Officer, she is one person. When I think of the task load that's before her, as well as all of us – and by the way, no one says it's a tax increase, so let's not put the cart before the horse – I think it's incumbent upon us to support this whole process that we set in motion and get this thing approved tonight.

Councilman Lorenz: I reaffirm my decision to support this in part from what Brendan [Newcomb] has brought up. There has been much discussion in the community that Council's commissioning a study to come back and raise everybody's taxes. We are not there yet. The community must feel very strongly about not doing that particular move. So I look at this proposal similar to the Keep Powell Moving [initiative]. We have a substantial infrastructure issue in this community. Our residents need to be engaged in working with us to understand what is going on and how we get to the next steps. We need to publicize the work of this committee so I will support this tonight.

Mayor Bennehoof: I would like to begin with my high regard for the Task Force. There are many people working with input from Staff and giving feedback to Staff while looking into the problems the City is facing. They are putting together a recommendation but we do not know what that is yet and will not until they have completed [their review]. But the best plan, poorly communicated, is doomed to failure. Without our PIO, who is out on maternity leave, there have been a number of folks that have approached me in the public domain or through social media and asked why are we going to spend this money. And to a person, every time I explain that our PIO is a communications person not a public relations individual, that she is out on maternity leave, every single person that I took the time to explain that to, all said 'Oh, I didn't know Megan was out', 'Oh, I didn't know it was that scope', 'Oh, then I agree it is a good thing to have well communicated issues.' So as I have said, the best plans, poorly communicated, are doomed to failure.

As a consultant I understand the billing. [Councilman Lorenz: Even with Megan being out, this is such a specialized scope and project I feel it is very appropriate to use MurphyEpson on this particular endeavor. And the proof is in the pudding from what they were able to do for us for the Keep Powell Moving [initiative]. I am very confident that we will be getting an outstanding product for what we are paying for this. In fact I think we're getting quite a bargain.] There are work products that come from that which were evident in the Keep Powell Moving initiative that enabled us and other individuals to communicate that message then and continue to be used today - what has transpired, what went into the thought process, how we came to those conclusions, and what those conclusions are. I am looking forward to supporting this.

MOTION: Councilman Counts moved to adopt Ordinance 2018-09. Councilman Bertone seconded the motion.

VOTE:

Y: 5

N: 2 (Newcomb, Riggins)

FIRST READING: ORDINANCE 2018-14: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2018. (EX. A)

Mr. Lutz: Finance Director, Debra Miller, will review this proposed appropriation dealing with sewer assessments associated with Spectrum and Verona.

Debra Miller, Finance Director: You will probably see this type of ordinance coming to you every year for the next couple of years because when we are doing the budget process, we don't have the information on what kind of monies we are going to be receiving from either the TIFs or the sewer assessments. As a consequence we are just making a guesstimate when we put the budget together.

Regarding Item 1, \$183,000, we had a sewer agreement with Spectrum to reimburse them \$1.2 million dollars. We are using the three parcel's TIF property to reimburse them those monies. Last year on the property we got \$44,000, so I was assuming an increase and I estimated \$65,000 or about 1 ½ times. The property closed and the value increased much more than we anticipated over the last year so that we are actually able to reimburse them \$123,000. Therefore, I am requesting an appropriation of \$124,000 for this payment and an additional \$59,000 for our August payment to give me a total of \$183,000 for the year. Again, this comes from the property tax money I got in March.

The second item is the Verona development sewer assessment. The City advanced itself \$1.28 million dollars. We reimbursed ourselves \$54,000 last year, plus we had an interest payment. This year, from the first payment we are able to reimburse ourselves approximately \$9,000. I had estimated \$7,500 and so I need an increase of \$1,700. We will be reimbursing the general fund with this \$9,000. So we are moving monies from the Verona fund to the general fund.

Councilman Counts: If I understand this correctly, these are not appropriations in terms of us spending out of our general fund dollars. These are dollars that had come in, but which you are now asking for authorization to spend or reimburse us, is that correct?

Ms. Miller: The second item [Verona] yes. The first item [Spectrum] is to pay the developer. But these are specialized dollars and are not part of the general fund. They already have strings attached...[Councilman Counts: It's not like we are taking these dollars out of our general fund.] No. You are basically paying a debt you have already set up.

Councilman Lorenz: What's the advantage in the first appropriation of paying extra? Is it from a timing standpoint? Are we paying at a reduced rate if we pay more?

Ms. Miller: There's no paying in advance. A couple years ago the general fund loaned or advanced the sanitary sewer \$1.28 million dollars. We loaned ourselves the \$1.28 million dollars. We have a principal and interest payment that we have that once the interest is paid, whatever is left is what we can pay ourselves back.

Councilman Newcomb: How many years does that last, when you initially projected it, in Item 1?

Ms. Miller: In Spectrum, we really didn't do it because it was coming from the property tax itself and there is no interest being paid to the developer, so we didn't do a plan on how many years it's going to take. The second one where we advanced from the general fund, we did do an estimate. Our original estimate was in the 6-7 year block. The development is coming in just a little slower than we anticipated, but it's a good investment for the City because we are getting interest income, so we are getting a value on our investment.

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

session.

MOTION: Councilman Counts moved to suspend the rules regarding Ordinance 2018-14. Councilman Bertone seconded the motion.

VOTE: Y: 7 N: 0

MOTION: Councilman Counts moved to adopt Ordinance 2018-14. Councilman Bertone seconded the motion.

VOTE: Y: 7 N: 0

FIRST READING: ORDINANCE 2018-15: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO AWARD A BID TO COLUMBUS ASPHALT PAVING, INC. IN THE AMOUNT OF \$427,447.61 FOR THE LIBERTY STREET/GRACE DRIVE TRAFFIC SIGNAL AND ROADWAY IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY. (EX. A)

Mr. Lutz: As part of the City's ongoing initiatives to help alleviate traffic throughout Powell, we will be installing a traffic signal this year at the intersection of N. Liberty Street and Grace Drive. For the past couple of years, the City has made great strides to improve the traffic situation that includes construction of the Murphy Parkway bi-pass, installing a traffic signal on E. Olentangy Street and Grace Drive, and further restricting left-turns at the Four Corners during work hours. This is just another effort that the City is making to improve the life and quality for our residents and businesses.

We received four competitive bids and we recommend awarding the low bid in the amount of \$427,447.61 to Columbus Asphalt Paving. Columbus Asphalt has done quite a bit of work in the City throughout the years and we have been pleased with the quality of their work. Once we award a bid for this project, we will have a preconstruction meeting. At that time, we will begin to put together a schedule for the construction of this traffic signal. Traffic signals do take a period of 16-20 weeks to manufacture the arms. So we would be looking at this as a late summer/early fall installation. The contract does have an obligation to complete the work by December 7th.

Councilman Swartwout: You said that Columbus Asphalt has done quite a bit of work in the City. Can you give us some examples of some of their projects?

Mr. Lutz: Throughout the years, we have received bids on our annual street repair programs where there would be slurry seal, potholes, resurfacing. This project, as you will notice from the bidders, were asphalt companies that bid the project. A larger portion of this work is actually road related and they will be using a US Utilities for the actual signal installation and US Utilities has installed other traffic signals in Powell.

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

MOTION: Councilman Counts moved to suspend the rules regarding Ordinance 2018-15. Councilman Lorenz seconded the motion.

VOTE: Y: 7 N: 0

Councilman Swartwout: For the record, could you explain the difference between suspension of the rules and declaring an emergency?

Mr. Boggs: In your Charter you have a two reading requirement for ordinances. Your Charter allows that two reading requirement to be suspended by a vote of 2/3rds of Council. So instead of being read

on two separate days, it can be read and voted on in one day.

The emergency clause within the body of the ordinance moves up the effective date which otherwise would be 30 days. An emergency clause is a finding that the ordinance has to take immediate effect to preserve public peace, health, safety and welfare as determined by Council. And that likewise requires a supermajority vote.

MOTION: Councilman Counts moved to adopt Ordinance 2018-15. Councilman Lorenz seconded the motion.

VOTE: Y: 7 N: 0

FIRST READING: ORDINANCE 2018-16: AN ORDINANCE GRANTING AN EASEMENT FOR SEWER PURPOSES TO THE DELAWARE COUNTY COMMISSIONERS AFFECTING A PORTION OF SELDOM SEEN PARK LOCATED WITHIN THE CITY OF POWELL AND DECLARING AN EMERGENCY. ([EX. A](#))

Mr. Lutz: This Ordinance is associated with construction of Seldom Seen Park which began last week. The Delaware County Sanitary Engineer's office is going install a short run of gravity sewer and a manhole in the northern section of the park. We will be tying that into the private force main. In order for the engineer's office to place this manhole and sewer on our property, we will be granting them the required easement.

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

Councilman Bertone: The location of this manhole isn't in the middle of a soccer field is it?

Mr. Lutz: it is not.

MOTION: Councilman Lorenz moved to suspend the rules regarding Ordinance 2018-16. Councilman Bertone seconded the motion.

VOTE: Y: 7 N: 0

MOTION: Councilman Lorenz moved to adopt Ordinance 2018-16. Councilman Bertone seconded the motion.

VOTE: Y: 7 N: 0

COMMITTEE REPORTS

Development Committee: Next Meeting: *April 2, 2018, 6:00 p.m. (Executive Session) & 7:00 p.m. (Regular Session)* We met tonight and interviewed several candidates for our citizen representative. We also had the opportunity to hear a proposal by Vogt Strategic Insights who is going to help us with a strategic recommendations analysis for opportunities within the City.

Finance Committee: Next Meeting: *April 10, 2018, 6:45 p.m.* We have two interviews for citizen representative and, at this point, there is nothing else on the agenda because the auditors will not be able to meet next week.

Operations Committee: Next Meeting: *April 17, 2018, 6:30 p.m.* We will be reviewing information from the results of our community attitude survey.

Planning & Zoning Commission: Next Meeting: *April 11, 2018, 7:00 p.m.* [NOTE OF THE CLERK: THIS MEETING WAS SUBSEQUENTLY CANCELLED].

Powell CIC: Next Meeting: *April 4, 2018, 6:00 p.m.* We did participate in a joint committee with Development. We will be discussing the Vogt proposal and sharing in the expense of it.

Powell Citizen Financial Review Task Force: Next Meeting: *April 24, 2018, 7:00 p.m.* The Task Force and

its subcommittees will be meeting a total of six times throughout the month. On Monday, April 23, 2018 at 5:30 p.m. they will be conducting an infrastructure tour of the City and if anybody wants to attend that, feel free to do so.

CITY MANAGER'S REPORT

We will have a groundbreaking for Seldom Seen Park on Thursday evening at 6:00 p.m. I will give you advance notice if the weather doesn't cooperate once again.

OTHER COUNCIL MATTERS

Councilman Lorenz: I would like to thank Councilmembers and Staff for dressing in blue today as it is World Autism Day. As many of you know, it is an important day, especially to me as a father who deals with this issue firsthand.

EXECUTIVE SESSION: O.R.C. SECTION 121.22(G)(1) PERSONNEL MATTERS.

MOTION: Councilman Counts moved at 8:39 p.m. to adjourn into Executive Session pursuant to O.R.C. Section 121.22(G)(1) Personnel Matters. Councilman Lorenz seconded the motion.

VOTE: Y 7 N 0


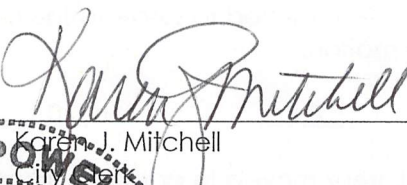
MOTION: Councilman Counts moved at 8:50 p.m. to adjourn from Executive Session into Open Session. Councilman Riggins seconded the motion.

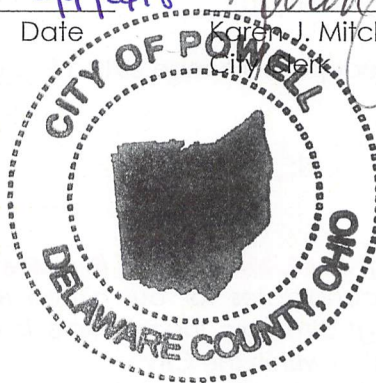
VOTE: Y 7 N 0

ADJOURNMENT

MOTION: Councilman Lorenz moved to adjourn the meeting at 8:50 p.m. Councilman Swartwout seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: May 1, 2018

	
Jon C. Bennehoof	Karen J. Mitchell
Mayor	City Clerk
	Date



City Council

Jon C. Bennehoof, Mayor
Frank Bertone Tom Counts Brian Lorenz Brendan Newcomb Melissa Riggins Daniel Swartwout