



City of Powell, Ohio

**COUNCIL MINUTES
APRIL 18, 2006**

A regular meeting of the City of Powell Council was held April 18, 2006 and called to order at 7:40 p.m. by Mayor Don Grubbs. Council Members present included Richard Cline, Tom Counts, Elmer Meider, Bill Morton, Art Schultz, and Dan Wiencek. Also present were Steve Lutz, City Manager; Debra Miller, Finance Director; David Betz, Director of Development; Robert Rice, City Engineer; Shea Allmont, Community Affairs/Special Events Coordinator; Ken Molnar, Law Director; Susie Ross, City Clerk; interested parties and members of the press.

CITIZEN PARTICIPATION

There was none.

APPROVAL OF MINUTES

The minutes of April 4, 2006 were amended and approved.

CONSENT AGENDA

Item

Monthly Community Affairs/Events Report

Monthly Financial Report

Monthly Parks and Recreation Report

Monthly Planning and Zoning Report

Monthly Police Report

Action Requested

Receipt of Report

Receipt of Report

Receipt of Report

Receipt of Report

Receipt of Report

Adoption of Resolution

RESOLUTION 2006-14

A RESOLUTION TO CONDITIONALLY ACCEPT AND BEGIN THE REQUIRED, MINIMUM ONE-YEAR MAINTENANCE PERIOD FOR THE PUBLIC IMPROVEMENTS IN GOLF VILLAGE, SECTION 7, PHASE C SUBDIVISION AS THE SAME IS NUMBERED AND DELINEATED UPON THE AMENDED PLAT THEREOF RECORDED IN CABINET 3, SLIDES 213 AND 213A, DELAWARE COUNTY, OHIO RECORDS.

Adoption of Resolution

RESOLUTION 2006-15

A RESOLUTION TO CONDITIONALLY ACCEPT AND BEGIN THE REQUIRED, MINIMUM ONE-YEAR MAINTENANCE PERIOD FOR THE PUBLIC IMPROVEMENTS IN MURPHY PARK, SECTION 5 SUBDIVISION AS THE SAME IS NUMBERED AND DELINEATED UPON THE AMENDED PLAT THEREOF RECORDED IN CABINET 3, SLIDES 552-552B, DELAWARE COUNTY, OHIO RECORDS.

MOTION: Councilman Cline moved to adopt the Consent Agenda. Councilman Counts seconded the motion.

VOTE: Y 7 N 0

FIRST READING: ORDINANCE 2006-29: AN ORDINANCE TO GRANT FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS OF CHAMBERS GLEN SUBDIVISION AS THE SAME IS NUMBERED AND DELINEATED UPON THE PLAT THEREOF RECORDED IN CABINET 2, SLIDES 82 AND 82A DELAWARE COUNTY, OHIO RECORDS.

Steve Lutz, City Manager, stated this is an administrative item as Chambers Glen subdivision has been completed for some time and the public improvements have been completed. He said this item was noted as the Engineering Department was going through records.

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

MOTION: Councilman Cline moved to suspend the rules in regard to Ordinance 2006-29. Councilman Counts seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Cline moved to adopt Ordinance 2006-29. Councilman Counts seconded the motion.

VOTE: Y 7 N 0

(Tabled from March 7, 2006) SECOND READING: ORDINANCE 2006-05: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2006 AND DECLARING AN EMERGENCY.

Mr. Lutz stated this item has been tabled on several occasions and is the appropriation of the funds for the Police Station Construction/Municipal Building Façade Improvement/Public Restrooms. He said this ordinance has been tabled until the actual cost of construction could be determined. He said the project bids were re-opened last week and the low bid was \$2,358,400 from 2K General Contractors, Lewis Center, Ohio. Mr. Lutz said this was \$100k under the engineer's cost estimate. He said Staff recommends amending this ordinance from \$2,446,450 to \$2,750,000. He said construction should begin May 22, 2006.

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

Councilman Wiencek asked about other projects completed by 2K General. Mr. Lutz said Staff has checked their references and the company built the Olentangy Schools Bus Depot as well as the State Highway Patrol Substation north of Delaware. Mayor Grubbs asked about the revised timetable. Mr. Lutz said it will be presented to Council when Staff has an ordinance authorizing them to enter into contract.

MOTION: Councilman Cline moved to amend Ordinance 2006-05 in the following manner: Section 1, Police Facility Construction Fund, Capital Expenditures, to read \$2,750,000; the addendum to read "Police Facility Debt Issuance will be funded approximately May 18, 2006"; and the addendum amount should read \$2,750,000. Councilman Counts seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Cline moved to adopt Ordinance 2006-05 as amended. Councilman Counts seconded the motion.

VOTE: Y 7 N 0

SECOND READING: ORDINANCE 2006-23: AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR CESCO AT 35 GRACE DRIVE, A 5,680 SQ. FT. BUILDING FOR USE AS AN OFFICE/WAREHOUSE FOR COMMUNICATION TOWER CONSTRUCTION.

Public Hearing

Mr. Lutz said a review of this proposed development was presented at the last meeting. David Betz, Director of Development, reviewed the location of the site and surrounding properties. He indicated the existing and proposed buildings on the site plan. He said a considerable amount of outdoor storage has existed since the mid 1980's. He said the application was reviewed by the Planning and Zoning Commission and they recommend approval subject to seven conditions. He said of those conditions, the first two have already been met and the rest will be reviewed and approved by Staff.

Mayor Grubbs opened this item for public comment.

Don Kirkham, 52 Sharp Street, General Contractor, was present to address Council. He said this will be a nice addition for the applicant and they have attempted to comply with all requests from Staff and the Commission. He said the north property line is fairly messy at this time and it will be improved as it is turned into a grassy area.

Mayor Grubbs closed the public comment session.

Councilman Counts said he was on the Planning and Zoning Commission when this application was heard and the members felt this was a nice addition to an area which could use some improvement. He said the applicant was willing to do anything the Commission asked them to do. He urged Council to approve the ordinance.

Councilman Morton asked if there is retail involved at the business. Mr. Betz said there is a small retail portion but over the years more of the assembly of parts for tower building has been performed. Councilman Morton asked if they manufacture the pieces. Mr. Betz said they assemble the pieces and weld them. He said they have trucks with trailers which use the lot from time to time. He said they are just

moving from the back of the building they purchased to a new building and removing a lot of the outdoor storage.

MOTION: Councilman Cline moved to adopt Ordinance 2006-23. Councilman Counts seconded the motion.

VOTE: Y 7 N 0

SECOND READING: ORDINANCE 2006-24: AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR MATTHEW HWANG, FOR TWO THREE-UNIT CONDOMINIUM BUILDINGS ON THE SOUTHEAST CORNER OF ZION DRIVE AND SAWMILL ROAD.

Public Hearing

Mr. Lutz said a lengthy review was conducted at the last Council meeting regarding this application. Mr. Betz reviewed the location of the property and surrounding uses. He said the proposal is to remove the existing home and build two three-unit condominium buildings. He indicated the landscape plans and sidewalk to bikepath connections. Mr. Betz briefly reviewed the building elevations and materials.

Mayor Grubbs opened this item for public comment.

Jim Lubinsky, agent for the applicant, was present to address Council. He said regarding materials they initially started with brick and were asked to and agreed to change the material to stone. He said the intent is for each unit to look like one large single family residence.

Mayor Grubbs closed the public comment session.

Councilman Morton asked about the physical dimensions of the units. Mr. Betz said the footprint is a little larger because of the number of units but in terms of unit size and price point, these would be similar if not greater than the Commons of Powell. He said they will be a little bit taller as all of the units have second story lofts.

Councilman Wiencek thanked Mr. Hwang for his previous donation of the easement for the bikepath connection. Councilman Counts commented that the neighbors from the Commons of Powell attended the meetings and made their concerns known, the applicant met all of those concerns and the residents were happy with that resolution.

MOTION: Councilman Cline moved to adopt Ordinance 2006-24. Councilman Counts seconded the motion.

VOTE: Y 7 N 0

COMMITTEE REPORTS

Development Committee: Councilman Schultz said they met earlier that evening and discussed park signage, neighborhood traffic concerns and Parks and Rec guidelines. He said they reached agreement on what they would like to do next. He said some recommendations will be forthcoming from the committee in the next few months.

Finance Committee: Councilman Cline said they also met earlier that evening and discussed rules and regulations of the Board of Tax Appeals and will continue to work on that. He said they reviewed the Income Tax Definitional Structures. He congratulated Debra Miller on her selection as President of the Central Ohio Association of Government Accountants. Councilman Counts said they also started discussion on Capital Improvements and will devote more discussion to that subject in the next few committee meetings.

Operations Committee: No Report. Next Meeting: May 1st, 7:30 a.m.

Downtown Committee: Mayor Grubbs said they discussed parking identification and way finding signage. He said Staff provided a clear map of open parking areas and the committee will be able to form plans. Mayor Grubbs said they spent most of the meeting discussing whether to change turn lane restrictions at the Four Corners. He said there was a good turnout of residents, business owners and stake holders in the area and it was productive in a lot of ways. He said there were areas of disagreement but at the same time had unanimous comments that there should not be additional turn restrictions at the intersection. He said the recommendation to Council is to not change the restrictions as an interim measure. Next Meeting: May 10th, 6:30 p.m.

CITY MANAGER'S REPORT

Mr. Lutz stated last Saturday the City held its first Easter Egg Hunt and Bonnet Parade at Murphy Park. He thanked Shea Allmont for organizing the event which had a great turnout.

He said Dave Betz and Rob Rice worked that day on the engineering and alignment of the bikepaths from the downtown area to Sawmill Parkway.

OTHER COUNCIL MATTERS

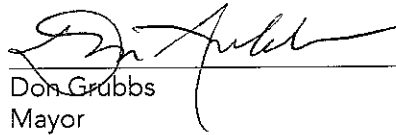
Mayor Grubbs asked if the schedule is ready for the Powell Festival Friday night events. He said Council members have been invited to serve at the Council for Older Adults event on that evening.

Councilmember Schultz asked Staff to remind the Police Department to monitor and give warnings at the signalized crosswalks. He said Police presence may remind people to stop. Councilman Wienciek asked that the crosswalk be re-stripped at Liberty and Adventure Park. He suggested adding the lettering "Ped Crossing" to the road surface before the crosswalk.


Mr. Lutz noted the next Council meeting is scheduled for Tuesday, May 2nd, which is Election Day. He said the meeting will need to be rescheduled as all of the community meeting rooms are used as a polling place. It was the consensus of Council to reschedule the meeting to Wednesday, May 3rd.

ADJOURNMENT

DATE MINUTES APPROVED: May 3, 2006

 5-12-06

Don Grubbs Date
Mayor

 5/12/06

Susie Ross Date
City Clerk

City Council

Don Grubbs, Mayor

Richard Cline

Tom Counts

Elmer Meider

Bill Morton

Art Schultz

Dan Wienciek