

City of Powell, Ohio  
City Council

**MEETING MINUTES**

**May 15, 2018**

**CALL TO ORDER/ROLL CALL**

A regular meeting of Powell City Council was called to order by Vice Mayor Tom Counts on Tuesday, May 15, 2018 at 7:34 p.m. City Council members present included Frank Bertone, Tom Counts, Brian Lorenz, Brendan Newcomb, Melissa Riggins and Daniel Swartwout. Mayor Jon C. Bennehoof was absent. Also present were Steve Lutz, City Manager; Eugene Hollins, Law Director; David Betz, Development Director; Chris Huber, City Engineer; Megan Canavan, Communications Director; Karen J. Mitchell, City Clerk; and interested parties.

**OPEN SESSION**

**PLEDGE OF ALLEGIANCE**

**PRESENTATION:** Memorial Day Video, by Megan Canavan, Communications Director  
Steve Lutz, City Manager: As is tradition, Council will kick off the parade about 15 minutes prior to the parade start time (9:45 a.m.), departing from the post office and handing out flags along the parade route.

**CITIZEN PARTICIPATION**

Vice Mayor Counts opened the citizen participation session for items not included on the agenda.

Arielle Hieronimus, Delaware County Health District: I am your new representative and while disease prevention is my main area of focus, I am here for whatever you might need from us. We have a data release of our community health assessment on May 22<sup>nd</sup> and some of you may be randomly selected to participate in it. Our mosquito trappings start on May 23<sup>rd</sup>.

Hearing nothing further, the Vice Mayor closed the public comment session.

**APPROVAL OF MINUTES – May 1, 2018**

MOTION: Councilman Lorenz moved to adopt the minutes of May 1, 2018. Councilman Swartwout seconded the motion. By unanimous consent of the remaining members of Council, the minutes were approved.

**CONSENT AGENDA**

**Item**

- Departmental Reports – April 2018

**Action Requested**

Receipt of Electronic Reports

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

**SECOND READING: ORDINANCE 2018-19:** AN ORDINANCE WAIVING SECTION 1115.05(e) RELATING TO THE ISSUANCE OF ZONING CERTIFICATES FOR BUILDING CONSTRUCTION WITH REGARD TO ONE LOT AT CARPENTERS MILL, SECTION 1, PART A, AND DECLARING AN EMERGENCY. (EX. A)

Mr. Lutz: This is a second reading of this proposed Ordinance for the Carpenter's Mill subdivision. It is located on the west side of Steitz Road, between Rutherford and Home Roads. Pulte Homes is requesting a variance from City subdivision regulations in order to allow them to begin construction of one model home and parking for that model home while they are putting in the infrastructure.

What's been changed with this Ordinance since the last meeting is we added the emergency clause, as recommended by counsel, to allow Pulte Homes to get started in order to take advantage of this year's season to sell lots and homes.

This item will also go to the Development Committee to take a look at whether our regulations should be amended to permit this since this sort of request is occurring more often.

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

MOTION: Councilman Lorenz moved to adopt Ordinance 2018-19. Councilman Bertone seconded the motion.

VOTE: Y: 6 N: 0

**FIRST READING: ORDINANCE 2018-21:** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH EMH&T FOR THE PURPOSE OF PERFORMING PROFESSIONAL ENGINEERING SERVICES FOR THE RESURFACING AND RELATED APPURTENANCES OF SAWMILL PARKWAY, BETWEEN SELDOM SEEN AND HOME ROADS (DEL-CR609-2.24, PID 105806), AND DECLARING AN EMERGENCY. ([EX. A](#))

Mr. Lutz: Chris and his staff was able to apply and receive a federal grant which will pay for 60% of the mill and overlay of Sawmill Parkway, between Seldom Seen and Home Roads. That project is scheduled to occur in 2020 and is a \$1.7 million total project construction cost. The City will be responsible for paying 40% of that construction cost. Chris has gone out for engineering services related to this project and he can add what EMH&T will do related to this.

Chris Huber, City Engineer: We did go out for requests for qualifications for this engineer. We received a lot of interest for this project. We worked very closely with ODOT in evaluating our scope moving forward on this. We did a qualitative analysis based on the eight firms that we have and we are very comfortable with EMH&T being selected.

This is the first stage of this project where the engineering is going to be in place. This project is not highly technical in terms of engineering, but there's a lot of processes to follow up with ODOT and the federal funding [issues] that we have. So a large part of this is that EMH&T is helping to guide us through these processes on this project. I'd be happy to answer any questions you may have.

Councilman Lorenz: So this is more advisory work and less construction document work?

Mr. Huber: There will be a full set of construction documents for this project, per ODOT specifications and processes, so it will be a healthy-sized plan set. When I say there's not a lot of technical aspects to it – it is just milling and overlay – there are a lot of processes they have to handle before you move forward with the next step through this process. There's a mix of everything on this project, from environmental to right-of-way clearances, etc., so it's a little bit more than what we are used to doing for our local projects.

Councilman Swartwout: The City's worked with EMH&T quite a few times, correct? [Mr. Huber: yes.] Could you give us a few of those projects for the record?

Mr. Huber: EMH&T was the engineer on the Murphy Parkway project. They were also involved in the Keep Powell Moving campaign. The project manager on this site was the representative and he is very familiar with Powell. Historically, EMH&T has done quite a few things for Powell, both publically and in private development. A lot of the subdivisions in Powell were done by EMH&T.



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

MOTION: Councilman Lorenz moved to suspend the rules regarding Ordinance 2018-21. Councilman Bertone seconded the motion.

VOTE: Y: 5 N: 1 (Newcomb)

MOTION: Councilman Lorenz moved to adopt Ordinance 2018-21. Councilman Bertone seconded the motion.

VOTE: Y: 6 N: 0

#### COMMITTEE REPORTS

**Development Committee:** Next Meeting: TBD. I will be out the first week of June, but we are still scheduled for June 5<sup>th</sup>. I will be discussing with Dave Betz this week about possibly moving this meeting as well.

**Finance Committee:** Next Meeting: May 15, 2018, 7:00 p.m. We met prior to Council and we want to welcome the two new citizen representatives. We also heard information on the refinancing of the one year note that is coming due in August. The committee is making a recommendation to Council to do that so you will be hearing more about that in June.

**Operations Committee:** Next Meeting: May 15, 2018, 7:00 p.m. We met this evening and had a brief but productive meeting. We did have a discussion with another citizen representative candidate. We also discussed the fiber study, Law Director services proposals, and a radon detection ordinance that will come forward to Council later in June or July.

**Planning & Zoning Commission:** Next Meeting: June 13, 2018, 7:00 p.m. The May meetings were cancelled due to lack of applications, but in June we will have a meeting. The only item currently on the agenda is a final development plan for six 2-unit condominiums at the corner of Zion Drive and Sawmill Road.

**Powell CIC:** Next Meeting: Next Meeting, May 15, 2018, 5:30 p.m. We met tonight and discussed the future of The 44 Center for Business as our tenant is moving out. We had some discussions of where we might pursue revenue possibilities for that.

**Powell Citizen Financial Review Task Force:** Next Meeting: May 22, 2018, 7:00 p.m. The task force will have their final meeting next Tuesday. They are prepared to submit a final report and recommendation to City Council at your June 19<sup>th</sup> meeting.

#### CITY MANAGER'S REPORT

Mr. Lutz: We do not have a quorum for our next City Council meeting on June 5<sup>th</sup>. I would suggest a meeting date of Monday, June 4<sup>th</sup>. [Council verbally agreed to meet on June 4, 2018 at 7:30 p.m.]

Councilman Lorenz: What date did we move our first meeting in July to?

Mr. Lutz: Thursday, July 5<sup>th</sup>.

#### OTHER COUNCIL MATTERS

Councilman Newcomb: Mr. Betz, great job on the wayfinding signs. I noticed the one on Bennett Parkway that says 'Downtown, S. Liberty Street.'

Mr. Betz: Thank you. The Public Service and Engineering Departments are the ones that really worked on it, but we thought that change was helpful.

**EXECUTIVE SESSION:** O.R.C. SECTION 121.22(G)(1) PERSONNEL MATTERS, (3) IMMINENT OR PENDING LITIGATION, AND (8) ECONOMIC DEVELOPMENT.

MOTION: Councilman Lorenz moved at 7:51 p.m. to adjourn into Executive Session pursuant to O.R.C. Section 121.22(G)(1) Personnel Matters, Section 121.22(G)(3) Pending or Imminent Litigation, and Section 121.22(G)(8) Economic Development. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Bertone moved at 9:45 p.m. to adjourn from Executive Session into Open Session. Councilman Newcomb seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Lorenz moved to appoint Ryan Herchenroether to Operations Committee as a Citizen Representative. Councilman Bertone seconded the motion.

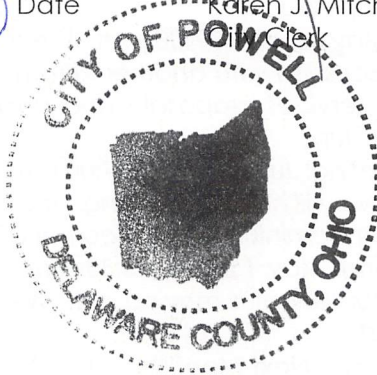
VOTE: Y 5 N 1 (Newcomb)

#### ADJOURNMENT

MOTION: Councilman Bertone moved to adjourn the meeting at 9:47 p.m. Councilman Lorenz seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

**MINUTES APPROVED: June 4, 2018**

Jon C. Bennehoof 6/7/2018 Karen J. Mitchell 6/7/2018  
Jon C. Bennehoof Date Karen J. Mitchell Date  
Mayor Clerk



#### City Council

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