



**CITY COUNCIL
MEETING MINUTES
May 6, 2019**

CALL TO ORDER/ROLL CALL

A regular meeting of Powell City Council was called to order by Mayor Jon C. Bennehoof on Monday, May 6, 2019 at 7:30 p.m. City Council members present included Jon C. Bennehoof, Frank Bertone, Tom Counts, Brian Lorenz, Brendan Newcomb, Melissa Riggins and Daniel Swartwout. Also present were Steve Lutz, City Manager; Yazan S. Ashrawi, Legal Counsel; Megan Canavan, Communications Director; Chris Huber, City Engineer; Karen J. Mitchell, City Clerk; and interested parties.

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION

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

PRESENTATION – Melissa Schiffel, Delaware County Prosecutor. Ms. Schiffel introduced herself as the newly appointed Delaware County Prosecutor and invited Council to feel free to contact her if she could be of service. Ms. Schiffel congratulated Police Chief Gary Vest on his upcoming retirement and Deputy Chief Stephen Hrytzik for being appointed Interim Chief upon Chief Vest's retirement.

PROCLAMATION – Declaring May 10, 2019 [Chief Gary Vest Day](#) Chief thanked Council for their recognition and accepted it on behalf of all law enforcement.

APPROVAL OF MINUTES – [April 16, 2019](#)

MOTION: Councilman Swartwout made one correction to the minutes. Councilman Counts moved to approve the minutes of April 16, 2019 as corrected. Councilman Bertone seconded the motion. By unanimous consent of the remaining members, the minutes were adopted as amended.

[RESOLUTION 2019-04:](#) A RESOLUTION ADOPTING THE DELAWARE COUNTY 2019 MULTI-HAZARD MITIGATION PLAN.

Steve Lutz, City Manager: This item was discussed at the [last] Operations Committee meeting. It allows the county and City to apply for grants in the event of a natural disaster, such as flooding, tornadoes, severe winter weather, loss of property, etc. This hazard plan is put together every so often and it requires adoption of all municipalities within the county. We did not attach a copy of the plan to the Resolution because of its volume; however, we can make it available as well as answer any questions you may have.

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

MOTION: Councilman Counts moved to adopt Resolution 2019-04. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

RESOLUTION 2019-05: A RESOLUTION TO GRANT CONSENT TO THE GOLF VILLAGE PROPERTY OWNERS ASSOCIATION FOR USE OF THE SAWMILL PARKWAY ROAD RIGHT-OF-WAY FOR CERTAIN STREETScape IMPROVEMENTS AND CART PATH CROSSINGS. ([EX. A](#))

Mr. Lutz: This proposed Resolution was discussed in Development Committee tonight. This is required as part of our federal and state grants for the Sawmill Parkway mill and overlay project that we received funding for. That work will most likely take place next year depending on the timing of some issues. This legislation is required by ODOT as a step for our right-of-way clearance. When Golf Village was developed, it was approved in Liberty Township, and there are some items that are in the road right-of-way, such as sprinkler heads and the green fencing. This legislation identifies that and provides ODOT the assurance that we can continue with the work. I do not think our City Engineer is anticipating any of those items to be in the way at this time.

Chris Huber, City Engineer: No. Most of the items on this project are surface-related with the asphalt overlays, perhaps some minor curb replacements. Everything should be free from most utilities and the fence is well outside our work limits. It is ODOT's way of ensuring that there will be no obstruction on their project.

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

MOTION: Councilman Counts moved to adopt Resolution 2019-05. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

FIRST READING: ORDINANCE 2019-19: AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF POWELL TO ENTER INTO A LOAN AGREEMENT AND PROMISSORY NOTE WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE SAWMILL PARKWAY RESURFACING PROJECT (DEL-609.2.24, PID 105806).

Mr. Lutz: This legislation is required by the state as we begin the process of applying for a SIB loan. SIB is the State Infrastructure Bank and they lend municipalities money for infrastructure projects. The first year the money is interest-free, and there is a low interest rate thereafter. This will be our first financing attempt. If we do not get the SIB loan, we will probably issue a note, but the rates are more attractive here than it is elsewhere. The SIB has limited funds and many communities are applying for it, so we do not know at this time if we will obtain the funding or not. The grant we received to resurface Sawmill Parkway comes in 2023-2024 so we are taking out the loan because we do not want to wait that long to do the overlay of Sawmill Parkway. If we did wait, the road would be in too bad of shape. This will fund the project in the short term.

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

Mayor Bennehoof: Are you saying that the sooner we get the bid in, the more likely we are at having a chance at receiving the funds?

Mr. Lutz: It's not just who is in first, Chris learned last week at a meeting that the City of Dublin and Union County are looking at a \$10 million dollar project that they will submit for funding. Some of it is going to be politics and some is just how much money is in the bank.

MOTION: Councilman Counts moved to suspend the rules regarding Ordinance 2019-19. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Counts moved to adopt Ordinance 2019-19. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

COMMITTEE REPORTS

Development Committee: *Next Meeting: May 6, 2019, 6:30 p.m. We met tonight and discussed a wide variety of topics, including further conversations on the DORA. We touched on a zoning overlay district for The Retreat and changes to their deed restrictions as it expires.*

Finance Committee: *Next Meeting: May 14, 7:00 p.m. We will meet with the auditors and hear the results of the most recent audit.*

Operations Committee: *Next Meeting: May 21, 2019, 6:30 p.m. We are intending to have a meeting/open house for the Four Corners left-turn restrictions at the June 18th Operations Committee meeting. At our next meeting, we will continue with the proposed legislation for massage parlors. We will also look at our Council rules and suggest updates accordingly. One of the items of conversation will be whether a member of Council should be serving on other quasi-judicial boards as a Councilmember.*

Planning & Zoning Commission: *Next Meeting: May 8, 2019, 7:00 p.m. There is one item on the agenda that is a proposed development north of Home Road, off Steitz Road and includes some retail, apartments, and a future library site.*

Powell CIC: *Next Meeting: May 29, 2019, 6:00 p.m. We met last Tuesday. The Chamber of Commerce has leased space within 44 Liberty Street, so that building is now generating income for the CIC. We approved them back in March and I think they moved in in April.*

CITY MANAGER'S REPORT

Last Saturday's Beautify Powell Day was rescheduled to this Saturday due to the bad weather. The start time is 9:00 a.m. and it includes picking up trash and painting mailboxes, etc.

The Chamber of Commerce held their Street Market yesterday on Olentangy Street, which was closed between the Four Corners and the railroad tracks. There was a lot of positive feedback. There will be a debriefing tomorrow morning and since it is such a large undertaking for the Chamber, we may get a sense if there will be another street market in the fall.

I wanted to update you on the Seldom Seen Park construction. The playground components are arriving onsite. Trucco has been pouring concrete, the dugout areas, the porch around the concession stand, and curbing. Trucco will be laying asphalt soon after we have had some dryer weather. The electric power has been run to the concession buildings and irrigation pumps. Grading at the south end of the park and seeding will take place in the next week or so once the soil dries out a little bit. Much of the landscaping is in and they are now going in and replacing dead trees.

OTHER COUNCIL MATTERS

Councilman Lorenz: I would like to take a second to wish [Councilwoman] Melissa Riggins best wishes tomorrow in her election. I would note that the majority of Council stands firmly behind her. You are to be commended on compartmentalizing your Council duties with your desire to become a judge. Having been through this process last year, I know it is not easy to do. I know you have served our residents first through this process and I applaud you for that and wish you good luck.

EXECUTIVE SESSION: O.R.C. Section 121.22(G)(1) Personnel Matters, O.R.C. Section 121.22(G)(3) Pending or Imminent Litigation, and O.R.C. Section 121.22(G)(8) Economic Development.

MOTION: Councilman Counts moved at 7:52 p.m. to adjourn into Executive Session pursuant to and O.R.C. Section 121.22(G)(1) Personnel Matters; O.R.C. Section 121.22(G)(3) Imminent or Pending Litigation; and (8) Economic Development. Councilman Swartwout seconded the motion.

VOTE: Y 7 N 0

Councilman Swartwout left Executive Session early because of a conflict of interest.

MOTION: Councilman Newcomb moved at 8:30 p.m. to adjourn from Executive Session into Open Session. Councilman Lorenz seconded the motion.

VOTE: Y 6 N 0

ADJOURNMENT

MOTION: Councilman Lorenz moved to adjourn the meeting at 8:30 p.m. Councilman Bertone seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: May 21, 2019

Jon C. Bennehoof 5/23/2019 Karen J. Mitchell 5/23/2019
Jon C. Bennehoof Date Karen J. Mitchell Date
Mayor City Clerk

