

CITY OF POWELL COUNCIL

September 2, 2003

A regular meeting of the City of Powell Council was held on September 2, 2003, and called to order at 7:35 p.m. by Mayor Art Schultz. Other Council members present were George Kaitsa, Jim Seta, Richard Cline, Tom Counts, and Dave Lackey. Dan Wiencek was absent. Also present were Stephen A. Lutz, City Manager; Dawn Nauman, Clerk of Council; Nan Metz, Finance Director; Ken Molnar, Director of Law; residents and representatives of the press.

CITIZEN PARTICIPATION

Tray Hoover, Scout Troop 843, was present at the Council meeting working on a community merit badge. His father, Rick Hoover, was also present.

APPROVAL OF MINUTES

The minutes of August 19, 2003 were approved.

FINANCIAL REPORTS

The Accounts Payable Report was received and briefly reviewed by Nan Metz, Finance Director.

OTHER REPORTS

There were none.

CLERK OF COUNCIL CORRESPONDENCE

Dawn Nauman, Clerk of Council, asked Council to select which cover letter they would like to include with the Charter amendment notification mailing. Council selected the version which itemized the changes to the text, and approved its use with one typographical correction.

ORDINANCE 2003-47: AN ORDINANCE AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN THE AMOUNT OF NOT TO EXCEED \$1,000,000 FOR THE PURPOSE OF ACQUIRING LAND AND INTERESTS IN LAND FOR PARKS AND RECREATIONAL PURPOSES, CONSTRUCTING AND INSTALLING RECREATIONAL IMPROVEMENTS, INCLUDING WALKING AND BIKING TRAILS, BALLFIELDS, AND OTHER PARK FACILITIES, AND ALL NECESSARY APPURTENANCES THEREFOR.

Stephen A. Lutz, City Manager, reviewed that last year, the voters approved a \$7 million bond issue and the City has been incurring some expenses involved in that bond issue. Design and development of the parks is underway, and there is a need to complete some wetlands mitigation. He said this issue was reviewed with the Finance Committee, and the current recommendation is that the City issue bond anticipation notes in an amount not to exceed \$1 million.

Nan Metz, Finance Director, said that the County Auditor has implemented this millage prior to the City issuing debt related to this bond issue. Those funds are being put into a debt service fund. The City has incurred expenses associated with this park development and paid for them by advancing money from the General Fund into the Capital Project Fund. She said the City can't use the money it has already received, but must issue debt in order to pay for those expenses. This process will clean up that situation and issue the debt for less than one year. She said that this will help the voters because it will reduce the millage associated with this debt once the first \$1 million is paid off.

Mayor Schultz asked how much the expenses already incurred total. Ms. Metz said she thinks they are around \$800k. Mr. Kaitsa commented that this adds to the cash flow for other capital projects by replacing those advances from the general fund. Mr. Cline said that it also frees up the city's debt capacity.

Ms. Metz said this ordinance needn't be passed by an emergency, but she'd prefer it be passed prior to the third reading so as to take advantage of the current rates.

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 2003-47. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Kaitsa moved to approve Ordinance 2003-47. Mr. Cline seconded the motion.

VOTE: Y 6 N 0

ORDINANCE 2003-48: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2003 AND DECLARING AN EMERGENCY.

Stephen A. Lutz, City Manager, reviewed that this relates to approximately 7/10 acre of wetlands on the Village Green site that needs to be mitigated. The City can enter into a mitigation purchase agreement in the amount of \$11,200. He said the Ohio Wetlands Corporation will use that money to purchase wetlands in the watershed or maintain wetlands in the watershed, and that will allow the City to fill in the wetlands on the Village Green. He said the location of the current wetlands is proposed for a street, bikepath, and other park development.

Mr. Seta asked if the Army Corps of Engineers has looked at this. Mayor Schultz noted that they are referred to on page 2, item C. Mr. Lutz said that handling wetlands in the manner proposed is a fairly common practice for municipalities. Mr. Seta asked if the permit has been applied for. Mr. Lutz said the City has hired consulting engineers to complete it. Mr. Seta said in his experience, the permitting process can be lengthy and cause delays.

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

MOTION: Mr. Kaitsa moved to suspend the rules on Ordinance 2003-48. Mr. Cline seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to approve Ordinance 2003-48. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

COMMITTEE REPORTS

Development Committee: Mr. Seta reported that the next meeting is on the 17th, but on the 16th, Edsall will be before Council to review the status of park development. Mr. Lutz said the meeting on the 17th will be to review playground equipment.

Sidewalk Repair Policy

Mr. Lutz reviewed that at the next Council meeting, Council will be receiving an ordinance that identifies the properties that will be notified that their sidewalks are in need of repair. Mayor Schultz said that there have been discussions that since this is the first year, only a small test group will be notified. Mr. Lackey said that is correct, and that this year includes residences in Olentangy Ridge and Bartholomew Run. Additionally, residents have the opportunity to attend two hearings, one on whether their sidewalk needs repaired, and one where it is determined whether the residents should bear the entire cost.

Mayor Schultz referred to a newspaper article regarding handicap ramps within the City of Columbus and asked if the City of Powell should be concerned about the problems they are experiencing regarding texture and different materials. Mr. Seta said he thinks most of Columbus's concerns were regarding slope issues. Mr. Lutz said he believes the City's ramps meet the ADA requirements.

Finance Committee: Mr. Kaitsa reviewed that the Committee met on August 21 with Triangle Properties to discuss the expansion of the Liberty Township Infrastructure authority for four new developments. He said that the Mayor is going to speak with Liberty Township on how to work together on this effort. He said that the expansion could provide extension of Sawmill Parkway past the high school. He said that it is a fairly convoluted process where the Council will need to expand the authority. The Infrastructure Authority will then issue the debt. The developers will approve it, and then Delaware County and the City of Columbus will also have to approve the process. He said that this will take several months.

Mr. Kaitsa said that the Finance Committee also reviewed a memorandum from the Regional Income Tax Agency (RITA) explaining this year's fee increase and the fact that they don't expect such an increase next year. He said they relate the increase to a drop in interest rates and a new computer system.

Mr. Kaitsa said the Finance Committee discussed the budget process. He said that the Finance Committee will review the budget in October. Mr. Kaitsa reviewed that the budget ordinance will be read in November and the first meeting in December, which gives Council one more meeting to address the budget. Mr. Cline invited all members to attend the meetings where the budget issues are discussed because it makes the process run very smoothly at the Council level if many of the discussions are handled early on. Mr. Lutz said that last year, the budget was reviewed at once and in its entirety, but if it is reviewed separately this year, Council will be provided a schedule of what is being reviewed.

Mr. Kaitsa noted that the August income tax collections came in at 115% compared to August a year ago. He said current collections show a little fall off in growth due to the recession, but are still strong in terms of collections.

Mayor Schultz heard that Mount Vernon has "given up on RITA," and that makes him question the increase. Ms. Metz said that at the same time, RITA has added Worthington and Marysville. Mayor Schultz noted that he gets a lot of feedback from residents that RITA's forms are very complicated. Ms. Metz said that RITA has identified that as a concern they are planning to focus on.

Mayor Schultz said that he has been talking with Liberty Township about expanding the roles of the Cooperative Economic Development Agreement (CEDA) committee and moving forward with a joint plan for development in the unincorporated township. He said that he and Dave Betz, Director of Development, have been meeting with Phil Laurien to discuss development in the Township. He said that there have been discussions regarding annexations north of Home Road, and that there are Township-appropriate lower density developments and also developments that are more City-like (commercial, higher density). He gave a brief overview of many discussions he has had with the Trustees and Developers in the area. He said that Liberty Township is supposed to be discussing these issues at their meeting this evening. A lengthy discussion ensued.

Service Committee: There was no report.

CITY MANAGERS REPORT

Stephen A. Lutz, City Manager, reviewed that a Downtown Revitalization meeting will be held on Thursday, September 4th, and design charettes will be held on September 24th and 25th.

Mr. Lutz said that Ken Molnar, Director of Law, would like to report on a question brought up at the last meeting regarding possible state statutes related to the requirement for going out for a Request for Qualifications for professional services the City would like to employ. He said this was related to discussions regarding architectural services for the police station design. Mr. Molnar said that there is a statute that identifies the criteria for hiring such services, but the City is a charter community and has the power of self-government. He said that his advice is to pass an ordinance identifying the procedure the City would like to use for circumstances that the statute identifies. Council discussed the desire to adopt such a policy.

Mr. Cline summarized that if it is the will of Council to contract with Horne and King, that can be legally done, and the ordinance should address the merits of such a contract. Mr. Molnar said that Council could do two different ordinances, one that sets up the criteria for the future, and one that addresses this particular contract. Mr. Cline said he would prefer a generic ordinance that deals with process rather than tailoring the ordinance to meet a particular project. He said that drafting an ordinance entering into an agreement with Horne and King may be easy to draft and vote on at the next meeting. The one identifying a policy will likely entail a longer process.

Mayor Schultz asked what is the status of entering into a contract with Horne and King. Mr. Lutz said that at the last meeting, Staff was directed to negotiate a contract with them. That document will be brought before the Finance Committee at their next meeting. Mayor Schultz reviewed that an ordinance entering into contract with Horne and King should identify the reasons for doing so. A separate ordinance can then define the whole process.

OTHER COUNCIL MATTERS

There were none.

