

**VILLAGE OF POWELL COUNCIL**

**NOVEMBER 21, 2000**

A regular meeting of the Village of Powell Council was held on November 21, 2000, and called to order at 7:30 p.m. by Mayor Mark Klein. Other Council Members present were Bill Nolan, David Chambers, Richard Cline and Peggy Guzzo. Art Schultz arrived at 7:35 p.m. George Kaitsa 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.

**EXECUTIVE SESSION IN ACCORDANCE WITH ORC SECTION 121.22 (G) (1), PERSONNEL: BOARD AND COMMISSION INTERVIEWS.**

**MOTION:** Mr. Chambers moved to adjourn to Executive Session in accordance with ORC Section 121.22 (g) (1), Personnel: Board and Commission appointments. Mr. Nolan seconded the motion.

**VOTE:** Y 6 N 0

**MOTION:** Ms. Guzzo moved to adjourn from Executive Session. Mr. Chambers seconded the motion.

**VOTE:** Y 6 N 0

**MOTION:** Ms. Guzzo moved to reconvene in regular open session. Mr. Chambers seconded the motion.

**VOTE:** Y 6 N 0

**APPROVAL OF MINUTES**

The minutes of November 7, 2000 were approved as printed.

**CITIZEN PARTICIPATION**

There was none.

**RESOLUTION 2000-18: A RESOLUTION APPOINTING NANETTE J. METZ AS FINANCE DIRECTOR.**

Stephen A. Lutz, Village Manager, noted that Nan Metz has been serving as Interim Finance Director since earlier this fall. After a process of interviewing several candidates, Ms. Metz has received the unanimous recommendation of the selection committee. He said that Ms. Metz has served as Finance Director of Dublin and Delaware, and will be a great addition to the Village.

Mr. Cline said he attended his first Finance Committee meeting with Ms. Metz last night and he spoke favorably of her performance. Mayor Klein echoed Mr. Cline's comments.

**MOTION:** Mr. Cline moved to adopt Resolution 2000-18. Ms. Guzzo seconded the motion.

**VOTE:** Y 6 N 0

**RESOLUTION 2000-19: A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO APPLY FOR TREE CITY USA DESIGNATION.**

Stephen Lutz, Village Manager, reviewed that each year the Village applies for this designation, and that the application is ready to be mailed.

**MOTION:** Mr. Cline moved to adopt Resolution 2000-19. Mr. Chambers seconded the motion.

**VOTE:** Y 6 N 0

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

Stephen A. Lutz, Village Manager, said that this ordinance would fund creation of a comprehensive communication plan. He said that many other communities have communication staff, but the Village can save tax dollars and insure experience by out-sourcing such staffing through Griffin Communications.

Mayor Klein opened this issue to public comment. Hearing none, the public comment session was closed.

Mr. Cline said he has spoken with others who have had positive experiences with this company, and his previous reservations have been eliminated. Ms. Guzzo said her initial hesitation has been resolved with the understanding that this process will integrate with the Village web site.

Mr. Chambers asked if \$10,000 is an annual fee. Mr. Lutz said it is for the whole project. Mr. Chambers asked if the end product is a communication plan document. Mr. Lutz said it is.

**MOTION: Mr. Nolan moved to adopt Ordinance 2000-35. Mr. Cline seconded the motion.**

**VOTE: Y 6 N 0**

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

Stephen A. Lutz, Village Manager, said that Council reviewed the budget ordinance at their last meeting, and there are no additional items. He said it was reviewed thoroughly by the Finance Committee last night.

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

**SECOND 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. PUBLIC HEARING**

Stephen A. Lutz, Village Manager, reviewed that this ordinance includes additional budget materials, and should go hand in hand with the previous budget ordinance.

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

Mr. Nolan questioned the \$80,000 dump truck included in the budget. Mr. Lutz said it is mostly for snow plowing. He said the Village has had three trucks for about 7 years, and during that period many streets have been added. In addition, it is anticipated that Powell will receive city status in the spring, and become responsible for maintaining the state highways that run through the Village. Mr. Nolan said there were extensive discussions over another truck a couple of years ago. Mr. Lutz said that was for a much smaller pick up truck.

Mr. Chambers asked if there is enough Staff to operate all four snowplows at once. Mr. Lutz said there is. He noted that smaller trucks are required for culdesacs. Mr. Nolan asked about the life span of such a dump truck. Mr. Lutz said the oldest truck, a 1987 model, is scheduled for replacement in 2004. He noted that when that one is ready to be replaced it could be disposed of if it is determined four trucks aren't needed at that time. Mr. Lutz said he is unsure when the next replacement is scheduled. Mr. Nolan said he thinks the snow in Powell is cleared faster and better than any place in central Ohio.

Mr. Schultz asked if the Ohio Department of Transportation (ODOT) wouldn't plow Powell Road because they use it to go from one route to another. Mr. Lutz said that he does not anticipate ODOT would put their plow down on Powell Road once the Village is made responsible for its plowing.

Mr. Lutz noted that any changes to the budget must be made this evening or an additional Council meeting will need to be held to meet the requirements of the Charter.

**MOTION: Mr. Nolan moved to amend Ordinance 2000-44 to remove the \$80,000 dump truck. Mr. Klein seconded the motion.**

Mr. Cline noted that the Finance Committee discussed this, and there are enough Council members that will still be around in 2004 when the oldest vehicle is to be replaced. Those members can encourage Staff not to replace the truck if it is no longer needed. Mr. Schultz agree that the truck is a big expenditure, but he feels there have been moments when the streets could be cleaned more quickly.

Mr. Klein said that he would like to try to continue with the existing dump trucks and the small truck that is used for culdesacs.

**VOTE: Y 2 N 4 (Schultz, Chambers, Guzzo, Cline)**

Both Budget Ordinances were taken to a third reading.

**FIRST READING: ORDINANCE 2000-40: AN ORDINANCE ACCEPTING THE ANNEXATION OF AN 86.8 ACRE TRACT, MORE OR LESS TO THE MUNICIPALITY OF POWELL**

**FIRST READING: ORDINANCE 2000-41: AN ORDINANCE ADOPTING A ZONING MAP AMENDMENT FOR TRIANGLE REAL ESTATE SERVICES, INC. FOR 99.887 ACRES OF LAND KNOWN AS THE MURPHY PROPERTY, FROM FR-1 LIBERTY TOWNSHIP FARM RESIDENTIAL DISTRICT**

**(RECENTLY ANNEXED TERRITORY) AND PI, PLANNED INDUSTRIAL DISTRICT, TO PR, PLANNED RESIDENCE DISTRICT AND PC, PLANNED COMMERCIAL DISTRICT.**

**FIRST READING: ORDINANCE 2000-45: AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN FOR PHASE 1 OF THE MURPHY PARTY BARN PROPERTY.**

Ordinances 2000-40, 2000-41, and 2000-45 were discussed together. David Betz, Director of Development, gave a brief presentation. He noted that the public hearing is scheduled for the next meeting. He identified the entire Murphy Property and the portion to be annexed. He noted this annexation will help square off the boundary to Powell, and that it makes sense for this property to come into the Village for services.

Mr. Betz said the second ordinance is the Zoning Map Amendment, which includes a preliminary development plan. He reviewed the preliminary plan. He identified single family housing, two condominium sites, a 5.5-acre park, and commercial development along Powell Road. He identified the site being reserved by the Murphy family for future office. Mr. Betz reviewed the surrounding land uses, including single family residential, the railroad, and planned industrial and planned commercial. He identified land in the Township planned for commercial uses. He identified planned residential, single family, and condominium development, and the existing 15-acre area that is zoned planned industrial and was part of the original plat of Powell.

Mr. Betz reviewed the proposed land use breakdown (Exhibit). He reviewed the Final Development Plan ordinance and the changes from the preliminary plan. He noted the alignment of Murphy Parkway has been changed to preserve trees and a reduction in density of the condominium project. He said the extension of Murphy Parkway to the north is very important. He noted the plan for turn lanes at Gray Oaks Drive and along Powell Road and a traffic signal that will be installed by the developer at Powell Road and Murphy Parkway. Mr. Betz said this plan is very transitional in nature, leading from a single-family subdivision consistent with Grandshire to the commercial property. He said there is open space throughout the development, including a 5.5-acre park, which preserves the Murphy Party Barn park. He said that the Parks and Recreation Advisory Board has reviewed and given their recommendations on the development and the developer has agreed with almost all of them. He reviewed the private open space areas and the large scenic reserve that was created as a response to concerned residences. Mr. Betz reviewed the variances of this development (Exhibit 2).

Forest Gibson, representing Triangle Real Estate Services, said they will have an extensive presentation at the second reading and public hearing. He presented another request that Council vote on these ordinances at the second reading due to the extensive delays of this process.

Mayor Klein opened the hearing to public comment. Hearing none, he closed the public comment. He said because the applicant has requested approval at the second reading, he would like Council to present any questions they have at this time.

Ms. Guzzo asked what is the actual total acreage proposed for residential development. Mr. Betz said that the residential acreage is 76.1, including open space. Ms. Guzzo asked what is the actual net density for all residential units. Mr. Betz said it is 3.52 du/acre. Ms. Guzzo asked if the extension of Murphy Parkway will connect to the stub of Murphy Parkway or to Donerail. Mr. Betz reviewed the plan for the extension of Murphy Parkway to the stub at the north end of Donerail in Grandshire subdivision.

Ms. Guzzo said she doesn't object to a single-family residential area providing a transition from Grandshire toward a village scale development. She said she is disappointed that Murphy Parkway couldn't have been a natural divider where homes on the north could have been more architectural, village-scale residential development as opposed to contemporary/modern homes. She said that she would prefer something more architectural than that which is proposed for the condominium areas. She asked if there are plans for developing condo site "A". Mr. Betz said that the final plan they are submitting at this time only includes the single family residential and condo site "B." Ms. Guzzo asked if a zero lot line development is still being considered. Mr. Schultz said that the Planning and Zoning Commission is urging that the applicant consider such a development, and that the developer will come back with a plan for that site.

Ms. Guzzo said she is disappointed to see a plan before the Council that includes variances to the Zoning Code. She said the Zoning Code should be adhered to. She said if this development were to stay in Liberty Township, the developer would have built Murphy Parkway and done so with a lower density.

Mr. Schultz said that if the park is considered within the density as is typically done, the density is reduced to 2.99 du/acre. Ms. Guzzo said these density calculations include the right of way, which is not usual. Mr. Schultz said that is untrue. Mr. Betz agreed the right of way is typically considered.

Mr. Schultz said he agrees that buildings north of the parkway should be of a different residential design. He said that he met with the single-family home builder who feels they can't market a completely different product, but they will limit colors and provide a more consistent look on the smaller lots.

Mr. Schultz said the Planning and Zoning Commission is very interested in the architectural design along Powell Road. He said the goal is to create a precedent for businesses on the north side of Powell Road as they change. He said that the Parks and Recreation Advisory Board gave a list of recommendations to the developer who bent over backwards to meet their demands. He said that the developer has been very sensitive to the neighbors, and that they completed a physical tree survey in order to address residents concerns.

Mr. Schultz said that this plan provides for key roadways, particularly the east-west connector (Gray Oaks). He said that the developer has agreed to add turn lanes on that road to allow for better flow. He said the developer has also agreed to install a signal at Murphy Parkway and Powell Road, which is important. He said that he feels the plan represents an appropriate transition. He said that 1 acre single family homes on the entire property is unrealistic. He said he disagrees that this would have been done differently in the Township. This is the right design, and the Township would have accepted it.

Mr. Schultz said that because the developer has responded so well to all requests and suggestions and attended numerous additional meetings on this development, Council should honor their request to vote on this ordinances at the second reading.

Mr. Chambers asked if the total residential density includes condo site "A." Mr. Betz said they are committed to a certain density on the condominium parcels. Mr. Chambers asked if the stand of trees at condo site "A" will be preserved. Mr. Betz said they will be, to provide a buffer to the single family area. Mr. Chambers said he thinks the 5.5 acre public park in this development is a fantastic idea. He asked if the developer will construct the parking lot. Mr. Betz said they will, and that design and common access will be coordinated later. He noted they are also preserving the existing shelter building, and providing water, sewer, and electrical service less the fees.

Mr. Chambers noted the connection to the bikepath along the southern edge of Grandshire. He asked if this will connect to an existing path. Mr. Betz said it will connect to the pathway that terminates at the Grandshire property line and continues to the sidewalk system of Grandshire. He said there will be a pathway along Gray Oaks Drive and a path along Sawmill Road that leads to the park.

Mr. Chambers asked if the retention pond will be wet. Mr. Betz said it will. Mr. Chambers asked if it is sufficient for the whole development. Mr. Betz said that will be determined during final engineering.

Mr. Nolan asked if the smallest lots are 60 feet. Mr. Betz said they are, and are located on the north side of Murphy Parkway. Mr. Nolan asked what are the narrowest lots in Lakes of Powell. Mr. Betz said the Lakes of Powell lots are about 65 feet. Mr. Nolan said he has heard about problems with parking in the Lakes of Powell. He said because of no frontage, curved streets and smaller lots, cars park in front of someone else's house. He asked if there are deed restrictions yet. Mr. Betz said they are not complete but those currently proposed are similar to Grandshire in terms of lamp posts, mail boxes, etc. Mr. Nolan asked if consideration should be given to adding deed restrictions prohibiting parking in front of other people's houses overnight. Mr. Gibson said that they are trying to create a community in which residents interact with one another and let each other know of their concerns. Mr. Nolan said in reality, neighbors don't do that. Mr. Gibson said he can't answer this question tonight, but he will review it with representatives of Triangle and Rockford Homes. Mr. Nolan asked if there is room for three car garages on corner lots. Mr. Betz said there is not.

Mr. Nolan asked if Traffic Engineering Services (TES) study of Powell Road comes this far west. Mr. Lutz said it does. Mr. Nolan asked how this traffic study, road design, and signalization interacts with TES's study. Mr. Betz said they didn't review it in comparison, but that the developer provided a study that says this traffic signal is needed. Mr. Lutz said that TES is aware of this traffic signal and is taking it into account as part of that study. Mr. Nolan expressed concern that there are questions about signalization on the east side of the road that may become an issue if this traffic signal is installed. Mr. Lutz said that this signal meets the warrants and allows for developer installation, while those others did not meet the warrants during the development.

Mr. Nolan said he is hesitant not to have three readings on these ordinances. He said he understand the delay was at the County level. Mr. Gibson said that is correct. He said they are asking for a rule suspension to meet deadlines that were set with the land owner at the beginning of this process. He said additional time has been spent on this issue that was not expected.

Mr. Cline asked if there will be any changes to Powell Road to provide turn lanes at Powell Road and Murphy Parkway where the traffic light is proposed. Mr. Betz said they would be minor changes, only striping, but it will accommodate east-west stacking. Mr. Cline asked if the Village will have the necessary right of way for the future Village Green connector to be incorporated with this plan. Mr. Betz said the Village will have the necessary line. Mr. Cline asked if the connection of Murphy Parkway will allow traffic from Powell Road south all the way to the Lakes of Powell. Mr. Betz said it will eventually, via Presidential Parkway and Salisbury Drive. Mr. Cline asked how the southern connection of Murphy Parkway to Liberty Road will coincide with this development. Mr. Betz said that the Planning and Zoning Commission has reviewed the study and will be presenting their recommendation to Council. He said part of their recommendation is that Presidential and Donerail be barricaded until the south connector is completed to prevent cut through in residential neighborhoods. Mr. Cline asked if the area within the Village that is currently zoned industrial is compared to its proposed commercial use, would that result in a reduction of commercial/industrial uses by about 5 acres. Mr. Betz said that is about right.

Mayor Klein asked if it will be possible to expand Powell Road to three lanes if needed in the future. Mr. Betz said there is 40 feet of right of way on either side. Mr. Schultz said there has been discussion that some day, a continuous turn lane may be desirable in this section of Powell Road.

Mayor Klein asked Mr. Betz if a condominium and commercial development that connections Sawmill Parkway to Seldom Seen was originally presented to Powell and turned down. Mr. Betz said there was no formal request for annexation, but there were concerns about that development by Village officials who met with the developer. Mr. Klein said that development was subsequently built in the Township, and he asked what is the density. Mr. Betz said he is unsure, but the development is condominiums, multi-family and commercial, with no single family residential development. Mayor Klein estimated that density between 5 – 6 du/acre. Ms. Guzzo said she believes the highest density is 4 du/acre. Mr. Betz said he would have to research that.

Mr. Klein noted that there are condominium developments on either side of the Scioto Ridge school and that they are of a similar density. The one in the Village has a 13-acre heavily-wooded park, and substantial buffer, and the one in the township does not. Mr. Betz agreed. Mayor Klein said the closest Township development to Powell between Sawmill Parkway and Sawmill Road has all apartments, condos, and commercial development, with little to no buffer. Mr. Betz agreed.

Mr. Klein said that in early discussions regarding the Golf Village Development, the Township did not consider residential development along Sawmill Road, although the Village suggested it. He said these examples lead him to believe that in Powell, this property would actually be developed in a less dense manner.

Ms. Guzzo said that one can make figures say whatever they want, but in fairness to Liberty Township, they did develop Golf Village at only 1.5 du/acre with a parkway and a tremendous amount of restraint on the developer. She said she disagrees with the commercial development of Sawmill Parkway, but understands that is a "main route," similar to Powell Road, and is more suitable for such a use. Ms. Guzzo said that there is a fear that if the developers aren't given some sort of density, they will annex, and the developers work the Village and Township against each other. She said that the Village has a strong relationship with the Township, and if the Township didn't feel threatened, Murphy could stay in Township and develop at 1.25 du/acre and still provide the parkway.

Ms. Guzzo said there is a third variance in this development, and that is that almost 20 acres of open space would be required, and this only provides about 11 acres. Mr. Schultz questioned that figure. He asked Mr. Betz to identify the land use chart again. Mr. Betz noted that there is 20.8 acres of open space and green space. Ms. Guzzo said scenic easement is not included in such a calculation, as it should be only dedicated space. Mr. Schultz said he thinks the 20.8 acre calculation is accurate.

Mr. Nolan said that Ms. Guzzo took a very diplomatic approach to the Township/Village issue, but said the fact is that there is tension. He said there are Township residents and officials talking about what the Village is doing wrong with property. He asked if Ms. Guzzo is in the process of moving into the unincorporated area of the Township and that her house is for sale. Ms. Guzzo said she does own property in the Township, but that is not an issue because she ran on the platform of unification of the Village and Township. Mr. Nolan said he

doesn't disagree with unifying, but given the tension between the Township and the Village on this issue, and given Ms. Guzzo's situation, perhaps she shouldn't comment on this issue.

Discussion ensued regarding the parking concerns Mr. Nolan previously mentioned. Mr. Schultz suggested that be addressed in deed restrictions. Mr. Betz said that can be done as part of the final plat. Mr. Gibson asked if parking restrictions would apply to all single family areas. Mr. Nolan said just on the areas with no frontage. Mr. Betz said he would like to look at existing cases were there are complaints about such parking.

There being no further discussion, these ordinances were taken to a second reading.

**FIRST READING: ORDINANCE 2000-48: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2000 AND DECLARING AN EMERGENCY.**

Stephen A. Lutz, Village Manager, said that the Village is scheduled to replace two police cars next year and one this year, but because the state has sent out their bids earlier than expected, it is desirable to modify appropriations to purchase two this year, and one next. The order must be submitted immediately.

Ms. Guzzo asked if the Police Department has ever considered motorized vehicles such as mopeds or scooters instead of bicycles. Chief of Police Gary Vest said that riding bicycles keeps the officers fit and on the paths at a proper speed during good weather. He said that mopeds or similar vehicles would be inappropriate during inclement weather. He said that Ford is making an electric car, which he would like to consider for Powell.

Mr. Chambers asked if the electronic equipment from the old car is transferred to the new. Chief Vest said it is.

**MOTION: Mr. Chambers moved to suspend the rules on Ordinance 2000-48. Mr. Cline seconded the motion.**

**VOTE: Y 5 N 1 (Nolan)**

**MOTION: Mr. Cline moved to adopt Ordinance 2000-48. Ms. Guzzo seconded the motion.**

**VOTE: Y 6 N 0**

**COMMITTEE REPORTS**

**Development Committee:** There was no report. The next meeting is to be determined.

**Finance Committee:** Mr. Cline reviewed that the Finance Committee met on November 20, and went over the budget as indicated. The next meeting is to be determined.

**Administration Committee** There was no report. The next meeting is to be determined.

**MUNICIPAL MANAGERS REPORT**

Stephen A. Lutz, Village Manager, reported on the following items:

- The Powell Tree lighting will take place Thursday, November 30 at 6:00 p.m. at the Martin Perry House, with refreshments and performances at the Village Green from 6:30 – 8:30 p.m.
- The Powell Quarterly draft newsletter was included in the packet. If comments are received this evening, the newsletter can go out in early December.
- The Village has received a petition from Grandshire residents requesting stop sign placement at Presidential Parkway and Grandshire Boulevard.

**REFUSE CONTRACT**

Rob Rice, Village Engineer said that a pre-bid meeting for refuse bids has been held, and one issue that came up that will impact cost relates to the Village's unique fashion of collecting payment. He said currently the vendor collects payment, and that leaves potential bidders concerned about not getting paid. He said the Village has worked with the current provider to get the proper addresses for services, however, there is still a problem with payment that impacts their costs. Mr. Rice said one of the options presented for Council's consideration is to not collect the refuse of those who aren't paying their bill after several notices are sent. He described a graduated process that would end with no trash collection until the bill is paid.

Mr. Nolan asked if it is correct that trash left in someone's yard is a violation of the Zoning Code. Mr. Betz said that is correct. Mr. Cline asked how serious the billing problem is. Mr. Lutz said there are currently about 200 addresses in the Village with billing problems. Mr. Rice said there are approximately 2000 houses in the Village.

Ms. Guzzo said she is not opposed to not collecting trash from residents who don't pay as long as there is a proper procedure including notification by mail. She said this may help those who are not paying their bill to decide to be proper citizens. He said if they don't, then they are violating the Zoning Code. She said it is not fair to the vendor to continue to pick up trash from those who don't pay.

Mayor Klein asked if any other payment options will be considered. Mr. Rice said that one of the options is that the vendor has the ability to accept any payment method they choose. Mayor Klein asked if not picking up trash is a system that has worked successfully in other communities. Mr. Lutz said that Powell is the only community most vendors know of that handles billing the way it does. Many communities have a utility system and utility billing. Mr. Molnar said that Staff could work with the successful bidder to help with collection. Mr. Nolan questioned what is in it for Powell to help collect delinquent bills. Discussion ensued.

Mayor Klein summarized that Council shares concern about non-payment, and is interested in finding a solution. He said that Council supports not collecting trash from unpaid accounts.

Discussion ensued regarding penalties. Mr. Rice said the Village does have the right, if refuse isn't collected in a timely manner, to exploit any means to collect it and charge it back to the collector. He said however, it is difficult to find a company who can on a moments notice, collect trash in the Village.

Mr. Nolan expressed concern that there is no financial penalty for lack of service. Mr. Cline said that penalties should apply when there has been a miss and a failure to respond. He said he feels circumstances where a collection truck arrives before the trash is out are few and far between, and the problem is typically that entire subdivisions are missed. He said he feels that there should be a financial penalty paid to the Village. Ms. Guzzo said she would agree with that but she would not be in favor of paying the penalty back to the homeowner. Mr. Rice said that providers have expressed concern that they will be penalized when the resident doesn't put their trash out at the right time or package it correctly. He said he has heard from residents who want a rebate due to poor service. Discussion ensued.

Mr. Nolan said that Rumpke admits they have a labor problem, but he still feels there should be some kind of economic penalty that helps the vendor make the decision to do the best work possible. He expressed concern that Rumpke will have the best bid and come back as the service provider no changes. Mr. Schultz said Council can go with someone other than the lowest bidder. Mr. Cline asked if it is too late to add these considerations to this bid process. Mr. Lutz said an addendum is possible, as the bid opening is a week from Wednesday. After a lengthy discussion, Mr. Lutz said that he and Mr. Molnar will work on language to include a penalty and how to handle residents that don't pay.

### **STOP SIGN PETITION**

Ms. Guzzo asked if Council can do something to address the stop sign petition from Grandshire residents. Mr. Schultz said that the Planning and Zoning Commission make a recommendation that there be a stop sign at Presidential Parkway and Salisbury as part of the South Murphy Parkway connection to South Liberty Street. He said may make sense to wait until Council reviews that recommendation before this is sent to the Development Committee. Ms. Guzzo said that the residents have been concerned about this since last year, it involves children crossing in the area, and they need a response from Council.

Mr. Nolan asked if Council has the authority to put a stop sign under study at that location. Mr. Molnar said that they do.

Mr. Cline suggested that Council study this request at the same time as the Planning and Zoning Commission's recommendation for the Murphy Parkway connection if it is already on its way to Council. Mr. Lutz said that Council will not be reviewing the Planning and Zoning Commission's recommendation immediately, because there is work that must be done with residents in the area before it comes to Council. Mr. Cline suggested that the petition be included during those additional meetings. Mr. Chambers agreed with Mr. Cline's recommendation. He said he is opposed to putting a stop sign in at this point without even seeing a map.

Ms. Guzzo asked that the residents who submitted the petition be advised that this will soon be considered for public input.

### **OTHER REPORTS**

The Monthly Planning and Zoning report and Parks and Recreation Report were marked received. Chief of Police Gary Vest summarized the Monthly Police Report. Discussion was held regarding the construction operation hours laws as well as Staffing needs and concerns.

**FINANCIAL REPORTS**

The Accounts Payable report was marked received. Mayor Klein said there have been previous discussions regarding this report and whether a simplified version is possible with the new computer system. Nan Metz, Finance Director, indicated that she can work with the new system for a more streamlined report. Mr. Lutz said he will review with Ms. Metz on those previous discussions. Mr. Nolan said he would like to see the vendor, the amount, and a description. Ms. Metz said she believes that is possible.

**CLERK OF COUNCIL CORRESPONDENCE**

Mr. Chambers asked if the web site can be viewed on line in its current status. Dawn Nauman, Clerk of Council noted that it is still password secured and not at its intended address. She noted that all of the changes are almost complete and that it could be live toward the first of the month. She said that the goal is to synchronize the Powell Quarterly announcing the site with putting the site on line.

**OTHER COUNCIL MATTERS**

**Action Item 99-18 Relocation of Downtown Electric poles:** Mr. Lutz said that he is unsure of the status, and that the crews seem to have disappeared. He said he will provide an additional report at the December 5 meeting.

**Action Item 99-14 ADA Policy:** Mr. Lutz said he is working with legal counsel to come up with a policy for the Village, and he hasn't heard back yet. This item was postponed until December 19.

Mr. Chambers left at 10:15.

**EXECUTIVE SESSION IN ACCORDANCE WITH ORC SECTION 121.22 (G) (1), PERSONNEL: EMPLOYEE COMPENSATION.**

**MOTION:** Mr. Cline moved to adjourn to Executive Session in accordance with ORC Section 121.22 (g) (1), Personnel: Employee Compensation. Mr. Nolan 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

**MOTION:** Mr. Cline moved to adjust the budget for salary ranges at the recommendation of the Village Manager. Mr. Nolan seconded the motion.

**VOTE:** Y 5 N 0

**ADJOURNMENT**

The Council adjourned at 10:50 p.m.

**DATE MINUTES APPROVED:** December 5, 2000

\_\_\_\_\_  
Mark Klein Date  
Mayor

\_\_\_\_\_  
Dawn Nauman Date  
Clerk of Council