

CITY COUNCIL

April 6, 2004

A regular meeting of the City of Powell Council was held on April 6, 2004, and called to order at 7:30 p.m. by Mayor Dan Wiencek. Other Council members present were Jim Seta, Don Grubbs, George Kaitsa, Richard Cline and Dave Lackey. Art Schultz 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.

CITIZEN PARTICIPATION

There was none.

APPROVAL OF MINUTES

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

The minutes of March 23, 2004 were approved.

FINANCIAL REPORTS

Nan Metz, Finance Director, reviewed the Accounts Payable Report.

Mayor Wiencek asked about a payment to the Delaware County Auditor. Ms. Metz said that is usually a deduction. They charge the City for the collection of the property taxes.

CLERK OF COUNCIL CORRESPONDENCE

Mayor Wiencek reminded Council that their paperwork for the ethics commission must be filed soon.

FIRST READING: ORDINANCE 2004-28: AN ORDINANCE APPROVING THE PLAT FOR GOLF VILLAGE SECTION 6 PHASE B PART II.

Stephen A. Lutz, City Manager, reviewed that plats establish the trees, lots, and open spaces in approved development plans. This permits a property to be subdivided so that it can be transferred. This property is located on the east side of Sawmill Parkway just south of Woodcutter Drive and it contains 29 residential lots.

David Betz, Director of Development, reviewed the location, adjacent properties, and site plan. He said that the requirements of the development plan as approved in Liberty Township have been met.

Kevin Kirchner, RD Zande, was present to discuss this plat. Mr. Betz said he sees no reason why this can't be approved this evening.

Mr. Grubbs asked Mr. Kirchner to identify this development in the context of the whole Golf Village development.

Mr. Kirchner said the engineering has been approved and they are waiting for the plat to begin construction.

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 2004-28. Mr. Seta seconded the motion.

VOTE: Y 5 N 0 (Abstain: Lackey)

MOTION: Mr. Cline moved to adopt Ordinance 2004-28. Mr. Seta seconded the motion.

VOTE: Y 5 N 0 (Abstain: Lackey)

FIRST READING: ORDINANCE 2004-31: AN ORDINANCE AUTHORIZING AN AGREEMENT WITH DELAWARE COUNTY TO SHARE THE COST OF SIGNALIZATION AT THE INTERSECTION OF SAWMILL PARKWAY AND SELDOM SEEN ROAD AND DECLARING AN EMERGENCY.

Stephen A. Lutz, City Manager, recommended that this item be taken to a second reading, as Staff is waiting for review of the agreement by Delaware County. He said that the signal at the Sawmill Parkway intersection is warranted and that half of the intersection is within the City and half is in the County. The plan is to share the cost between the two jurisdictions, and that is the purpose of this Ordinance.

Mr. Seta asked if there are any construction cost estimates at this time. Mr. Lutz said there are not, but the next ordinance addresses the costs associated with designing the signal. Mr. Kaitsa estimated it to be around \$100k.

Mr. Lutz this said that this item was identified on the list of capital improvements sent out last week.

Mr. Wiencek asked to get the word out that this project is underway.

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

This item was taken to a second reading.

FIRST READING: ORDINANCE 2004- 29:AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BURGESS & NIPLE FOR ENGINEERING DESIGN CONSULTING SERVICES AND PREPARATION OF CONSTRUCTION DOCUMENTS FOR TRAFFIC SIGNALS ON SAWMILL PARKWAY AT SELDOM SEEN ROAD AND AT RUTHERFORD ROAD AND MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2004 AND DECLARING AN EMERGENCY.

Stephen A. Lutz, City Manager, recommended that this Ordinance also be taken to a second reading so that it may be addressed with Ordinance 2004-31. He said the City has received a proposal from Burgess and Niple to design the signal at Sawmill Parkway and Seldom Seen Road for \$11k. That cost will be split evenly by the County and the City. He said that a traffic signal at Sawmill Parkway and Rutherford Road, which is anticipated to be warranted in the near future, could be engineered at the same time for a cost of \$8,500, which would be paid wholly by the City.

Mayor Wiencek asked if there will be coordination between this traffic signals and other on Sawmill Parkway as part of this study. Mr. Lutz said that part of the proposal includes determining whether it is advantageous to connect those. Mr. Kaitsa asked if that will impact the cost. Mr. Lutz said it would be included in the cost of design but will impact the cost of construction. Mr. Seta said that the benefit that could be obtained is that the driver isn't hitting light after light. He asked if the bigger concern is Rutherford and Seldom Seen rather than Powell Road. Mr. Lutz said the consideration would be to timing the lights north and south on Sawmill Parkway so they are coordinated to create a more even flow of traffic. They will consider signals even south of Powell Road.

Mr. Grubbs expressed concern that Section 2 authorizes payment to Burgess and Niple prior to the agreement with the County. Mr. Lutz said that is why he recommended that this ordinance be taken to a second reading.

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

This item was taken to a second reading.

FIRST READING: ORDINANCE NO. 2004-30: AN ORDINANCE ACCEPTING A BID SUBMITTED FOR THE COMPLETION OF THE POWELL PARK DEVELOPMENT PHASE 2 PLAYGROUND EQUIPMENT FOR ARBOR RIDGE PARK SUBMITTED BY DON WALSH AND ASSOCIATES, INC. FOR THE SUM OF SIXTY EIGHT THOUSAND TWO HUNDRED DOLLARS (\$68,200.00) AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE SUCCESSFUL BIDDER AND DECLARING AN EMERGENCY.

Stephen A. Lutz, City Manager, said the City received 5 bids for this park equipment. The low bid was in the amount of \$57, 476, but it didn't meet the requirements and was rejected. The next lowest bid was from Don Walsh & Associates, Inc, in the amount of \$68,200. Staff is recommending that they be awarded this contract.

Mr. Seta said that \$62k was allotted to this project, so there is a \$6,200 increase.

Mr. Kaitsa asked who the next low bid was after Don Walsh. Mr. Lutz said it was in the amount of \$72,816. The high bid was \$76,280. Jennings Inc. had the next lower bid.

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 2004-30. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

MOTION: Mr. Seta moved to adopt Ordinance 2004-30. Mr. Kaitsa seconded the motion.

VOTE: Y 6 N 0

DEVELOPMENT COMMITTEE

Mr. Seta reviewed the meeting held this evening with members of the Parks and Rec. Board. He said that they discussed the Board's role in assisting with special events in the park. There was discussion regarding a "park liaison" idea, and the Board expressed a desire to work with Homeowners' Association to determine who could be that. He said the Board would like an active role in programming and they are very interested in the possibility of pool usage for programming. Mr. Seta said that some of the representatives are concerned about the poor attendance by some members and indicated that the two vacant seats need not be filled as a seven member board is appropriate. He said the Board is very motivated toward moving on and getting the parks up and running. David Betz, Director of Development, said an Ordinance would be required to change the number of seats on the Parks and Rec. Board. Mr. Seta expressed a desire to create a document supporting the goals discussed at the meeting.

FINANCE COMMITTEE

Mr. Cline reported that the next meeting will be held on April 15. He expressed concern regarding the income tax collections for March.

OPERATIONS COMMITTEE

Mr. Lackey said they will meet before the next Council meeting to discuss Charter amendments.

DOWNTOWN COMMITTEE

Mayor Wiencek said the Committee is scheduled to meet next Wednesday at 6:00. There will be discussion regarding potential zoning changes and organizational structure.

CITY MANAGER REPORT

Stephen A. Lutz, City Manager, reported on the following items:

- The next Sawmill Corridor study meeting will be held Wednesday at 7:30 p.m.
- The pre-construction meeting for the parks will be held next week.
- At the next meeting, Dave King, Home and King Architects, will be present to provide revised plans for the restroom and police department.

OTHER COUNCIL MATTERS

Mr. Kaisa noted correspondence to Council indicating a desire to grant credit for job applicants who have served in the armed forces. He asked if that should be referred to the Civil Service commission. He said it is a practice in other jurisdictions. Mr. Lutz said that is the body to consider that. Mr. Kaisa said he would support that.

Mr. Cline said it is definitely something the civil service commission should review and determine the financial impact on the City and the impact on recruiting and other intangible issues. He said that that is often a positive tool used to recruit highly-trained individuals for positions that have been trained in the military. He said there may be some negative impacts that have not been foreseen. He suggested that the civil service commission review this issue and make a recommendation to Council.

OTHER COUNCIL MATTERS

Mr. Seta reviewed his attendance at the Olentangy Council of Governments meeting.

Mayor Wiencek noted that the City has been named Tree City USA for the 6th consecutive year. David Betz, Director of Development, said the City also won an award recognizing special growth.

Mr. Seta asked if there are any concerns in Delaware County about the Ash borer. Mr. Betz said he has been keeping up on this issue and asked that anyone who suspects problems with trees contact the Ohio Department of Agriculture. They are the lead agency on this issue.

Mr. Grubbs reviewed his attendance at the April 1 meeting of the Olentangy Scenic Corridor Commission.

EXECUTIVE SESSION IN ACCORDANCE WITH ORC SECTION 121.22 (G) (2): LAND ACQUISITION.

MOTION: Mr. Cline moved to adjourn to Executive session at 8:12 p.m. to discuss land acquisition in accordance with ORC Section 121.22 (G) (2). Mr. Seta seconded the motion.

VOTE: Y 5 N 0 (Absent for VOTE: Kaitsa)

MOTION: Mr. Cline moved to adjourn from executive session at 9:52 p.m. Mr. Seta seconded the motion.

VOTE: Y 7 0 (Schultz arrived)

MOTION: Mr. Cline moved to readjourn into regular open session at 9:52 p.m.. Mr. Seta seconded the motion.

VOTE: Y 7 0

MOTION: Mr. Cline moved to adjourn from open session at 9:53 p.m. Mr. Seta seconded the motion.

VOTE: Y 7 0

DATE MINUTES APPROVED: April 20, 2004

Dan Wiencek 5/4/04
Dan Wiencek Date
Mayor

Dawn Nauman 5/10/04
Dawn Nauman Date
Clerk of Council

This ordinance or resolution has been posted in three (3) public places as defined in ordinance 3621-07 dated 3/2/04 on this date 5/14/04

D Nauman
Clerk of Council