

CITY COUNCIL

March 16, 2004

A regular meeting of the City of Powell Council was held on March 16, 2004, and called to order at 7:40 p.m. by Mayor Dan Wiencek. Other Council members present were Jim Seta, Art Schultz, George Kaitsa, Richard Cline and Dave Lackey. Don Grubbs was absent. Also present were Stephen A. Lutz, City Manager; David Betz, Director of Development; Nan Metz, Finance Director; Chief of Police, Gary Vest; Dawn Nauman, Clerk of Council; Ken Molnar, Director of Law; residents and representatives of the press.

PRESENTATION

Chief of Police Gary Vest presented awards to individuals who attempted to save the life of a driver who drove into a pond along Sawmill Parkway. Matt Combs, John Banray, Don Waller, and Police Officer Kevin Flaherty were present to accept these awards.

CITIZEN PARTICIPATION

There was none.

APPROVAL OF MINUTES

The minutes of March 16, 2004 were amended and approved.

FINANCIAL REPORTS

Nan Metz, Finance Director, reviewed the financial reports.

OTHER REPORTS

The Chief of Police had nothing to add to the Police Report.

Jeff Snyder was present to discuss the Monthly Parks and Recreation Activity Report. Mr. Cline asked if Mr. Snyder is comfortable with the level of activity in the parks and recreation programs. Mr. Snyder said that they typically have about a 30% cancellation rate, but it has been higher this quarter because there are 30 additional programs. Mr. Seta asked when the spring programs will be advertised. Mr. Snyder said that the brochure will be mailed in mid-late April with registration beginning the second week of May. He said that the schools are very accommodating for programming since the parks won't be available this summer.

Mr. Betz was present to answer questions regarding the Monthly Planning and Zoning Commission report. He said that the next Sawmill Parkway corridor study meeting will be held on Wednesday April 7 at 7:30 p.m.

CLERK OF COUNCIL CORRESPONDENCE

Mayor Wiencek reminded Council members to file their Ohio Ethics Commission information as the deadline is approaching.

REVIEW POLICE DEPARTMENT RELOCATION PLANS – Dave King, Horne and King Architects

Dave King, Horne and King Architects, gave a review of their plan for the Police Department Facility relocation, the Village Green façade improvement, and the possible renovation of the administrative offices.

Mr. Seta asked what the square footage is proposed for the Police Department. Mr. King said it is at about 11,000 sq. ft. He said the total budget remains at \$1.6 million, including not only the renovation of the south half of the building for the police, but it also includes the complete exterior renovation to the railroad station concept and public restrooms for the park, this building, and the community room. Mr. Seta asked about the low exterior wall. Mr. King described the arbor wall that is an economical solution for architectural effect.

Mr. King said that they have worked very much with the Police Department as well as administrative staff to incorporate their desires for the facility. He said that he believes these proposals allow for future expansion.

Mayor Wiencek asked if Mr. Edsall is concerned that a principal access to the park from the amphitheatre side will be removed with this plan. Mr. Edsall said he is not. He said that he agrees with Horne and King that mixing the public and those accessing the Police Department would not be a good thing. Mayor Wiencek expressed displeasure with the proposed location of the restrooms for access of those in the park. Mr. King said that if the administrative side is not included in the project, then the toilets would be moved to the southern side. He

noted that as proposed, the toilets are accessible to both the park and the meeting rooms. He identified a variety of locations that were considered. Mayor Wiencek questioned the need for covered parking for the police vehicles. He asked what percentage of the time they are not going to be on the road that warrants covered parking. Chief of Police Gary Vest said that when the officers are indoors doing paperwork, the cars are left running during cold weather because the officers don't have time to heat up and defrost their cars. In the summer, they need to keep the computer and electronic equipment cool.

Chief Vest noted that this facility will not just meet the immediate needs of that department but accommodate the approximately 32 officers they anticipate needing some day. Mr. King said that they also have included electric posts to allow block warmers for the cruisers during cold weather as an alternate.

Mayor Wiencek asked why walled offices are needed when "most of the world is in cubes nowadays" Mr. King said this is a blend of offices and work stations. He said that the Chief has his own office, but there is another office with four work stations. He reviewed other areas that large rooms are broken down for multiple users. He noted that the building is designed for a much larger staff than the Police Department currently has.

Mr. King reviewed the study of the north side of the building and the proposal for the expansion and reorganization of the administrative personnel area of the Village Green. He reviewed the proposal for the change of the Council chambers to the east side of the building, overlooking the amphitheatre and the park. He reviewed their intention to enhance the relationship between the council chambers and the Village Green. He reviewed the proposed façade improvement for the exterior of the administration facility.

Mr. Kaitsa asked if it is correct that the proposal is the lowest cost option for both the Police Department and administration. Mr. King said it is not the most expensive option, and it reflects discussions with a variety of people. Mr. Lackey clarified that the administrative portion would be added to the \$1.6 million scope. He concurred with the mayor's concerns regarding the restroom location. He said he thinks the proximity of the park and splash pad require a closer restroom. He said he thinks it is a mistake to move the restrooms unless there is a separate free standing restroom located somewhere in the park.

Mr. Schultz asked if a corner of the police area could be removed to make room for a bathroom closer to the park. Mr. King said that the Police Department needs the square footage that has been designed for them based on the needs assessment. He said that if it is determined that the scope of the project will change to include the administration, then there may be other alternatives for restroom location. Mr. Betz noted that the proposal will eliminate the administration building's storage and this design accommodates its relocation.

Mr. Kaitsa questioned the need for a community room if the Parks and Rec. department is moved to the old Police Department facility. Mr. Lutz said that is an issue that has been discussed quite a bit by Staff. He suggested that the old Police Department could be used by the public and the Council chambers could remain here.

Discussion ensued regarding how to proceed with the Police Department plan and the proposal for the administration building. Mr. Cline said that the Finance Committee felt the plan provided enough benefit to the City to be given some consideration, but there is not enough money to do all of the desirable projects within the City. He said the prioritization of many projects is too broad for the Finance Committee.

Mr. King said that it will cost approximately \$400-\$500k to expand the scope of the project to include the administration building. Mayor said the question is whether to proceed with renovations to the administration portion of the Village Green. Mr. Cline said that he thinks the goal is to explore whether or not that additional renovation is something the City is willing to spend money on. He said that Mr. King probably doesn't want to put an effort into a plan that everyone would buy into if conceptually that isn't going to happen. Mr. King said he wouldn't want to spend effort in putting together the perfect plan if Council isn't going to move forward.

Mr. Schultz asked how much it would cost to come back later and do the additional redesign. Mr. King said that Council could consider a way to phase the entire project. Mayor Wiencek said while there may be economies of scale lost, he sees the northern portion as interior work that wouldn't necessarily represent a significant savings if the entire project is done together.

Mr. Seta asked if there is a reason why Mr. King is looking at the whole picture. Mr. Lutz said that the thinking is that it is desirable to have a plan for the north half while the south half is being redesigned. Mr. Seta asked if the administration building is hampered right now. Mr. Lutz said the City is fine right now, but if additional staff is added, it will become more and more difficult to find space. He said the first priority is replacement of the storage space if the Police Department is built. Mr. Seta said it sounds to him that the bathrooms are a high priority, as is the Police Department. He said the community center could be renovated to become the storage facility as well. Mr. Schultz said that he thinks the restroom location will help drive the development of the northern portion. Mr. Seta said the bathrooms were removed from the park because they would be relocated here. He said he is hearing that the security reasons will override doing anything to the southern part of the building. Discussion ensued regarding possible redesigns to accommodate the Council chambers, restrooms, and storage.

Mr. Kaitsa suggested pursuing plans for the entire building that could be done in a phased approach. Mr. Cline said that he would like to pursue a Council Chambers located in a similar manner to that which has been proposed and restrooms easily accessed from the park, even if it means impeding on the Police Department records/dispatch area. Mr. King proposed an addition that would be possible, particularly, if Parks and Rec. is moved to the old Police Department. Mayor Wiencek summarized that Mr. King should go back and conceptualize his design a little bit further and estimate the cost to firm up the concept for the northern portion of the building. Mr. Lutz expressed a desire for Mr. Snyder to have strong involvement particularly in discussions about moving the community room to the old building.

Village Green Electrical Improvements

Mr. Lutz said that later on the Council agenda is a second reading on an ordinance approving a \$20k appropriation to improve the electrical service at the Village Green for the park improvements and building improvements. He said there were technical questions asked about this item at the last meeting, and he suggested that Mr. King and Mr. Edsall address them while they are here.

Mr. Seta asked what the service is being changed to. Mr. King said he doesn't remember but he knows it will accommodate the entire facility. Mr. Edsall said that the current panel is only used to about a 30% level because there are number of circuits that are turned off because they were originally used to feed remote buildings. He said that the park project was initially going to put in a panel to adequately serve the park. It was determined, though, that improvements to this building would require removing the improvements for the park. They are therefore recommending that the projects be done simultaneously to save \$2k.

Mr. Cline asked if the electrical upgrade that is proposed will service the current building's footprint and beyond. Mr. King said he will confirm that, but his recollection is that it was intended to accommodate some future growth.

Mayor Wiencek reiterated that Mr. King is being asked to work with Staff to come up with an estimate to firm up the concept for the northern portion for this building, but his sense is that the majority of Council doesn't seem to be ready to go down the path of construction in the immediate future.

The agenda was reorganized to address the following Resolution.

RESOLUTION 2004-10: A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE A PROPOSAL TRANSFERRING OWNERSHIP AND CONTROL OF THE OLENTANGY SWIM ASSOCIATION, INC. POOL TO THE CITY OF POWELL.

Stephen A. Lutz, City Manager, reviewed that the Olentangy Swim Association (OSA) recently sent a letter to their members identifying a desire to transfer ownership of the pool to the City of Powell (Exhibit).

Mr. Schultz said that this idea has been discussed for some time. He and Mr. Lutz discussed this issue even late last year. He said the concern is that the model that worked well for OSA for many years is starting to have increased competition from community owned pools in the area. He said there has been a difficulty attracting new members due to the requirement that such members buy a portion of the pool to become a member. He said that the pool sits on City property and it is unlikely that someone would want to buy it and make a profit there while still being competitive with publicly funded pools. Mayor Wiencek noted that Council has been

provided with the fee structures for other pools in the area as well as with OSA's profit and loss statement for 2003 so that the expenses for the foreseeable future may be identified.

Dave Chambers, Board of Directors, OSA, said that they are a non-profit corporation formed in 1995 to fund and develop a swimming pool at North park. At that time, an agreement was made that the OSA would lease the land for 50 years. 1996 was the first year of operation, and it was private, because the City didn't have the funds to operate a pool of this magnitude. When the pool was built, there was no competition. In the mean time, a number of government subsidized pools have opened in the area, and the fee structures are hard for the OSA to compete with. Mr. Chambers said that the timing seems good right now to review this because of the park development. He reviewed the term of the proposal of the OSA.

Mr. Schultz said that he thinks this a win-win solution. He said the current members are looking at increasing annual dues, and the \$1k bond has made it difficult to attract new members. This will take the burden off many of the residents, and the City will get a considerable asset out of accepting the remaining debt on the pool for the residents and parks and recreation programming.

Mayor Wiencek asked Nan Metz, Finance Director, whether the assumption of this debt significantly handicaps the City's ability to go forward on other projects, or is it more a function of the additional operating expenditure. Ms. Metz said that Capital Improvement plans may be impacted, because any additional debt will add more to the City's debt service and reduce the amount available for any other capital improvements. She said with this debt, the City would be limited to approximately \$3 million more in unvoted debt. Mr. Kaitsa asked if the City isn't also approaching its overall debt limit, including voted debt. Ms. Metz said it is still about \$8 million, but the most limiting factor is cash flow.

Mayor Wiencek opened this item to public comment.

Paul Webber, Powell/Liberty YMCA, said that there is a need for aquatic space, and the levy they had on the ballot to enclose the outdoor pool did not pass. He said they would like to work with the City on a Comprehensive Plan for aquatics and water space and work together to provide the services the community needs.

Mr. Chambers said that it is envisioned that there will be a three-tiered fee structure for non-residents, residents, and the OSA members, which will be 10% lower than Powell residents. He said the dues will cover all operating expenses as well as debt repayment. He said while this may be an increase in the unvoted debt for the City, the payment will come from the dues. Mayor Wiencek asked what the current membership is. Mr. Chambers said it is a maximum of 550 families, and there are currently 485. Commissioner Wiencek asked how many members will be necessary to cover the debt service. Mr. Chambers said the dues rates are based on 700 families. Mayor Wiencek said that the pool cost over \$1 million to build, and the City would be taking on a million dollar asset. He said that the expectation is that those expenses will be significantly off-set because the pool is a revenue-generator. He said there is even potential for a small profit. He said that most communities operate their pools aiming to break even but end up with a small subsidy. He said the question is whether this additional service for the City is worth the risk of \$20k. He said something needs to be done, as the OSA's days are numbered. He said this solution is probably the best one.

Mr. Cline said that he has been opposed to this concept, but the more he thinks about it, the more he thinks it is important with the City to work cooperatively with the OSA. He said this doesn't mean he will vote for a particular proposal down the line. He said the resolution simply asks that the City and the OSA work together to find an appropriate plan that transfers ownership, and that could be a solution that hasn't even been considered tonight.

Mr. Kaitsa said he plans to support this resolution but he is concerned that the City has limited capital for high priority projects such as Murphy Parkway and the Police Department. He asked if there are other ways the City could help the OSA rather than taking on ownership, such as a subsidy, or opening up the pool to the public.

Mr. Lackey said that right now, the pool is an organization owned by its members. It needs to be transferred to the City or someone else. He said having it owned by members and opened to the public would be confusing.

Mr. Kaitsa said he believes Worthington pools have operated successfully under that model for quite some time. He said that bond holders get a discount and reduced fees. Mr. Schultz said that the OSA has already asked its members if they will transfer ownership to the City. They cannot absorb \$20k in losses in one year. If the City is going to take on that burden, then whatever needs to be done to break even needs to be considered.

Mr. Lackey said this could be moot if the current ownership isn't in favor of it.

Brett Lindsey, 306 Woodsfield, President OSA, reviewed the OSA's attempts to increase membership. He expressed concern with the direction this is taking, because this is "walking 3 steps backward from discussions" in meetings in the last weeks. He said that the issue has been brought before the members of the OSA, and it is vital for Powell to support it through the parks and rec. department. He asked if there isn't money available through the 7.5 million park bond issue. Mayor Wiencek said the short answer is no. Mr. Lindsey said that his understanding is that the Worthington pools began privately and are now public.

Mr. Seta said he doesn't think this is the time to debate solving the problem. Everyone so far has said that the resolution is a good idea, and he suggested that this move along.

MOTION: Mr. Seta moved to adopt Resolution 2004-10. Mr. Cline seconded the motion.

Mr. Schultz said that his vote in favor of this Resolution is a vote in favor of the City taking over the pool.

Mr. Cline agreed that the members of OSA need to make their decision based on what is correct and proper for them. He said everyone should agree tonight as to what this Resolution means. If a vote indicates a willingness to consider alternatives, then he will vote in favor of it. He said if it is supposed to mean that the OSA proposal is a "done deal," then he will not vote in favor of it. Mr. Kaitsa agreed. Mr. Seta agreed. He doesn't think this is anywhere near ready to go. He would like to explore a variety of options.

Mr. Lackey said that the OSA is meeting on Sunday and he thinks they deserve to understand what the majority of Council has indicated that they will do if the OSA agrees to transfer ownership to them.

Mr. Schultz said he believes Mr. Grubbs would agree that the intention is to make a statement to the members of the pool. He expressed concern about just saying that the City will think about it. Mr. Cline said he wanted to make it clear that a vote in favor of this resolution wasn't a vote in favor of the proposal. Mayor Wiencek agreed with Mr. Schultz that many of these issues were discussed off line and he doesn't know that Council is doing anyone any favors by saying that they want to study this further. He voted in favor of the resolution because the pool is on public property. The proper way to help them is with full control.

VOTE: Y 6 N 0

REVIEW PARK CONSTRUCTION BIDS – JOHN EDSALL, EDSALL & ASSOCIATES

Stephen A. Lutz, City Manager, identified \$6,046,000 as the remaining money from the \$7 million bond issue. He said that funds have been spent to purchase park land, go through the development and engineering process, and create contract documents. He said that five general contractors bid on Friday and the base bids were within the engineer's estimate. He passed out bid summaries and identified two general contractors within \$10k of each other. He said Council isn't asking for approval this evening because the intent is to research which bidder is the most responsive and responsible and to award the bids at a special meeting on March 23.

Debra Edsall, Edsall and Associates, reviewed the number of bids that were received for the general and individual contracts. She reviewed the project process since receiving the bids on Friday. She said they are requesting additional information from the general contract low bidders. John Edsall reviewed an analysis of bid tabulations (Exhibit).

Mr. Lutz noted that with the low bids, there will be a need to supplement the park bond money with approximately \$150k from other funding sources. He said when this project is considered, Council must also keep in mind the swimming pool issue, Murphy Parkway extension, and Police Department facility. A decision for one project will impact the others. Mr. Edsall said that Council could select the top three alternate bids out of the 10% contingency and still have about 6 ½ % left to cover other "unforseens." He said that the Village

Green site is the one with the most potential for unforeseen issues. Mr. Schultz asked for an example. Mr. Edsall said that there were extensive areas of aggregate on this site before it was re-graded. Some of it can be used to fill in the particularly swampy areas. But the previous owner of the land could have used or buried something that no one knows about. He gave anecdotal information of a project during which they unearthed buried gas tanks.

Mr. Lackey asked if the contractor's abilities to meet schedules will be reviewed. Mr. Edsall said it will. He said some are good at it and some are not. Mr. Lackey said that he knows that issues that can be looked into are experience, financial condition, conduct and performance of previous contracts, facilities management skills, and the ability to execute the contract properly. He said that financial statements should be reviewed to ensure that they have the ability and wherewithal to complete the project. Ms. Edsall said that much of that was included in the bid requirements: bidder qualifications, project examples, financial statements, and equipment. They were also asked to submit the list of subcontractors, and now they are requesting additional subcontractor information. Following this gathering of information, there will be an interview.

Mr. Kaitsa asked if the City is statutorily required to have a 10% contingency. He expressed an interest in exploring a lower contingency. Mr. Seta said that it depends on how much you want to risk, as 10% is standard. He said that one thing to be considered is that there is 10% contingency on everything now. He asked if there should be the same contingency for the planting and playground equipment. He noted that the water and sewer fees are still unclear, and those additional contingencies will offset any unexpected fees. Ms. Edsall said it could be 3-4 weeks before those fees are clearly identified.

Mr. Seta asked about the bid for the Game Time equipment at Arbor Ridge Park. Ms. Edsall said that all five of the equipment companies will be invited to bid for that. Mr. Kaitsa asked why the Game Time wasn't bid. Mr. Edsall said he doesn't know, they were as surprised as anyone. Discussion ensued.

Mr. Lackey noted a lien filed against Altman for non-payment of a painting contractor for another public project.

A brief discussion was held regarding the suggested alternates included in the memorandum.

Mr. Cline clarified that the intention is to make the alternate selections and select a vendor at the next meeting.

FIRST READING: ORDINANCE 2004-18: AN ORDINANCE FINDING TEAM PAIN ENTERPRISES, INC. QUALIFIED TO PROVIDE DESIGN BUILD SERVICES FOR THE CONSTRUCTION OF A SKATE PARK IN MEMORIAL PARK.

Stephen A. Lutz, City Manager, reviewed that the City hired Team Pain to design the skate park. They worked with the community last year and created the design, and they recommended that an equally qualified firm build it. He said that Council has the authority to find a business uniquely qualified to provide services, and Staff is recommending that in this case, they determine that Team Pain is such a business because of their experience in designing and building skate parks throughout the country.

John Edsall, Edsall and Associates, said that Team Pain has been involved throughout this process and have been active participants in the design charrettes for the skate park. He said that there is a full project manual only related to the skate park portion. It includes design and bid requirements. Ms. Edsall said that this won't change anything in the general contract. She said that a contract with this company would include very specific designs and specifications. Mr. Kaitsa asked if this would be a fixed price. Ms. Edsall said the contract will be "not to exceed" a fixed price. Mr. Kaitsa said there is no price included in the Ordinance. Mr. Molnar said that the contract will come back before Council for authorization.

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

MOTION: Mr. Seta moved to suspend the rules on Ordinance 2004-18. Mr. Cline seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Seta moved to adopt Ordinance 2004-18. Mr. Cline seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2004-13: AN ORDINANCE ACCEPTING THE ANNEXATION OF A 5.461 ACRE TRACT, MORE OR LESS TO THE MUNICIPALITY OF POWELL.

Stephen A. Lutz, City Manager, reviewed that this is a proposed annexation in Golf Village. It is a small section of land within the Centex development on the north side of Rutherford road east of Sawmill Parkway. He reviewed that they are planning to construct three single family houses and open space on this parcel.

David Betz, Director of Development, reviewed the parcel location and proposed plan for homes and open space. He identified the bikepath and possible requirement to move the underground bikepath. He said that the Final Development Plan still needs to be reviewed by the Planning and Zoning Commission.

Mayor Wiencek when this originally came to Planning and Zoning Commission, the bikepath ran the length of the park and up into the property. The applicant was asked to trade that in for a path along the street frontage.

Jack Reynolds, attorney, said that this plan is much more attractive to those purchasing homes from Centex because the area was originally zoned industrial. He said they are pursuing adding this to the Golf Village infrastructure.

Mayor Wiencek asked if the open space would be maintained by Golf Village. Mr. Reynolds said it will.

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2004-13. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to adopt Ordinance 2004-13. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

SECOND READING: ORDINANCE 2004-14: AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF POWELL, ADDING SECTION 521.22: ILLICIT DISCHARGE AND OBSTRUCTION OF THE SEPARATE STORM SEWER SYSTEM.

Stephen A. Lutz, City Manager, said that this Ordinance will bring the City in compliance with the standards associated with the NPDES Phase 2 unfunded federal mandate. He recommended taking this item to a third reading at the March 23 special Council meeting. A representative from the engineering department will be present to discuss this.

Mr. Cline expressed a desire to keep a running tab of how much this unfunded mandate is costing the City.

SECOND READING: ORDINANCE 2004-15: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2004 AND DECLARING AN EMERGENCY.

Stephen A. Lutz, City Manager, reviewed that this Ordinance will fund a \$20k electrical upgrade to the Powell Village Green to cover both the park improvements and moving the Police Department facility to this site. If this is passed this evening, it will free up \$20k of the park funds.

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

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2004-15. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2004-15. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2004-16: AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF POWELL, REVISING SECTION 711: ALARM SYSTEMS.

Stephen A. Lutz, City Manager, said that the Chief of Police has recommended this amendment to the City's alarm ordinances. Currently, the City requires an annual license, but the Police Department is not enforcing that requirement.

Chief Vest said the purpose of this ordinance is to bring the code in line with the current procedure to charge someone \$25 to register their alarms. The code includes an additional \$25 per year fee that is not in practice imposed upon residents. He said the recommendations here also charge higher fines for repeat offenders to be more in line with the state law. He said the two recommendations in this ordinance are:

1. To only charge \$25 when someone first moves into the City to register the alarm.
2. An increased fee for false alarms.

Mr. Seta asked how many false alarms the City gets per household. Chief Vest said that would be difficult to say, but there are false alarms every day for every shift.

Mayor Wiencek opened this item to public comment. Hearing none, he closed the public comment session. Chief of Police Gary Vest expressed an interest in including an article regarding these changes in the next newsletter if they pass. Mr. Lackey suggested putting the application on the web site.

MOTION: Mr. Seta moved to suspend the rules on Ordinance 2004-16. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Seta moved to adopt Ordinance 2004-16. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2004-17: AN ORDINANCE AMENDING ORDINANCE 2001-56: AN ORDINANCE ESTABLISHING THE RULES AND REGULATIONS OF THE PERSONNEL BOARD OF REVIEW ISSUED PURSUANT TO THE POWER AND AUTHORITY GRANTED BY CHAPTER 124 OF THE OHIO REVISED CODE AND THE CITY CHARTER.

Stephen A. Lutz, City Manager, reviewed that the Personnel Board of Review serves as the civil service commission for the City. The Board recently reviewed the testing procedures for police officers. He said that currently, approximately once a year, the department advertises a test for applicants interested in becoming a police officer. The applicants take the exam, and are ranked on a list used for hiring. Recently, Chief Vest was made aware of a program where state and federal funds are used to put people through police academies to become certified police officers. If someone is hired that has passed that program, the City then doesn't have to send them to the Police Academy. Under the current rules, such individuals wouldn't be able to take the exam until it is offered. This amendment would allow applicants with state or federal certifications to take the exam at any time. Also, applicants with prior service as a police officer will be able to take the exam throughout the year. He said these changes will mean more qualified candidates on the list.

Chief Vest said that they reviewed this with the City's labor counsel who determined that the applicants on the list will have taken the same test, yet not applied at the same time.

Mr. Kaitsa asked what the starting salary is for police officers. Chief Vest was unsure offhand, but estimated it around \$33-35k.

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

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2004-17. Mr. Seta seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Cline moved to adopt Ordinance 2004-17. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

COMMITTEE REPORTS

Development Committee: Mr. Seta noted the bikepath priority list that was presented to Council. He asked everyone to review it because it will be the next item to consider after the parks. Mr. Lutz identified a need to consider expanding the parking at Memorial Park if the pool is acquired. Mr. Betz noted that the cost estimates didn't include easement acquisition or landscaping. He asked that the Council consider one side of the Olentangy path continuing to Sawmill Parkway. He said there is an opportunity to tie that in to the Graeters/City BBQ development.

