



**City of Powell, Ohio**  
City Council

**MEETING MINUTES**  
**APRIL 1, 2008**

A regular meeting of the Powell City Council was called to order at 7:32 p.m. by Mayor Tom Counts. City Council members present included Richard Cline, Don Grubbs, Elmer Meider, and Dan Wiencek. Art Schultz arrived at 7:40 p.m. Also present were Steve Lutz, City Manager; Eric Fischer, Development Planner; Gene Hollins, Law Director; Susie Ross, City Clerk; interested parties and members of the Press.

**PLEDGE OF ALLEGIANCE**

**CITIZEN PARTICIPATION**

Mayor Counts opened the Citizen Participation session for items not listed on the agenda. Hearing none, Mayor Counts closed the Citizen Participation session.

**APPROVAL OF MINUTES**

The minutes of March 18, 2008 were adopted as submitted.

**CITY WEBSITE PREVIEW - EDDY & ASSOCIATES**

Steve Lutz, City Manager, said the City is pleased to announce the upcoming roll out of the new City website. He said Eddy & Associates was hired to complete a total redesign of the site. He thanked Ms. Ross for her countless hours of work with the designer.

Brenda Eddy, Eddy & Associates, reviewed the current website. She said City Staff has been remarkable and has put a huge number of hours into assisting with the redesign of the website. Ms. Eddy said a website should be looked at as a "brochure" which has no limit on the number of pages and no printer's deadline. She said they should be constantly changed and updated. She reviewed the current website and said it has more information than most sites but it is very difficult to navigate. She said they reviewed the current site and then developed goals to re-brand the site, organize information and build on the core values of hometown atmosphere while continuing the ability for staff to maintain the site.

Ms. Eddy presented the new City website and reviewed its functions. She said the site is scheduled to "go live" during the weekend of April 11<sup>th</sup>-13<sup>th</sup> and City Staff will be trained to maintain the site.

Councilman Schultz arrived at 7:40 p.m.

City Council members offered questions and comments regarding the following parts of the new website:

- City Calendar and Calendar of Events
- Link to Liberty Township Fire Department
- "Online Guide for Businesses" section
- Software for maintenance and statistic gathering
- Changeable "alert" or special information sections
- Business listings and information
- Ease of information delivery
- "Contact Us" or "Resident Input" areas within the site
- Document Library
- "Banner" versus information sections of the web page

Mayor Counts said many things may be done in the future in regards to the website. He said this site is "light years" ahead of the present site and it will serve the citizens well. He said government is supposed to be open and accessible and this website will help achieve that goal. He thanked Ms. Eddy for her presentation.

**RESOLUTION 2008-07: A RESOLUTION ACCEPTING THE RESIGNATION OF COUNCIL MEMBER BILL MORTON.**

Steve Lutz, City Manager, said Mr. Morton has announced he must resign from City Council due to his 30 month job assignment. He said a copy of the resignation letter is attached to the resolution which accepts his resignation effective April 1, 2008.

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

**MOTION: Councilman Cline moved to adopt Resolution 2008-07. Councilman Grubbs seconded the motion. By unanimous consent, Resolution 2008-07 was adopted.**

Councilman Wiencek asked Mr. Lutz to walk through the process and timelines for those interested in this appointment. Mr. Lutz said that may be done after Council meets in Executive Session this evening. He said they are scheduled to discuss the process to be followed to fill the vacant seat.

**FIRST READING: ORDINANCE 2008-08: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2008.**

Mr. Lutz said this appropriation accounts for the remaining interest accrued in the Police Facility Fund. He said this will most likely be the last interest to appropriate and the monies will be utilized to pay for the construction of the parking lot out front.

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

**MOTION: Councilman Cline moved to suspend the rules with respect to Ordinance 2008-08. Councilman Grubbs seconded the motion.**

**VOTE:            Y   6              N   0**

**MOTION: Councilman Cline moved to adopt Ordinance 2008-08. Councilman Grubbs seconded the motion.**

**VOTE:            Y   6              N   0**

**FIRST READING: ORDINANCE 2008-09: AN ORDINANCE DETERMINING THE VIDEO SERVICE PROVIDER FEE TO BE PAID BY A VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN THE CITY PURSUANT TO A STATE AUTHORIZATION; AUTHORIZING THE CITY MANAGER TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE FEE; AND DECLARING AN EMERGENCY.**

Mr. Lutz said prior to last fall, cities throughout Ohio had the authority to enter into franchise agreements with cable companies. He said the City has an agreement with Time Warner Cable and they pay a franchise fee which is 5% of their gross revenues. Mr. Lutz said under the new State Law cities no longer have the authority to enter into franchise agreements. He said Ameritech is entering the Powell market as a Video Service Provider which is similar to a cable service. He said under State provisions the City is allowed to enter into a Video Service Provider Fee Agreement and Staff recommends they do so to ensure a level playing field between Time Warner Cable and anyone else who enters into the field under the State Code. Mr. Lutz said this ordinance would set that fee equal to the cable franchise fee of 5% of the gross revenues.

Councilman Grubbs questioned the effective date. Ms. Ross said this was an error on her part. Councilman Schultz asked if this should be corrected in the motion. Ms. Ross suggested Council amend the motion to delete the wording as shown and she will add it in after adoption.

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

Councilman Wiencek said there was significant discussion last year about what services are being provided versus what services on which the City collects a fee. Mr. Lutz said this is highly regulated by the State and they identify within what areas the City is able to capture revenue.

Councilman Cline asked if Ameritech has indicated when they will provide services to City residents. Mr. Lutz said he recently spoke with Dave Kendall and they are currently in the process of preparing to roll

out their new product. He said they are currently marketing but the product is not yet available.

**MOTION: Councilman Cline moved to amend Ordinance 2008-09 to strike the reference to the February 14, 2008 effective date and instruct the Clerk to fill in the correct effective date on the final ordinance. Councilman Grubbs seconded the motion.**

**VOTE: Y 6 N 0**

**MOTION: Councilman Cline moved to suspend the rules in regards to Ordinance 2008-09. Councilman Grubbs seconded the motion.**

**VOTE: Y 6 N 0**

**MOTION: Councilman Cline moved to adopt Ordinance 2008-09 as amended. Councilman Grubbs seconded the motion.**

**VOTE: Y 6 N 0**

### **COMMITTEE REPORTS**

**Development Committee:** No report. Next Meeting: April 15, 6:30 p.m.

**Finance Committee:** No report. Next Meeting: April 8, 7:30 p.m.

**Operations Committee:** Councilman Grubbs said they met this morning with another Community Survey company. He said they are waiting on a formal proposal from that company and the Committee should have a recommendation forthcoming. Next Meeting: to be determined

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

Mr. Lutz said information was included in packets regarding the City's bond ratings. He said Standard and Poor's raised the City's Bond Rating to A++ and having that rating for a City of our size is tremendous. He said that reduced the cost of borrowing money and saves the residents money in the long run. Mr. Lutz said they had a lot of good things to say and that is to the credit of the City Council and Finance Committee.

Mayor Counts said they considered the overall debt structure and seemed to look at surrounding jurisdictions and school systems as well. Mr. Lutz said they often do that. He said they will note there is high overlapping debt such as the school debt. He said they account for that because this is a wealthy area which is growing and much of that is voted debt to construct schools and educate children. Councilman Meider asked about the dimensions of the higher versus lower interest rates. Mr. Lutz said he will be able to provide that when the bonds are priced.

Mr. Lutz reported the Board of Zoning Appeals will meet on Monday, April 14, 2008 at 6 p.m. to have deliberations to determine the procedures and set dates for hearings to hear the merits of the appeals of the parties determined to have standing regarding the City of Powell Zoning Administrator's approval of the Target Zoning Certificate.

### **OTHER COUNCIL MATTERS**

Councilman Grubbs commended City Staff for being on top of the matter regarding the Powder Room. Mr. Lutz said the business has ceased operation until they can identify the problems they are having with their structure and correct it to the City's satisfaction.

**MOTION: Councilman Cline moved at 8:25 p.m. to adjourn to Executive Session in accordance with ORC Section 121.22 (G) (1) to discuss personnel matters. Councilman Grubbs seconded the motion.**

**VOTE: Y 6 N 0**

**MOTION: Councilman Cline moved to adjourn from Executive Session at 8:50 p.m. Councilman Grubbs seconded the motion.**

**VOTE: Y 6 N 0**

**MOTION: Councilman Cline moved to reconvene in Regular Open Session at 8:50 p.m. Councilman Grubbs seconded the motion.**

**VOTE: Y 6 N 0**

