

## **CITY OF POWELL COUNCIL**

**November 18, 2003**

A regular meeting of the City of Powell Council was held on November 18, 2003, and called to order at 7:35 p.m. by Richard Cline. Other Council members present were Jim Seta, Tom Counts, Dave Lackey, George Kaisa, and Dan Wiencek. Art Schultz was absent. Also present were Stephen A. Lutz, City Manager; Nan Metz, Finance Director; Rob Rice, City Engineer; Dave Betz, Development Director; Shea Crawford, Community Affairs/Special Events Coordinator; Ken Molnar, Director of Law; residents and representatives of the press.

### **CITIZEN PARTICIPATION**

Jesse Carter, Delaware General Health District (DGHD) presented the Council with an update of priority setting for public health services to residents within the district. He reviewed the results of surveys the district has completed regarding health concerns and communication by the district.

Sandra Walden of 54 Forest Ridge Court and Heather Kerr of 24 Forest Ridge Court spoke together as representatives for the neighborhood. They are concerned about the proposed bike path in their neighborhood. Mr. Lackey asked if this was about the bike path that would run along Powell Road. Ms. Walden said she was concerned that it would go through the middle of one her neighbor's backyard, ten feet behind her garage. This neighbor is single and there are structural and privacy issues. They are also concerned about structural French drain running under ground. Ms. Kerr mentioned safety issues with the bike path running so close to her home and others.

Mr. Cline asked if any bike path decisions have been official made. City Manager, Steve Lutz, said that nothing has been set in stone and at the first Council meeting of the New Year, there would be discussions held to talk about the bike paths further and priorities.

Ms. Walden said she was concerned with priority number 2 and not having the opportunity to have input in the decisions.

Mr. Cline said the City would want the input of those most directly affected by the decision and for the two representatives to sign in so they could be notified.

Mr. Cline asked if there was any additional public comment. Hearing none, he closed the public comment session.

### **APPROVAL OF MINUTES**

The minutes of November 4 were amended and approved.

### **FINANCIAL REPORTS**

Ms. Metz, Finance Director, explained the financials were approved at last night's Finance Committee meeting. They did discuss the income tax. The October amount was lacking and dropped by 50% from last year. As of yesterday, the November financials showed a \$300,000 increase, thus a 50% increase from last year.

Ms. Metz reported that she feels the proposed RITA contract is a good one. She reviewed that the City is on tract for income tax collections, but that property taxes are down, which is a problem state-wide. She said that property taxes aren't a huge amount of the City budget, so this doesn't present any major difficulties. She noted that the City did receive a \$753.00 grant from the Federal Office of Criminal Justice Bullet Vest fund.

Ms. Metz noted that the City did purchase lots 108 and 109 for the Village Green.

Mr. Cline clarified that the actual income tax collection to date through November exceeds projections.

### **OTHER REPORTS**

**Planning and Zoning Report** – The Planning and Zoning Report was received. Mr. Betz reported that on Friday, Nov. 21, a Developer's Summit as a part of the Downtown Revitalization Plan would be held at the Municipal Building from 8:00 am to Noon.

**Parks and Recreation:** There was no report.

**Police Department:** The monthly police report was received. Mr. Seta asked Chief Vest about residents' concerns regarding bike paths, activities on the street, and street signs that might be blocked. Chief said there

are street light checks, sign checks, etc., and that the road crew is often called upon to fix things like that. Mr. Seta said he would want to get Chief Vest's input on signs for parks and bike paths.

**CLERK OF COUNCIL REPORT – LIQUOR LICENSE REQUEST** - Mr. Lutz explained there had been a liquor permit request for the northeast corner of Sawmill Parkway and Seldom Seed Road.

John Ciotola and Randy Turturice with Turtola Wine and Bar Market came to answer questions regarding their establishment and request for a liquor license. They explained they planned for a concept restaurant that is popular in Italy. It would be a wine bistro and café that would be a combination market and evening crowd, serving wine, espresso, desserts. Anti-pasta, pizza, etc.

Mr. Wienczek asked about the outdoor area. Mr. Ciotola answered that they were planning on offering seating outside. There were 140 seats total, with 56 outdoors. Half of the outdoor seating would be covered. Mr. Wienczek asked if they were at the minimum for enclosures. Mr. Ciotola felt they would be over that and would be utilizing vegetation and other hedgerows as enclosure materials. This would all face out to other green space and fairly isolated. There was no objection to this license.

It was discussed that the current liquor license holders permits are up for renewal. Mr. Cline asked Chief Vest if there were any problems with the City's current liquor license holders. Chief Vest replied that there were not any incidents in recent years. There were no objections from the members of Council regarding any liquor permits.

**HISTORIC DISTRICT COMMISSION APPROVAL OF 62 SCIOTO STREET AS ALLOWED BY SECTION 1143.23(i):**

Mr. Lutz said the Historic District Commission approved a certificate of appropriateness for a rear, one-story addition to 62 Scioto Street. One condition was to all J channels be hidden under the corner boards. The applicant has asked that the J channel be re-considered as a part of the addition. Mr. Betz showed the location of the property and the proposed new addition. He explained that the condition was added to by the Historic District Commission to hide the J channel behind the trim board. This would change the trim and the applicant would not be able to match the vinyl siding.

Mr. Lackey asked what are the standards for this review. He asked if Council looks for clear error in the Historic Districts actions. Mr. Molnar read from the codebook and said if there are not guidelines, than it is not a major issue.

Mr. Wienczek expressed concern that Council could hamper the ability of the HDC to go through its processes if specific requirements aren't addressed in the architectural guidelines. Mr. Betz said the issue is that the trim won't match the existing trim on the house. Mr. Wienczek inquired if there a section in the guidelines that talks about matching existing architecture. Mr. Betz said there is a general statement in the Historic District of how additions in the Historic district should be compatible with existing structures. Mr. Wienczek said he would like Mr. Betz to find in the zoning code that which speaks to Council's justification to approve or disapprove the request.

Mr. Cline agreed with Mr. Wienczek's analysis, but said the Council was not limited to the issue presented. He said he feels they could make a decisions based on rational basis. He felt requiring that trim that does not match existing trim is not an appropriate request and he would support the removal of condition #9.

Mr. Kaitsa said that he understood the condition and it would require the owner to add wood construction to accommodate the J channel. He is more concerned with the appearance in the context, rather than dictating the means for the construction of the addition.

Mr. Lackey said he had no problem with the request. He has looked through the Historic District minutes and sees no justification and no support for the condition. He would look to remove #9 as well.

Mr. Seta said he would support taking out condition #9 as well.

**MOTION: Mr. Cline moved to remove requirement of the #9 J Channel condition from the Historic District recommendation for 62 Scioto Street. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**SECOND READING: ORDINANCE 2003-61: AN ORDINANCE ADOPTING THE PROPOSED BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2004 AND DECLARING AN EMERGENCY. PUBLIC HEARING.**

Mr. Lutz explained at the last Council meeting, there was a lengthy review of the 2004 budget. He reviewed the one-page summary of the budget located on page 24. He briefly highlighted a few significant changes in the budget. He noted the contingency account, which has been increased from \$100,000 to \$200,000 for the 2004 budget in anticipation of implementing some of the recommendations from the Downtown Revitalization plan. He reviewed the transfer from the General Fund to the Capital Improvement Fund, Reserve Fund, and Parks and Recreation. He reviewed the funds proposed for the NPDES – Phase II Storm Water program.

Mr. Lutz identified the Finance Department's appropriation for and investment advisor services, and the Park Maintenance Account which provides for two additional parks and recreation maintenance employees. He noted that the Police Department has one additional police officer proposed. He identified money in the Public Service Department budget for the mandatory sidewalk repair program. He noted the budget contains the funding for debt service for the move of the Police Station to the Village Green.

Mr. Cline asked if Council has to move to modify the document regarding staff and compensation issues. Mr. Lutz replied that a revised ordinance was included in the packets and the decisions from the last executive session were put into the new document, which will be taken to a third reading.

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

**SECOND READING: ORDINANCE 2003-62: 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, 2004. PUBLIC HEARING**

Stephen A. Lutz, City Manager, reviewed that this is the companion ordinance to 2003-61. He said there was an amended version in the Council packets, which reflects conversation from last meeting.

**MOTION: Mr. Cline moved to amend Ordinance 2003-62 as originally proposed to reflect the amendments in the documents titled Ordinance 2003-62 Amended 11-18-2003. Mr. Seta seconded the motion.**

**VOTE: Y 6 Y 0**

**FIRST READING: ORDINANCE 2003-63: AN ORDINANCE AUTHORIZING COMPLETION OF THE POWELL PARK DEVELOPMENT PHASE 1, TREE DEMOLITION AND RELOCATION PROJECT, FURTHER AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS, ACCEPT THE LOWEST AND BEST BID FOR THE ABOVE-REFERENCED PROJECT, AND CONTRACT THE PROJECT IN AN AMOUNT NOT TO EXCEED THE ESTIMATES, AND DECLARING AN EMERGENCY.**

Stephen A. Lutz, City Manager, reviewed that next spring the parks will be undergoing significant changes due to development and construction, and one of the first components would be to remove dead and diseased trees.

John Edsall, Edsall and Associates, reviewed that in May or June of 2003, two studies were conducted regarding tree removal. Chris Allen, of Allen Arbor & Tree Preservation were involved in this process. He said that all trees have been surveyed, analyzed and checked. They identified trees that could be a potential threat because of rotting, canopy character, large cavities, storm damage, etc. One of the things recommended by the studies was that in wooded areas, trees not in a reasonable proximity to a path need not be removed. They would leave the tree to go through the natural evolution of decay. In August 2003, Edsall & Associates developed a report with recommendations in all the parks for trees considered of the highest priority for removal. Mr. Edsall thanked Dave Betz and Jeff Snyder for taking the time to look closely at the recommendations and said he concurred with them.

Mr. Edsall reviewed the tree removal proposal and the bid process. He noted that the City will be getting the work done individually, saving between 10-15% in general contractor mark ups. He said the contract requires the company to have a certified arborist on staff at all times.

Mr. Edsall wanted Council to know that the large oak in Oak Park, off of Liberty Street, was found to be rotting and a safety hazard. It needs removed, or another thought was to cut it down to 2 ½ feet above ground and place an educational plaque on it to tell the story of the tree and how things evolved over time in the community.

Mr. Edsall reviewed that this ordinance needs to be passed tonight to meet the construction schedule. He said that the City is at an advantage because tree companies are not busy during this time of year. He said the trees can be removed and moved by mid-March. Mr. Cline said this would allow the City to alleviate safety hazards, save money, speed up the park construction and lastly, accomplish a lot in the parks when otherwise, the City would be sitting on hands and doing nothing. He stressed that the City made every effort to identify all the trees that could be saved. Mr. Edsall agreed.

Mr. Allen spoke to Council about Aristrograph testing, where a small needle is inserted into the tree trunk and measures the density of the wood by the amount of open space or decay through vibrations

Mr. Seta said that when Murphy Parkway was first being worked on, there was a tree that was taken down and when he went to see it, he was surprised that so many trees were decayed and hollow. He said, although the report may be somewhat shocking, many trees in the parks are, in fact, in bad condition.

Mr. Seta asked if all of the trees are marked or tagged that would be removed or relocated. Mr. Edsall explained that blue x's are on the trees to be removed. Trees that are being moved are identified on plans and then new locations are pinpointed on the plans as well. The greatest amount of relocation is in Arbor Ridge park. He said the greatest amount of money being used for removal will be spent at Library Park due to a fungal disease on most of the conifers along the west side. Mr. Count said this is the kind of thing residents would need to be educated on and to let them know why it's happening.

Mr. Wiencek asked if the City has received control over Meadowview Park yet or would they be removing trees on land still owned by the developer. Mr. Lutz said the owner is ready to hand it over to the City. Mr. Kaitsa asked if cleaning out the weeds in the pond was included on the list for this project. Mr. Lutz responded that it was not, but there would be improvements to pond, such as aeration.

Mr. Kaitsa opened this item to public comment.

W. H. Canfield of 488 Wooten Court South asked how the good trees will be protected. Mr. Edsall said the specifications are stringent for the removal of dead trees and there are costly consequences to doing damage to existing trees. He said certified arborists, in tight situations, can remove the dead trees without destroying the healthy trees.

Mr. Edsall said they want to create and accommodate interest in the parks. In some cases, such as in Meadow View, some trees might be cut down to a high stump (18 inches of height) to use as toad stools. Mr. Cline paraphrased that the intent would be to take the tree down in a way not to damage any of the surrounding trees and work around existing trees. Mr. Edsall said there is a penalty clause in the contract to help protect surrounding trees and states that the replacement values for the various trees, etc. For example, each shrub is \$100, \$1000 for evergreens and \$500 for ornamental trees.

Michelle Payton of 437 Hopewell Drive asked when they (the residents) should be at City Council to meeting on the Parks. Mr. Lutz responded that at the next Council meeting, Dec. 2, Edsall & Associates would be presenting final cost estimates. A complete report will be presented at the following meeting.

Mr. Seta said Meadow View Park is interesting since it is surrounded by homes and some residents have expressed concern on the removal of the trees, transporting of trees, construction traffic, etc. Mr. Rice was working on a site development plan and the logistics of how traffic in and out the other area, etc. There will probably be more discussions on how each resident is affected by the park development in Meadow View. Mr. Lackey said a bulk of the trees will be along Ashmoore Drive and won't interfere with properties.

**MOTION: Mr. Cline moved to suspend the rules on Ordinance 2003-63. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**MOTION: Mr. Cline moved to adopt Ordinance 2003-63. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**FIRST READING: ORDINANCE 2003-64: AN ORDINANCE APPROVING AN AMENDMENT TO THE PRE-ANNEXATION AGREEMENT AMONG THE CITY OF POWELL, TRIANGLE PROPERTIES, INC. AND THE LIBERTY COMMUNITY INFRASTRUCTURE FINANCING AUTHORITY.**

Mr. Lutz recommended removing this from the agenda. The Finance Committee began looking at this at last night's meeting and it's not ready to be presented before Council.

**MOTION: Mr. Cline moved to remove Ordinance 2003-64 from the agenda. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**FIRST READING: ORDINANCE 2003-65: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2003 AND DECLARING AN EMERGENCY.**

Mr. Lutz explained the Finance Committee reviewed this ordinance and the following appropriation ordinances.

Nan Metz, Finance Director, reviewed the attachment to the ordinance which relates to Golf Village debt service and Park Development.

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

**MOTION: Mr. Cline motioned to suspend the rules on Ordinance 2003-65. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**MOTION: Mr. Cline motioned to adopt Ordinance 2003-65. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**FIRST READING: ORDINANCE 2003-66: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2003 AND DECLARING AN EMERGENCY.**

Ms. Metz said this ordinance is necessary to allow the 2004 State audit to begin. The auditors will arrive tomorrow to begin work. She noted that there is a 15% increase in cost from last year. She said that Staff did originally have the money for the audit in the 2004 budget, but the auditors wanted to start work in 2003.

Mr. Wiencek asked how the fee is determined. Ms. Metz said it is a state fixed rate and it is estimated and based on prior audits. The cost for last year's audit actually came in under the contract amount and it has been under the last two years, as well. Mr. Wiencek said in the past few audits, some issues have arisen. Did staff think there would be any problems this year. Ms. Metz said she hoped not and that the Staff has made all appropriate actions to not have problems.

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

**MOTION: Mr. Cline motioned to suspend the rules on Ordinance 2003-66. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**MOTION: Mr. Cline motioned to adopt Ordinance 2003-66. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**FIRST READING: ORDINANCE 2003-67: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2003 AND DECLARING AN EMERGENCY.**

Ms. Metz said this appropriation is for the purchase of digital photo equipment for the Police Department. It is utilizing one of the City's special revenue funds, the Board of Pharmacy Funds. Chief Vest said that currently, pictures are developed at a local camera store, but this equipment would give the Police Department greater control. Additionally, this appropriation is for \$150.00 of drug education information.

Mr. Cline said staff is looking at more than a camera, but computer equipment to utilize the information that can't be challenged in Court. Chief Vest added that all of the cars have digital cameras and the department wants to validate their use.

**MOTION: Mr. Cline motioned to suspend the rules on Ordinance 2003-67. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**MOTION: Mr. Cline motioned to adopt Ordinance 2003-67. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**FIRST READING: ORDINANCE 2003-68: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2003 AND DECLARING AN EMERGENCY.**

Ms. Metz said this ordinance is to provide for additional funds for the contracting of commercial plan reviews and other services, such as building inspections. Usually the City hires a contract inspector whenever one of our two inspectors is on vacation during the winter months. She said the City has taken in enough revenue to offset the \$10,000 appropriations. They were able to move a little money from the salary and benefit line item. She explained that part of that was because the original appropriation for contracted services was used for a temporary building permit coordinator, which used up those funds.

**MOTION: Mr. Cline motioned to suspend the rules on Ordinance 2003-68. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**MOTION: Mr. Cline motioned to adopt Ordinance 2003-68. Mr. Counts seconded the motion.**

**VOTE: Y 6 Y 0**

**FIRST READING: ORDINANCE 2003-69: AN ORDINANCE APPROVING THE INSTALLATION OF THE PERRY-TAGGART SANITARY SEWER IMPROVEMENTS, A SEWER TRUNK LINE BY DELAWARE COUNTY, OHIO WITHIN THE DELAWARE COUNTY SEWER DISTRICT AND THE MUNICIPAL BOUNDARIES OF THE CITY.**

Stephen A. Lutz, City Manager, added a desire to add emergency language to this Ordinance.

He explained in 1980, the City of Powell turned over the sewers to Delaware County to maintain and operate. That legislation allowed the City to review new sewers. He said that the County is planning a major sewer from across The Retreat on the east side of State Route 315 north to Hyatts Road. The Planning and Zoning Commission did review this plan at their July 23 meeting.

Chad Antle, Delaware County, was present to answer any questions on this issue. Mr. Cline asked when work would begin on the project. Mr. Antle replied that the County wanted to break ground this fall, but the County was having trouble obtaining four easements just north of Powell in Liberty Township. Mr. Seta inquired about manholes in a floodway and if that was problem. Mr. Antle replied that in the flood plain, the manholes would be at the existing land level. He said that the lids on the manholes were rubber sealed and bolted down, so water could not get into the sewer system. Mr. Seta asked if State Route 315 traffic will be impacted with the construction of the sewers. Mr. Antle said no and the County would try to minimize any negative impacts construction might have on traffic. There would be some traffic from construction vehicles, but they would have particular entrances and exits from 315. Mr. Seta asked about the depth of the sewer. Mr. Antle replied that the depth varies between 28 ft and 15-20 ft for sewers.

**MOTION: Mr. Cline moved to amend Ordinance 2003-69, with the following amendments. 1.) In the Ordinance title, strike the last period and insert a comma, then insert the words "and declaring an emergency." 2.) Add a whereas clause, as follows, "Whereas Council has determined that an emergency exists, in the means to permit the County to initiate this project immediately upon completion of securing the easements. Mr. Lackey seconded.**

**VOTE: Y 6 Y 0**

**CAPITOL CITY BUILDERS RECREATION FEE WAIVE REQUEST:**

Mr. Lutz recommended Council defer the matter to the next Council meeting, since the City Council could not take action with the absence of Mayor Art Schultz. Mr. Lackey went on record to say the City has the fee, the

balance and negatives from the development. He felt with such an improvement, it is a benefit to the City without a cost to the community, so why would the City, in essence, double their fee. He feels like the City could lose out if they didn't waive the fee and the company decided not to build the soccer fields. Mr. Seta reminded Council members that in 2004, there will be no parks open due to park development construction and the area needs those fields.

### **COMMITTEE REPORTS**

**Development Committee** Mr. Seta reported discussions at the November 12 meeting which included safety issues and concerns on the city's bikepaths. He said the Committee also discussed cement fiber siding, and said the Committee is working on a policy recommendation to present to Council.

Mr. Seta said there will be a special meeting to discuss the Grandshire road extension to Murphy Parkway, to be scheduled in December. Mr. Lutz said the neighborhood is divided on this issue for the connection, as the he has received feedback from residents who are for the extension.

**Finance Committee:** Mr. Kaitsa explained that the Committee met on November 17 and discussed several of the items on tonight's agenda. Mr. Kaitsa said City Engineer, Rob Rice, would be working on a plan for the curb/ramp improvements in line with sidewalk repair program. There was also a discussion with a representative from Triangle Properties on using the Liberty Financing Authority and matching investments for that ordinance. The Committee received notice from Delaware County Railroad Task Force that the cost to the City for the installation of new railroad gates and pedestrian gates of \$110,000, the City has paid \$60,000, leaving \$50,000 remaining. There are other sources available to pay for the gate projects and the City won't be using money from the general revenue fund. There was a brief discussion on providing assistance for a handicap accessible playground.

**Service Committee:** No report given.

**CITY MANAGERS REPORT** – Mr. Lutz asked for Council consideration regarding dates for the 2004 Wendy's Cycling Classic. Mr. Lutz explained how the Powell Festival is usually held on the last weekend of June, in 2004, those dates being June 25, 26<sup>th</sup>. That is also the dates for 2004 Wendy's Cycling Classic. Staff's recommendation is the City staff cannot handle both of those events on the same weekend. Instead, staff would like to continue with Powell Festival in 2004, but defer the Classic for one year. The promoter of the Classic is also promoting the Ohio Criterion Championship, a bicycling race similar to the Wendy's Cycling Classic, which Powell could host one leg of that event if we so chose. Mr. Lutz explained if we wanted to have a bike race, we could look at participating in this event in 2004.

Mr. Seta asked if the cost would be similar to Wendy's Classic. Mr. Lutz responded that the set-up would be same course and same staff requirements. The fee would be less than the Wendy's Cycling Classic, which the City paid \$5000. Mr. Seta said to get additional information and bring to Council.

Mr. Seta wanted to remind the Council that construction would begin in the spring, but Memorial Park will be held off until the festival is over. There would be a short construction period at that park.

Mr. Kaitsa had a question in regards to the barricades at Murphy Parkway, where it looks like the road is complete. He asked why they were there. Mr. Lutz said when Murphy Parkway was extended as a part of the Murphy development, one of the conditions in the ordinance adopted by Council was that parkway wouldn't be opened up until the southern portion was built. He went on to explain without the extension, it would flood Grandshire with traffic, and so, until the southern end if opened up, it will remain closed.

### **OTHER COUNCIL MATTERS**

Mr. Seta told Council that he is working with Mr. Lackey on Meadow View Park planting and landscape plans. He said they are working with property owners and trying to get agreement on to allow the landscaping near the paths. There was talk about landscaping with a line of spruce, but they are now making adjustments to the plans with fewer trees and it could save money. These changes should help to make the easements go through smoother.

Mr. Lackey said he didn't mind the changes to the plans, but he felt that some residents are second guessing Mr. Edsall's choice of trees and he wasn't willing to entertain resident picking trees out for the plans. He felt the landscape architect had the ability to pick out the right plant materials for the landscaping.

Mr. Wiencek agreed tree screening in both directions and part of the landscaping effort here is to help screen the very same houses from the view of the park, so he would ask there be an appropriate balance when it comes to the changes to the landscaping plan.

Mr. Seta said that all the meetings are open to the public and not private. If the residents cannot come to an agreement, it may be removed from the plans.

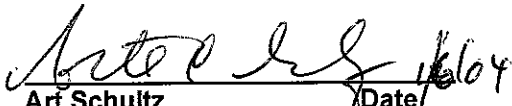
**MOTION: Mr. Cline moved to adjourn the City Council meeting. Mr. Lackey seconded the motion.**

**VOTE: Y\_6\_ Y\_0\_**

**ADJOURNMENT**

The meeting ended at 10:05 PM

**DATE MINUTES APPROVED: December 16, 2003**

  
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Art Schuitz  
Mayor

  
\_\_\_\_\_  
Sue D. Ross  
Deputy Clerk of Council

1/6/04  
Date