



## City of Powell, Ohio

### COUNCIL MINUTES

JUNE 20, 2006

A regular meeting of the Powell City Council was called to order at 7:33 p.m. by Mayor Don Grubbs. City Council members present included Tom Counts, Elmer Meider, Bill Morton, Art Schultz, and Dan Wiencek. Richard Cline arrived at 8:22 p.m. Also present were Steve Lutz, City Manager; David Betz, Director of Development; Robert Rice, City Engineer; Powell Police Chief Gary Vest; Ken Molnar, Law Director; Susie Ross, City Clerk; interested parties and members of the press.

### PLEDGE OF ALLEGIANCE

### CITIZEN PARTICIPATION

There was none.

### APPROVAL OF MINUTES

The minutes of June 6, 2006 were amended and approved.

### CONSENT AGENDA

#### Item

Monthly Community Affairs/Events Report

Monthly Financial Report

Monthly Planning and Zoning Report

Monthly Police Report

RESOLUTION 2005-25

#### Action Requested

*Receipt of Report*

*Receipt of Report*

*Receipt of Report*

*Receipt of Report*

*Adoption*

A Resolution to refer to the Planning and Zoning Commission for study and recommendation amendment to the Powell Planning and Zoning Code Section 1151.04(d): Portable Signs, Billboards, and Section 1151.11 Removal of Illegal Signs.

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

**VOTE: Y 6 N 0**

### RECOGNITION OF SERVICE

Mayor Grubbs presented a plaque of recognition to Lisa Koprowski for her service on the Arbor Advisory Committee. Chris Thomas, who served on the Parks & Recreation Advisory Board, was not able to attend.

### COUNCIL DISCUSSION: REQUEST FOR INSTALLATION OF A 4-WAY STOP AT THE INTERSECTION OF PRESIDENTIAL PARKWAY AND VINWOOD LANE.

Steve Lutz, City Manager, stated the City has received a petition to install a 4-way stop sign at this intersection. He detailed the process required by the sign policy. Mr. Lutz said the Development Committee has held discussion on this request and if Council wants to authorize the traffic study, Staff believes traffic counts will not meet the Ohio statutes.

Mayor Grubbs asked if Council is being requested to authorize a study or if they may approve installation of the stop signs. Councilman Schultz said they may do either but they will have to waive what would be the normal procedure of requiring a traffic study. Mr. Lutz said it would probably not be worthwhile to spend the money for the study as Staff has predicted the outcome.

Gary Johnson, 403 Rosewood Court, stated he is a member of the HOA Board for the Woods of Sawmill. He said in regards to the request, they gathered 82 signatures from 82-86 households in the subdivision and the residents feel very strongly about this issue. He said this location is a school bus stop and a crossing point for the bikepath between the Woods of Sawmill and Grandshire subdivisions. He said the traffic on Presidential Parkway has become increasingly heavy as it is used as a community east-west cut-through. Mr. Johnson said the intersection may or may not meet the traffic count but the speed of the

traffic coming through is another issue. He said at least one tree has been taken out by vehicles. Mr. Johnson said if there is not sufficient traffic to warrant the four-way stop at this intersection it is questioned why there is a three-way stop in place at Grandshire and Presidential.

Mayor Grubbs confirmed which intersection is being considered. Mr. Johnson clarified the streets involved.

Councilman Wiencek asked if this is a bus stop for high school and middle school at this time and a walk neighborhood for elementary. Councilman Morton said it is now an elementary walk neighborhood with no sidewalks and only a bikepath. He said to reach the bikepath on the north side of Presidential it is necessary to cross the road. Mr. Johnson said there are quite a few children who cross the road there and it is a significant safety issue.

Mayor Grubbs said Council is not questioning the need for the signs, but are here to listen to the request. He said it is his understanding that this intersection is within the one mile radius of Tyler Run Elementary and within the walk area. Councilman Morton said this concern was presented to the School Board when it became apparent this would become a walk area but the Board overturned their first decision and made it a walk area anyway. He said the traffic and speed present a safety issue.

Mayor Grubbs asked about the bikepath connection which is part of the development which is proceeding on Zion Drive. David Betz, Director of Development said the proposed bikepath will head to the west with the crossing on Presidential at Sawmill Road. Mayor Grubbs asked if there is striping at any of the four legs at the intersection. Mr. Johnson said there is no striping where the roads intersect.

Councilman Wiencek advised Mr. Johnson that many traffic studies will predict that placing a stop sign will not slow the speed on the affected streets for more of a distance than two or three houses on either side of the intersection. He said he feels it is his duty to advise that this stop sign may actually increase acceleration rates and noise from people stopping and accelerating quickly. He said they may also find that people "roll through" the stop as there is not cross traffic on a regular basis and they may be creating a hazard rather than preventing one. He said he will not vote against this stop sign but he does not feel it will give the residents the safety they are looking for.

Mr. Johnson asked about the speed trailer and asked if it gathers speed data. Police Chief Gary Vest said it is a display unit only.

Councilman Counts asked where the 4-way intersections are in that area. Mayor Grubbs said they are located at Grandshire and Salisbury. Mr. Lutz said some of those stop signs did not meet the warrants either but Council approved their installation. Discussion continued regarding the distance from this intersection to Sawmill Road. Mr. Johnson said there is probably great validity in what Councilman Wiencek has said but there have been some close calls. Councilman Morton said he collected most of the signatures on the petitions and the concern is that there is no way to cross that road on the west end for residents to get to the school.

Councilman Meider asked if there was any other way to slow traffic without putting in the stop signs. Discussion continued regarding painted crosswalks without signage. Councilman Morton described the manner in which the bikepaths in the area were originally designed and how they were actually built. He said it was suggested that this intersection was a more appropriate place for people to cross than one closer to Sawmill Road. Mayor Grubbs asked about the location of the bus stops in the area. Councilman Morton described the locations.

Mayor Grubbs opened this item for public comment. Unidentified parties from the audience indicated their agreement with the statements of Mr. Johnson. Mayor Grubbs closed the public comment session.

Councilman Schultz said there may be some engineering reasons that the addition of stop signs may not give you what you want in the slowing of traffic, but with the bikepath on the other side the intersection, stop signs would give the kids a better chance to get across the street.

Mayor Grubbs asked if Staff will provide recommendation roadway striping. Mr. Lutz said Staff will bring forward a proposal. It was the unanimous decision of the members of City Council to direct Staff to prepare an ordinance to install the 4-way stop signs.

**RESOLUTION 2006-26: A RESOLUTION ESTABLISHING THE ITEMS THAT MAY BE INCLUDED ON THE CONSENT AGENDA OF REGULAR CITY COUNCIL MEETINGS AND REPEALING RESOLUTION 2005-02.**

Mr. Lutz said Council established the items that may be included on the Consent Agenda in January 2005. He said Council discussed adding the acceptance of public improvements to this list of items and Staff has prepared a resolution which includes this change.

Councilman Cline noted an error in the heading of the Ordinance where it should read 2006-26 rather than 2005-26. The error was noted by the Clerk. Councilman Cline said their practice has been to suspend the rules on plats and he suggests Council amend that item in the Ordinance. He said if Council would like to take an Ordinance approving plats to a second reading they may remove the item from the Consent Agenda at that time.

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

**MOTION: Councilman Cline moved to amend Resolution 2006-26 in the caption to reflect 2006-26 and in Section 1, subsection 3, to strike the words "second readings of". Councilman Counts seconded the motion.**

**VOTE:            Y   7              N   0**

**MOTION: Councilman Cline moved to adopt Resolution 2006-26. Councilman Counts seconded the motion.**

**VOTE:            Y   7              N   0**

**SECOND READING: ORDINANCE 2006-38: AN ORDINANCE AUTHORIZING COMPLETION OF THE 2006 SIDEWALK PROGRAM, FURTHER AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS, ACCEPT THE LOWEST RESPONSIBLE, RESPONSIVE AND BEST BID 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.**

*Public Hearing*

Mr. Lutz said at the last Council meeting there was a lengthy discussion regarding the Sidewalk Repair Program for 2006. He said Staff is available to answer any questions.

Mayor Grubbs asked if the emergency provision was to be removed from the ordinance. Mr. Lutz said he recommends the ordinance be adopted as an emergency measure.

Councilman Counts asked if Staff has received any informal feedback from the neighborhood. Mr. Lutz said as a result of some articles by the press, several residents called in because they did not receive notice and they were wondering why not. He said those residents live in other parts of Olentangy Ridge which will be done in future years.

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

**MOTION: Councilman Cline moved to adopt Ordinance 2006-38. Councilman Counts seconded the motion.**

**VOTE:            Y   7              N   0**

**FIRST READING: ORDINANCE 2006-39: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SELECT AN ENGINEERING CONSULTANT TO PREPARE PRELIMINARY ENGINEERING PLANS RELATED TO THE INTERSECTION CONFIGURATION OF THE 4-CORNERS AND THE EXTENSION OF VILLAGESCAPE.**

Mr. Lutz said in January's Goal Setting Session, Council identified determining the cost estimates for turn lanes at the 4-corners as a higher priority goal. He said that may only be done through preliminary engineering. He said this Ordinance would authorize Staff to receive a proposal and upon receipt, it would be presented to Council for review and funding consideration. He said this legislation does not commit the City to any decision at this point.

Mr. Lutz said they are also looking at preparing preliminary engineering for turn lanes because there is a proposed development on the northeast corner at this intersection which before the Planning & Zoning Commission. He said they would like to conduct the preliminary engineering including ways they can add turn lanes if they decide to in the future so they know what the impact may be on buildings on the 4-corners. Mr. Lutz said he would hate to see someone invest a lot of money in a building and then in six months have Staff tell them the City has to acquire the property in order to build turn lanes. He said they envision the preliminary report will include information about different approaches to install turn lanes and how to extend Villagescape in various directions within the TIF district.

Councilman Cline asked if the only configuration requested going to be one that includes turn lanes. Mr. Lutz said many options will be presented including the option of no turn lanes. Mayor Grubbs said the Villagescape extension in relation to all of the options will also be suggested. He said it behooves the City to move as quickly as possible to advise the property owner.

Councilman Counts asked if the City had done any preliminary engineering plans in the past regarding the intersection in the past. Mr. Betz said in the past diagrams have been based on aerial photos and not any actual survey work. He said in receiving the survey for this property, Staff found out the building encroaches within the right-of-way quite a bit more than they anticipated. He said the survey information will be important when the engineering is performed. Councilman Morton asked if the plans done in 1995 were done with surveying data. Mr. Betz said it was based on aerial data.

Councilman Wiencek said he is not opposed to moving forward with this but one thing they have not seen in all of the studies done is a quantitative measurement or impact of the turn lanes. He said if the City is going to contemplate spending a lot of money to redo the corners he wants to know that the benefit is going to justify the expense. He asked that this engineering study include information about the estimated impact.

Mr. Lutz said Staff can have the proposal include a quote for just that section and that information will be included when this returns to Council in the future for discussion. He said Council will have the information before they make any determination. Mayor Grubbs asked if the engineering configuration is engineering and site work that would not normally include a traffic impact analysis. Mr. Lutz said that information is correct and Staff will get a proposal for preliminary engineering and its cost, the quantitative study requested and the associated costs. Councilman Wiencek said there should be sufficient traffic count data from past studies. Rob Rice, City Engineer, said he would not rely on the past traffic data.

Mayor Grubbs asked if it would be necessary to amend the ordinance to reflect the new information request. Councilman Morton said he has expressed reservations in the past whether turn lanes are the best approach to take at the 4-corners but in order to make that decision the preliminary engineering must be completed.

Councilman Wiencek said he does not have a problem with this ordinance, but he said if a study says that installing turn lanes provides a negligible impact for now and the foreseeable future, then this would not be money well spent. Mayor Grubbs said this study will also do the engineering for Villagescape with or without turn lanes and will give Council more certainty of the impact on the surrounding property. Councilman Cline said this ordinance would authorize the consultant to provide concepts of how Villagescape would appear if turn lanes were configured in all directions. Councilman Meider said theoretically it should have a profound impact on the downtown area.

Mr. Rice asked if Council is requesting a rendering of some sort. Councilmen Meider said that is what they are looking for. Mr. Lutz said he is looking for Council's input to determine the scope and he will bring that information back for discussion. Councilman Cline said the ordinance as it stands should be sufficient.

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 regards to Ordinance 2006-39. Councilman Counts seconded the motion.**

**VOTE: Y 7 N 0**

**MOTION: Councilman Cline moved to adopt Ordinance 2006-39. Councilman Counts seconded the motion.**

**VOTE:            Y   7              N   0**

### **COMMITTEE REPORTS**

**Development Committee:** Councilman Schultz said the Committee met earlier in the evening and heard from the consultant about the City meeting the requirements of the Clean Water Act. He said the consultants will make recommendations based on what other cities do to further avoid waste water runoff. He said that will require some action for new developments and some retroactive measures which the City will need to take. He said some will be maintenance issues and some will require legislation. Councilman Schultz said they also received an update from Staff on the West Powell Road bikepath design. He said they are near completion of the design and Mr. Betz has completed initial conversations with all of the property owners. He said preliminary estimates will be provided soon and they will bring proposals to Council. He said pedestrians are attempting to get to the destinations to the west so the Committee is in favor of working as quickly as possible to get the bikepath completed on one side of Powell Road. (Next Meeting: June 20<sup>th</sup>, 6:30 p.m.)

**Finance Committee:** Councilman Counts said the Committee had two meetings. He said the first was a telephone conference with representatives of RITA. He said the RITA representatives were very helpful and presented them with the fields of information which may be provided. He said the next step is to identify which types of reports they need and determine how to put it into a usable form. Councilman Counts said at the regular committee meeting they continued to work on the short-term investment policy. (Next Meeting: July 11<sup>th</sup>, 7:30 p.m.)

**Operations Committee:** No report. (Next Meeting: July 6<sup>th</sup>, 7:30 a.m.)

**Downtown Committee:** No report. (Next Meeting: June 28<sup>th</sup>, 6:30 p.m.)

### **CITY MANAGER'S REPORT**

Mr. Lutz reminded Council the next regular meeting is scheduled for Wednesday, July 5<sup>th</sup>. He said the second monthly Council meeting on July 18<sup>th</sup> will include discussion about the Capital Improvements Budget. He said that information will be distributed prior to the meeting. He said next year's Capital Improvement Budget includes the repaving of the parking lot at the Village Green and there will be very little money in future years to fund capital improvement programs. He said the Finance Committee has been discussing different options for financing capital improvements.

Mr. Lutz said several months ago ODOT installed a traffic signal at Powell Road and Sawmill Road. He said they have recently removed the signals and the City was informed that the signal was installed but ODOT subsequently determined the signal did not meet their warrants. He said that signal will not be activated.

Mr. Lutz said Council members traditionally meet on stage and greet the crowd at the Powell Festival. It was determined the members would greet on Friday evening at 8 p.m. and again Saturday evening at 7:30 p.m.

Councilman Wiencek said he spoke with Shea Allmont, Community Affairs/Special Events Coordinator, and she indicated she was at or near her fundraising goal for the festival. He said she has done an excellent job in that respect.

### **OTHER COUNCIL MATTERS**

Councilman Schultz reminded the press members present that there are headlines about annexation from Liberty Township and the annexed land is never actually removed from the township, but is added to the City. He said it creates a misconception that they are losing property from the township. Mr. Lutz said this has to do with the CEDA agreement.

Councilman Schultz thanked Council and Staff for marking the pedestrian crossings. He asked Chief Vest to instruct the officers to continue to remind motorists to respect the crosswalk.

Councilman Counts said he has been noticing increasing numbers of deer in Olentangy Ridge in the center of town. He asked if there is anything the City can do. Mr. Lutz said this was discussed last year and it was scheduled for follow up this month. Councilman Schultz said it is a controversial topic and there is

property destruction if the deer are overpopulated. He said traffic reports show a peak in accidents during rut season. Councilman Wiencek said they are looking for deer management.

Mayor Grubbs said he met with Mr. Lutz recently to speak about Staff activities and compare them with the goal setting from the beginning of the year. He said he is pleased to note they are working on or have completed all of the goals. Mr. Lutz said there is a forestry intern working on the inventory of all trees on public property.

Councilman Wiencek provided an update on the Home Road Overpass Bikepath. He said he was unable to attend, but Mr. Lutz and staff members met with the County Commissioners and County Engineer to relay Council's desire for a pedestrian bikepath as a part of the Home Road overpass. He said Staff recommended they consider putting a bikepath in the planned 12' wide shoulder in the existing plan. Councilman Wiencek said the County Engineer was a little more receptive to that idea and has agreed to review that concept. He said discussions are still ongoing.

Councilman Morton commended Staff on the striping of the municipal parking lot.

**MOTION:** Councilman Cline moved to adjourn to Executive Session in accordance with ORC Section 121.22(G)(3) to discuss pending litigation at 8:36 p.m. Councilman Counts seconded the motion.

**VOTE:** Y 7 N 0  
(Councilman Schultz excused himself from the meeting.)

**MOTION:** Councilman Cline moved to adjourn from Executive Session at 9:27 p.m. Councilman Counts seconded the motion.

**VOTE:** Y 6 N 0

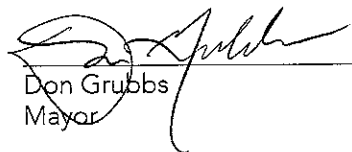
**MOTION:** Councilman Cline moved to reconvene in Regular Open Session at 9:28 p.m. Councilman Counts seconded the motion.

**VOTE:** Y 6 N 0

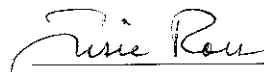
**MOTION:** Councilman Cline moved to adjourn from Regular Open Session 9:28 p.m. Councilman Counts seconded the motion.

**VOTE:** Y 6 N 0

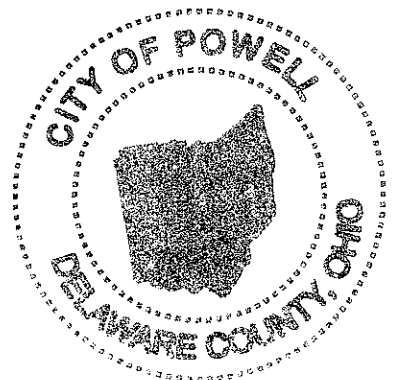
**DATE MINUTES APPROVED:**

  
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Don Grubbs  
Mayor

7-17-06  
Date

  
\_\_\_\_\_  
Susie Ross  
City Clerk

7-17-06  
Date



**City Council**

Don Grubbs, Mayor

Richard Cline

Tom Counts

Elmer Meider

Bill Morton

Art Schultz

Dan Wiencek