

## CITY OF POWELL COUNCIL

October 15, 2002

A regular meeting of the City of Powell Council was held on October 15, 2002, and called to order at 7:35 p.m. by Vice President George Kaitsa. Other Council members present were Jim Seta, Richard Cline, Dan Wienczek, Mark Klein, and Dave Lackey. Art Schultz was absent. Also present were Stephen A. Lutz, City Manager; Dawn Nauman, Clerk of Council; David Betz, Director of Development; Rob Rice, City Engineer; Nan Metz, Finance Director, Chief of Police Gary Vest; Shea Crawford, Community Affairs/Special Events Coordinator; Ken Molnar, Director of Law; residents and representatives of the press.

### CITIZEN PARTICIPATION

Mr. Kaitsa recognized and welcomed members of Boy Scout Troop 843 and Mr. McFarland, their leader. A member of the troop noted that they are in attendance this evening to work on a merit badge.

Jesse Carter, Delaware General Health District, was present to discuss the mosquito fogging procedure in Powell. He provided two handouts to Council. He reviewed that mosquito fogging has concluded for 2002, as the recent cold weather and frost has abated most of the chances of infection by mosquitoes. He reviewed that 46.6 miles in Powell were covered by the Health District's fogging machines, as were 118.3 miles in Liberty Township. He said that they use a product called Biomist to curb mosquitoes in Powell. He said it is one of the safest products made, and one ounce effectively covers one acre. The active ingredient is 1.5% of the entire substance. He said that while they have had no confirmed human cases of West Nile Virus in the county, the increasing threat of that illness in Ohio has led to increased mosquito fogging. He said that 12 pools of mosquitoes were trapped in southern Liberty Township and tested positive for the West Nile virus. Mr. Carter identified a map from the Centers for Disease Control regarding where the West Nile virus has been found in humans in the State of Ohio.

Mr. Carter said that Delaware County has experienced a few cases of mosquito born illnesses other than West Nile. He said that they also thoroughly investigate whenever a child comes down with encephalitis. He said that while they do complete fogging, the emphasis of the Health District is on prevention. He said the best way to prevent mosquito-born illnesses is to prevent breeding. He said that residents should watch exposure to mosquitos during the prime periods, from dusk to midnight, and the early morning. He said if residents are outside during those periods, they should use an insect repellent containing the ingredient D.E.E.T., and wear light color clothing. Mr. Carter said they have received very few complaints about mosquito fogging, and most of those were from residents who were unaware it would be occurring. He said that the District took extensive efforts to notify the residents. There was a press release in the Delaware Gazette almost every night. He said that something about the fogging program appeared in an edition of all newspapers circulated in Delaware County. He said that there were news stories on Television Channels 4, 6, 10, and 28 throughout the summer. He said that all of the newspaper notices included a phone number that residents could call for a daily update. He said that he is currently looking into more notice in the media and more notice for the local police department when this is taking place. Mr. Carter reviewed the areas that dead birds were found within the County that were infected with the West Nile virus. He reiterated that they did increase, almost double, the fogging this year over last. The City of Powell received three rounds, the last being held on October 1. He reviewed that the Health District will have a direct line that residents can call with questions and to receive information about the mosquito fogging program.

Mr. Kaitsa thanked Mr. Carter for the services the Health District provides. Mr. Klein said that he discussed this topic with Mr. Lutz. He said that residents have called the City offices and indicated their surprise by the fogging machines. He said they were concerned regarding notice, and he thinks the City may be able to respond to that by posting information on its web site. Mr. Carter said that it is a challenge to notify all of the residents because not everyone reads the local papers. He said that there are limited resources to increase notification and/or manpower. He added that mosquito fogging is one of 6,000 things that the Health District does for the City of Powell, and he would be willing to come to future meetings to discuss any of them.

Mr. Kaitsa asked if there is any additional Citizen Participation.

Lee Ritchie, 640 Woods Hollow Lane, began to describe in detail her experience of taking a walk on October 1 at 8:30 p.m. and being fogged by a mosquito fogging truck. Mr. Klein noted that Ms. Ritchie just missed a lengthy presentation by the Delaware General Health District regarding the mosquito fogging procedure in the City of Powell. Ms. Ritchie said that she would have loved to have heard it. She said that her family is very health-minded and that this was very upsetting. She said that she was unable to determine from the Health District's web site whether fogging had been scheduled for that evening. She said that she had some "respiratory

distress" as a result of the spraying the following day. She said that she spoke with the Director of Environmental Health for the Health District to determine what she inhaled. She said she also spoke with Rob Rice, Public Service Director, and she understands that he had asked that the spraying be done. Ms. Ritchie questioned whether spraying is desirable. She said that there should be solid information from the CDC indicating it is needed, and a basis from the Health Department as to why it should be done. She said that secondly, if mosquito fogging is to be done, Council should consider how to properly notify the residents that it will occur. She questioned the impact of this chemical on people taking walks or that have their windows open. She asked about the impact on babies, children, and immuno-compromised patients. She provided Council with three articles from the Columbus Dispatch indicating that the threat of West Nile is starting to die out because it is fall, that West Nile virus should be of no more concern than influenza, and that the Ohio Department of Health says that mosquito fogging "should be considered the least desirable methods of control..." (Exhibit).

Joan Prior, 570 Woods Hollow Lane, said that she was also sprayed by a mosquito fogging truck on October 1 and it entered her car through the sun roof. She said that the evening that it happened, she was unable to get information from the Powell Police Department or Health District regarding whether there had been fogging in Powell that evening. She said that she called the Powell City offices the next morning and received information on the material that was sprayed within 20 minutes. She complimented the City of Powell staff on their response. She reviewed that while the literature regarding the fogging material says that there are minimum risks under normal circumstances, she questions whether her exposure was normal. She said that she is concerned that this material is a carcinogen and she is concerned about its effects on pregnant women, babies sleeping near a window, etc. She said that this material causes miscarriage in rats.

Ms. Prior said that she understands that as many people as there are that are afraid of this material, there are as many demanding it. She said she understands this is a democratic process, but she asked that if these materials are used, that they are treated with respect. That means not spraying at 9:00 at night and informing the public when they will be sprayed. She said that the fogging should take place between 2 and 3 a.m. She said that Mr. Rice was horrified that the machines were not turned off when people were walking by. She said that when she talked to Mark Wiesner, at the Health District, he said that if they turned the trucks off, they "would never get the job done." She said she questions that. Ms. Prior said that she used to live in Chicago and they completed the mosquito abatement late at night so these issues didn't occur. She said she would like notification posted in the front of each neighborhood to let them know when the area will be sprayed. She said she receives a note on her door when her street is to be repaired. Ms. Prior said that someone exposed as she was could file a lawsuit, but that would cause the City to worry about being sued rather than safety.

Mr. Kaitza thanked Ms. Prior for her comments, and said that those are points well taken. He asked that the Health District's "scientist," be present at the next meeting to discuss this issue. Mr. Carter noted that they do maintain a no-fog list. Mr. Cline asked if there is a reason why early morning fogging can't be completed. Mr. Carter said that it might be possible, but there are fewer mosquitoes out then and less staff available to complete the work. Mr. Seta said that when he lived in Florida, they fogged in the middle of the night via helicopter, and they know more about insects in the south than they do in Central Ohio. He said that he was also concerned when he saw the fogging the night of the last Council meeting. He said he would like to see the chemical make up of that material so that residents can be provided with that information.

Mr. Lackey asked if it is correct that the fogging is completed at the City's request. Mr. Lutz said it is. Mr. Lackey suggested that Staff review the notification procedures that the City could help with. Mr. Lutz said that Staff has considered some alternatives. They could look into providing notice at the entrance to subdivisions. Mr. Kaitza asked if the entire City is fogged. Mr. Lutz said that Staff identifies the areas with more woods and standing water. They also respond to complaints about certain areas.

Mr. Cline asked how much notice the Health District can provide. Mr. Carter said the phone line is updated daily, but the greatest problem seems to be letting people know that those phone lines exist. Ms. Prior said that she doesn't think it is the resident's responsibility to call the number to find out where fogging is proposed. Ms. Ritchie agreed. She asked if it isn't correct that the Health District recommended that the City not complete the third spraying so late in the season. Rob Rice, City Engineer, said that is not correct. He said they requested an additional fogging on September 18, and on October 1, Mr. Wiesner asked if the City still wanted it done. He said that there were still mosquitoes in the area at that time, so he determined it would be desirable to have it done. He said that Mr. Wiesner never recommended against fogging, and that the Health District was willing to accommodate the City's request for additional coverage.

Mr. Cline asked how much notice the City can realistically expect. Mr. Carter said they probably would know the day before, and that is largely because of weather conditions. Discussion ensued. Mr. Kaitsa summarized that it is desirable to investigate completing fogging later in the evening and providing better communication. Mr. Lutz suggested that the Service Committee review this issue and that concerned citizens also attend to formulate a plan to be provided to Council. Council agreed to refer the issue to the committee. There was no further citizen participation.

#### **APPROVAL OF MINUTES**

The minutes of October 1, 2002 were amended and approved.

#### **FINANCIAL REPORTS**

The Accounts Payable and Monthly Financial Reports were received. Nan Metz, Finance Director, pointed out that the City has already exceeded the budgeted revenue expectations for the year. She said that is largely because the City is still on target with the income tax and way ahead of the anticipated development fees. Ms. Metz said that regarding discussions about the gas tax the last time the monthly report was reviewed, other taxes are enough ahead of projections that they should make up the difference.

#### **OTHER REPORTS**

The Monthly Planning and Zoning Report was received. David Betz, Director of Development, reviewed that the second Comprehensive Plan Steering Committee meeting has been held and a technical report has been provided to Council. He noted that the Powell Quarterly has been mailed and that it includes a survey to assist in the Comprehensive Plan process. The survey can also be completed on line. Mr. Cline said that he likes the technical report that was provided to Council. He asked if Mr. Betz participated in the Delaware County Thoroughfare Plan on behalf of the city. Mr. Betz said that they did. Mr. Cline asked if any of the recommendations in that plan were disappointing to Staff. Mr. Betz said that they were not. He said that the most controversial proposal, for an east-west connector just south of Delaware County, would be a benefit in that it would reduce traffic on Powell Road.

The Monthly Parks and Rec. Report was received. Mr. Lutz recommended that a joint Council and Parks and Recreation meeting be held on Saturday, November 16.

The Monthly Police Report was received. Chief of Police Gary Vest reviewed that a new police officer, Andy Lucas, was hired and sworn in today. He said that he is a graduate of Columbus State and the Police Academy, and that hiring him has made the police department a force of 16. He said that activity in the community has been relatively quiet. The python that was of such interest last month has been adopted. There was one felonious assault in the City this year. He reviewed that the department is working with developers in golf Village to try to curb some of the construction site theft that has recently occurred.

#### **CLERK OF COUNCIL CORRESPONDENCE**

There was none.

#### **RESOLUTION 2002-24: A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL EMERGENCY MUTUAL AID AGREEMENT**

Stephen A. Lutz, City Manager, reviewed that the City of Dublin is requesting that area municipalities enter into this non-binding agreement that formalizes each City's agreement to assist each other in the event of an emergency. He said that the City of Dublin is going through the process of accreditation for their Public Service Department, and this is one of the steps.

Mr. Lackey asked if the City of Powell could already expect assistance in case of emergency. Mr. Lutz said that they can, and this formalizes the process. Mr. Lackey asked how liabilities and costs are determined. Mr. Seta said that the beauty of a mutual aid agreement is clearer communication and sharing of costs and liabilities.

Mr. Cline asked how funding for emergency response is addressed. Mr. Lutz said the City would typically provide resources as a professional courtesy and it would not amount to a tremendous strain on equipment, maintenance, or supplies. He said if there were a significant issue, such as flooding, hourly rates to be paid to the City would be determined. Any services that the City would provide that need substantial funding would be brought before Council for consideration.

**MOTION:** Mr. Cline moved to adopt Resolution 2002-24. Mr. Klein seconded the motion.  
**VOTE:** Y 6 N 0

**RESOLUTION 2002-25: A RESOLUTION INITIATING AN AMENDMENT TO SECTION 1143.21 OF THE POWELL ZONING CODE ESTABLISHING MEMBERSHIP OF THE HISTORIC DISTRICT COMMISSION.**

Stephen A. Lutz, City Manager, reviewed that the Service Committee recently reviewed this issue. The Historic District Commission (HDC) is made up of various individuals, some of which are appointed by Council, some are appointed by the Chamber of Commerce, and some are appointed by the Powell Business Association. He said that the concern is that the current method of appointment may leave positions open because very qualified candidates don't fit into the appropriate open category. He said that the Service Committee and HDC both reviewed this and are recommending that the Commission be made up of one member of the AIA, and 7 appointed by Council. The 7 appointed by Council can be residents, property owners, or business owners within the Historic District. He said that both the HDC and Service Committee felt this would provide a greater pool of applicants.

Mr. Wiencek asked if the Planning and Zoning Commission has reviewed this. Mr. Lutz said this Resolution would send the issue to the Planning and Zoning Commission for their review and recommendation. Mr. Klein noted an additional change that should be made in the document, changing it from the Village of to the City of Powell.

Mr. Wiencek asked if this will impact the staggering of terms that currently exists among HDC members. Mr. Lutz said it shouldn't, because Council would make appointments using the new guidelines as new seats become available.

**MOTION:** Mr. Cline moved to adopt Resolution 2002-25. Mr. Klein seconded the motion.  
**VOTE:** Y 6 N 0

**RESOLUTION 2002-26: A RESOLUTION TO DONATE PROCEEDS RAISED FROM EVENT DAY SALES OF THE POWELL CYCLING CLASSIC**

Stephen A. Lutz, City Manager, reviewed that the second professional bicycling race was held in Powell. Last year, it was determined that proceeds from the event would be turned over to a Delaware County not for profit organization. The organization selected is Turning Point and there was a profit of \$428. He said this Resolution will allow the Finance Director to make the contribution.

Mr. Seta asked who determines which charity will be supported. Mr. Lutz said the cycling committee reviews and identifies the charitable organization.

**MOTION:** Mr. Klein moved to adopt Resolution 2002-26. Mr. Cline seconded the motion.  
**VOTE:** Y 6 N 0

**RESOLUTION 2002-27: A RESOLUTION REPEALING RESOLUTION 2001-01 TO ESTABLISH A SPECIAL REVENUE FUND.**

Stephen A. Lutz, City Manger, said that a special revenue fund was established in 2001 to manage proceeds from the Powell Cycling Classic. The State Auditor has determined that it is not an appropriate use for a special fund, and they have recommended that this be placed in the general fund. Nan Metz, Finance Director, said that a special revenue fund is more suited for a self-supporting project, such as the Powell Festival.

Mr. Kaitsa opened this item to public comment. Hearing none, the public comment session was closed.

**MOTION:** Mr. Cline moved to adopt Resolution 2002-27. Mr. Klein seconded the motion.  
**VOTE:** Y 6 N 0

**FIRST READING: ORDINANCE 2002-53: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2002.**

Stephen A. Lutz, City Manager, reviewed that is common for the Finance Director to review appropriations at the end of the fiscal year and make recommendations regarding adjustments that should be made to complete the year.

Nan Metz, Finance Director reviewed the reappropriation necessary to continue with the process of eliminating the special revenue fund for the Powell Cycling classic. She reviewed adjustments necessary for salaries,

primarily as a result of labor negotiations. She reviewed that appropriations have been made to provide a table top copier for the building department to help their productivity with the increase in volume and staff.

Mr. Kaitsa opened this item to public comment. Hearing none, the public comment session was closed.

**MOTION: Mr. Cline moved to suspend the rules on Ordinance 2002-53. Mr. Klein seconded the motion.**

**VOTE: Y 6 N 0**

**MOTION: Mr. Cline moved to adopt Ordinance 2002-53. Mr. Klein seconded the motion.**

**VOTE: Y 6 N 0**

**FIRST READING: ORDINANCE 2002-47: AN ORDINANCE ACCEPTING THE ANNEXATION OF A 137.8 ACRE TRACT, MORE OR LESS TO THE MUNICIPALITY OF POWELL.**

Stephen A. Lutz, City Manager, reviewed that Council previously adopted a service resolution for this property. In accordance with state law, the annexation ordinance is before Council this evening.

David Betz, Director of Development, reviewed the property location. He noted that this property is within the Northwest Planning Area, which has a recommended density of 1.5 d.u./acre. He said a development plan has been submitted to and reviewed by the Planning and Zoning Commission, and there were comments the applicant needs to address before coming back. He said that further review by the Planning and Zoning Commission has yet to be scheduled.

Jack Reynolds, Attorney for the Applicant, said that they have started to investigate rezoning this property, but before they can continue, it needs to be annexed.

Mr. Cline asked about the current zoning of the property. Mr. Betz said that it will remain zoned under Liberty Township until it is rezoned in the City. Mr. Cline asked if the Liberty Township zoning is consistent with the Northwest Area Plan. Mr. Betz said that part of it is zoned Planned Residential and part is Farm Residential. He said that it has always been reflected that this property will have some sort of single family subdivision development.

Mr. Wiencek said that during the sketch plan review by the Planning and Zoning Commission, there was discussion about debris and sludge in the wooded area that was left behind by the railroad. He asked when it is appropriate to discuss whether that debris has been properly mitigated. Mr. Betz said that conditions may not be placed on the annexation, but could be placed on the development plan. Mr. Seta asked who is responsible if the site is dirty. Mr. Betz said that determination needs to be made, and that would be reviewed during the preliminary development plan stage. Mr. Seta asked if that information will be provided before the third reading of the ordinance. Mr. Betz said he is unsure. Mr. Cline asked if there is any concern that the City would be "on the hook" as a result of any debris. Mr. Molnar said that it is the responsibility of the property owners, and that the study underway will be helpful.

Mr. Seta said that he would like to receive the environmental report prior to the third reading, and if not, he would like to table the ordinance. Mr. Betz said that the City has a certain period of time during which it can take action on the annexation. He said he will look into that and report back at the next reading.

Mr. Kaitsa opened this item to public comment.

Lee Ritchie, 640 Woods Hollow Lane, asked if there is any environmental disaster or derailment on the railroad track in the future, who would be responsible. Mr. Molnar said that while the City may have to deal with any problem initially, whomever caused the problem would be ultimately responsible. Ms. Ritchie asked if the City would be taking on an additional burden by annexing property along the railroad. Mr. Cline said that the risk along that stretch of land is no different than the risk along the rest of the railroad track that runs through the City. Mr. Lackey said that right now, the property is in Liberty Township, and the City residents are also Liberty Township residents. He said the fire department that would respond in the event of an emergency is the same whether it is annexed or not.

There being no further comment, this item was taken to a second reading.

**FIRST READING: ORDINANCE 2002-48: AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR GOLF VILLAGE SECTION 1 PHASE C.**

Stephen A. Lutz, City Manager, reviewed that the next 5 ordinances are an administrative process to approve plats within the Golf Village development. Once those plats are filed at the courthouse, the developer can begin the construction process for these sections. He noted that the developer has requested that these ordinances be approved this evening and as an emergency, and that applies to all except 2002-51, which is being developed by a different party. He said the Golf Village development has been approved by the Liberty Township trustees, and the City Council as a result of the annexation and Cooperative Economic Development agreement.

David Betz, Director of Development, reviewed the location of the plat. He said this portion will be developed with single family homes. Mr. Cline said that his recollection is that approval of plats could be described as a ministerial act. In the past, Council has asked if there is anything of concern that would suggest approval should be delayed. If the answer is no, Council is typically willing to accommodate the applicant's request for an expedited procedure. Mr. Betz said that is correct. He said that Staff has reviewed the plat and recommends approval with the conditions listed in the ordinance.

Mr. Seta asked if this requires a public hearing. Mr. Betz said it does not. Mr. Wiencek added that these were all reviewed by the Planning and Zoning Commission. He said that plats are typically a formalization of what was already approved in the development plan. The Commission pays attention to easements and particularly the language regarding any natural preserve areas, and there were none with these plats.

Mr. Kaitsa opened this item to public comment. Hearing none, he closed the public comment session.

**MOTION: Mr. Cline moved to suspend the rules on Ordinance 2002-48. Mr. Klein seconded the motion.**

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

**MOTION: Mr. Cline moved to adopt on Ordinance 2002-48. Mr. Klein seconded the motion.**

**VOTE: Y 6 N 0**

**FIRST READING: ORDINANCE 2002-49: AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR GOLF VILLAGE SECTION 1 PHASE D.**

Mr. Betz reviewed the area of this section, and said that there is a stub street that will connect to the Woods at Seldom Seen. He said that the plat complies with the development plan.

Mr. Kaitsa opened this item to public comment. Hearing none, he closed the public comment session.

**MOTION: Mr. Cline moved to suspend the rules on Ordinance 2002-49. Mr. Klein seconded the motion.**

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

**MOTION: Mr. Cline moved to adopt on Ordinance 2002-49. Mr. Klein seconded the motion.**

**VOTE: Y 6 N 0**

**FIRST READING: ORDINANCE 2002-50: AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR GOLF VILLAGE SECTION 6 PHASE B PART 1.**

Mr. Betz reviewed the area on the map. He said that the previously was an issue regarding various street names, and that has been resolved with the approval of Delaware County and the Liberty Township Fire Department. He said this plat complies with the development plan. Mr. Klein asked if it is correct that the City has a Village Club Drive and Village Park Drive. Mr. Betz said it is.

**MOTION: Mr. Cline moved to suspend the rules on Ordinance 2002-50. Mr. Klein seconded the motion.**

**VOTE: Y 4 N 1 (Seta) (Abstain: Lackey)**

The motion failed and this item was taken to a second reading.

**FIRST READING: ORDINANCE 2002-51: AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR GOLF VILLAGE SECTION 2 PHASE B.**

Mr. Lutz noted that this Ordinance is not included in the requested rules suspensions. Mr. Betz identified the area on the development plan. Mr. Cline asked if there is any reason that it can't be approved. Mr. Betz said there is not.

Mr. Kaitsa opened this item to public comment. Hearing none, he closed the public comment session.

**MOTION: Mr. Cline moved to suspend the rules on Ordinance 2002-51. Mr. Klein seconded the motion.**

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

**MOTION: Mr. Cline moved to adopt on Ordinance 2002-51. Mr. Klein seconded the motion.**

**VOTE: Y 6 N 0**

**FIRST READING: ORDINANCE 2002-52: AN ORDINANCE APPROVING THE SUBDIVISION PLAT FOR GOLF VILLAGE SECTION 1 PHASE B.**

Mr. Betz reviewed the location of the plat area. He reviewed adjacent property and access points.

Mr. Kaitsa opened this item to public comment. Hearing none, he closed the public comment session.

**MOTION: Mr. Cline moved to suspend the rules on Ordinance 2002-52. Mr. Klein seconded the motion.**

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

**MOTION: Mr. Cline moved to adopt on Ordinance 2002-52. Mr. Klein seconded the motion.**

**VOTE: Y 6 N 0**

**EXECUTIVE SESSION UNDER O.R.C. SECTION 121.22. (G) (4): COLLECTIVE BARGAINING.**

**MOTION: Mr. Cline moved to enter into Executive Session in accordance with O.R.C. section 121.22 (G) (4), to discuss collective bargaining. Mr. Klein seconded the motion.**

**VOTE: Y 6 N 0**

**MOTION: Mr. Cline moved to adjourn from Executive Session at 9:35 p.m. Mr. Klein seconded the motion.**

**VOTE: Y 6 N 0**

**MOTION: Mr. Cline moved to reconvene in Open Session at 9:35 p.m. Mr. Klein seconded the motion.**

**VOTE: Y 6 N 0**

**RESOLUTION 2002-23: A RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR THE CITY OF POWELL AND AFSCME, OHIO COUNCIL 8, AFL-CIO.**

Stephen A. Lutz, City Manger, reviewed that the City has reached an agreement with the Public Service Employees regarding a three year collective bargaining agreement. This Resolution would approve that agreement. He recommended that the agreement be in effect as of October 16, 2002.

Mr. Kaitsa opened this item to public comment. Hearing none, the public comment session was closed.

**MOTION: Mr. Cline moved to amend Resolution 2002-23 so that it is effective from October 16, 2002 to October 16, 2005. Mr. Klein seconded the motion.**

**VOTE: Y 6 N 0**

**MOTION: Mr. Cline moved to adopt Resolution 2002-23. Mr. Klein seconded the motion.**

**VOTE: Y 6 N 0**

**COMMITTEE REPORTS**

**Development Committee:** Mr. Lackey said that the Committee met and discussed the proposed sidewalk/approach ordinance. Their recommendations should be coming before Council soon. He said that they also discussed the procedure for stop sign requests within the City. He said that the original proposal for a stop sign policy did not allow for installation of signs that don't meet the traffic warrants. He said the Committee discussed allowing a stop sign that doesn't meet the warrants if a super-majority of Council votes in favor of it. He said that the Committee discussed that stop signs shouldn't be used as traffic calming devices, and that requests for signs that meet the warrant should be seriously considered. He said that on the other hand, the committee agreed that for a good cause, they should be able to install signs that don't meet the warrants.

Mr. Kaisa said he would support the idea of a super-majority. He said that a warrant study shouldn't be the only consideration. Mr. Wiencek said he is willing to remove the warrant requirement, as it is costly. Mr. Cline said that a warrant for stop signs is much less complicated than those for a traffic light, and can be done in house. Mr. Wiencek said that he would then agree with the super-majority. He said that Council has been overly quick to install stop signs, and that Ridgeside Drive is a good example, with a sign at every two houses. He said that people don't stop because they are excessive. Mr. Wiencek questioned the logic of the necessity for stop signs where there are bus stops.

Mr. Seta asked about removal of signage. Mr. Lutz said that the draft policy includes a provision for removing it with a certain number of requests. Mr. Seta said that he repeatedly hears requests for sign removal.

Mr. Lackey said that the Commission also met this evening with members of the Liberty Township Zoning Commission and a Liberty Township Trustee to review the property that was considered for annexation this evening. Mr. Seta said he questioned the Development Committee's role in this process since the Planning and Zoning Commission is reviewing this issue on their own. Mr. Lackey said that the CEDA calls for a joint advisory planning committee to review such plans. He said that many of the comments at this evening's meetings were very similar to those made by members of the Planning and Zoning Commission. Mr. Lutz said the thought process for this review committee was to encourage communication between the City and the Township. Mr. Klein said that he thinks that this type of review is a great idea. He said there is no cost, and it solves the problem of the lack of communication between the Township and City in the past.

**Finance Committee:** Mr. Kaisa noted that the next meeting will be held on October 31.

Mr. Wiencek said that the City is reaping the benefit of substantial development fees. He said that he feels those fees should go toward infrastructure, and to respond to the needs by the development. He questioned whether the city is spending tomorrow's infrastructure money today. Mr. Cline said that his gut reaction is that the City have been very frugal in the use of development fee money. He said the Finance Committee is working on a 3-5 year plan for Capital Improvements.

**Service Committee:** There was no report.

**CITY MANAGERS REPORT**

Mr. Lutz reviewed a request from the Powell Area Chamber of Commerce to hold a wine tasting fundraiser at the City offices. He noted that they have done this in the past and they need approval from Council to serve alcohol. Council unanimously approved the alcohol request.

**OTHER COUNCIL MATTERS**

Mr. Lackey asked about a plan for Ohio Department of Transportation (ODOT) to widen State Route 750. Mr. Lutz said that ODOT will be planning to have some public meetings regarding various improvements in the area.

A discussion was held regarding the need to appoint someone to the Council for Older Adults. Mr. Klein suggested that Mr. Lutz contact the current appointee and see if he is interested in continuing with this position.

Mr. Seta commented that it is important for the City to determine its role in disaster preparadnous. Mr. Lutz suggested that a 15 minute presentation by the Police and Fire Department be scheduled for a future Council meeting.

