

## CITY COUNCIL

April 20, 2004

A regular meeting of the City of Powell Council was held on April 20, 2004, and called to order at 7:40 p.m. by Mayor Dan Wiencek. Other Council members present were Jim Seta, George Kaitsa, Don Grubbs, Richard Cline and Dave Lackey. Art Schultz was absent. Also present were Stephen A. Lutz, City Manager; Shawn Leininger, Development Planner; Nan Metz, Finance Director, Gary Vest, Chief of Police, Jeff Snyder, Public Service and Parks Director; Rob Rice, City Engineer, Chris Huber, Assistant Engineer; Dawn Nauman, Clerk of Council, Ken Molnar, Director of Law; Shea Crawford, Community Affairs/Special Events Coordinator; residents and representatives of the press.

## CITIZEN PARTICIPATION

There was none.

## APPROVAL OF MINUTES

The minutes of April 6, 2004 were amended and approved.

## FINANCIAL REPORTS

Nan Metz, Finance Director, reviewed the Monthly Financial Report. She noted in particular the income tax collections. Mr. Kaitsa asked how far behind projections were the income tax collections in February. Ms. Metz said that she believes it was around 20% and that the City has made up ground with March and April collections.

## OTHER REPORTS

The Monthly Planning and Zoning Report was received. Shawn Leininger, Development Planner, noted that the second public hearing for the Sawmill Parkway planning has been scheduled.

The Monthly Parks and Rec. Report was received. Jeff Snyder, Director of Parks and Public Service, noted that summer programming brochures were included in the packet and incorporate the new graphic standards.

The Monthly Police Report was received. Chief of Police Gary Vest reviewed the motor vehicles accidents from last month. He noted that they are in the process of hiring another officer.

Mayor Wiencek asked if there has been any improvement in the thefts reported at construction sites. Chief Vest said that it is an ongoing battle. They have met with construction companies and continue to ask them to advise the Police Department as to when homes need closely monitored, for example, when appliances are being delivered.

## CLERK OF COUNCIL CORRESPONDENCE – LIQUOR LICENSE REQUEST

Dawn Nauman, Clerk of Council, reviewed the request for a liquor license for a Marathon Station that is to be built on Sawmill Parkway. Steven Hill, the applicant, was present to answer any questions regarding this liquor license request.

Mr. Cline asked if this is an existing or new facility. Mr. Hill said that it is new, and is anticipated to open October 1.

There were no objections to this liquor license.

## POLICE DEPARTMENT RELOCATION – HORNE AND KING ARCHITECTS

Dave King, Horne and King Architects, was present to discuss the relocation of the Police Department including the exterior renovation of the Village Green building and parking and public restrooms. He reviewed the cost estimates for such renovations.

Mr. Seta asked about the total combined cost would be 2.9 million. Mayor Wiencek asked if any of the park improvement funds are allocated for any of these projects. Mr. Seta said they are not. The only expenditure from the park funds is related to an upgrade of the storm sewer on the Village Green site.

Mr. Kaitsa said that he doesn't think the original estimate of \$1.6 million included the parking lots. Mr. King said that is correct. Mr. Kaitsa said that the additional work includes parking, the storage, and council chambers, and

that represents a change from the original estimate of \$1.6 million to \$1.8 million. Mr. King said that is correct. Mr. Kaitsa said that is quite a bargain. Mr. King said that is taking advantage of the economies of scale. Mr. Kaitsa said that he really likes the roof treatment, it is very attractive. He said the building is starting to look like a City Hall.

Mr. Cline said that he thinks the plan is marvelous, but his only question is how to pay for it. He asked about the soft costs associated with this project, which haven't been addressed. Mr. King anticipated the soft costs within \$600k. Mr. Cline said in round numbers, it could be about \$3.5 million to complete the entire project, including the parking lots and soft costs.

Discussion was held regarding the roof of the current building. Mr. King suggested having the roof tested. Mayor Wiencek said that at a minimum, there will be a roof repair, but there is currently no concern with the structural integrity of the roof. Mr. King said that is his visual observation.

Mayor Wiencek asked if the \$200k estimate for equipment at the Police Department is associated with current needs or at its capacity. Mr. King said it is at capacity. He said there are an anticipated 8 employees that won't need fixtures immediately.

Mayor Wiencek asked if having 2 seats in the public restrooms is sufficient given the intended use of the park. Mr. King said that there will be a line now and then, particularly right after a performance, but that the normal usage of the park should be fine. Mayor Wiencek asked if the police facility assumes a population of 15-20k. Chief Vest said that this building will house 32 officers at full capacity, based on a traditional calculation of 2 officers per thousand population. Mayor Wiencek expressed a desire to determine a way to phase construction so that the City isn't paying \$3.5 to "mothball a third of it." He asked why it is proposed to take this giant step. Mr. King said that it wouldn't be cost effective to build less. He said there could be savings in waiting to buy necessary lockers, furniture, etc.

Mayor Wiencek questioned the need for a physical training room and asked if that couldn't happen off-site, say at Gold's Gym. Chief Vest said that this provides a multi-purpose room. He noted that the Police Department currently uses the upstairs at their building to work out quite frequently.

Mr. Kaitsa asked if there are any options to reduce the cost of the parking lots. Mr. King said that a minimum, stormwater management and a defined parking area need to be considered. He said that the parking could be done last except for the gravel base if phasing is desirable. He said that the parking could and should be more attractive, and he noted that the Edsall's should be consulted for their opinion on this issue.

Mr. Lutz noted a list of possible Capital Improvement Projects that was provided to Council. Mr. Grubbs asked if the projects are in any particular order. Mr. Lutz said they are not.

#### REVIEW OF HISTORIC DISTRICT COMMISSION DECISION PER 1143.23 (i) FOR A NEW OFFICE BUILDING AT 153 S. LIBERTY STREET.

Shawn Leininger, Development Planner, was present to discuss this item. Stephen A. Lutz, City Manager, reviewed that after hearing this item, Council can schedule a public hearing or take no action. Mr. Leininger reviewed the proposal. He identified shared access and the existing adjacent Newbury Homes building. He said that the plan meets the Zoning Code requirements and requires no variances. He said that this is a simple Gabled L office building that is similar to the Newbury Homes building. He said cement fiber siding was approved by the Historic District Commission (HDC).

Mr. Kaitsa asked about another request for Hardiplank siding within the Historic District that was not permitted. Mr. Leininger said that was in another zoning district that has different requirements. Mr. Kaitsa said he thinks the City is inconsistent in this. Mr. Leininger said that those requirements were drafted in 1995. Mr. Kaitsa said that the entire district should have a standardized use of the material.

Mr. Leininger reviewed the proposed elevations. He said it was very well received by the HDC (Historic District Commission). He said if Council has no issues with the approval, they can do nothing. Or they can request a hearing.

Mr. Cline asked about discussion regarding the landscaping bays. Mr. Leininger identified the location of the bay and noted a request by the applicant to move it. He said that the Zoning Code requires a landscaping bay every eight parking spaces, and this is well within those requirements. In the past, where there have been common access, it has been determined to be more desirable to have a view of a landscaping bay from the street, and that is the reason for the location. He said that the applicant did not oppose the change in the landscaping bay.

Council did not request a hearing.

Mr. Cline asked if there will be a bikepath across this property. Mr. Leininger said there will be.

Mr. Grubbs noted that at the last Planning and Zoning Commission meeting, the Commission reviewed a Sketch Plan for Pendelton's, which is adjacent to this development. That plan was for a home to be located behind the auto repair business. He said the proposal was attractive and well received by Planning and Zoning Commission.

SECOND 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, reviewed that half of this intersection is within the City and half is within the County. At the last meeting, Staff hadn't received a response from the Delaware County Engineers as to the agreement that is proposed for sharing the cost of this signal. He said they have received word that agreement is fine. This agreement obligates the City to pay for half and for the County to pay for one half.

Mr. Cline asked what is the estimate on the cost. Rob Rice, City Engineer, estimated it at \$80k, as that is the approximate cost for the signal at the Woods at Big Bear Farms.

Mr. Seta asked about the signal for Rutherford Estates. Mr. Lutz said that one would be completely within the City.

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

Mr. Cline said that he agrees that this signal is necessary and that it is beneficial to install it when the County is willing to pay half. Mayor Wiencek agreed. He said that he has stopped using Seldom Seen Road and gone back to driving through the downtown due to the dangerous intersection.

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2004-31. Mr. Kaitsa seconded the motion.

VOTE: Y 6 Y 0

MOTION: Mr. Cline moved to adopt Ordinance 2004-31. Mr. Kaitsa seconded the motion.

VOTE: Y 6 Y 0

SECOND 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, reviewed that the City and County engineers have worked out the details of a contract with Burgess and Niple to complete the engineering design for the Sawmill Parkway and Seldom Seen Road intersection. He said that the cost of this contract is \$11k, and half will be paid for by the County. This contract also includes the engineering design for the Sawmill Parkway and Rutherford Road signalization, which is anticipated to be warranted soon. The City will be paying for that amount in total.

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

Mr. Seta asked if the intent is to synchronize this intersection with others on Sawmill Parkway. Mr. Rice clarified that his previous quote of \$80k for signalization did not include any interconnection. He said that Burgess and Niple will conduct a study to examine and identify the benefits of synchronization. Mr. Kaitsa asked if the County would share the cost of synchronization. Mr. Rice said that he would say they would from Seldom Seen to S.R. 750 because it is largely within their jurisdiction. Mr. Lackey expressed a desire to phase the synchronization portion as it is not needed now.

Mayor Wienczek noted that there are microwave and wireless means by which to synchronize that he would like to be considered.

Mr. Cline asked if the cost for this contract is included in the cost of installation that Mr. Rice gave. Mr. Rice said it isn't, it is separate.

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2004-29. Mr. Kaitsa seconded the motion.

VOTE: Y 6 Y 0

MOTION: Mr. Cline moved to adopt Ordinance 2004-29. Mr. Kaitsa seconded the motion.

VOTE: Y 6 Y 0

FIRST READING ORDINANCE 2004-32: AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF POWELL, REVISING SECTION 153.01: PARKS AND RECREATION ADVISORY BOARD.

Stephen A. Lutz, City Manager, reviewed that at the last meeting, Council requested that the codified ordinances be amended to reduce the number of those on the Parks and Recreation Advisory Board. It has been discussed that at the present time, it would be better to have a fewer number of committed members rather than a larger group where the majority doesn't show up for meetings.

Mr. Seta asked if Jeff Snyder, Director of Parks and Public Service, has spoken to the Parks and Rec. Board since the joint meeting with the Development Committee. Mr. Snyder said he hadn't. Mr. Seta noted that this recommendation is based on comments from the Parks and Rec. Board, not the development committee members.

MOTION: Mr. Cline moved to suspend the rules on Ordinance 2004-32. Mr. Kaitsa seconded the motion.

VOTE: Y 6 Y 0

MOTION: Mr. Cline moved to adopt Ordinance 2004-32. Mr. Kaitsa seconded the motion.

VOTE: Y 6 Y 0

FIRST READING: ORDINANCE 2004-33: AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF POWELL, REVISING SECTIONS 1109.13, 1111.054, 1111.07, 1123.01, AND 1145.25.

Stephen A. Lutz, City Manager, said that the purpose of this Ordinance is to bring the Zoning Code in line with the federal standards outlined by the NPDES Phase 2 federal unfunded mandate. Chris Huber, Assistant Engineer, reviewed that in many instances, regulations or requirements are being moved around. Kim Keefer of EMH&T has been working with the City to ensure that these meet the regulations. Mr. Lutz said that the Planning and Zoning Commission reviewed and approved these recommendations. He said that a public hearing will be held at the next meeting where these guidelines will be reviewed in more detail.

Dawn Nauman, Clerk of Council, noted that due to legal advertisement requirements, this Ordinance will have to go to three readings because the third reading is the advertised public hearing.

#### COMMITTEE REPORTS

Development Committee: Mr. Seta reported that the next meeting will be held on May 4.

Finance Committee: Mr. Cline said that the next meeting will be the second Thursday in May. He said he is still concerned with income tax collections. Mr. Seta asked if the Finance Committee can include some rough cost estimates on the list of possible Capital Improvements that was provided to Council. Mr. Cline said he believes that Staff has indicated that they will do this.

Operations Committee: Mr. Lackey reviewed the meeting this evening regarding the Charter Amendments. The principal opponent of such amendments was at the meeting and he expressed most of his concerns regarding how ordinances are handled. He said a major concern is the language regarding issues being addressed "in whole or in part" after a referendum. He said that another issue that was discussed was breaking down the changes into several sections, separating the ministerial and substantial items. He said the Committee will meet again next month.

Downtown Committee: Mr. Grubbs reviewed that the Committee met last week and was well-attended with four Council members, 3 staff members, and another 4-5 citizens. He reviewed the intention to move forward with two sub-groups, one which will handle the zoning and another to address the organization and financing. He said that they intend to have some "stakeholder meetings." He said the zoning proposal will revamp the downtown area. He said he feels this was a good first start. He said that they are soliciting more comments on zoning suggestions. The next meeting is May 12 at 6:30 p.m.

Mayor Wiencek said that through this process, the make up and function of the Historic District Commission is going to change. Details haven't yet been identified.

CITY MANAGERS REPORT

Stephen A. Lutz, City Manager, reviewed that Corna/Kokosing hopes to begin construction next week weather permitting. He identified signs that are proposed to be placed throughout the City to notify the residents that the construction is imminent and the phone number and web site where they can go for more information. Mr. Kaitsa suggested including language indicating this project is funded by the voted bond levy. Council expressed a desire to notify adjacent residents and homeowners' associations of the construction schedule and where they can go for more information.

Mr. Cline asked if consideration has been given to exploring [www.powell.com](http://www.powell.com) as a web site address. Mr. Lutz noted that government web sites follow the standard of addresses that the current web site has. Dawn Nauman, Clerk of Council, agreed and said such addresses are very cost-effective.

BOARD AND COMMISSION APPOINTMENTS

Discussion was held regarding the available positions on various Boards and Commissions within the City. It was determined that there are no current vacancies on the Parks and Recreation Advisory Board since the number of board members has changed. The board member with the term set to expire will be contacted about his interest in reappointment.

Council instructed to Staff to notify those who have already expressed interest in boards and commissions of the vacancies that still are available.


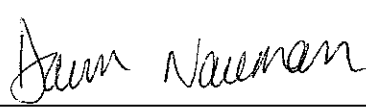
MOTION: Mr. Cline moved to reappoint Brad Reynolds to succeed himself in a term expiring May 4<sup>th</sup>, 2007. Mr. Kaitsa seconded the motion.

VOTE: Y 6 Y 0

ADJOURNMENT

Council adjourned at 9:17 p.m.

DATE MINUTES APPROVED: May 4, 2004

	
_____ Dan Wiencek Mayor	_____ Dawn Nauman Clerk of Council
Date	Date

