



City of Powell, Ohio
City Council

MEETING MINUTES
SEPTEMBER 2, 2008

A regular meeting of the Powell City Council was called to order on Tuesday, September 2, 2008 at 7:30 p.m. by Mayor Tom Counts. City Council members present included Richard Cline, Don Grubbs, Jim Hrivnak, and Dan Wiencek. Art Schultz and Elmer Meider arrived at 7:35 p.m. Also present were Steve Lutz, City Manager; Debra Miller, Finance Director; David Betz, Director of Development; Jeff Robinson, Public Information Officer; Gary Vest, Powell Police Chief; Brian Zets for the 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, he closed the Citizen Participation session.

APPROVAL OF MINUTES

MOTION: Councilman Cline moved to adopt the minutes of August 19, 2008 as amended. Councilman Grubbs seconded the motion. By unanimous consent, the minutes were adopted.

COMMUNITY SURVEY RESULTS AND REPORT

Marty Saperstein, Saperstein and Associates

Steve Lutz, City Manager, said earlier in the year the City hired the survey firm of Saperstein and Associates to conduct a Community Attitude Survey. He said they wanted a survey which gave them a 95% confidence level regarding responses. He said they wanted to learn what residents feel about various subjects and topics. Mr. Lutz said there was a joint meeting which included Council, Board and Commission Members and Staff to help develop the survey questionnaire. He said Mr. Saperstein will present information about the process utilized and survey results.

Mr. Saperstein said the process began in April 2008 where he met with over 25 people who shared their thoughts about what the survey should include. He said a questionnaire was drafted and in mid-June he met with a committee to review the draft questionnaire. He said there was robust discussion regarding what should be included and how it should be worded. Mr. Saperstein said he took those comments and drafted a questionnaire which was pre-tested. He invited the Council members to listen to the results in the context of what they already know as members of this community and then fold them into that information as one more data point to help them make decisions. He said that is his reason for doing this type of work.

Mr. Saperstein presented copies of the Community Attitude Survey to City Council (Exhibit A) and provided a review of the process:

- 403 registered voters who reside in the City were interviewed by telephone.
- Interviews were conducted from July 9 – 16, 2008.
- Interviews averaged 16 minutes in length.
- Findings are accurate to +/- 4.9 percentage points at the 95 percent level of confidence.
- Sampling of registered voters was taken from records provided by the Delaware County Board of Elections. Telephone numbers were matched to that sample.
- The interviews represent all registered voters on several key dimensions including gender and age, so they were right on target with respect to the distribution of age. He said the precincts are very close to where the population resides.

Mr. Saperstein provided basic demographics on residents interviewed:

- Almost 9 out of 10 are married.

- 3 out of 5 have children in the household.
- 57% are employed full time.
- An additional 16% are employed part time.
- 19% of those employed are employed in Powell.
- More than half are employed elsewhere.

Councilman Wiencek asked if the residents worked in the City of Powell or in the Powell Community. Mr. Saperstein said he believe they have the correct information. He said if the residents were confused it would make the "Employed in Powell" numbers larger. Councilman Schultz asked if they tried to make the percentages match the population. Mr. Saperstein said to the extent the sample gets distorted, they will "weight" it. He said if there is no known bias to the sample these are close to the population parameters within the sample area. Councilman Meider asked if they were asked to qualify if they are self-employed. Mr. Saperstein said they were not. He described margin of error and survey accuracy.

Mr. Saperstein reviewed demographics in relation to race, income, education, and internet access at home. He said the survey revealed this is a very high income, very well-educated community. He said the high amount of homes with internet access speaks to how the City may communicate with the residents as there is equal access to the internet. He reviewed the statistics regarding longevity within the community and they found that seven out of ten residents expect to be living in Powell 5 years from now.

Mr. Saperstein provided a review of the survey results in regards to the following sections within the report:

- The City of Powell as a Place to Live (pages 13 – 16)
- The Appeal of Powell Among New Residents (pages 17 - 19)
- Powell's Strengths" (pages 20 – 22)
- Satisfaction With Services and Amenities" (pages 23-24)
- Satisfaction With City Officials" (pages 25-30)
- The Future (pages 31-41)
- City Income Tax (pages 42 – 49)
- Powell's Web Site (pages 50 – 54)
- Conclusions (pages 55 – 57)

Mr. Saperstein said it is extraordinary that there is such a general high level of satisfaction within the community. He said there were very positive perceptions. He said the satisfaction with City Officials is typical although significantly lower than the other results. He said results with lower satisfaction numbers may not mean they are dissatisfied as 18% had no opinion. Mr. Saperstein said although much of the traffic problem is beyond the City's control, the residents continue to hold their elected officials accountable. Councilman Wiencek asked if in an election someone gets 55% it is considered a landslide, is this measured the same way? Mr. Saperstein said overall positive satisfaction is extremely high and they are less concerned about absolute value of numbers rather than what ranks lowest. Councilman Schultz asked if they have comparisons with other communities. Mr. Saperstein said he does not and it would depend upon the state a community lifecycle is in.

Mr. Saperstein said he can conclude there are not huge unmet needs in the community. Many residents (53%) say retain the area's charm versus those who say to reduce traffic congestion (44%). Councilman Cline asked if that means the margin of error would be very close at 100% of the residents. Mr. Saperstein said it could be closer to a 2% margin of error at 100%. Councilman Wiencek said the area's "charm" was not defined. Mr. Saperstein said it was identified by the questions as "small town atmosphere."

Mr. Saperstein said more than 8 out of 10 respondents do not know the City's income tax rate, either with or without the credit. He said 24% guessed the amount as being higher than it is. He said incorrect responses regarding the income tax rate ranged from .01% to more than 4.0%. He said the most common response was 2% or 1%. Mr. Saperstein said 6 out of 10 residents believe the amount is about right or a bargain in light of what the City provides and one third feel the income tax is too high. He said almost everyone got it wrong but almost everyone had an opinion. Mr. Saperstein said when faced with the dilemma of no money for capital improvement projects, the respondents chose to encourage development (64%) rather than increase the income tax (17%). He said there are a substantial amount of people who believe that broadening the tax base with development and keeping a small town atmosphere may not be inconsistent because they believe smart planners can do both. He said

household income leads you to believe the residents can afford a tax increase. He said he would guess that they do not know what the dollar amounts are relative to what they pay in federal, state or property tax. He said the residents may be open to increasing the income tax if they become better informed about the income tax or a specific proposal to change it. Mr. Saperstein said in Westerville they are considering a tax restructuring plan and they have been polling there. He said they have found out two things: it is amazing how little people know about how income taxes work, but how educable they are.

Mr. Saperstein said the statistics relative to the web site are relative to the past three months before the middle of July. He said changes have been made recently to the web site so people may be remembering the old web site versus the new web site. He said clearly information on local events is the main reason residents visit the site. He said Council can compare the list of suggested improvements against the changes which have been made as a part of the last update. Mr. Saperstein said the results show the residents think of the City web site as a portal for information.

Councilman Cline said he was one of the skeptics when the survey process was brought forth. He said Mr. Saperstein sold him. He said this product is wonderful, it provides insight they did not have before, and it provides Council with the type of information they need to guide decision making. He asked if raw data will be provided so Staff is able to drill down to more nuanced views. Mr. Saperstein said that data will be available. He said they can look at the information by demographic or precinct level to get a realistic view. He said this should be viewed as a working resource.

Councilman Schultz said he would like information that gives him reference on some of the questions. He said traffic is perceived as a big problem and he would like to know how other communities who have spent much more money on traffic would fit comparatively to this. He said he is concerned that Council may not be able to do anything to change the perception. Mr. Saperstein said Mr. Schultz may be going down a dangerous trail because he may be comparing to circumstances in another community that may have a different set of problems. Councilman Schultz said if every central Ohio community has traffic as a number one concern they may not be able to "buy" their way out of it. Mr. Saperstein said they polled in Westerville, Reynoldsburg, Columbus, Hilliard, Grove City, and Dublin and traffic was never the number one issue. Councilman Schultz said he would just like to have a point of reference. Mr. Saperstein said there are so few issues in Powell that it elevates those few to a big deal. He said the other issue is that a solution will cost different amounts in different communities.

Councilman Wiencek asked if this means traffic is the most common concern but may not carry the weight of 9 on a scale of 10. Mr. Saperstein said it is hard to argue that it is 9 out of 10 because of the high ratings. He said it is safe to say that because the overall satisfaction is high the residents are saying these are things the City should be working on or educating the residents about their inability to fix the concern. Councilman Meider asked how they asked the question on page 40 about possibly diminishing the City's "charm." He said he is fearful the residents may be envisioning a four lane highway going through the middle of Powell. Mr. Saperstein read the question for the survey. He said the results say that Council must be careful; if they can address traffic and keep the downtown untouched that will make the fewest number of people unhappy.

Councilman Hrivnak asked if they can draw conclusions about opinion with this margin of error. Mr. Saperstein said he will not say he cannot draw a conclusion. He said they do political polls routinely with sample sizes this small. He said they can predict an election within 2 percentage points. He said if there is a weakness in the process it is not sampling error, but measurement error in the questions asked. He said random sampling is really strong when the demographics of sampling are so similar to the demographics of the population. Councilman Hrivnak asked if they are letting other questions influence them when they say they want small town atmosphere. Mr. Saperstein said the response is consistent. He said often times things are mutually exclusive to some extent. He said people are not required to be consistent or knowledgeable; he said they are merely required to have opinions.

Councilman Grubbs asked if they would be able to predict how the resident's preference could change if people knew the correct tax rate and understood the relation between all of the other taxes. Mr. Saperstein said he is not too good at predicting, but from experience he would bet that the more people learn about income tax the more it has the potential to make them more positive about it. He supported this with information about the New Albany and Westerville proposals. Mr. Saperstein said a little bit of knowledge is bad and it was reassuring in the Westerville example to see that it is possible to educate

people about a very complicated issue. He said in Powell they stand a good chance of being effective about educating because the population is so educated. Councilman Meider asked if the average person knows what they mean by Capital Improvements. Mr. Saperstein said they gave specific examples as part of the question. He said they went through a serious pretest process and caught most of the major issues. He said typically bad questions puzzle the respondents and in this case the residents sailed through the survey questions. Councilman Grubbs asked if they can be relatively comfortable when they look at precinct numbers on page 7. Mr. Saperstein said when they have a sample of 400 and they only look at the 40-50 interviews within the sample the error is very big. He said if they look at the northern precincts where the big development is being debated the residents in that precinct are much more negative on a variety of issues than the residents in the southern precincts.

Mayor Counts said there was only one point about big box on the presentation. Mr. Saperstein said about 10% actually mentioned big box by name and the others may have lumped that in with commercial development. He said they did not probe for big box. He said it is easy to believe that if three calls are received about an issue in the same day the roof is falling in. Mr. Saperstein said most political scientists will tell you this is typically not the case and one reason to do a community survey is to give the whole community a voice. He said big box is an issue but it is much more seriously felt by a small minority of folks. Mayor Counts asked how many calls they had to make to receive 403 participants. Mr. Saperstein said they called 2854 phone numbers, of those they contacted 1995 households. He said of those 1995 households they spoke with a person in 1376 households. He said of those 1376 households they interviewed 403. He said 302 were scheduled with a call back but they completed their quota before they got back to them. Mr. Saperstein said 211 were rejected because they had already filled the quota and 460 callers rejected the survey. Councilman Meider asked if they made calls throughout the day and evening. Mr. Saperstein said the surveys were completed between 5:30 p.m. and 9:30 p.m., Monday through Friday, except 15% of the sample which they called during the day to contact second shift workers. He said they always call at least one Saturday to do 10% of interviews.

Mayor Counts thanked the City participants who took 16 minutes of their time to complete the survey. He said the members of Council should thank the City Manager and Staff who are directly responsible for the high appreciation and satisfaction rate.

Mr. Lutz suggested the Operations Committee add this item to their agenda so they have a forum to continually peel away the data to get more information.

RESOLUTION 2008-17: A RESOLUTION DIRECTING THE CITY MANAGER TO DESIGNATE AREAS OF SALISBURY DRIVE AS A NO PARKING ZONE, AND AREAS OF TILLER DRIVE AS A NO PARKING ZONE ON SCHOOL DAYS FROM 3:00 – 4:00 P.M.

Mr. Lutz introduced Jennifer Mazza, Tyler Run Elementary School Principal. He said Ms. Mazza, some of her staff and representatives of the Tyler Run PTO met with the City earlier this summer to discuss their concern regarding traffic congestion around the school. He said this frequently occurs at the end of the day when parents are picking up students. Mr. Betz provided photo views of the traffic in the school area. Mr. Lutz said the Development Committee met to discuss this issue and they suggested the City take initial steps as recommended by the school to try to address the traffic concerns. He said they would install no parking signs on these areas of Tiller and Salisbury Drives during 3-4 p.m. on school days. He said the City notified the residents in the area about this proposal. Mr. Lutz said he was contacted by a resident on Tiller Drive who indicated he does not want traffic restrictions in front of his home.

Councilman Schultz said they discussed the hours of the parking restriction. He said the school's process works well but some parents have the perception that it will work better if the children walk out to the cars. He said they hope to discourage this short cut around the school's process. Ms. Mazza said during inclement weather last winter they had a bus hit a car because there was not enough space to fit down Tiller Drive. She said there is not enough space when a car is parked on each side of the street as well as safety concerns as the children run in and out of the parked vehicles. Councilman Schultz said he was asked about curriculum night and other nights when there may not be enough parking. Ms. Mazza said the Powell Police said they will bag the signs along Salisbury during special events so the school can meet parking requirements. Councilman Wiencek said allowing parking during those events will not provide a hazard as the parents will be walking with their children. Councilman Hrivnak asked why they did not restrict parking on both sides. Ms. Mazza said there are fire hydrants on one side of the street. Mr. Lutz said they feel it should not pose too many problems if they allow the parents to line up on one side of the street.

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

Councilman Cline asked if there was a lot of public participation at the Committee level. Mayor Counts asked how the school plans to communicate this change to the parents. Ms. Mazza said the school sends monthly communication to the parents. She said they have communicated this many times but the reality is there are no signs. Ms. Mazza said the Powell Police has been very supportive and will send letters to those who are reported to continue to park in this area. She said her staff will write down the license numbers and send them on to the Police. Mr. Lutz said the Public Information Officer sent out a letter to all residents with property along this area and he will also make sure this information is distributed.

Councilman Meider said he was present at the Development Committee and he is in support of this resolution. He said he is still not convinced of the wording of the signage as people may think they are not parking if they are merely stopping to wait. Mr. Lutz said Chief Vest will work with his department on enforcement. Councilman Meider said it may want to say "No Parking or Standing." Mr. Lutz said the police will not be handing out tickets on the first day. Chief Vest said if the car is occupied it is still parking just as it would be as if they left the car. He said their computer system will notify them if a vehicle has been warned previously. He said the problem will not go away instantly but it will definitely improve.

MOTION: Councilman Cline moved to adopt Resolution 2008-17. Councilman Grubbs seconded the motion. By unanimous consent, Resolution 2008-17 was adopted.

RESOLUTION 2008-18: A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Mr. Lutz said this is part of the annual budget process and is established by the Delaware County Budget Commission. He said there are two rates represented. He said the 1.2 mils has been around almost a century in Ohio and all municipalities receive this amount which goes toward the General Fund. He said the 2.39 mils has been established based on the voter approved levies. He said each year the Budget Commission puts together the millage required to pay the debt including the principal and interest. Mr. Lutz said the principal and interest payments are estimated at 2.39 mills. He said this is just an estimate and once the actual assessed value is established they will attach the back millage necessary to generate the revenue to support the debt.

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

MOTION: Councilman Cline moved to adopt Resolution 2008-18. Councilman Grubbs seconded the motion. By unanimous consent, Resolution 2008-18 was adopted.

SECOND READING: ORDINANCE 2008-22: AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR KAD LLC FOR A 2,578 SQ. FT. OFFICE WAREHOUSE STRUCTURE IN THE DB, DOWNTOWN BUSINESS DISTRICT, ALSO WITHIN THE HD, HISTORIC DISTRICT OVERLAY DISTRICT, AT 233 SOUTH LIBERTY STREET.

David Betz, Director of Development, provided a review regarding the proposed development. He said this was discussed in detail at the last Council meeting. He said this has gone through review by the Planning & Zoning Commission and Staff will continue to work with the architect and will receive a sign plan in the future. He said the Planning & Zoning Commission and Staff recommend approval.

Councilman Cline asked if the north edge along the driveway is parallel to the contemplated access to the southern half of the Village Green site. Mr. Betz said there would be an access point to the Village Green to the north of this site. He said it would have about 8 feet of separation.

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

MOTION: Councilman Cline moved to adopt Ordinance 2008-22. Councilman Grubbs seconded the motion.

VOTE: Y 7 N 0

SECOND READING: ORDINANCE 2008-25: AN ORDINANCE AUTHORIZING AMENDMENT TO THE FEE SCHEDULE OF THE CITY OF POWELL.

Mr. Lutz recommended that City Council table this Ordinance and Ordinance 2008-27 to the next Council meeting in September. He said Mr. Hollins is at another Council meeting this evening and is well versed with the laws regarding the Peddler and Solicitor regulations.

MOTION: Councilman Cline moved to table Ordinance 2008-25 to the City Council meeting on September 16, 2008. Councilman Grubbs seconded the motion.

By unanimous consent, Ordinance 2008-25 was tabled.

Councilman Wiencek said he spoke with someone who suggested the City come up with a "No Soliciting" placard which could be uniformly applied to mailboxes if people do not want solicitors coming to their door. He said this is not a random concern.

SECOND READING: ORDINANCE 2008-27: AN ORDINANCE TO REPEAL CITY CODE CHAPTER 721 REGARDING PEDDLERS AND SOLICITORS AND ADOPTING NEW CITY CODE CHAPTER 721 REGARDING REGULATION OF PEDDLERS, SOLICITORS AND CANVASSERS.

MOTION: Councilman Cline moved to table Ordinance 2008-27 to the City Council meeting on September 16, 2008. Councilman Grubbs seconded the motion.

By unanimous consent, Ordinance 2008-27 was tabled.

COMMITTEE REPORTS

Development Committee: No report. Next Meeting: September 16th, 6:30 p.m.

Finance Committee: No report. Next Meeting: September 9th, 7:30 p.m.

Operations Committee: No report. Next Meeting: TBA

CITY MANAGER'S REPORT

No report.

OTHER COUNCIL MATTERS

Jeff Robinson, Public Information Officer, said before Council is a draft copy of the Fall Quarterly. He asked they bring any comments to his attention before Thursday.

MOTION: Councilman Cline moved at 9:25 p.m. to adjourn to Executive Session in accordance with ORC Section 121.22 (G) (3) to discuss pending litigation and Section 121.22 (G) (1) to discuss Board and Commission Appointments. Councilman Grubbs seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Cline moved to adjourn from Executive Session at 10:39 p.m. Councilman Grubbs seconded the motion.

VOTE: Y 7 N 0


MOTION: Councilman Cline moved to reconvene in Regular Open Session at 10:39 p.m. Councilman Grubbs seconded the motion.

VOTE: Y 7 N 0

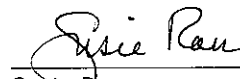
MOTION: Councilman Cline moved to adjourn from Regular Open Session at 10:39 p.m. Councilman Grubbs seconded the motion.

VOTE: Y 7 N 0

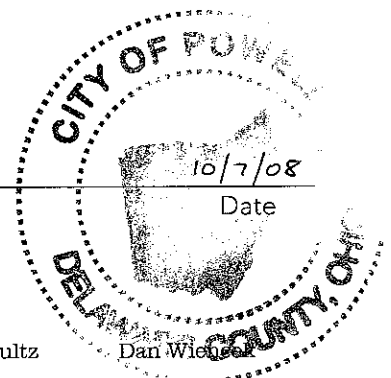
DATE MINUTES APPROVED: September 16, 2008


Tom Counts
Mayor

10/6/08
Date


Susie Ross
City Clerk

10/7/08
Date



City Council
Tom Counts, Mayor
Richard Cline Don Grubbs Jim Hrivnak Elmer Meider Art Schultz