

VILLAGE OF POWELL COUNCIL

NOVEMBER 7, 2000

A regular meeting of the Village of Powell Council was held on November 7, 2000, and called to order at 7:30 p.m. by Mayor Mark Klein. Other Council Members present were Bill Nolan, George Kaitsa, Richard Cline and Peggy Guzzo. Art Schultz arrived at 7:35 p.m. Dave Chambers was absent. Also present were Stephen A. Lutz, Village Manager; Dawn Nauman, Clerk of Council, Ken Molnar, Director of Law, Rob Rice, Village Engineer, residents and representatives of the press.

APPROVAL OF MINUTES

The minutes of October 17, 2000 were approved as printed.

POWELL FESTIVAL PRESENTING SPONSORS RECOGNITION

Mayor Klein presented Adam Montemerano, Kroger; Dave Noll, Delaware County Bank and Trust; and Rich Miller, Pepsi; with plaques for participating in the Powell Festival. Adam Montemerano presented Steve Lutz with a plaque for chairing the Powell Festival.

CITIZEN PARTICIPATION

Don Meigel, 394 Manderly Court, was present to discuss a letter he wrote to the Planning and Zoning Commission (Exhibit). He asked that Council ask the Planning and Zoning Commission to "follow through" on the November 15 meeting and answer the points in the letter that are of importance to the neighbors in the area. He said whatever is determined regarding the Murphy Parkway alignment will effect one quarter of the residents in Powell, and the Commission members are appointed, so Council should have some influence. He asked that the Commission talk to the residents and that the residents be allowed talk back.

Ms. Guzzo asked if the residents have alternatives in mind for the connection. Mr. Meigel said they may, but they are looking for such alternatives from the Planning and Zoning Commission. He said that in the 17 months since Council asked the Planning and Zoning Commission to reconsider their recommendation on this connection there has been "very little dialogue" and residents of the area have gotten an attorney so they may speak with one voice. He noted that Staff has met with the residents, but the Planning and Zoning Commission members have not. Mayor Klein thanked Mr. Meigel for his comments, and asked that Ms. Guzzo contact Mr. Meigel directly if she has any further questions.

POLICE OFFICERS

Stephen A. Lutz, Village Manager, introduced Lieutenant Roy Harness, and Officer Greg Franey, Powell's two newest police officers.

EXECUTIVE SESSION

MOTION: Mr. Kaitsa moved to adjourn to Executive Session in accordance with ORC Section 121.22 (g) (1), Personnel: Appointment of a public employee. Mr. Klein seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Kaitsa moved to adjourn from Executive Session. Mr. Cline seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Kaitsa moved to reconvene in regular open session. Mr. Cline seconded the motion.

VOTE: Y 6 N 0

RESOLUTION 2000-17: A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO A CONTRACT WITH RALPH AND CURL ENGINEERS FOR THE SELDOM SEEN ROAD RECONSTRUCTION.

Stephen A. Lutz, Village Manager, reviewed that there is a grant pending for this project. He said that Rob Rice, Village Engineer, has reviewed for Council the poor condition of this roadway. Mr. Lutz said the funds are already appropriated for this work, and they would like to complete the engineering over the winter.

Mayor Klein opened the hearing to public comment. Hearing none, he closed the public comment session.

Ms. Guzzo asked if this issue went out for public bid. Mr. Rice said that is not required for services.

MOTION: Mr. Cline moved to adopt Resolution 2000-17. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

SECOND READING: ORDINANCE 2000-35: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2000.

Stephen A. Lutz, Village Manager, said that an important function of Staff is communication with residents, and this plan would provide for a comprehensive communication plan similar to what the Village already has in the Comprehensive Plan for development and the annual budget.

Mr. Cline said he would like to see some examples of this company's work product. He said he is a little concerned about expending money to do what the Village is capable of doing itself. Ms. Guzzo agreed, and said she is unsure whether this is a priority. She said she would rather see how the web site takes off.

Mr. Kaitsa asked what prompted the need for a communication plan. Mr. Lutz said that Staff has tried to increase and enhance Village communication, but that they may have gotten to a point where they need professional expertise to do so. Mr. Nolan said that during the Council goal setting session, two-thirds of the priorities discussed had to do with communication. He said he was present when they met with this specific vendor, and it was apparent that they have a great deal of expertise in this field. Mr. Lutz said that the Village would like to be more proactive in communicating with residents. He noted the recent example of the Village street-resurfacing project, where residents could have been notified of that project's impact sooner.

Mr. Cline said he is not opposed to the concept, but he would like something more concrete as a base line.

Mayor Klein said that during the meetings about this plan, there was discussion about how to achieve the positive identity that other area communities have, and that this vendor has the expertise to help do that. He added that most companies he has worked for have professional communication and marketing experts.

Ms. Guzzo asked if this will help with the web site. Mr. Lutz said the web site will be ready soon, but that they could incorporate the web site into the program.

Mr. Schultz said that the Village often has to try to defend itself or react to miscommunication or a lack of communication, and having experts review the current programs could help identify areas that need to change to avoid such problems. Mayor Klein asked that Mr. Lutz bring some examples to Council at the next meeting.

SECOND READING: ORDINANCE 2000-36: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2000.

Stephen A. Lutz, Village Manager, reviewed that this appropriation would hire a land designer to create the Village Green master plan. He said that the Development Committee and Staff are recommending accepting the proposal of NBBJ. He said creation of the plan would include meeting with Village officials, creating alternative designs, and completing a final design. He said this was the second least expensive of the four proposals they received.

Mayor Klein reviewed the Development Committee process of this project. He said the committee members have had prior, positive experience with NBBJ, and NBBJ's prior experience with such projects is excellent. Mr. Cline asked if the scope of this proposal includes more than just the outside façade. Mr. Lutz said this proposal doesn't include that portion, as the committee is recommending hiring Horne and King to complete that portion of the project for approximately \$880.

MOTION: Ms. Guzzo moved to suspend the rules on Ordinance 2000-36. Mr. Nolan seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Kaitsa moved to adopt Ordinance 2000-36. Ms. Guzzo the motion.

MOTION: Mr. Cline moved to amend Ordinance 2000-36 to include \$880 to contract with Horne and King for drawings of the facade. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

VOTE ON ADOPTION: Y 6 N 0

FIRST READING: ORDINANCE 2000-38: AN ORDINANCE ADOPTING THE PROPOSED BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2001 AND DECLARING AN EMERGENCY.

FIRST READING: ORDINANCE 2000-44: AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2001.

Ordinances 2000-38 and 2000-44 were discussed together. Mr. Kaitsa, Finance Committee Chairman, commended the efforts of Mr. Lutz and of Nan Metz, Interim Finance Director, for the fine document presented this evening. He said that the Village is in a good financial state, as revenues are above projections and expenditures are below budget. He said this year, the budget process is changing slightly. He said the Ordinance 2000-38 amends the Certificate of Estimated Resources, and Ordinance 2000-44 is the actual appropriation ordinance that identifies three broad categories. He said this process gives more flexibility to Staff and Department Heads to make adjustments through the year in those broad categories without requiring additional legislation. He said the budget is conservative in revenue estimates, and the summary from the Village Manager identifies a 2% overall growth in revenues and a 5% overall growth in income tax.

Mr. Kaitsa said that neither the Murphy property nor BUS development have been included in the revenue adjustments. In addition, 15% of the budget revenues will be set aside for Capital Improvement Projects. Additionally, this budget provides for the final payments on the Village Green notes. He reviewed that the budget is for \$2.7 million, and the general fund revenues is \$2.9 million.

Stephen A. Lutz, Village Manager, reviewed specific expenditures that should be noted:

- Contract Tree Trimming in the amount of \$5,000.
- Mailbox Repair and replacement of \$2,500 for mailboxes damaged during snow plowing.
- Subdivision signs, in the amount of \$7,000 for signs that are worn and in need of replacing.
- The purchase of a new large dump truck in the amount of \$80,000, which will be used primarily for snow removal operations. The additional streets in Powell and additional public service staff makes this truck desirable.
- The Street Maintenance and Repair fund, which will provide for maintenance and upkeep of streets within the Village. He said that revenue doesn't grow much but paving costs do, and this will provide the supplement needed to complete the necessary repair work.

Mayor Klein opened the hearing to public comment. There was none. These ordinances were both taken to a second reading.

FIRST READING: ORDINANCE 2000-39: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2000 AND DECLARING AN EMERGENCY.

Stephen A. Lutz, Village Manager, said that this appropriation would provide funding for recruiting additional police officers. This would move funds from police salaries, where there is a surplus, to employee screenings.

MOTION: Mr. Kaitsa moved to suspend the rules on Ordinance 2000-39. Ms. Guzzo seconded the motion.

VOTE: Y 6 N 0

MOTION: Ms. Guzzo moved to adopt Ordinance 2000-39. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2000-42: AN ORDINANCE AUTHORIZING COMPLETION OF THE OLENTANGY STREET AND LIBERTY STREET TRAFFIC SIGNAL, FURTHER AUTHORIZING THE VILLAGE MANAGER TO SOLICIT BIDS, ACCEPT THE LOWEST AND BEST BIDS FOR THE ABOVE-REFERENCED PROJECT, AND CONTRACT EACH PROJECT IN AN AMOUNT NOT TO EXCEED THE ESTIMATES, IN ACCORDANCE WITH APPROPRIATIONS FOR THE CALENDAR YEAR 2000 AND DECLARING AN EMERGENCY.

Stephen A. Lutz, Village Manager, reviewed that the funds are approved for this project, and the specifications have been completed. Staff recommends approval of this ordinance.

MOTION: Mr. Kaitsa moved to suspend the rules on Ordinance 2000-42. Mr. Cline seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to adopt Ordinance 2000-42. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2000-43: AN ORDINANCE AUTHORIZING SOLICITATION OF BIDS FOR REFUSE SERVICE IN THE VILLAGE OF POWELL, AND FURTHER AUTHORIZING THE VILLAGE MANAGER TO ACCEPT THE LOWEST AND BEST BID FOR SUCH SERVICE AND DECLARING AN EMERGENCY.

Stephen A. Lutz, Village Manager, reviewed that this Ordinance allows Staff to go out to bid for refuse service in the Village. He recommended a rule suspension on this ordinance. Dawn Nauman, Clerk of Council, noted that while the ordinance contains an emergency clause, the title does not, and she recommended amendment.

MOTION: Mr. Kaitsa moved to amend Ordinance 2000-43 to add the words "AND DECLARING AN EMERGENCY" to the end of the last sentence. Ms. Guzzo seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Kaitsa moved to suspend the rules on Ordinance 2000-43. Mr. Cline seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to adopt Ordinance 2000-43. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2000-46: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2000 AND DECLARING AN EMERGENCY. DEL 750 CULVERT

Stephen A. Lutz, Village Manager, reviewed that this appropriation would Capital Improvement project funding to complete the engineering work for the DEL 750 culvert so that construction may begin next year. He noted that work on this culvert is "priority 2" for Issue 2 funding.

Rob Rice, Village Engineer, reviewed the location of the culvert between the two entrances of Olentangy Ridge. Ms. Guzzo asked if this culvert could also be used for the bikepath. Mr. Rice said that ODOT has asked that such a tunnel and this culvert be two separate projects since public funding may be involved. Mr. Cline asked if this bikepath could be used for a tunnel underpass. Mr. Rice said this location handles significant flow, which makes that impractical.

Mr. Cline asked if the \$20,000 is based on the estimate or a proposal. Mr. Rice said it is based on a proposal. Mr. Schultz summarized that this culvert could be extended to provide a culvert for the bikepath, but the projects need to be separate. Mr. Rice said that due to the funding, that is correct. He noted that EMH&T is also doing the engineering work for the Olentangy Ridge bikepath.

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2000-46. Ms. Guzzo seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to adopt Ordinance 2000-46. Ms. Guzzo seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2000-47: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2000.

Stephen A. Lutz, Village Manager, reviewed that this ordinance would provide funding for a microphone system for the meeting hall to help the audience participate in the Council meetings and to facilitate meeting minutes.

MOTION: Mr. Nolan moved to suspend the rules on Ordinance 2000-47. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Kaitsa moved to adopt Ordinance 2000-46. Mr. Cline seconded the motion.

VOTE: Y 6 N 0

SHARE THE COST TREE BIDS

Stephen A. Lutz, Village Manager, reviewed the responses to the Share the Cost Tree Program bids, and noticed that the lowest bid is within the appropriation. He said this year's program will provide half the cost of 177 trees.

COMMITTEE REPORTS

Development Committee: (Next Meeting: To be determined) No Report

Finance Committee: (Next Meeting: To be determined) Mr. Kaitsa said they plan to meet before the next Council meeting.

Administration Committee (Next Meeting: To be determined) No Report

MUNICIPAL MANAGERS REPORT

Stephen A. Lutz, Village Manager, reported that there is an ODOT meeting scheduled on November 13 at 7:00 at the Liberty Township Hall, to discuss possible traffic alternatives at the S.R. 315/Powell Road intersection.

Mr. Kaitsa left at 8:34.

OTHER REPORTS

There were none.

FINANCIAL REPORTS

The Accounts Payable received.

CLERK OF COUNCIL CORRESPONDENCE

A brief discussion was held regarding whether to change the July 3 meeting in 2000. No decision was made.

OTHER COUNCIL MATTERS

Action Item 99-18: Stephen A. Lutz, Village Manager, reviewed that Ameritech is in the process of completing the necessary work to pull the utility poles.

Ms. Guzzo left at 8:30 p.m.

MOTION: Mr. Cline moved to adjourn to Executive Session in accordance with ORC Section 121.22 (g) (1), Personnel: Board and Commission appointments, and Section 121.22 (G) (2), Pending Litigation. Mayor Klein seconded the motion.

VOTE: Y 5 N 0

MOTION: Mr. Cline moved to adjourn from Executive Session. Mr. Nolan seconded the motion.

VOTE: Y 5 N 0

MOTION: Mr. Cline moved to reconvene in regular open session. Mr. Nolan seconded the motion.

VOTE: Y 5 N 0

ADJOURNMENT

MOTION: Mr. Cline moved to adjourn from regular open session at 8:50 p.m.. Mr. Nolan seconded the motion.

VOTE: Y 5 N 0

DATE MINUTES APPROVED: November 21, 2000

Mark Klein Date
Mayor

Dawn Nauman Date
Clerk of Council