

## CITY COUNCIL

May 4, 2004

A regular meeting of the City of Powell Council was held on May 4, 2004, and called to order at 7:40 p.m. by Mayor Dan Wiencek. Other Council members present were Jim Seta, Art Schultz, George Kaitza, Don Grubbs, Richard Cline and Dave Lackey. 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 20, 2004 were approved as printed.

## OTHER REPORTS

Lisa Bower, Ohio Department of Natural Resources, presented the City of Powell with their Tree City USA for the sixth year in a row, and with a growth award in honor of the city's park tree inventory analysis and acquisition of Murphy and Meadowview parks. She reviewed the criteria for receiving such awards. Mayor Wiencek thanked Ms. Bower for the award and said the City values trees for the aesthetic and fiscal quality.

## SOUTHWEST QUADRANT/MURPHY PARKWAY TRAFFIC PLAN PRESENTATION

Stephen A. Lutz, City Manager, reviewed that three years ago, the City adopted an ordinance adopting this traffic plan. Council is reviewing it now because there are funds budgeted to engineer the Murphy Parkway extension. The City is currently negotiating with EMH&T for this scope of services. He said that in order for EMH&T to create the engineering plan, they must first understand what is approved.

David Betz, Director of Development, reviewed the road alignment and traffic management plan in accordance with Ordinance 2001-19. He outlined the vehicular traffic proposal as well as the bikepaths. He reviewed the conditions of the ordinance to limit the access to Presidential Parkway or Donerail Avenue for northbound traffic. He reviewed the condition requiring a gatehouse or similar feature to be located at Presidential Parkway and Old Sawmill Road at the entrance to the Woods of Sawmill.

Mr. Seta asked what the purpose of the feature is. Mr. Betz said the idea was for a traffic calming measure. People looking for ways through the development may see the structure and determine that it may be a subdivision that one can't get through. Mayor Wiencek asked if there is sufficient right of way to accomplish that. Mr. Betz said that some pavement widening would have to happen.

Mr. Betz reviewed that the community survey results regarding how people generally travel on their way home each day. The majority use Sawmill Parkway from the south. Mr. Lackey asked if the expectation is that could change when Murphy Parkway is developed. Mr. Betz said it could.

Mr. Betz reviewed the current traffic signalization in the area and that which is proposed.

Mr. Schultz asked for the location of the Village Green connector if it were to be built. Mr. Betz reviewed its location.

Mr. Grubbs said that the median strips would prohibit left turns heading northbound on Murphy's Parkway into Grandshire, as well as prohibit left turn access from Grandshire to the north. Mr. Betz said that is correct.

Mr. Grubbs said that the issue is that the only way to go north and east for those living in the southwest of Powell is via Old Sawmill Road or through the Lakes of Powell to Liberty Road. He said that completing the Murphy Parkway according to this plan would not provide another route northbound from Grandshire/Lakes of Powell/Woods of Sawmill. He asked if there is to be a traffic light installed at Presidential and Sawmill Parkways. Mr. Betz said that would be under the county engineer's jurisdiction, and he can ask that question of them.

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Larry Frazier, 301 Vinwood Lane, said that according to the Delaware County engineer, a traffic light was originally supposed to be installed at Sawmill Parkway/Presidential Parkway during March, April, or May, but it has been delayed until September, and all of that is subject to the Wal-Mart development. He spoke in support of the gated entrance feature that has been described. Mayor Wiencek clarified that rather than a gated entrance, this is an entrance feature. Mr. Frazier said that a light is also needed at Sawmill Road and Presidential Parkway. He said there is a pole in the way that impedes visibility. Mayor Wiencek asked Staff to look into line of sight issues at that intersection.

Matt Oatney, 116 Gainsway Court, questioned whether Murphy Parkway is wide enough at the intersections of Donerail and Presidential Parkway. Mr. Betz said that the pavement would need to be widened and the ditch adjusted on the east side to accommodate that design. The road would taper out and taper back in again.

Mickey Hawk, 101 Presidential Parkway, said that he is one of the 11 property owners with homes that have curb cuts on Presidential Parkway. He thanked Staff for the presentation and said that it represents what was agreed to between Council and the residents. He said they are present this evening to reinforce that they approve of this plan and think it is the best thing for Grandshire as a whole. He said that regarding the left turns on Presidential and Donerail north of Murphy, travelers could go north and east and make a right turn on Presidential onto Murphy Parkway and turn left on Liberty Road.

Mr. Cline said that one could make a left at Liberty Road and go left through the four corners or use Bennett Parkway eastbound north onto Liberty Road and again through the four corners. He asked how Mr. Hawk and his neighbors would feel about a median that permitted him to make an immediate left out of the street and go north on Murphy Parkway. Mr. Hawk said they would disapprove of that. They are already afraid of the current cut through traffic on Presidential Parkway. He said he thinks it would be worse with the left turn, particularly if there is ever a Village Green connector.

Mr. Oatney said he supports what Mr. Hawk is saying but if this goes back to the entrance of Woods of Sawmill and Grandshire with the proposed gated look is very critical particularly since Salisbury is now open and there are a lot of cut through cars and commercial traffic in these neighborhoods. He said that cars are going off the road on both sides of the road, specifically on the south side of Presidential Parkway, because the road isn't wide enough.

Mr. Hawk said that they compared the width of Presidential Parkway with similar roadways in other communities and determined that Presidential Parkway is much smaller than the roads that typically see the type of traffic these roads would see without the calming devices. He said that the Comprehensive Plan encourages neighborhood traffic to come in and out easily while at the same time limits excessive through-traffic on any one roadway. Mr. Cline said that has been the philosophy of the Comprehensive Plan, and that is why Mr. Grubb's questions about the left hand turns intrigued him. Permitting them would provide more options for residents, and he is unsure whether they would provide the kind of cut-through traffic about which Mr. Hawk is concerned.

Mayor Wiencek said that part of Council's request that Staff review this plan is to hear from Staff whether there are changes to this plan that are desirable. Mr. Lutz said that Staff feels the surrounding area has been developed as expected, and there are no significant changes that warrant changing the plan.

Rhonda Wooster, 317 Winter Hill Place, said that they would like the same no left turn restriction on their street. She said that traveling in the morning, everyone can turn out of Grandshire. But coming home at night, when the kids are playing, everyone is going to take Winter Hill because it is a straight shot detour into Grandshire. She said this would make people go to Sawmill Road and access Grandshire as originally proposed or use Salisbury Drive. She said that the proposed left turn restrictions will bring everyone by their front door. Mayor Wiencek asked if the concern is that those traveling northbound on Murphy Parkway are going to continue all the way around the bend, turn left on Winter Hill, and access Grandshire. Ms. Wooster said that is correct, because they can't turn left at Presidential Parkway or Donerail. Mayor Wiencek said that to get northbound on Murphy Parkway, cars would already be traveling northbound on Liberty Road. He said that those folks would most likely turn left on Salisbury. Ms. Wooster said that those traveling Jewett would have to make a left turn to

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get to Salisbury Drive. Ms. Wooster said her request is to limit left turns in the evening from Grey Oaks Drive to Winter Hill Place.

Mr. Lackey said he agrees 100% with Ms. Wooster. He said that he felt this decision was a mistake when it was made, but it was reviewed by the Planning and Zoning Commission and Council, and he is going to honor the commitments that were made by a previous Council. He said every time a restriction is made on one road, Council finds out that it taxes someone else unnecessarily. He said that is counter to the philosophy of trying to make as many ways to access neighborhoods as possible so that no one is getting the brunt of the burden. Discussion ensued.

Mr. Betz expressed concern that an evening left turn restriction on Grey Oaks Drive would only allow one way for many people to get home. He said everyone who lives on Shyanne Drive, Shyanne Court, and part of Winter Hill Place would have to cut through Grandshire.

Mayor Wiencek said signage isn't really an engineering concern and can be dealt with later. Mr. Betz said that is correct, but it would be desirable to include that information in a traffic study. Mr. Cline asked if the plan calls for any restrictions to Tree Haven from Shyanne Drive. Mr. Betz said that it does not. Mr. Cline said that Council could expect the same request from those on Tree Haven that they are hearing from those on Winter Hill now.

Mr. Grubbs said that he thinks there are enough issues here, particularly with the Murphy development and Winter Hill Place and Tree Haven, that Staff should really keep an eye on it. He said Winter Hill isn't open yet, and Attucks isn't opened yet but it is finished. He said it may not even be clear until Murphy Parkway is completed, which could be two years from now, but he does believe that these areas are going to have to be strictly monitored. The fears of the residents will be validated or unfounded, but the concerns should not be ignored.

Mayor Wiencek said he is in the same position as Mr. Lackey. Council has heard for a number of years that there is a disconnection from neighborhoods on the west side of the railroad tracks. He expressed concern that imposing additional restrictions would make the problem worse. He said he feels that Council should have made these road connections, monitored the situation, and dealt with them as they arise rather than being preemptive. He said that he thinks the appropriate step is to watch these situations as they occur. He said Council has a history of being appropriately reactive when concerns are raised. He said they have placed stop signs and installed other traffic control devices to address such problems. He said he would assume this Council and subsequent Councils would take those same actions.

Mr. Schultz said it is easy to look back and say that this is kind of a mess, but having sat through a lot of meetings with many residents in the area, he can say that a lot of thought was put into this. He said that the truth will not be known until these roads are connected, specifically on Winter Hill. He said that it is fine if Winter Hill Place carries a little more traffic for Grandshire, but it is not desirable to make it a short cut. If it does, and a turn lane or signage is needed, that can be determined later. He agreed with Mayor Wiencek that Council has not turned a deaf ear to people coming before them with legitimate concerns.

Ed Cooper 256 Tree Haven Avenue North, said that their street has been opened for a couple of months and they have seen increased traffic in and out of the Murphy development, which they expected. He said one can't have a dead end street open up and not expect more traffic. He said his concerns about the increased traffic is not the quantity but rather the speed. He reviewed his discussions with the Police Chief regarding this issue. He said that children have played on the street for years and will need to learn not to, but he is concerned for their safety. He asked that consideration be given to additional enforcement or a three way stop at Tree Haven North and Whitaker Avenue. Mayor Wiencek suggested that Mr. Cooper contact Staff to go over the policy by which residents can request stop signs. Mr. Cline said that Council can also pass along the concerns regarding enforcement to the Chief of Police. He said he would like to try enforcement first.

Ryan Gies, 395 Shyanne Drive, expressed concern that these artificial restrictions result in a siphoning problem that will push traffic up his street. He said he doesn't know the impact on the volume of traffic in this area, but he fears that restricting the traffic so there are no places to turn left while traveling up Murphy Parkway will push

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all the traffic onto Grey Oaks Drive. He said he understands the concerns on Presidential Parkway, but he would like Council to understand the impact on his property.

Mr. Hawk said that one of the reasons these considerations were made for Presidential Parkway is that the traffic studies indicated extremely high numbers of cars for those on Presidential Parkway. Many people were expected to come through that subdivision and go to other areas of town, not just access Grandshire. He said the medians and turning restrictions were meant to address those concerns. Mayor Schultz agreed. He said it is one thing to suffer the traffic created by the residents of the subdivision driving through, but another thing to become a street that the entire region uses.

There being no further comment, the public comment session was closed.

Mr. Seta said that when Murphy Parkway opens, it will be a big focus for Council.

Mayor Wiencek asked if there were any recommendations for changes to the current plan by Council. There were none. Mr. Grubbs reiterated his concern to monitor the effects of the connections.

Mr. Lutz said that this year, the engineering for Murphy Parkway, alignments and cost estimates will be determined. Over the upcoming months, Council will continue to look at all of the City's capital improvement needs. He said the City has limited revenues and the Council will determine the priority of the projects. The estimated cost of this development is \$1.7 million. The absolute earliest construction would be next year, but it could be much longer.

Mr. Grubbs said that currently, Murphy's Parkway is blocked closed. Mr. Lutz said that the Ordinance that was adopted regarding this alignment dictates that it be barricaded just north of Donerail Avenue until the road opens completely. If it were not, traffic from Powell Road to Murphy Parkway would only be able to get out through the neighborhood. Mr. Grubbs asked if the medians will be built when the road is extended. Mr. Lutz said it will.

**SECOND READING: ORDINANCE 2004-33: AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF POWELL, REVISING SECTIONS 1109.14, 1111.054, 1111.07, 1123.01, AND 1145.25.**  
Stephen A. Lutz, City Manager, said that these Zoning Code amendments are related to the NPDES Phase 2 Unfunded Federal Mandate. A public hearing will be held at the next meeting regarding this issue. There being no comment, this item was taken to a third reading.

### CLERK OF COUNCIL CORRESPONDENCE

Dawn Nauman, Clerk of Council, noted that a Zoning Code amendment was left out of the codified ordinances but needs to be inserted. She offered to complete the code updates for anyone who desires it done. Ms. Nauman further identified the boards and commission appointment status and correspondence to those interested in serving on other boards and commissions. After a brief discussion, it was determined another review will be appropriate the first meeting in June.

**FIRST READING: ORDINANCE 2004-34: AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR THREE (3) SINGLE-FAMILY LOTS ON 5.125 ACRES WITH 4.16 ACRES OF OPEN SPACE AND AMENDING THE ZONING CLASSIFICATION FROM LIBERTY TOWNSHIP 1, INDUSTRIAL DISTRICT TO CITY OF POWELL PR, PLANNED RESIDENCE DISTRICT FOR LAND RECENTLY ANNEXED TO THE CITY OF POWELL.**

Stephen A. Lutz, City Manager, reviewed that the public hearing for this item is scheduled for May 18.

David Betz, Director of Development, reviewed the development plan, surrounding properties, bikepath connections, and open space. Mr. Lutz said that this property was recently added to the Liberty Infrastructure authority successfully. Mr. Seta asked if the CEDA committee reviewed this. Mr. Betz said they have.

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Mr. Schultz said that he has had conversations with representatives of the Golf Village club who indicated a desire to work on additional bike path connections in the area.

**FIRST READING:        ORDINANCE 2004-36: AN ORDINANCE AUTHORIZING COMPLETION OF THE 2004 STREET MAINTENANCE AND REPAIR PROGRAM, FURTHER AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS, ACCEPT THE LOWEST RESPONSIBLE RESPONSIVE AND BEST BIDS FOR THE ABOVE-REFERENCED PROJECT, AND CONTRACT THE PROJECT IN AN AMOUNT NOT TO EXCEED THE ESTIMATES, IN ACCORDANCE WITH APPROPRIATIONS FOR THE CALENDAR YEAR 2004 AND DECLARING AN EMERGENCY.**

Stephen A. Lutz, City Manager, referred to the map which identifies this year’s proposal for pavement management. He said that no slurry seal is proposed this year because quality materials are hard to get at this time. This year, the City will do crack sealing, GSB, and overlays. He said each year the engineers review and rank the streets and address those in the greatest need of repair and maintenance.

Chris Huber, Assistant Engineer, noted that there is still some slurry seal left over that they will finish up this year.

Mr. Seta asked what the most labor-intensive treatment is. Mr. Lutz said the easiest and least expensive is crack sealing, followed by GSB, then slurry seal, then a complete overlay. Mr. Huber said they are planning an overlay on Bennett Parkway and in the Retreat. He reviewed the difference between crack seal, GSB, and overlay and the instances when more than one treatment is applied at a time.

Mr. Grubbs asked if the cost will be within the budgeted amount. Mr. Lutz said that is unclear but this document allows them to go out for bids. The City has \$400k budgeted, and the estimate is \$363k. If the cost goes over the budgeted amount, they will come back before Council. Mr. Kaitsa asked if Mr. Lutz has the authority to enter into a contract as the Ordinance provides. Ken Molnar, Director of Law, said it does, as the money has been budgeted.

**MOTION:        Mr. Cline moved to suspend the rules on Ordinance 2004-36. Mr. Seta seconded the motion.**

**VOTE:            Y   7              N   0**

**MOTION:        Mr. Cline moved to adopt Ordinance 2004-36. Mr. Seta seconded the motion.**

**VOTE:            Y   7              N   0**

**FINANCE REPORT**

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

Mr. Grubbs asked about the payment to Edsall and Associates. Ms. Metz said that is a payment for the contract with them regarding park improvements. She said such payments will continue because they are responsible for the construction oversight. The funds are encumbered but the payments are made for each phase.

**COMMITTEE REPORTS**

**Development Committee:**        Mr. Seta said that the committee met tonight to discuss bikepath extensions and priorities. There was a great deal of discussion regarding the Olentangy Ridge connection, for which there is much opposition. The committee discussed “way-finding signs” to identify existing paths within subdivisions so that additional paths don’t have to be put in. He said the committee discussed that 4-5 pathways could be built for the cost of the Olentangy path. Mr. Schultz noted that there is a lot of support for a path to tie into Grandshire. Discussion ensued regarding a variety of pathways that were considered by the committee.

Mr. Kaitsa said he would support the way-finding recommendation in lieu of the Olentangy Ridge path. Mayor Wiencek suggested that the Olentangy Ridge path is very expensive and could be accomplished with the bond money while later paths can be done individually with less of an impact on any given annual budget. He suggested that Council seriously consider this or any other major bikepath connection for that reason. Mr. Cline said that there are many homeowners along the bikepath stretch that are adamant that that bikepath should be very low on the list of priorities. One solution of area residents is a sound-barrier wall, which is astronomical. He

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said that the way-finding signs would be a much more economical alternative. Mr. Lackey expressed doubt that a sound barrier would be appropriate. Mr. Schultz said that landscaping may be sufficient.

Mr. Grubbs said he is in favor of more connections rather than one very expensive connection. Mr. Kaitsa agreed.

Finance Committee: The next meeting is scheduled for May 13.

Operations Committee: The next meeting is scheduled for May 18.

Downtown Committee: David Betz, Director of Development, reviewed the Monday meeting with Main Street USA regarding downtown revitalization. He said that on Thursday there will be a "stakeholder meeting" as part of the downtown revitalization plan.

**CITY MANAGERS REPORT**

Stephen A. Lutz, City Manager, reviewed the following items:

- The Cycling Classic conflicts with the Powell Festival this year and will not be held in Powell. A smaller race will occur in three other central Ohio communities.
- Park Construction has begun. He said that work will commence in the next couple of weeks at the Village Green and Arbor Ridge Park. He reviewed the letter that was sent to adjacent residents and the signs that have been placed to alert residents to the impending work. Mr. Seta asked about the tap fees for the park development. Mr. Lutz said they have been received and they are in budget. Mr. Seta said he is relieved by that.

Mr. Lutz said that the Capital Improvements Project list has been updated to include possible cost estimates. Mr. Lutz said that the cost for the Village Green will be adjusted as the architect has been asked to review the plans for parking. Mayor Wiencek reviewed the current procedure for funding public improvements. A discussion was held regarding possibilities for funding for such projects. Mr. Lutz said that many communities have no funds available for Capital Improvements. The City of Powell has much better prospects. A brief discussion was held regarding the appearance of the Village Green building from the park.

**OTHER COUNCIL MATTERS**

There was no further discussion.

MOTION: Mr. Lackey moved to adjourn into Executive Session at 9:20 p.m. in accordance with ORC Section 121.22. (G) (2): Land Acquisition. Mr. Cline seconded the motion.

VOTE: Y 7 N 0

MOTION: Mr. Cline moved to adjourn from Executive Session at 9:34 p.m. Mr. Seta seconded the motion.

VOTE: Y 7 N 0

MOTION: Mr. Cline moved to readjourn into regular open session at 9:34 p.m. Mr. Seta seconded the motion.

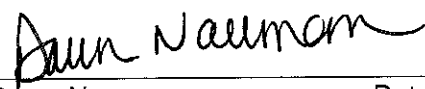
VOTE: Y 7 N 0

MOTION: Mr. Cline moved to adjourn from regular open session at 9:34 p.m. Mr. Seta seconded the motion.

VOTE: Y 7 N 0

DATE MINUTES APPROVED: May 18, 2004

  
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 Dan Wiencek Date  
 Mayor Wiencek

  
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 Dawn Nauman Date  
 Clerk of Council