



City of Powell, Ohio

**COUNCIL MINUTES
May 16, 2006**

The Powell City Council meeting on May 16, 2006 was called to order at 7:31 p.m. by Mayor Don Grubbs. Council Members present included Tom Counts, Elmer Meider, Bill Morton, Art Schultz, and Dan Wiencek. Richard Cline was absent. Also present were Steve Lutz, City Manager; Debra Miller, Finance Director; Shea Allmont, Community Affairs/Special Events Coordinator; Ken Molnar, Law Director; Susie Ross, City Clerk; interested parties and members of the press.

ROLL CALL/CALL TO ORDER

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION

There was none.

APPROVAL OF MINUTES

The minutes of May 3, 2006 were approved as submitted.

CONSENT AGENDA

Item

- Monthly Community Affairs/Events Report
- Monthly Financial Report
- Monthly Planning and Zoning Report
- Monthly Police Report

Action Requested

- Receipt of Report*
- Receipt of Report*
- Receipt of Report*
- Receipt of Report*
- Adoption of Resolution*

RESOLUTION 2006-20:

A RESOLUTION TO CONDITIONALLY ACCEPT AND BEGIN THE REQUIRED, MINIMUM ONE-YEAR MAINTENANCE PERIOD FOR THE PUBLIC IMPROVEMENTS IN THE GOLF VILLAGE SECTION 5, PHASE A SUBDIVISION AS THE SAME IS NUMBERED AND DELINEATED UPON THE PLAT THEREOF RECORDED IN CABINET 3, SLIDES 387 THRU 387A, DELAWARE COUNTY, OHIO RECORDS.

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

VOTE: Y 6 N 0

LIQUOR LICENSE REQUEST: MICHAEL COSTANZO dba YOUR PLACE

Steve Lutz, City Manager, said Mr. Costanzo has requested that this item be tabled until the next Council meeting as he is not able to attend. He said this will still allow Council enough time to request a hearing if they so desire.

MOTION: Councilman Counts moved to table Item 6 to the next regularly scheduled City Council Meeting. Councilman Wiencek seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2006-31: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2006.

Debra Miller, Finance Director, stated that earlier in the year the regulations regarding electrical inspections were changed and this was not anticipated in the budget. She said the required commercial building inspections have increased dramatically and have been contracted out. Ms. Miller said they have already spent the amount which is normally spent in an entire year and it is anticipated it will cost an additional \$22k this year. She said the revenues will increase to match this amount.

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

MOTION: Councilman Counts moved to suspend the rules in regards to Ordinance 2006-31. Councilman Wiencek seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Counts moved to adopt Ordinance 2006-31. Councilman Wiencek seconded the motion.

VOTE: Y 6 N 0

FIRST READING: ORDINANCE 2006-32: AN ORDINANCE ESTABLISHING A PROCEDURE FOR RECEIVING PROPOSALS FOR CONTRACTED LAW DIRECTOR SERVICES.

Mr. Lutz said one of the goals of City Council has been to review and update the various procedures. He said the Operations Committee has just reviewed the procedure for receiving proposals for contracted Law Director Services. He said it is recommended that the City go out with a formal RFP every three years.

Mr. Lutz said the attachment includes two questions from Rich Cline for discussion regarding policy matters. He said the way the current RFP is written may discourage sole practitioners from applying and that was not the intent of the Operations Committee. He said Mr. Cline has proposed some language which might be inserted. He said another concern is in the RFP it anticipates a one year contract being offered and Mr. Cline suggests consideration of a longer period of time. He said Mr. Cline will be available at the next Council meeting and it is recommended this ordinance be taken to a second reading.

Councilman Schultz said these are both reasonable amendments. Councilman Meider said they are preferable changes. Mayor Grubbs confirmed that the ordinance is separate from the attachment and the attachment is not adopted as a part of the ordinance. Mr. Lutz said that is correct.

Mayor Grubbs said he agrees that it was not the intention of the Committee to discourage sole applicants but he feels the contract term is acceptable. Councilman Counts said the Committee discussed this quite a bit and they suggested a one year contract as most other municipalities have one year renewable contracts for this type of service. He said they decided they did not want to go out to bid every year. He said the contract length was determined to be appropriate as there is not much difference between one and three years. Councilman Meider asked if a one year as opposed to a three year restrict the applications which would be received. Councilman Counts said he does not think so because most candidates would be those who would have served a municipality either currently or in the past and are used to one year contracts.

Mayor Grubbs said one year seems to be the norm. He said the three year review allows the City to see what types of services are available. Councilman Schultz said since this is not written into the ordinance it may be modified in the RFP. Ken Molnar, Director of Law, said that anybody who does this type of work does not find the length of the contract that important. He said most of the RFPs for municipalities in central Ohio are on an annual basis.

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

Mayor Grubbs encouraged the members of Council to look through the ordinance and attached RFP to note questions and comments and forward those to members of the Operations Committee. Councilman Wiencek asked if the description for this profile was developed in line with the Circuit Rider. Mr. Lutz said they did not as this was a new profile that the Committee worked on. Councilman Wiencek asked Staff to go back through the Circuit Rider information to see if there are general requirements which may apply to this profile.

Ordinance 2006-32 was taken to a second reading.

FIRST READING: ORDINANCE 2006-33: AN ORDINANCE TO GRANT FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS OF GOLF VILLAGE SECTION 6, PHASE B, PART 1 SUBDIVISION AS THE SAME IS NUMBERED AND DELINEATED UPON THE PLAT THEREOF RECORDED IN CABINET 3, SLIDES 83 THRU 83A DELAWARE COUNTY, OHIO RECORDS.

Mr. Lutz said a year ago Council passed a resolution to conditionally accept the improvements for this section of Golf Village. He said that started the minimum one year maintenance period and that period has now expired and is ready for final acceptance. He said this section of Golf Village is the Rockford area which is east of Sawmill Parkway and north and south of Village Club Drive.

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

There were no comments from Council.

MOTION: Councilman Counts moved to suspend the rules in regards to Ordinance 2006-33. Councilman Wiencek seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Counts moved to adopt Ordinance 2006-33. Councilman Wiencek seconded the motion.

VOTE: Y 6 N 0

COMMITTEE REPORTS

Development Committee: Councilman Schultz said the Committee reviewed draft Parks and Rec rules and sent those to the Parks and Rec Advisory Board for their review. He said that will allow comments back from the Board before they are brought to Council. Councilman Schultz said the Committee heard from neighbors for in regards to a stop sign request in Woods of Sawmill. He said they had the sufficient number of people on the petition and the Committee recommended they proceed to Council. Councilman Schultz said two meetings ago the Committee heard from residents from Ashmoore who asked for the size of the park sign to be scaled back. He said at that time the Committee discussed different options and had Staff make suggestions. Councilman Schultz said the Committee recommends that Staff lower the current sign to approximately one foot from the ground.

Mr. Lutz said the Meadowview Park sign is located in a different location than others as it is strictly a residential street in a residential area. He said just by lowering the sign it should bring it into scale with the area. Councilman Schultz said the initial request was to make the sign smaller but that was cost prohibitive. He said they discussed relocating it so it is parallel and less noticeable, but lowering it is the smallest, least disruptive step. He said if they have Council's approval, Staff will check with the Ashmoore HOA president to see if this will satisfy their members. He said it would then be lowered.

Councilman Wiencek said they may want to relocate it as well as the base is in footer. Councilman Schultz said Staff has checked and they can do either with a minimal amount of work. Mayor Grubbs said they may proceed as planned as there are no objections from Council.

Finance Committee: Councilman Counts said they met last Tuesday and they spent most of their time identifying certain income tax revenue reports they would like to see from RITA and discussing an investment policy. Next meeting June 13th.

Operations Committee: No report. Next meeting June 5th.

Downtown Committee: Councilman Meider said they spent a fair amount of time discussing signage issues. He said Staff brought forth ideas of possibilities for parking signage. He said they were well received. Mr. Lutz said Staff is requesting quotes on public parking signs for the downtown area and they will look like the park signs but much smaller. He said it would be the start of a uniform signage program downtown. Mr. Lutz said once a final cost estimate is obtained for the signs, Staff will provide Council with a mock up of the signs and proposed locations. He said they will also bring forward an appropriate ordinance at that time if it is needed.

Councilman Meider said they discussed the possibility of creating a part time position. Mr. Lutz said this was the start of discussions to determine if it is beneficial to hire a part time temporary person to continue to implement many of the goals and objective which have been developed by the Committee. He said there is a lot more to be discussed in the future regarding the funding and job description. He said the recommendations will be forwarded to Council in the future.

Councilman Wiencek said there was talk about Staff working on maintenance enforcement within the Downtown area. He said it is a pet peeve that mailboxes were purchased and remain unpainted. He said he would like to add that to Staff's list if they have not already done so. Mr. Lutz said there was a brief discussion about mailboxes at the last meeting. He said the plan is for the downtown business owners to get together and paint the mail boxes as they are their responsibility. He said he will add the review of maintenance issues to the next Committee agenda. Next Meeting June 14th

CITY MANAGER'S REPORT

Mr. Lutz said a week from Monday is the annual Memorial Day and Council Members and their families are welcomed to ride the Zoo Trolley at the start of the parade. He said they should meet at 9:30 a.m. Councilman Wiencek asked if there is a flyover this year. Mr. Lutz said one is arranged but it is hit-or-miss. He said the traditional service will be held at 8:30 a.m. at the cemetery and a brief ceremony will be held at the amphitheatre following the parade.

OTHER COUNCIL MATTERS

Mayor Grubbs read a note from Allison Merola, May Powell Kid Citizen of the Month. He said the Kid Citizens will be in parade as well.

Mayor Grubbs said there is a new vacancy on the Arbor Advisory Committee. Mr. Lutz said he does not think we currently have people interested in this position. He said there are also have vacancies on the Parks and Rec Advisory Board so they may want to advertise the openings. Councilman Wiencek suggested that Staff contact landscaping firms within the City to see if they are willing to support the City in this way. Mayor Grubbs said Staff should also advertise.

Mayor Grubbs gave an update on the Home Road Bridge Bicycle Path. He said he received an email from Liberty Township Trustee Curt Sybert. He said it encourages the Commissioners to get on board and stop work on the bridge until they incorporate a bike path. Councilman Wiencek said Mrs. Guzzo, Liberty Township Trustee, met with Commissioner Jordan to have a similar discussion. Mr. Lutz said the Trustees spoke about at their meeting last night and that spurred the letter to the Commissioners. He said Mr. Jordan was invited to their meeting about two months ago.

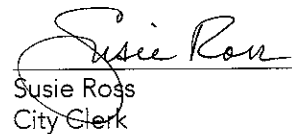
ADJOURNMENT

The meeting was adjourned at 8:07 p.m.

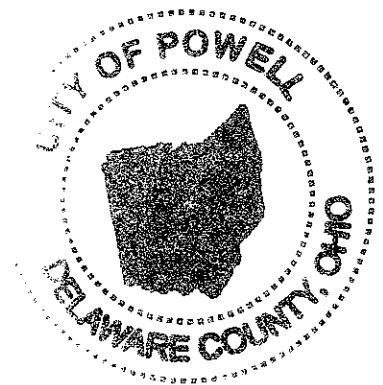
DATE MINUTES APPROVED: June 6, 2006


Don Grubbs
Mayor

6-17-06
Date


Susie Ross
City Clerk

6/17/06
Date



City Council

Don Grubbs, Mayor

Richard Cline

Tom Counts

Elmer Meider

Bill Morton

Art Schultz

Dan Wiencek