



City of Powell, Ohio

COUNCIL MINUTES February 7, 2006

A regular meeting of City of Powell Council was held on February 7, 2006 and called to order by Mayor Don Grubbs at 7:35 p.m. in Executive Session under ORC Section 121.22(G)(2) Personnel: Board and Commission Interviews. Other Council members present were Richard Cline, Tom Counts, Art Schultz and Dan Wiencek. Elmer Meider and Bill Morton were absent. Also present was Stephen A. Lutz, City Manager.

MOTION: Councilman Schultz moved to adjourn from Executive Session at 9:04 p.m. Councilman Cline seconded the motion.

VOTE: Y 5 N 0

MOTION: Councilman Schultz moved to reconvene in Regular Open Session at 9:04 p.m. Councilman Cline seconded the motion.

VOTE: Y 5 N 0

The meeting was called to order in Regular Open Session at 9:04 p.m. Also present were Powell Police Chief Gary Vest; Susie Ross, City Clerk; interested parties and members of the press.

CITIZEN PARTICIPATION

There was none.

APPROVAL OF MINUTES

The minutes of January 17, 2006 were amended and approved.

LIQUOR LICENSE REQUEST

Steve Lutz, City Manager stated this application is for the Turkish Restaurant in Liberty Plaza. He said this restaurant currently has a liquor permit for wine and hard liquor and this application is for beer. He said the beer license was not available when the other licenses were issued.

A representative for this application was present but did not comment. Mayor Grubbs opened this item for public comment. Hearing none, he closed the public comment session.

Members of Council did not comment on the request and there was no action to request a hearing on the liquor license application.

HORNE & KING ARCHITECTS – MUNICIPAL BUILDING ELEVATION DRAWINGS

Mr. Lutz said there was discussion at the special meeting last week regarding the architect's proposal to reduce costs on the Police Station/Municipal Building Façade/Pubic Restroom Project. Dave King and Brian Horne of Horne & King Architects were present to review the elevation drawings.

Dave King provided elevation drawings of the facility. Councilman Schultz asked about the wall treatment on the south and east elevations. Brian Horne stated the surface would be painted and the coloration would vary to make these look like different buildings which were brought together. Councilman Schultz said they may want to consider treatment which does not make it look obviously different. Mr. Horne said it can be determined to be painted any color. Mayor Grubbs asked if the drawing was available that showed all five cupolas. Mr. Lutz provided the previous elevation drawings for comparison. Mr. King described the location of the cupolas as proposed.

Councilman Schultz asked about the false windows and doors. Mr. Horne said they would be glazed window units with black or opaque glass. Councilman Schultz asked about the effect this would make on the look of the building. Councilman Counts said the false doors on the north side make sense but he is concerned that the false window will look odd. He said it may be more appropriate to have a false door in

its place. Mr. Horne said last week they notified Council they would like to remove the windows and there was concern about how the building would look without them. He said while revising elevations to show how it would look, they found it looked blank in the middle and the false window or door provided an option. He said a door may be more appropriate but they have suggested an application of spandrel glass which gives the appearance of regular windows. He said that would be an option if the window is a more appropriate choice than the door. Councilman Schultz said the west elevation is not of concern as it faces the tracks and on the north elevation the door would be a better choice.

Councilman Wiencek asked about the need for the treatments noted. Mr. Horne said they need to reduce windows to provide a mass of masonry to resist the uplift created by the overhanging trusses. Discussion continued.

Councilman Wiencek said cupolas are typically at the end of a building or bracketed at the end of the building and he has never seen one centered on a wall. He said it looks placed rather than part of the design. Mr. Horne said cupolas are typically at the center of old buildings as they vented the roof. He said the cupolas can be relocated or added. Mayor Grubbs asked for clarification as to where the cupolas were placed on the original elevations. Discussion continued regarding the locations, size and cost of the cupolas as shown on the original and revised elevations.

Mr. Horne noted the changes to the projecting gable at the lobby entry. He said there are two elevations shown; one where the roof would continue straight across and turn 90 degrees back to the face of the building, and the other would have it turn 45 degrees to de-emphasize the entry. Councilman Wiencek asked about the cost difference. Mr. Horne said there is no cost difference. Councilman Schultz said the single gable looks better with the 45 degree version. Councilman Cline asked if there is a greater weather shelter provided between the two options. Mr. Horne said either would be fine. Councilman Counts asked what would happen to this entry in regards to future plans for the building. Mr. King said it would remain unchanged. Discussion continued regarding the placement and treatment of the main entrance in the future.

Mr. King reviewed the timeline provided. Mr. Lutz asked if 2 ½ weeks was long enough for the contractors to re-bid the project. Mr. King said adding a little more time would not impact the timetable significantly.

Mayor Grubbs reviewed the cost saving projections. Mr. King said their firm is continuing to investigate ways to eliminate the "unknowns" before the project goes back out to bid. Mayor Grubbs asked about the utility costs. Mr. King said that information was not carried forward previously and is now shown on the Cost Review sheets. He said they will also contact the utility representatives again to confirm costs. Mr. Horne said the largest of the utility costs is the fee for a 3" water meter and the sewer tap, which are estimated at \$70k each.

Councilman Cline asked to confirm that the revised costs and savings include 3 cupolas, a false door or window and the wall reinforcement. Mr. Horne said if three cupolas are used, the total savings will be \$303,600 reducing the savings by \$8k. Mr. King said Council may decide to add in more cupolas using the \$8k per feature estimate.

Mr. Lutz stated the Finance Committee reviewed Ordinance 2006-11 which will be before Council tonight. Mayor Grubbs requested that the ordinance (Item #12) be moved forward on the agenda. He said they may discuss the project further as a part of the discussion for the bond ordinance.

FIRST READING: ORDINANCE 2006-11: AN ORDINANCE AMENDING ORDINANCE 2005-53, PASSED OCTOBER 18, 2005 AUTHORIZING THE ISSUANCE OF BONDS IN THE AMOUNT OF \$2,500,000 TO AUTHORIZE THE ISSUANCE OF BONDS IN THE AMOUNT OF NOT TO EXCEED \$2,750,000.

Mr. Lutz said this ordinance authorizes the City to issue bonds in the amount of between \$2.5 million and \$2,750,000. He said passage tonight would allow the ordinance to take effect immediately and start the 30 day referendum period. He said the Finance Committee recommends passage of the ordinance as it allows flexibility for issuance of bonds.

Mayor Grubbs opened this item for public comment. Hearing none, he closed the public comment session.

Councilman Cline said they discussed the additional \$250k in authority in the Finance Committee. He said they felt it was an appropriate thing to do and there is not a strong economical benefit on either side of the decision. He said the flexibility of setting the bonding at that number will benefit the City when the bids finally come in. He said he is in favor of keeping the number of cupolas at the number proposed by Horne & King, which is a total of three. He said he favored the functionality of the right angled roofline over the existing entry as it will be more aesthetically pleasing. He said he prefers the addition of a false door on the north elevation if it looks more like a railway station door than an entry door. Councilman Wiencek said there should be no walkway leading to it. Councilman Cline said he likes the false windows on the west elevation. He said he proposes they accept the elevations as drawn.

Councilman Schultz said he agreed with all of those comments. He said the squared entry makes more sense than the 45 degree angle. He said the false windows should look like they match the others and the exterior color should be discussed at a further date. Councilman Counts agreed with the previous comments. Councilman Wiencek stated he thinks this is a large, fairly flat building and anything which can be done to raise the elevation skyward would be preferred. He said the extra cupolas should be reinstated and the square concept and false windows are fine. He said there should be the option to skin or wainscot the exterior block rather than just paint it. He said an upgrade should be explored as the south elevation will face the park and the Veteran's Memorial.

Mayor Grubbs reviewed that Council was unanimous on the false doors and windows and the 90 degree entry way. He said the majority opinion of Council is to install three cupolas.

MOTION: Councilman Cline moved to suspend the rules on Ordinance 2006-11. Councilman Counts seconded the motion.

VOTE: Y 5 N 0

MOTION: Councilman Cline moved to adopt Ordinance 2006-11. Councilman Counts seconded the motion.

VOTE: Y 5 N 0

Mayor Grubbs moved to Item 9 on the agenda.

FIRST READING: ORDINANCE 2006-07: AN ORDINANCE APPROVING THE PLAT FOR THE GOLF VILLAGE COMMERCIAL, SUB AREA E.

Mr. Lutz said there is a revised plat placed before Council. He said this item was before Council a couple of months ago and an issue was raised about the ingress/egress on Home Road. He said the County Engineer and the school district have reviewed this along with the developer and they have recommended the ingress/egress be placed opposite the main entrance of the high school. Mr. Lutz said when Sawmill Parkway is extended north the main entrance of the school will be off of Sawmill Parkway. He said the school will make the entrance across from this property right-in, right-out only. He said the parties involved recommend this entrance be right-in, right-out only also.

Tim Spencer, Donald R. Kenney and Company, said when they were before Council previously there was miscommunication between them and the school board. He said because of the zoning text and meeting discussions prior to the plat being submitted, they were under the impression that they would be entitled to a full access. He said when all of the parties met this solution was found. He said they have no immediate plans to put the curb cut in because this corner is not yet being developed, and their intent is to install it later when the parkway is extended. He estimated that would be early April, and the project would be completed later in the year.

Mayor Grubbs opened this item for public comment. Hearing none, he closed the public comment session.

Mayor Grubbs asked if the plat received tonight is different than that previously submitted. Mr. Spencer said it is similar but this is a cleaned-up version which includes the landscape easements and changes in grammar.

Councilman Wiencek thanked Mr. Spencer for his efforts in resolving this issue.

MOTION: Councilman Schultz moved to suspend the rules on Ordinance 2006-07. Councilman Cline seconded the motion.

VOTE: Y 5 N 0

MOTION: Councilman Cline moved to adopt Ordinance 2006-07. Councilman Counts seconded the motion.

VOTE: Y 5 N 0

Mayor Grubbs asked to reorder the agenda to allow Chief Vest to give an overview of the Powell Safety Conference.

POWELL 2006 SAFETY CONFERENCE – CHIEF GARY VEST

Chief Vest encouraged the Council members to visit the City website to obtain more information about the Safety Conference. He reviewed the sponsorship information and thanked Mayor Grubbs, Mr. Lutz and Shea Allmont, Community Affairs/Special Events Coordinator for their assistance. He said Ms. Allmont also worked with the website vendor to obtain a donation toward the registration process.

Chief Vest described the pre-registration process and the schedule for adults and children attending. He said the featured speaker will be Mr. Ed Smart, from Salt Lake City, Utah, whose daughter was abducted in 2002 and recovered nine months later. He said they will also have an Internet Predator Awareness Session where Detective Darren Smith will work in conjunction with the Ohio Attorney General's Office and the local FBI agency. He said this will be a demonstration for adults only on the dangers of the internet and what parents need to know. He said the third session will have Debbie and Mike Gardner speaking on raising children who can protect themselves. Chief Vest said Holly Hollingsworth from Channel 4 will emcee the event and Council members and other civic leaders will be invited to attend a breakfast that morning with Mr. Smart.

Chief Vest said they are anticipating that Channel 4 will transmit a live interview with Mr. Smart on the Friday before the event. He said he will participate in that as well to focus media attention on the event. He said there is no cost to attend but only those pre-registered will be admitted. He said the cost to the City has been minimal thanks to the sweat equity of committee members, sponsors and staff. Chief Vest encouraged City Council members to attend the conference.

Mayor Grubbs thanked Chief Vest for his efforts and said this could be a very important event and public service. He asked Council to next consider the Boards and Commissions Appointments which were discussed in Executive Session earlier in the evening.

BOARDS & COMMISSION APPOINTMENTS

Councilman Cline said the City is blessed to have excellent candidates for these positions. He said it was a very difficult evaluation process.

MOTION: Councilman Cline moved to appoint Bill Little and Jim Hrivnak and re-appoint Eric Ireland, for a three-year term on Planning & Zoning Commission, that term ending January 7, 2009. Councilman Schultz seconded the motion.

VOTE: Y 5 N 0

MOTION: Councilman Cline moved to appoint Jill Love as the City of Powell Representative to the Delaware General Health District for a term ending February 1, 2009. Councilman Schultz seconded the motion.

Mr. Lutz recommended that the appointment be left open without a definitive ending time as he is unsure about the length of the term. Councilman Cline said if a time is not stated, it may not be a proper appointment. Mr. Lutz said it could be stated that the appointment replaces the current term with its expiration date of February 2006, and this would allow them time to contact the health district to determine the term.

Councilman Cline accepted the amendment and moved to appoint Jill Love to replace the incumbent, whose current term expires February 2006, as the City of Powell Representative to the Delaware General Health District. Councilman Schultz seconded the motion.

VOTE: Y 5 N 0

MOTION: Councilman Cline moved to appoint Susan Redder for a three year term on the Personnel Board of Review, for a term ending January 7, 2009. Councilman Schultz seconded the motion.

VOTE: Y 5 N 0

MOTION: Councilman Cline moved to appoint Vince Pulles for a three year term on the Personnel Board of Review, for a term ending June 5, 2009. Councilman Schultz seconded the motion.

VOTE: Y 5 N 0

Mayor Grubbs said there will be an Executive Session at the next Council meeting to consider the appointment to the Board of Zoning Appeals position. He said Mr. Hrivnak will be on that commission as well until that appointment is made. Mayor Grubbs said they will also consider appointments for the Arbor Advisory Sub Committee and the Parks and Recreation Advisory Board.

Mayor Grubbs moved to Item 8 on the agenda. Councilman Schultz left the meeting at 10:10 p.m.

FIRST READING: ORDINANCE 2006-06: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2006 AND DECLARING AN EMERGENCY.

Mr. Lutz said this ordinance includes several expenditure adjustments. He described in detail each adjustment listed on the attachment.

Mayor Grubbs opened this item for public comment. Hearing none, he closed the public comment session.

This item was taken to a second reading.

FIRST READING: ORDINANCE 2006-09: AN ORDINANCE AUTHORIZING COMPLETION OF THE 2006 LIBERTY HILLS DETENTION BASIN RENOVATION, 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 2006 AND DECLARING AN EMERGENCY.

Mr. Lutz said this is one of the capital improvement projects included in the budget. He said the project involves replacing a 24" pipe, lining a 36" pipe, and constructing channel protection along the drainage area.

Mayor Grubbs opened this item for public comment. Hearing none, he closed the public comment session.

Councilman Wiencek said there has been an ongoing discussion with the residents whose properties back up to this area. He asked if the residents are aware of the project and if so, do they think this will solve the problem. Mr. Lutz said their main interest is that Staff work with the contractor once construction is started to minimize damage. He said the work will take place along the easement.

This item was taken to a second reading.

FIRST READING: ORDINANCE 2006-10: AN ORDINANCE AUTHORIZING COMPLETION OF THE 2006 RACCOON RUN CULVERT REPLACEMENT, 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 2006 AND DECLARING AN EMERGENCY.

Mr. Lutz said this is another capital improvement item which has been appropriated in the 2006 budget. He said this involves repairing a culvert under the road. He said there will be a fairly extensive detour plan put together as a section of the road will be closed down for approximately one week. He said a staff meeting was held this week to plan how to communicate with the residents affected. He said once the contract is awarded there will be a more definitive time frame and that information will be passed along to the residents.

Mayor Grubbs opened this item for public comment. Hearing none, he closed the public comment session.

This item was taken to a second reading.

SECOND READING: ORDINANCE 2006-05: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2006 AND DECLARING AN EMERGENCY.

Mr. Lutz said it is recommended this item be tabled until the February 21st Council meeting when there will be a definitive cost estimate for the project available.

Mayor Grubbs opened this item for public comment. Hearing none, he closed the public comment session.

MOTION: Councilman Cline moved to table Ordinance 2006-05 to the next regularly scheduled Council meeting on February 21, 2006. Councilman Counts seconded the motion.

VOTE: Y 4 N 0

COMMITTEE REPORTS

Development Committee: No Report. Next Meeting: February 21st

Finance Committee: Councilman Cline stated the committee met earlier in the evening in special session to discuss Ordinance 2006-11 and adopted a schedule of meetings for the second Tuesday of each month at 7:30 p.m. in the Conference Room. Next Meeting: March 8th

Operations Committee: No Report. Next Meeting: TBD

Downtown Committee: Mayor Grubbs said they will be discussing the details of the formation of a downtown foundation. Next Meeting: February 15th

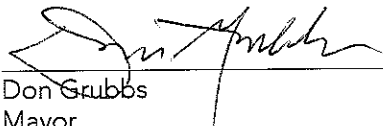
CITY MANAGER'S REPORT

Mr. Lutz stated the Ohio Parks and Recreation Association has issued its annual awards and the City of Powell was granted the highest award they issue for the park development project.

OTHER COUNCIL MATTERS

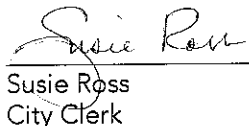
There were none.

DATE MINUTES APPROVED: February 21, 2006



Don Grubbs
Mayor

3-4-06
Date



Susie Ross
City Clerk

3-4-06
Date

City Council

Don Grubbs, Mayor

Richard Cline

Tom Counts

Elmer Meider

Bill Morton

Art Schultz

Dan Wiencek