



**COMMUNITY IMPROVEMENT CORPORATION
MEETING MINUTES
MARCH 22, 2022**

I) CALL TO ORDER/ROLL CALL

Chairman Hrivnak called the meeting to order at 7:00 p.m. Members in attendance were: Chairman Hrivnak, Committee Member Brian Lorenz, and Committee Member Don Emerick (via phone). Also present were: Andrew White, City Manager; and Christina Drummond, City Council Member.

It was noted that Committee Member Don Emerick, attending by phone, may comment on the issues discussed, however, was not permitted to vote for his attendance was not in person.

II) APPROVAL OF MINUTES

CIC Meeting Minutes of February 22, 2022

[CIC Minutes for February 22, 2022.pdf](#)

MOTION: Andrew White moved to approve CIC Meeting Minutes of February 22, 2022. Brian Lorenz seconded the motion.

VOTE: Y 3 N 0 (None) AB 0 (None)

Motion passes 3-0

Minutes approved.

III) REPORT OF THE PRESIDENT

None

IV) REPORT OF THE TREASURER

- a. February 2022 Financial Reports
- b. Powell CIC Incentive Agreement Spreadsheet
- c. 2022 Budget Review

Chairman Hrivnak stated at the last meeting there were monies spent for utilities, an ad for a publication, and standard service charges with the bank statements.

City Manager White advised the appropriation for the Scioto Properties Tax Incentive was included this month as discussed previously, and has received the appropriate correspondence exercising the right to that.

Chairman Hrivnak stated the Powell CIC Incentive Agreement Spreadsheet would be tabled until next meeting.

Chairman Hrivnak said with regard to the 2022 Budget Review, he doesn't believe there were any additions to the budget, however, a few items of expenditure will be discussed later in the meeting.

V) CITY COUNCIL / COMMISSION / COMMITTEE REPORTS

- a. City Council Report**
- b. Planning and Zoning Commission**
 - i. Update on Open and Pending City Development Projects**

Committee Member Lorenz requested Chairman Hrivnak attend the Development Committee Meeting on April 5, 2022, which a presentation by Staff will be offered on the over-reaching role of the CIC, which has been vetted out through Development Committee as well as City Council. It is desired this organization be leveraged and utilized in a larger capacity. He added the meeting was going to begin at 6:15 p.m. He also added there is an opening for a Representative of the Planning & Zoning Commission position, to be a part of the Development Committee. He explained this position will be filled by a current member of the Planning & Zoning Commission, who is appointed by him as the Chair of the Development Committee, to represent the Planning & Zoning Commission at all Development Committee meetings. He also invited Committee Member Emerick to attend the Development Committee meeting on April 5, 2022, as well.

Committee Member Emerick advised the April 13, 2022, Planning & Zoning Commission meeting will consist of one item at this point, which will involve the Redwood Development, just south of Home Road. The applicant will be coming in for Final Development Plan Review at this meeting. Further, he advised the developer met with Planning Director Husak, Development Planner Schellin, Assistant City Manager Tyler and himself recently and they have made revisions to their plan, particularly dealing with sidewalks.

VI) OLD BUSINESS

- a. Murphy Park Car Charging System**
- b. Economic Development Consultant Status**
- c. CIP Advisory Committee**
- d. Other Old Business**

Chairman Hrivnak stated he was advised by Assistant City Manager Tyler the Murphy Park Car Charging System was currently working. City Manager White said he wasn't in receipt of the current number, but verified there is activity at Murphy Park.

Chairman Hrivnak said at the last meeting the RFQ was looked at and wondered the status. City Manager White advised the RFQ was out and there has been some feedback and inquiries from a number of entities both firms and individuals. He added he was not in command of the exact date when it will be finalized, he believes possibly a couple of weeks.

Chairman Hrivnak spoke of the CIP Advisory Committee and asked Committee Member Lorenz if he has heard anything from City Council on this, and Committee Member Lorenz advised City Council has not received the final report yet although he knows City Manager White was currently working on it, however, they have received some information from Staff.

City Manager White advised it was a challenge to get the priorities of City Council to align with the financially available resources. What Staff has done most recently, through the Finance Committee, is to propose a policy and he feels it's impactful both for the project scope of the CIP and also for the CIC itself.

Based on available and anticipated resources through the new tax, the idea is to take an allocation of 25% of income tax dollars, which is fairly standard in central Ohio, and allocate that towards infrastructure and/or economic development. Further, in the draft of the CIP Funding Policy, 20% of the allocation would be going to funding projects and 5% going directly to the CIC, which breaks down as \$11 million dollars is the projected income tax for 2022, which relates into \$2.75 million dollars available on an annual basis for infrastructure and CIC. Specifically, 20% would be \$2.2 million dollars for capital investment improvement and \$550,000.00 for the CIC. This was a lot of money and we are almost halfway through the year. By the time this is settled, there has to be more discussion on how the funds should be dispersed. We have never been in a position like this one before, and so it is exciting from that standpoint.

The \$11 million dollars is forecasted in income tax was against about \$6.5 million dollars in actual receipts in 2021, and it is a reflection of the new tax structure. It was still very early in the collection of numbers for 2022, and he was pleased to point out at the last Finance Committee meeting, some of the subsequent data that has been reviewed, he believes the City is going to hit its number. As it stands currently, he is very comfortable with that number.

There were originally 70 projects which were minimized to 20, and the 20 projects were given to City Council based on what Staff had thought made sense, in terms of mobilizations. For example, the City is looking now for qualifications for the CSX Tunnel, and also North Depot reconstruction, which goes north from State Route 750 to McClurg's property, which was approximately \$1.3 million dollars. Adventure Park, about \$400,000.00, Liberty Street Improvements, \$1.4 million dollars, etc.

He spoke of strategic land acquisition of \$4.5 million dollars and stated \$33.6 million dollars is in this 5 year plan, which was drafted by Staff, and is a very aggressive time frame. The CIP projected available balance in 2027, if all of the projects mentioned were completed, would generate approximately \$3.7 million dollars of cash, which would still be available. The biggest issue would be the \$16.7 million dollars on the Wellness Center, however, this is a tool and this could be set however City Council sees fit.

These were priority based projects taken directly from the plan and put into the 5 year plan, which has to go to City Council. Some of the projects listed are inevitable, and do not include projects that would be outside of the scope of the CIP. The City would be looking at over \$2 million dollars for street maintenance this year and capital equipment. This is mainly big reconstruction or new based projects, yet maintenance is still a part of it. Again, \$5.4 million dollars aggressively in 2022, however, the major component is borrowing for strategic land acquisition of \$4.5 million dollars; \$4.9 million dollars in 2023; \$16 million dollars in 2024; \$4 million dollars in 2025; and it drops to \$1.4 million in 2026. Land acquisition and the Wellness Center are the biggest driving forces of this conversation. These other projects are relative to

the Keep Powell Moving Plan and are all concentrated around mobilization efforts and understanding what is anticipated from the private sector.

The Finance Committee discussed the policy would be brought forth to City Council first, then the funds would be transferred in 2022. Chairman Hrivnak asked if this was already through the Finance Committee and would this be their recommendation to City Council? City Manager White stated what was presented was both an allocation of resources from the Finance Committee, as well as a Staff exercise, however the Staff exercise is the effort of trying to bridge the gap between what was presented to City Council as a list of what the CIP Committee came up with to get active. He felt the key ingredient moving forward would be getting locked in with some things which may have to carry over for a couple of years, but other projects can be moved around. This would set the policy and creates an availability of resources the City has not had before.

Chairman Hrivnak stated this was excellent and the Finance Committee put the 20 projects into two groups of 10. The Finance Committee did a nice job getting the numbers outlined and projects could be arranged to fit the numbers. Council Member Drummond stated City Manager White noted a lot of strategic land acquisition and wondered if he was in a position to clarify what role the CIC would have in strategic land acquisition vs. other mechanisms. City Manager White responded Land Acquisition is under the New Business as a topic and he would defer to that, but it would be separate from the right-of-way. One of the things being worked on, which began in the Development Committee, is how to create uniformity of the right-of-way of State Route 750, Sawmill Parkway and Sawmill Road.

Additionally, he spoke of the discussion with Dublin of the potential to bring Public Broadband Utility from Dublin to the City as it stops just south of Sawmill Rd., which would be secondary to this and he hopes a lot less costly.

One of the issues identified internally, there are lands available for development within the downtown that make sense for potential use of new capital, to Keep Powell Moving, and would be separate from the right-of-way conversation, however internally there have been conversations with a number of developers. He feels it would behoove the City to potentially utilize the CIC and some of those funds could be borrowed through the CIC. He added this was just an exercise and he would speak more specifically about the CIC and its role under New Business.

Committee Member Lorenz stated that he feels the excitement of getting things moving and it has been a long time coming. He added this exercise probably needed to be done once the Finance Committee did their part, so it's probably ready to move forward. However, they are ready to drop the hammer on some projects as there are already bids out for the Tunnel at Adventure Park, which has been lacking for some time. It's good to see things moving. City Manager White added the City should be in a position at the next City Council meeting to bring a proposal to bring someone on specifically for the Tunnel project. He added due to the budget City Council passed, knowing the City was going to have resources with the adoption of the new tax structure, they did go aggressively on the maintenance programs for 2022, the streets would be approximately between \$1.3 - \$1.5 million dollars, and funds are available to do bike paths as well.

Under Old Business Chairman Hrivnak discussed, under Old Business, the application for payment from Scioto Properties They were requesting the contract be initiated. They have provided a copy of the invoice for the furniture and proof of payment in the amount of

approximately \$146,000.00, and also attached is the executed Development Incentive Agreement, which he reviewed and looks correct. He also reviewed a Cognovits Note, should the contract be breached, the City can immediately recover the amount of the loan from the borrower. The terms of the Incentive Agreement is a portion of the tax revenues that are applied to the outstanding balance and if within 5 years, the balance is paid through that source, the balance is forgiven and it is all spelled out in great detail. He added their job tonight was to verify the contract is correct, the Cognovits Note is signed and the back-up documentation indicates the monies were spent for the purposes named, which was the furnishings of the build-out. We could then move forward by voting to approve the application. City Manager White added in the event their income tax deposits to the City exceed the \$60,000.00 within 5 years, the CIC would forgive the balance.

MOTION: Chairman Hrivnak moved to approve the payment for the Scioto Properties Incentive Agreement, according to the attached contract and supporting documents, in the amount of \$20,000.00. City Manager White seconded the motion. Chairman Hrivnak requested a roll call for passage: Brian Lorenz, yes; Andrew White, yes; and Jim Hrivnak, yes.

VOTE: Y 3 N 0 (None) AB 0 (None)

Motion passes 3-0

City Manager White mentioned there was a Work Session on February 19, 2022, with City Council, and a report was furnished to City Council that outlined several goals. It will probably be presented to City Council in either a Motion or more formally in a Resolution. To adopt those goals at the next City Council Meeting. Additionally, a lot of items discussed this evening fall into several of those goals, and would be a useful tool in going forward as a partner with the City.

VII) NEW BUSINESS

- a. Land Acquisition**
- b. CIC Roles in 2022**
- c. Other New Business**

City Manager White began by stating in preparation of discussion in the Development Committee Meeting, he spoke with Law Director Ashrawi and discussed the CIC. The land acquisition is the driving component of the short term future of the CIC, as it has been discussed internally. He added he went back to when the CIC was established by the City in 2010, and there were a lot of specific references to Chapter 1724 of the Ohio Revised Code which outlines a number of initiatives, and the City adopted them all.

As a refresher and as a general outline to the Committee, to which he feels will be further discussed in the April meeting, the third article in the CIC Articles of Incorporation, include encourage, promote and advance industrial, commercial distribution of research and development of the City of Powell. It further goes on to outline the State Revised Code, to borrow money for any purposes of the corporation, to make loans, to sell, convey, transfer, lease personal property, to inquire business rights, real property, other assets, to promote economic development, to encumber property, etc.

Further, by Ordinance 2010-19, the CIC entered into an agreement with the City Council to basically serve as the agency of the City as outlined in the Ohio Revised Code. Where he sees

the most impactful part is on the commercial side as a lot of impacts to have in the short term, both in terms of potential borrowing, acquisition of lands, or economic development will be relative to the downtown commercial activity center.

The agreement constitutes a plan and it is stated from time to time the Corporation could make amendments or supplements to the plan for submission to City Council, which would not become effective unless endorsed by City Council. He added the current plan was set in 2010, 12 years ago, and maybe we could challenge ourselves as moving forward. He has asked Law Director Ashrawi and his team, to bring forth the best practices that are incorporated in successful programs right now.

Currently, looking at commercial distribution, and commercial efforts that improve the economic welfare of the people of City, etc., that statement is very wide and flexible. A couple of items he noted specifically, that were not flexible, the Corporation shall cause to be prepared and maintain a current inventory and catalogue of both publically and privately owned lands, buildings or other improvements, which are or may become available and which are or may be suitable for location, relocation, expansion, etc. This is very broad and difficult to specify, and he advised to look into this and zero in on something more specific. He further stated the Corporation shall cause an analysis of the social, economic, geographic and other advantages which the City can offer in support of industrial, and commercial distribution. Such analysis can be assembled and reproduced in a form suitable for distribution to those, which the Corporation seeks interest in such development in the City. He said there was language that allows the Corporation to do things on the quality of life and entertainment and there are items within the promotion, encouragement and establishment of growth, which could be potentially relevant to Village Hall, the property. It is stated the Corporation could incur debt, mortgage property, make loans, etc.

City Manager White spoke of the general overview of the Articles of Incorporation, and said there was a lot they could do. He added owning land is another compelling factor the Corporation should start to consider, especially as it relates to the northwest quadrant, as we have a downtown TIF and also a housing TIF in the downtown for the distressed properties. He also advised that he has had conversations with Law Director Ashrawi about modifying the boundaries of the TIF, as well as the DORA. Committee Member Lorenz asked if you could combine or overlay a CRA with a TIF. City Manager White stated you could, but you could not exercise both.

City Manager White also spoke of branding and stated there are a lot of CIC's across Ohio, and he thought maybe something to consider a re-brand of our title, such as the Powell Land Development Company, the Powell Development Company, or PEDC (Powell Economic Development Corporation), just to bring a freshness to it. He feels this could be something discussed further and should make City Council fully abreast of such discussions.

Council Member Drummond stated in going back to the subject of land acquisition and the distressed properties, was there a list? City Manager White responded there were some properties along North Depot that are falling, although you can see a nice building on the corner for they just did the roof, however, the property behind it, you can see the inside of the attic and it is covered with foliage, etc. When you think, for example, working with CSX and properly conducting a reconstructive Depot, it answers the call we need. There are people that walk on the street with DORA cups, CSX is a partner and are allowing them to park there right now, but in order to align, having some of the property to be able to give a little bit more on the

east side, he believes land acquisition is imperative for the City because the City is not going to be able to put the proper infrastructure in without it.

Chairman Hrivnak spoke of Executive Sessions, and the CIC's capability of going into one if so desired.

Committee Member Lorenz stated he liked the idea of branding or rebranding the name. Both Chairman Hrivnak and Committee Member Emerick concurred.

Chairman Hrivnak stated once the CIC sees City Council's goals and it is understood the role the CIC would play, that might lead the CIC to the appropriate branding. City Manager White added he thought it could promote a marketing tool and it would get free publicity, for it is a story in itself. Why are you rebranding? Well because the income tax passed, Intel happened, there is some investment and infrastructure needs. He also state the partnerships, which can be promoted beyond this conversation, including the township and other agencies could be fruitful. Further he stated one of the things you will find with active CIC's, they have more dedicated resources.

Chairman Hrivnak discussed the Financial Audit Proposal included in this evening's packet. He advised this was from Clark, Schaefer and Hackett, business advisors and the City is working with this firm to do the City's audit. Further he stated their duty this evening is setting forth a signature on this response as the CIC understands the proposal made and the rates would be commensurate with the City and the State of Ohio as far as the cost of the audit. He added there is \$3,000.00 in the budget for this audit.

MOTION: Jim Hrivnak moved to accept the proposal from Clark, Schaefer and Hackett, to perform the CIC audit for the calendar year of 2021, to be at such rate and cost as agreed with the City and in accordance with the State of Ohio audit requirements. Brian Lorenz seconded the motion. Chairman Hrivnak requested a roll call for passage: Andrew White, yes, Jim Hrivnak, yes; and Brian Lorenz, yes.

VOTE: Y 3 N 0 (None) AB 0 (None)

Motion passes 3-0

Proposal accepted.

VIII) OTHER BUSINESS

- a. Appropriateness of CIC Insurance Coverage
- b. Chamber of Commerce Lease Renewal at 44 N. Liberty Street
- c. Website Review and Update Plan
- d. CIC Records Retention System
 - i. Status, Member Access and City IDs - Staff to Report
- e. Plan a CIC - 2022 Goal Setting Meeting
- f. CIC Presentation to Council
- g. Downtown Quadrant Mailbox Project Update
- h. Updates to the Facility at 44 N. Liberty Street

City Manager White spoke of the lease renewal at 44 N. Liberty Street, with the Chamber of Commerce. He believes they will be going month to month until they find a suitable location. There has been discussion of the possibility of co-location at City Hall. Chairman Hrivnak stated

the Chamber of Commerce was excited about that, however, were unsure of the timing. City Manager White believes they may have a plan to submit to the City and this would be presented to City Council.

He spoke of his concern of the parking lot of 44 N. Liberty Street, specifically the north east quadrant, there is a depression area, as the whole grade of the lot drops back down to the natural drainage and there is a tile that he believes runs from Liberty that has been plated over in the past and the tile cannot be found. Therefore, there is a gap that has been filled in the past, but the sub-conditions are concerning to him so that area has been blocked off entirely and if you follow where you would imagine the actual drainage tile is located, he sees the next one is beginning to form. Based on this, the Public Services Director reached out to a firm to have photos taken of the tile to see how extensive the damages are. In looking back, this has been on the radar since 2018, and now this has to be looked into and potentially make modifications which are unplanned, but would keep the CIC updated of his findings.

IX) OTHER CIC MATTERS

X) FUTURE BUSINESS

Next CIC Meeting scheduled for April 26, 2022, at 7:00 p.m.

XI) ADJOURN


MOTION: Brian Lorenz moved to adjourn. Andrew White seconded the motion.

VOTE: Y 3 N 0 (None) AB 0 (None)

Motion passes 3-0

Meeting adjourned at 8:01 p.m.

MINUTES APPROVED: APRIL 26, 2022

		
Jim Hrivnak Chair	Date	Amy Deere, City Clerk
		Date