

CITY OF POWELL COUNCIL

June 3, 2003

A regular meeting of the City of Powell Council was held on June 3, 2003, and called to order at 7:30 p.m. by Art Schultz. Other Council members present were Dan Wiencek, Richard Cline, Tom Counts, Jim Seta and Dave Lackey. George Kaitsa was absent. Also present were Stephen A. Lutz, City Manager; Dawn Nauman, Clerk of Council, Shawn Leininger, Development Planner; 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

There was no participation on non-agenda items.

APPROVAL OF MINUTES

The minutes of May 6, 2003 were amended and approved. The minutes of May 20, 2003 were amended and approved.

FINANCIAL REPORTS

Nan Metz, Finance Director, noted that the Accounts Payable has been provided and the largest expenditure is for debt payment.

OTHER REPORTS

There were none.

CLERK OF COUNCIL CORRESPONDENCE

Dawn Nauman, Clerk of Council, noted that the City has been notified of a Liquor License transfer for Saturday's Sports Cub. Ben Howland, the transferee, was present to discuss this request.

Mayor Schultz asked if the intention is that the business will remain the same. Mr. Howland said that the purchase agreement indicates that the restaurant will remain the same and the previous owner will only own the building. Council did not request a hearing regarding this transfer.

RESOLUTION 2003-13: A RESOLUTION ADOPTING AGREEMENT ESTABLISHING THE OLENTANGY REGIONAL COUNCIL OF GOVERNMENTS.

Stephen A. Lutz, City Manager, reviewed that the Olentangy Schools are establishing a Regional Council of Governments which will be composed of the schools, the townships that fall within the district boundaries, and the City of Powell. Mr. Seta, Powell's representative to the Council said that the basic guidelines of the Council are to address the ways that all political bodies can communicate across the boundaries. He said the school district will hold the meetings. He said that one of the first things the Council did is establish by-laws, which are included in the attachment.

Mayor Schultz noted that Ken Molnar, Director of Law, indicated a concern about the City's ability to withdraw should they desire to do so. Mr. Molnar said it appears the final draft addresses that ability.

Mr. Cline asked about any commitment on the City's behalf to provide financial support. Mr. Seta said the City is not committing to any financial support. Mr. Cline asked if Mr. Molnar's review of the by-laws indicates that the purposes of this Regional Council are consistent with ORC Section 167.02, a copy of which Mr. Molnar had provided to Council. Mr. Molnar said that they are.

Mr. Counts suggested indicating that Mr. Kaitsa, as the alternative representative, should be identified as "being an elected official..." to be consistent with the language for Mr. Seta's appointment. He suggested amending the last line of that same section to indicate Mr. Seta's name in place of "in the event of *his*" absence. He questioned the ability of the City Manager to enter into agreement when the representative of the Council outlined in the Resolution is Mr. Seta.

Mr. Wiencek asked if Council will have to appoint a new member if Mr. Seta no longer desires to serve. Mr. Seta said that they probably would, but that Mr. Kaitsa would first fill in.

MOTION: Mr. Counts moved to amend Section 2 of Resolution 2003-13 so that line three reads as follows: "...George Kaitsa, being an elected official of this municipality..... serve in the event of Jim Seta's absence." Mr. Cline seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to amend Section 1 to replace reference to the City Manager with "the elected official named in Section 2." Mayor Schultz seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to adopt Resolution 2003-13. Mr. Seta seconded the motion.

VOTE: Y 6 N 0

Mr. Seta noted the next meeting of the Regional Council is scheduled for June 12.

THIRD READING: ORDINANCE 2003-23: AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN FOR RUTHERFORD ESTATES, FOR 59 SINGLE FAMILY HOMES ON 43.47 ACRES LOCATED ON THE SOUTH SIDE OF RUTHERFORD ROAD WEST OF THE CSX RAILROAD AND AMENDING THE ZONING CLASSIFICATION TO PR, PLANNED RESIDENCE DISTRICT.

Shawn Leininger, Development Planner, briefly reviewed the development. He reviewed the location, adjacent properties, and access from Rutherford Road. He reviewed the variances being requested by this developer. He reviewed the language provided by the developer regarding the requirements under which they will use cement fiber siding (Exhibit) if such material is approved.

Mr. Cline asked if this development will be added to the Liberty Township Infrastructure Financing Authority created for Golf Village. Mr. Leininger said they will. Mr. Cline asked if the authority is entirely comprised of Golf Village. Mr. Leininger said at this time, it is. Mr. Cline asked if Golf Village is permitted to use cement-fiber siding. Mr. Leininger said it is.

Mr. Seta asked how close the City is to having those cement fiber siding standards. Mr. Leininger said it has been discussed by the Planning and Zoning Commission as recently as their February and March meetings. Mr. Wiencek said the Planning and Zoning Commission and Historic District Commission are looking for some direction by Council so that the changes in installation are only made once. Mayor Schultz said that he thinks it is very clear that the standards outlined are appropriate, and the only uncertainty is where Council thinks it is appropriate to use the siding. Mr. Counts agreed.

**MOTION: Mr. Cline moved to amend Section 1, subsection 13 to read as follows:
That cement fiber siding is not approved for use in this subdivision consistent with The Rutherford Estates Cement Fiber material conditions 1-5 as prepared by Staff."**

Mr. Wiencek suggested adding to Mr. Cline's amendment monotony rules as follows:

1. That cement fiber siding may not be used on side by side homes.
2. That cement fiber siding may not be repeated directly across the street from cement fiber siding.

Mr. Cline said he would accept that friendly amendment.

Paul Phillips, Developer, said that the Planning and Zoning Commission determined that they couldn't use cement-fiber siding, and they are under the impression that if the standards are accepted, then the monotony policy wouldn't apply. Mr. Wiencek said that the installation standards were the first step, but the second section was further incentive to accept the use.

Ron Stone Developer, said the vote by the Planning and Zoning Commission regarding cement-fiber siding was 3-3, but cement-fiber material has subsequently been approved by the Planning and Zoning Commission for an M/I development on the other side of the railroad tracks.

Mr. Counts said that the way this is currently drafted, the applicant could use 100% cement-fiber siding on the front façade. He said the Planning and Zoning Commission required the M/I development to incorporate at least 50% natural materials on front. Mr. Wiencek said that the requirement was for 50% brick or stone, and not stucco on the fronts. Mr. Stone asked if it is correct that the developer would rather be required to meet M/I's standards rather than the monotony policy previously discussed. Mr. Stone said that is correct.

Mr. Wiencek withdrew his friendly amendment to Mr. Cline's amendment. Mr. Cline restated his motion and it was seconded by Mr. Counts.

Mr. Seta said that this is putting the cart before the horse. He said he refuses to approve something that "has some document we don't have in our hands yet and makes sense." He said he would rather approve the ordinance as it is and go back and modify it later to permit the material if the standards are approved. He expressed concerns that the standards have yet to be developed. Mayor Schultz said he thinks the Planning and Zoning Commission is fairly firm in their understanding of what the standards should be. He said that issue was before Council in great detail, but it was hooked to whether the City should approve the use of this material City-wide. Mr. Seta said he has never seen such standards. Mr. Wiencek said they were included in the proposed amendment to the Zoning Code which approved cement fiber siding with some minor variations on what is before the Council today. Mr. Seta said that Council sent it back to Planning and Zoning Commission for further study but their recommendation hasn't been sent back to Council. Mr. Wiencek reviewed the standards that the Planning and Zoning Commission has discussed.

Mr. Cline said that he would ordinarily be opposed to any development using cement-fiber siding because of Council's previous vote against its use City-wide. However, he said this is a situation where there is a developer within an infrastructure authority who must compete economically with other builders in the authority, and those builders have been approved to use the material. He said it is not consistent or logical to permit this on one side of the street but not the other. Mayor Schultz added that the installation and monotony standards being discussed are higher standards than those currently being used in Golf Village. He said the double-wall construction standards should rectify many of the problems they've seen. He said they couldn't come up with another conditions to guarantee that everything is done perfectly. He said this is a step in the right direction.

Mr. Wiencek said he has consistently voted against cement fiber siding until the M/I proposal. He said he changed his vote because he felt M/I made a significant concession regarding the 50% natural material on every home. He said both the Liberty Township and Powell surveys indicated a desire for high-quality housing that this would help meet. He said the other reason he supports this is because he spent a substantial amount of time reviewing the installation that M/I has been doing and he can't find fault with it. Mr. Lackey noted that M/I's installation track record won't be a factor to consider in this application.

Mr. Seta asked, if this passes, will it be approved for everyone. Mr. Wiencek said he is comfortable reviewing requests to use cement-fiber siding on a case by case basis. He noted that Mr. Counts is not in favor of that approach. Mr. Counts said that in the next 5 years, Council will have a better understanding because there are many houses that will have it and the material will either perform or not.

Mr. Cline reiterated that his motivation in this motion was that Council is requiring this applicant to join a taxing authority and they ought to be allowed to use same building materials. He said that argument doesn't hold true in other subdivisions or communities within Powell.

Mr. Lackey asked if an amendment of this nature would arrive 4 votes or 5. Ken Molnar, Director of Law, said this would not be a substantial amendment and would not require a super majority.

VOTE: Y 5 N 1 (Seta)

Discussion ensued weighing the merits of the monotony policy as previously discussed or considering a 50% brick or stucco requirement.

MOTION: Mr. Wiencek moved to amend Ordinance 2003-23 to add a condition number 15 to require the builder to provide a minimum 50% brick, stone, or stucco stone to the front façade of all houses within the development. Mr. Counts seconded the motion.

VOTE: Y 5 N 1 (Seta)

MOTION: Mr. Cline moved to adopt Ordinance 2003-23 as amended. Mr. Wiencek seconded the motion.

VOTE: Y 4 N 2 (Seta, Lackey)

THIRD READING: ORDINANCE 2003-27: AN ORDINANCE AUTHORIZING AMENDMENT TO THE FEE SCHEDULE OF THE MUNICIPALITY OF POWELL.

Shawn Leininger, Development Planner, reviewed the revised attachment to the Ordinance and the graphics indicated in their report that shows how the current formula works and how the proposed formula will work (Exhibit). He noted that the previous formula was flawed in that larger developments were required to donate less parkland

than smaller ones.

Mr. Cline spoke on behalf of the Finance Committee. He said that this new fee schedule is grounded in an effort to be fair and apply the burden of donating parkland equally to all applicants. He said that this secondly provides a "formulamatic" way to accomplish this so that this issue doesn't have to be addressed with the other fee schedule amendments every two years. It can be linked to the changes that occur on the county level.

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

MOTION: Mr. Cline moved to adopt Ordinance 2003-27. Mr. Lackey seconded the motion.

VOTE: Y 6 N 0

SECOND READING: ORDINANCE 2003-32: AN ORDINANCE APPROVING THE PLAT FOR GOLF VILLAGE SECTION 5 PHASE A.

Stephen A. Lutz, City Manager, reviewed that this ordinance and the next are for subdivision plats, which are the legal mechanism that establish lot lines and streets and roads within a subdivision. He said that this plat does conform with the development plan as approved by the Planning and Zoning Commission and Council.

Shawn Leininger, Development Planner, reviewed the location, layout, adjacent uses, and conditions with which the Planning and Zoning Commission recommended approval.

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

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2003-32. Mr. Counts seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to adopt Ordinance 2003-32. Mr. Seta seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2003-33: AN ORDINANCE APPROVING THE PLAT FOR GOLF VILLAGE SECTION 7 PHASE C.

Shawn Leininger, Development Planner, reviewed the location, layout, adjacent uses, and conditions with which the Planning and Zoning Commission recommended approval. He said that the sign and landscape easement on both sides was not approved in the Golf Village development plan so this ordinance includes a condition to remove it or have it approved by the Planning and Zoning Commission. Mr. Leininger noted that the applicant has asked for a rules suspension and that this ordinance be declared an emergency.

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

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2003-33. Mr. Counts seconded the motion.

VOTE: Y 6 N 0

Mr. Cline noted that he didn't feel this is an appropriate use of the emergency clause.

Mr. Wiencek asked if the CEDA committee will need to review the landscape/sign easement. Mr. Leininger said he would assume this is a minor amendment that wouldn't qualify. Mr. Wiencek asked to make sure, and noted that the committee previously reviewed the location of a fence line by 23 feet.

MOTION: Mr. Cline moved to adopt Ordinance 2003-33. Mr. Wiencek seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2003-34: AN ORDINANCE DESIGNATING A THREE WAY STOP AT THE INTERSECTION OF WOODARD PLACE AND KEISEL COURT AND REQUIRING THE CITY ENGINEER TO PLACE TRAFFIC CONTROL DEVICES AT THE INTERSECTION AND DECLARING AN EMERGENCY.

Stephen A. Lutz, City Manager, reviewed that at the last meeting, Council received a petition from residents requesting a stop sign at this intersection. Pursuant to City Policy, Council can either grant authorization of a

study or deny the request. At the last Council meeting, Council decided to forgo the study because it was discussed with the City Engineer that this wouldn't meet the criteria of the warrants. Council recommended that an ordinance be prepared for this evening's meeting.

Dennis Greenwood, 504 Woodard Place, summarized the comments he made at the last meeting regarding the request for this stop sign. He said Ashmoore is a cut through route from Canterbury to Olentangy Ridge subdivision. He said that there are no stops going southbound on that route. He said that Woodard Place is the "straightaway" and there are over 300 children in the subdivision, many of which that will soon be getting out of school. He said that is a lot of kids with speeding cars, and if a sign is to be installed, this is the appropriate place. He said the subdivision is built out.

Mayor Schultz asked Mr. Lackey if he thinks this proposal makes sense, given that he lives in the area. Mr. Lackey said that it does. He said it is the straightest portion. He said that another issue is that the street trees on the winding road also block the view of children playing. He said that this location makes more sense than some of others built with subdivision.

There being no further comment, the public comment session was closed.

Mr. Cline thanked Mr. Greenwood for bringing this to Council's attention, but he questioned why Council is considering an ordinance that is a direct contradiction to the City's adopted policy which says if a study is not authorized by Council, the request is not considered further. Mr. Lackey said that there was a feeling that a stop sign in this location was a good idea but there is no way it would meet the warrants. He said that Mr. Wiencek indicated it is a waste of money to study what can easily be assumed. He said there was a discussion that this ordinance would need a super-majority to be approved, which is consistent with the policy requirements for such a majority in the case of an unwarranted stop sign. Mr. Cline asked if any study would be undertaken. Mr. Lackey said it would not.

Rob Rice, City Engineer, reviewed that there are some considerations being made for lowering of the federal standards for stop signs. He said that stop signs are not effective traffic calming device, and the follow-up study of the more recently installed sign in the City indicates that it isn't slowing traffic anywhere other than where the intersection is located.

Mr. Lackey said that while stop signs are not speed control devices, they do make drivers stop and notice children in the area. He said the people driving through the area being discussed are residents who know there are kids in the neighborhood, but this sign would give them the opportunity to stop and notice those children

Mr. Wiencek said that he asked Staff to provide statistics regarding the citation level on Woodard Place. Mr. Lutz said there has been one driver ticketed for running a stop sign in the area, but the rest of the citations have been for parking issues. There have been no speeding citations on Woodard Place. Mr. Wiencek said he knows this area is posted as a "speed enforcement zone," and he questioned the enforcement procedure. He asked if there have been police cars and radar detectors, but still no one ticketed. Mr. Lutz said that is correct. Mr. Wiencek said that there may be a perception that the speed of traffic in this area is elevated because of the road configuration. He said in light of Mr. Rice's comments, he wonders how much speeding this is really going to effect. He said he is cognizant of the concerns of the neighbors, but he doesn't see that this sign is going to do what the neighborhood wants it to do. Mr. Counts agreed. He said that this policy, while better than what was previously in place, doesn't go far enough and deep enough because it becomes apparent that there never will be a warrant study that actually warrants a sign. He said there needs to be a procedure that provides better information as to the need for such devices.

Mayor Schultz said that the graphic displayed to indicate this sign location shows that there is a great deal of stop signs along Ridgeside Drive, and three within a short distance of one another. He said that once the signs go in, they never come out. He said on the other hand, heading south in the morning from Canterbury could be problematic, and the request for a stop sign southbound is a reasonable request and wouldn't be overkill.

Mr. Wiencek said that the "flip side" of this discussion is that 75% of neighbors have requested this sign, and who is he to say no to the sign except for the concern that it may set a precedent. He said he has some minor concerns that the overall traffic policy is to develop connectors and encourage people to use them, and placing stop signs frequently makes the roads difficult to use.

Mr. Seta said that there are a bunch of residents in the neighborhood that think such signs make sense and that they will protect the children. He said that stop signs do slow traffic down. He said such a sign is needed here and the residents are in favor of it. He said it will help in the area.

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

FIRST READING: ORDINANCE 2003-35: AN ORDINANCE AUTHORIZING COMPLETION OF THE 2003 STREET MAINTENANCE AND REPAIR PROGRAM, FURTHER AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS, ACCEPT THE LOWEST AND BEST BIDS FOR THE ABOVE-REFERENCED PROJECT, AND CONTRACT THE PROJECT IN AN AMOUNT NOT TO EXCEED THE ESTIMATES, IN ACCORDANCE WITH APPROPRIATIONS FOR THE CALENDAR YEAR 2003 AND DECLARING AN EMERGENCY.

Stephen A. Lutz, City Manager, reviewed that Council was given a presentation several meetings ago regarding how streets are analyzed for the street maintenance program. He said that street maintenance funds are provided by state taxes and license fees, and this year the City received approximately \$165k. He said the City has historically supplemented those stand funds with \$125k from the General Fund. He said that the total budget for Street Maintenance is \$250k. Mr. Lutz reviewed that there will be additional funding related to increases in the state gas tax in the next couple of years. At this time, the City Engineer is recommending a \$300k program, and therefore there is a need for an additional \$50k appropriation, which will be addressed in the next ordinance. He said the quicker this ordinance is approved, the more quickly the City can go out to bid.

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

Mr. Wiencek asked how old the roads in phases 1 and 2 of the Lakes of Powell are. He asked if it is at all alarming that there is already work designated for those roads. Mr. Rice said the GSB 88 being proposed is a rejuvenator, and is a preventative measure. He said those roads are in decent condition, and this step should protect them.

Mayor Schultz asked that Shea Crawford, Community Affairs/Special Events Coordinator, begin to explore the means by which to communicate to residents the road closures necessary to complete this program.

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2003-35. Mr. Wiencek seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to adopt Ordinance 2003-35. Mr. Wiencek seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2003-36: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2003 AND DECLARING AN EMERGENCY.

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

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2003-36. Mr. Wiencek seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to adopt Ordinance 2003-36. Mr. Wiencek seconded the motion.

VOTE: Y 6 N 0

MOSQUITO ABATEMENT DISCUSSION

Stephen A. Lutz, City Manager, reviewed that at an earlier meeting, Council asked questions regarding the mechanism for determining to commence mosquito fogging in certain municipalities. He said that Shea Crawford, Community Affairs/Special Events Coordinator has conducted a study of other communities and forwarded her findings to Council. He said that additionally, state guidelines identify a necessity to fog if 25 mosquitoes are caught in a trap. Ms. Crawford reviewed her study of other communities (Exhibit)

Steve Burke, Director of Environmental Health, Delaware General Health District, reviewed that this program was started in the 1980's and areas identified for fogging were frequently complaint-driven. He said that the Health District felt it was desirable to get input from political subdivisions within the County, and eventually began

working more directly with local communities. He said that the West Nile virus incidence in Ohio is higher than was originally thought, and that there were 31 deaths last year.

Mr. Lackey asked if there is a larvacide program in addition to a fogging program. Mr. Burke said there is, but they typically take place on public property where there is standing water. Mr. Lutz said the City also has a larvacide program of its own. Mr. Lackey asked if it is correct that larvacides will kill mosquitoes before they grow, but once they are grown, fogging is the only option for killing the mosquitoes. Mr. Burke said that is correct.

Mr. Wiencek asked what is the life span of an adult mosquito. Mr. Burke estimated it at 7-14 days, during which time a female mosquito will lay 3-400 eggs 2-3 times. Mr. Wiencek questioned whether the current policy of fogging once every month to six weeks is effective if there is a new crop of mosquitoes every week. Mr. Burke said that he thinks the best scenario would be for fogging every 7-14 days, but there is not the manpower to do that. He said that fogging only once kills mosquitoes and reduces the mosquitoes for the rest of the season because it is limiting breeding. He said the General Health District feels a little fogging is better than none. Mayor Schultz said that following that logic, fogging earlier in the season makes more sense. Mr. Burke said that is correct.

Mr. Seta said he thinks the main issues in Powell are notification and when the fogging occurs. He said that the information provided by Ms. Crawford is informative. He said that the range of times when the communities fog seems to vary, and he asked when is the best time. Mr. Burke said that the state and all the other studies recommend dusk, because that is when mosquitoes are most active.

Mr. Lutz noted that Council was provided with correspondence from a resident advocating mosquito fogging.

Mayor Schultz said that obviously this is not a black and white issue. He said there is a desire to handle this better, with better notification and timing. He asked what Council would like to direct to Staff regarding this issue.

Mr. Lackey said regarding whether or not the City fogs, he thinks it is a "no-brainer" that it does. He said the choice is between a known danger and a perhaps non-existent danger. Mayor Schultz asked if there are any Council members who are adamantly opposed to fogging. There were no Council members that expressed opposition to fogging. Mr. Lackey said that there have been legitimate concerns regarding the City's fogging program, many of which may be addressed with proper notification. He said he would like to incorporate signs and home page links in any notification process. He said he doesn't think fogging should be solely complaint-driven. He said that the Health District should be utilized to help identify the areas near water or those that are densely treed, and that a GIS map could help with that. He said that the City should fog as often as possible.

Mayor Schultz said that he would like to also address educating the residents about the risks associated with mosquitoes, standing water, etc. Discussion ensued regarding the possibilities for educating and notifying the residents regarding this issue. Mayor Schultz suggested incorporating signage that directs residents to the web page for further information. Mr. Lackey asked that the signage utilized be informative but not alarming. He said he wants to notify them, but not scare them.

Mayor Schultz asked how many people are on the list the County keeps regarding areas where fogging should not occur. Mr. Burke estimated it is approximately 15 names.

Mr. Wiencek said he would like a more scientific methodology for determining when to fog, such as a certain amount of mosquitoes in a trap automatically requiring trapping. Mr. Burke said that the list is based on a first-come first serve basis, and it could be up to a month before the fogging can occur if the City waits until certain thresholds are met before ordering fogging. Mr. Wiencek said regardless of whether the City has to wait, the City should have a more scientific method of where to fog because there is a desire for the program to not be complaint-driven. Mr. Lackey said that he thinks Staff can look at a map now and identify areas with standing water or trees where fogging is appropriate.

Mayor Schultz summarized the consensus of Council regarding the City's mosquito fogging program:

- That Council agrees there is a need to fog, perhaps more frequently than the current levels.
- That the City needs to do a better job notifying the public regarding the fogging procedures and educating the public on how to reduce mosquitoes on their property.
- That Staff keep Council informed on the desired locations for fogging, the amount of fogging necessary, and the procedure for notification regarding fogging.

- That Powell be placed on Delaware County's list for fogging this season.

Mayor Schultz thanked Mr. Burke for coming to discuss this issue.

COMMITTEE REPORTS

Development Committee: Mr. Seta reviewed the details of the Development Committee meeting regarding skate park design. He said that there was discussion regarding size, and there was a consensus that the skate park portion probably needs to be 10,000 sq. ft., which would cost approximately \$300k. Mr. Lackey said the Committee also discussed the need for an in-line hockey rink, which is a very desirable item. This item may be able to be placed in the back of the park so as not to remove green space in the area along the road. Discussion ensued.

Mayor Schultz said that his recommendation based on discussions tonight is that the consultant proceed and design both the skate park and the in-line rink. Then Council can decide what options are desirable and within the budget. He said that Council should also consider the appropriate location for the in-line rink.

Mr. Wiencek asked if it is possible to consider designing the expanding parking to also be used for an in-line skate rink.

Mr. Lackey said that he and Mr. Seta both agree that a 6,000 sq. ft. skateboard facility is not worth doing but that the 10,000 sq. ft. facility may very well be within the budget. Mayor Schultz asked how much Council had previously considered was appropriate to spend. Mr. Lutz said he is hesitant to talk specific numbers now, but that preliminary discussions were for a top-end of around \$300k or less for the skate park. He said that he thinks the budget is going to drive the size of the park. He said that at the next meeting, when the designs are presented to the Committee, they should be able to tell the City what it can afford for a variety of costs.

Mr. Lutz said there was some discussion at the meeting that there was not a desire to create a regional destination park, but rather a local community park.

Mr. Cline said that he feels an in-line rink should be in the back of the park area rather than along Liberty Street. He said he is comfortable saying that the City would be interested in spending \$300k, and would like to see what can be built for that amount.

Mayor Schultz asked if the consultant will be providing information on maintenance and security. Mr. Lutz said he will be. Mr. Lackey said the next meeting on the skate park will be on July 8, and those recommendations will be presented at that time.

Finance Committee: Mr. Cline reported that the Committee will next meet on June 12 and discuss funding of Capital Improvement projects. He estimated a preliminary report on this item may be available at the next meeting.

Service Committee: There was no report.

Charter Review Task Force: Mr. Lutz said that the first reading of the proposed charter amendment ordinance will be on the next Council agenda.

CITY MANAGERS REPORT

- Stephen A. Lutz, City Manager, reviewed that there has been a shortfall in donations for sponsorship of the Powell Festival. He said the budget usually costs approximately \$42k which is funded through businesses and residents. He said that the City has been able to raise approximately \$28k. He said there have been discussions about reducing the cost of the festival, but that could have a significant impact on the events of the festival. He said the Finance Committee reviewed this issue and was comfortable recommending that the City appropriate funds necessary to maintain the festival. He said that the City has sponsored other events, such as the Powell Cycling Classic, which cost \$8-10k. He said they are requesting a \$12-15k contribution from the City. There was no opposition by Council to bringing an appropriation ordinance back at the next meeting.
- Mr. Lutz noted that the Draft Powell Quarterly was distributed to Council and comments should be returned immediately because it is at press. Mr. Lutz noted that there are some articles regarding stormwater issues in the Powell Quarterly, and the reason for that is because of the unfunded federal mandate on those issues.
- Mr. Lutz asked that Council convene in executive session to discuss personnel, board and commission appointments.

OTHER COUNCIL MATTERS

There was no further discussion.

EXECUTIVE SESSION IN ACCORDANCE WITH ORC SECTION 121.22 (G) (1) PERSONNEL: BOARD AND COMMISSION APPOINTMENTS

Motion: Mr. Cline moved to adjourn to executive session at 10:00 p.m. in accordance with ORC Section 121.22 (G) (1) Personnel: Board And Commission Appointments. Mayor Schultz seconded the motion.

VOTE: Y 5 N 0

MOTION: Mr. Cline moved to adjourn from Executive Session at 10:20 p.m. Mr. Lackey seconded the motion.

VOTE: Y 5 N 0

MOTION: Mr. Cline moved to reconvene in Regular Open Session at 10:21 p.m. Mr. Lackey seconded the motion.

VOTE: Y 5 N 0

MOTION: Mr. Cline moved to adjourn from Regular Open Session at 10:21 p.m. Mr. Wiencek seconded the motion.

VOTE: Y 5 N 0

DATE MINUTES APPROVED:

Art Schultz 7/1/03
Art Schultz Date
Mayor

Dawn Nauman 7/1/03
Dawn Nauman Date
Clerk of Council