



City of Powell, Ohio

COUNCIL MINUTES JULY 5, 2006

A regular meeting of the Powell City Council was called to order on July 5, 2006 at 7:35 p.m. by Mayor Don Grubbs. City Council members present included Richard Cline, Tom Counts, Elmer Meider, Bill Morton, and Dan Wiencek. Art Schultz was absent. Also present were Steve Lutz, City Manager; Shea Allmont, Community Affairs/Special Events Coordinator; Ken Molnar, Law Director; Susie Ross, City Clerk; interested parties and members of the press.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Julia Lyall, Powell Mayor's Kid Citizen of the Month.

CITIZEN PARTICIPATION

Mayor Grubbs opened the Citizen Participation session.

Joan Weiss, former business owner at 83 E. Olentangy Street, was present to address Council. She said she was in business in Powell for a year and moved out the early part of 2006. She said she was told she could not install a sign in front of her business because she was in a business within the Historic District and certain regulations were applicable. She said she complied with all of the regulations, which caused her a lot of inconvenience. Ms. Weiss said a Chiropractor moved into the room adjoining her space and he has a very unattractive sign which did not have to comply with any of the regulations. She said she felt she was owed a refund of her permit fees.

Mayor Grubbs confirmed the address of her former business and advised Ms. Weiss that the City Council has directed the Planning and Zoning Commission to initiate a review of the sign ordinance and enforcement of the ordinance. Mayor Grubbs closed the Citizen Participation session.

APPROVAL OF MINUTES

The minutes of June 20, 2006 were amended and approved.

CONSENT AGENDA

Item

Action Requested

RESOLUTION 2005-27

Adoption

A RESOLUTION TO CONDITIONALLY ACCEPT AND BEGIN THE REQUIRED, MINIMUM ONE-YEAR MAINTENANCE PERIOD FOR THE PUBLIC IMPROVEMENTS IN THE WOODS OF POWELL SOUTH SUBDIVISION AS THE SAME IS NUMBERED AND DELINEATED UPON THE PLAT THEREOF RECORDED IN CABINET 3, SLIDES 454 THRU 454B, DELAWARE COUNTY, OHIO RECORDS.

ORDINANCE 2006-41

Adoption

AN ORDINANCE TO GRANT FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS OF GOLF VILLAGE, SECTION 3, PHASE A SUBDIVISION AS THE SAME IS NUMBERED AND DELINEATED UPON THE PLAT THEREOF RECORDED IN CABINET 2, SLIDES 663-663A DELAWARE COUNTY, OHIO RECORDS.

ORDINANCE 2006-42

Adoption

AN ORDINANCE TO GRANT FINAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS OF POWELL PLACE, PHASE IV SUBDIVISION AS THE SAME IS NUMBERED AND DELINEATED UPON THE PLAT THEREOF RECORDED IN CABINET 2, SLIDES 795-795A DELAWARE COUNTY, OHIO RECORDS.

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

VOTE: Y 6 N 0

PRESENTATION: JULY 2006 MAYOR'S KID CITIZEN OF THE MONTH – JULIA LYALL

Mayor Grubbs presented Julia Lyall with the Powell Mayor's Kid Citizen of the Month award for July 2006. He stated Julia was nominated by her teacher, Lori Kipfer, who noted Julia's work for a fundraiser which benefited children served by MRDD in Delaware County.

RESOLUTION 2006-28: A RESOLUTION TO AMEND THE CITY OF POWELL RULES OF CITY COUNCIL AND REPEAL RESOLUTION 98-17.

Steve Lutz, City Manager, said this is a result of the efforts of the Operations Committee to review various rules, regulations and practices of the City. He said this legislation incorporates various changes which have been made to the City Charter over the years and provides City Council with a framework for conducting orderly meetings.

Councilman Counts said a lot of the changes were non-substantive verbiage changes. He said Item C-6 deals with tabling of items on the agenda and the intent was to clarify the procedure used. Councilman Counts said the area regarding Citizen Participation was clarified as the old rules basically said there was an hour for Citizen Participation. He said it did not say how that hour should be allocated and the amendment specifically notes that participation for things not on the agenda shall not exceed one half hour and participation for items on the agenda shall be 15 minutes for each particular item. Councilman Counts said that half of what is in the rules is a restatement of what is in the Charter.

Mayor Grubbs said Item 8 regarding voting states the Charter only requires a roll call vote for ordinances. He said nothing is specified in the Charter regarding votes in respect to other items such as resolutions, consent agenda items, or other motions from the floor. He said this proposes to make those items a voice vote unless a member of Council or Presiding Officer requests a roll call vote.

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

Councilman Cline asked about the Committee's intent to limit discussion on any one agenda item. He said in the past the rule has been five minutes per person. He said it is a good general rule to say they will have 0-15 minutes of Public Discussion on each agenda item and give themselves flexibility to increase that time. Councilman Meider asked if they would be better to hold it to five minutes. Councilman Counts confirmed that the Planning and Zoning Commission has a three minute rule and said that may be more appropriate. Councilman Wiencek said he has attended other meetings where it is required to sign in, in advance, if you would like to speak. Councilman Morton said the caveat that allows the suspension of the rules gives them quite a bit of discretion.

Mayor Grubbs suggested the members of Council read through the resolution and make recommendations before the next meeting. The resolution was taken to a second reading.

FIRST READING: ORDINANCE 2006-40: AN ORDINANCE DESIGNATING A FOUR WAY STOP AT THE INTERSECTION OF PRESIDENTIAL PARKWAY/VINWOOD LANE/WINDWILLOW COURT AND REQUIRING THE CITY MANAGER TO PLACE TRAFFIC CONTROL DEVICES AT THE INTERSECTION.

Mr. Lutz said at the last Council meeting, Council requested Staff to prepare an ordinance to create a four-way stop at this intersection. He said attached to the ordinance is the proposed crosswalk.

Councilman Wiencek asked if since they are adding a crosswalk, is it required by ODOT to add pedestrian crossing signage in advance of the stop sign. Mr. Lutz said he will verify that. Councilman Cline confirmed the proposed crosswalk will cross Windwillow and not Presidential.

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

Councilman Morton said he speaks for many residents in that area in saying they would like to see this ordinance passed to improve the safety in their community. Councilman Meider asked if there is a rule of thumb regarding the distance between stop signs. Mayor Grubbs said the City does not have any such guidelines.

MOTION: Councilman Cline moved to suspend the rules in regards to Ordinance 2006-40. Councilman Counts seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Cline moved to adopt Ordinance 2006-40. Councilman Counts seconded the motion.

VOTE: Y 6 N 0

COMMITTEE REPORTS

Development Committee: No report. (Next Meeting: July 18th, 6:30 p.m.)

Finance Committee: No report. Councilman Wiencek said he will circulate some draft RITA reports soon. (Next Meeting: July 11th, 7:30 p.m.)

Operations Committee: Councilman Counts said at their next meeting they will complete the Council rules and look at the City Charter Provisions, Building Permit Time Extensions and Communications Plan. (Next Meeting: July 6th, 7:30 a.m.)

Downtown Committee: Mayor Grubbs said they are moving forward on consideration of a part-time employee, as that would be the next step in the creation of a Non-Profit entity. He said they will present a recommendation to Council in the near future. (Next Meeting: July 12th, 6:30 p.m.)

CITY MANAGER'S REPORT

Mr. Lutz said one of the items on the agenda for the July 18th meeting is to review and discuss the proposed City Capital Improvement Budget. He said the Finance Committee has been working on it for several months and the proposed budget will be discussed in great detail.

OTHER COUNCIL MATTERS

Mayor Grubbs thanked Shea Allmont and all of the City Staff for a successful Powell Festival. He also commended the Powell Police and Delaware County Sheriff Departments for their work while the President was in the area.

Mayor Grubbs said he met with Liberty Township Trustee Peggy Guzzo and she has been encouraging them to consider a joint meeting of Council, the Trustees and the Planning Commissions of both entities to discuss a Bike Path Plan and a Landscape/Beautification Plan for Sawmill Parkway. He said this would be an open forum to be held later in the month. He asked that the members of Council provide input regarding items for the agenda and who should attend. It was the consensus of Council to plan the joint meeting.

Mayor Grubbs asked about the openings for Board and Commission members. Mr. Lutz said he received information earlier in the day from two persons. He said one is a resident who is interested in serving on the Arbor Advisory Board and one is a non-resident interested in the Parks and Recreation Advisory Board. Councilman Cline said the composition of the Parks Board requires that the members be residents. Mr. Lutz said that is correct. He provided background information regarding Michael Neal, the applicant for the Arbor Advisory Board.

MOTION: Councilman Wiencek moved to appoint Michael Neal as a member of the Arbor Advisory Board. Councilman Cline seconded the motion.

VOTE: Y 6 N 0

Mr. Lutz said there are still two vacancies: one vacancy on the Parks and Recreation Advisory Board and one more vacancy on the Arbor Advisory.

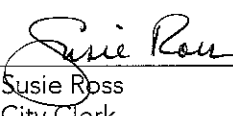
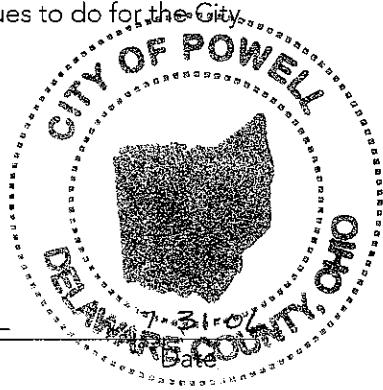
Councilman Wiencek said recently he has received comments from Staff members regarding how much they appreciate working for Mr. Lutz. He commended him for the fine job he continues to do for the City.

ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

DATE MINUTES APPROVED: July 18, 2006


Don Grubbs
Mayor
7-31-06
Date


Susie Ross
City Clerk


City Council

Don Grubbs, Mayor

Richard Cline

Tom Counts

Elmer Meider

Bill Morton

Art Schultz

Dan Wiencek

