



**CITY COUNCIL
MEETING MINUTES
November 19, 2019**

CALL TO ORDER/ROLL CALL

A regular meeting of Powell City Council was called to order by Mayor Jon C. Bennehoof on Tuesday, November 19, 2019 at 7:30 p.m. City Council members present included Jon C. Bennehoof, Frank Bertone, Tom Counts, Brian Lorenz, Brendan Newcomb, Melissa Riggins and Daniel Swartwout. Also present were Steve Lutz, City Manager; Eugene Hollins, Law Director; Karen Sybert, Finance Director; Karen J. Mitchell, City Clerk; and interested parties.

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION

Mayor Bennehoof opened the citizen participation session for items not included on the agenda.

Brittany Zoecklein, Delaware General Health District: Last month we talked a little about tobacco/vaping. Since then the 21 [age restriction] went into effect October 17th. ODH and tobacco investigators are going to businesses that sell tobacco to provide specific signage. There is a free tobacco hotline sponsored through the state for both adults and youth wanting to quit the habit. That information can be found on our website.

There is a Christmas lights recycling program that runs from November 29th – January 2nd.

The Overdose Fatality Report was recently released. The data is from January 1st through June 30th. There have been 10 total deaths in Delaware County, 5 men and 5 women. That is three fewer than last year.

We do have a Sunbury location open now. Our preliminary building plans for our new build off Main St. in Delaware are not being funded with levy funds, but with the sale of the current building and other resources. (Exhibit 1)

Hearing nothing further, the Mayor closed the public comment session.

APPROVAL OF MINUTES – November 6, 2019

MOTION: Councilman Lorenz moved to approve the minutes of November 6, 2019. Councilman Counts seconded the motion. Mayor Bennehoof abstained. By unanimous consent of the remaining members, the minutes were adopted.

CONSENT AGENDA

Item

- Departmental Reports – October 2019

Action Requested

Receipt of Electronic Reports

MOTION: Councilman Counts moved to approve the Consent Agenda. Councilman Bertone seconded the motion. By unanimous consent of the remaining members, the Consent Agenda was adopted.

SECOND READING: ORDINANCE 2019-49: AN ORDINANCE AUTHORIZING AMENDMENT TO THE FEE SCHEDULE OF THE CITY OF POWELL AND DECLARING AN EMERGENCY. (EX. A)

Steve Lutz, City Manager: This is the second reading. It was reviewed in October at the Budget meetings and it is an annual event.

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

MOTION: Councilman Lorenz moved to adopt Ordinance 2019-49. Councilman Bertone seconded the motion.
VOTE: Y 7 N 0

SECOND READING: ORDINANCE 2019-50: AN ORDINANCE TO ACCEPT THE PROPOSED BUDGET, AND TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF POWELL, DELAWARE COUNTY, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020. (EX. A)

Mr. Lutz: The proposed 2020 budget is strictly a status quo budget for the City. Since we utilize appropriations, that means that throughout 2020, City Council can add or reduce items at their pleasure. I would like to recognize the efforts of the City Staff during the month of August, the Finance Committee during the month of September and City Council during the months of October and November for your review and efforts in putting together this document.

Mayor Bennehoof: Karen [Sybert], I think all of Council has commented on the efficiency of the process this time around and thank you very much.

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

MOTION: Councilman Counts moved to adopt Ordinance 2019-50. Councilman Bertone seconded the motion.
VOTE: Y 7 N 0

FIRST READING: ORDINANCE 2019-54: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2019. (EX. A)

Karen Sybert, Finance Director: We have two funds that funds 497 and 470. They are both funds that we collect money through taxes. We were a little high on our estimates for revenues so the budgets that were set were also a little too high. When the end of the year comes around, we have to make sure our appropriation is below actual received revenue, so that is what this adjustment is.

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

MOTION: Councilman Counts moved to suspend the rules regarding Ordinance 2019-54. Councilman Lorenz seconded the motion.
VOTE: Y 7 N 0

MOTION: Councilman Counts moved to adopt Ordinance 2019-54. Councilman Swartwout seconded the motion.
VOTE: Y 7 N 0

FIRST READING: ORDINANCE 2019-55: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO AWARD A BID TO RUMPKE OF OHIO, INC. FOR THE RESIDENTIAL GARBAGE, REFUSE, RECYCLING AND YARD WASTE SERVICES CONTRACT.

Mr. Lutz: The last time we went out to bid for our refuse contract was in 2014. We went out to bid last month and only received one bid from Rumpke. We also received a response from Waste Management, but they declined to bid on our contract. Rumpke has submitted a base bid which is a 3-year, fixed-price contract at a cost of \$19.24 per month with the options of year 4 and 5, if we so choose to extend the contract, utilizing a COLA adjustment. They also provided us an alternate proposal, which was a 5-year fixed contract. The first three years at \$18.92 per month, increasing to \$19.81 for years 4 and 5. Operations Committee reviewed this matter earlier tonight and the recommendation from the committee is to accept the alternate proposal, which would be for years 2020 - 2024.

Councilman Counts: Was there any feedback from Waste Management as to why they were not interested?

Mr. Lutz: Throughout my history here in Powell, we have never had more than one contract so I was not anticipating multiple waste haulers to bid.

Councilman Bertone: In your conversations, did it come up what the township is receiving with Rumpke? Are we on par with them?

Mr. Lutz: I do not know what the township is currently paying and how long their contract is. Liberty Township joined forces with Orange and Genoa Townships to bid a contract with Rumpke. I do not know what their terms are. We worked with Operations Committee on putting the specs together. I do not know what the township's specs are.

Councilman Swartwout: What were the thoughts or reasoning from Operations as to why we should accept the alternate bid?

Councilman Lorenz: We unanimously made that decision for a couple of reasons. There is some cost savings up front and in the long term. From a consistency and paperwork standpoint in time and Staff effort, it just seemed like it would be a better deal for our residents long-term.

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

MOTION: Councilman Lorenz moved to suspend the rules regarding Ordinance 2019-55. Councilman Counts seconded the motion.

VOTE: Y 6 N 1 (Newcomb)

MOTION: Councilman Lorenz moved to adopt Ordinance 2019-55. Councilman Counts seconded the motion.

VOTE: Y 7 N 0

COMMITTEE REPORTS

Development Committee: *Next Meeting: December 3, 2019, 6:30 p.m.*

Finance Committee: *Next Meeting: December 10, 2019, 7:00 p.m.*

Operations Committee: *November 19, 2019, 6:30 p.m. We met tonight and will meet again on Dec 17th.*

Planning & Zoning Commission: *Next Meeting: December 11, 2019, 7:00 p.m.*

Powell CIC: *Next Meeting: Next Meeting: December 16, 2019, 6:00 p.m.*

CITY MANAGER'S REPORT

Your next Council meeting on December 3rd will begin in Executive Session at 7:30 p.m. to 8:00 p.m. with regular session beginning at 8:00 p.m.

OTHER COUNCIL MATTERS

Councilman Counts: At our last meeting, I talked to Council about potentially getting together in January to do a team-building retreat with the new organized Council. Steve has given me the name of five different potential groups to do that. I just wanted to get a sense of whether or not you thought we should move forward. If so, I would ask Steve to go ahead and contact these groups for a proposal to see what they can put together for us.

Councilman Swartwout: How do you envision the format of this? Full day Saturday, a weeknight?

Councilman Counts: Frankly, I have not been in a team building exercise before. I know some of them are weekends and some are days. I would want to hear their suggestions about an appropriate amount of time. I would think it is something that might be able to happen at an evening meeting, but I also think that is hard after a full day of work. So potentially a Saturday. Regardless, I personally do not think I would want it to be a full day. Four hours maybe.

Councilman Bertone: I think the key thing as to giving Steve instruction on framing this is that should be part of their proposal to come back with what their recommendation is for a group above the age of 30 that has professional work experience. It might come out to a different structure. They may say, here is a questionnaire for each of you to complete and get together for the summary findings and see how that group comes together in

some fashion. I am open to it but I think it is important to understand what the framework is of their proposal.

Councilman Counts: The only reason I bring it up now is that if it is something we want to do - to be able to get it on the calendar, both from our standpoint and their standpoint.

Councilman Swartwout: Are there any preliminary estimates on cost?

Councilman Counts: I think that is part of what we would ask.

Councilman Bertone: So the ask tonight is to give Steve runway to go and figure that out.

Council gave a *THUMBS UP* to Steve to proceed.

Mayor Bennehoof: I have to renege on the Coffee with the Mayor and Manager. I have Supreme Court directed stuff on Thursday and Friday so I will be unavailable.

Councilman Lorenz: I would like to recognize Staff and the Mayor for a lovely Veterans Day ceremony. It was great that we got it in before the blizzard hit. It was well attended.

EXECUTIVE SESSION: O.R.C. Section 121.22(G)(3) Pending or Imminent Litigation and O.R.C. Section 121.22(8) Economic Development.

MOTION: Councilman Counts moved at 7:52 p.m. to adjourn into Executive Session pursuant to O.R.C. Section 121.22(G)(1) Personnel Matters, O.R.C. Section 121.(G)(3) Pending or Imminent Litigation and O.R.C. Section 121.22(8) Economic Development. Councilman Lorenz seconded the motion.

VOTE: Y 7 N 0

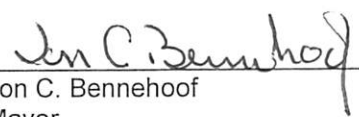

MOTION: Councilman Lorenz moved at 9:30 p.m. to adjourn from Executive Session into Open Session. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

ADJOURNMENT

MOTION: Councilman Bertone moved to adjourn the meeting at 9:30 p.m. Councilman Counts seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: December 3, 2019

	12/9/2019		12/9/2019
Jon C. Bennehoof Mayor	Date	Karen J. Mitchell City Clerk	Date



City Council
Jon C. Bennehoof, Mayor

Frank Bertone	Tom Counts	Brian Lorenz	Brendan Newcomb	Melissa Riggins	Daniel Swartwout
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