



**CITY COUNCIL  
MEETING MINUTES  
February 18, 2020**

**CALL TO ORDER/ROLL CALL**

A regular meeting of Powell City Council was called to order by Mayor Frank Bertone on Tuesday, February 18, 2020 at 7:30 p.m. City Council members present included Frank Bertone, Tom Counts, Heather Karr, Brian Lorenz, Melissa Riggins and Daniel Swartwout. Jon C. Bennehoof was absent. Also present were Steve Lutz, City Manager; Eugene Hollins, Law Director; Aaron Scott, Staff Engineer; Megan Canavan, Communications Director; Karen J. Mitchell, City Clerk; and interested parties.

**PLEDGE OF ALLEGIANCE**

**PRESENTATION:** 2020-2050 Metropolitan Transportation Plan, by Nick Gill, MORPC. Mr. Gill explained the purpose of the Mid-Ohio Regional Planning Commission (MORPC) and the 2020-2050 Metropolitan Transportation Plan (MTP) for the metropolitan Columbus area and surrounding communities moving forward. ([Exhibit 1](#)) More information can be found at [www.morpc.org/mtp2050](http://www.morpc.org/mtp2050).

Councilman Lorenz: As part of the membership of MORPC, it allows us to have one seat at the table. If someone is interested in having something addressed, we sit on that committee and can voice it.

Mayor Bertone: The website is great and incredibly valuable. Funding is one of the core issues that many smaller municipalities face. Do you offer assistance with some of that funding and, if so, what are the tools that you have?

Mr. Gill: We can offer some assistance to help get projects implemented. Federal transportation dollars – we have our own pool of funding and can make decisions on which projects they go to. They need to be eligible in certain types of activities as well as on the federal highway systems, which limit many smaller communities like Powell where there are only a few roads that may qualify. However, we can help point you in the right direction to alternative programs through organizations like ODOT. We have bridge program funding for example that we could help with. For Ohio Public Works Commission, we actually staff the Franklin County district. We do not staff Delaware County, but we can provide assistance by providing data resources, for example, to help make your case for funding your project. We have helped the City in the past with some of the traffic forecasting and figuring out what facilities you do need.

Mayor Bertone: We have a good group. They are very in-depth at writing grants and understanding our traffic flow issues. Thank you for your help with Home Road. That will alleviate some pressure around here. I hope you will keep us in mind for any similar opportunities.

**PRESENTATION:** Delaware General Health District Update, by Sheila Hiddleston. Ms. Hiddleston reminded Council the District Advisory Council meeting is on March 12<sup>th</sup> beginning at 6:45 pm at the Health District. She also thanked Council for appointing David Karr to the Board. He was able to attend the January meeting and has had a couple of orientation meetings. DGHD has just celebrated its 100<sup>th</sup> year anniversary on January 31<sup>st</sup> for being the public health for the county. Its inception began after the 1918 Pandemic flu.

Mr. Hiddleston brought some handouts ([Exhibit 2](#)) for review and distribution and reminded people to continue to get their flu shot if they have not already done so.

## CITIZEN PARTICIPATION

Mayor Bertone opened the citizen participation session for items not included on the agenda. Hearing none, the Mayor closed the public comment session.

## APPROVAL OF MINUTES – February 4, 2020

MOTION: Councilman Swartwout moved to approve the minutes of February 4, 2020. Councilman Lorenz seconded the motion. By unanimous consent of the remaining members, the minutes were adopted.

## CONSENT AGENDA

### Item

- *Departmental Reports – January 2020*

### Action Requested

*Receipt of Electronic Reports*

MOTION: Councilman Lorenz moved to adopt the Consent Agenda. Councilman Swartwout seconded the motion. By unanimous consent of the remaining members, the Consent Agenda was adopted.

**FIRST READING: ORDINANCE 2020-03:** AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2020. (EX. A)

Steve Lutz, City Manager: This proposed \$6,700 appropriation has been through most of the City's committees over the past six months or so. Most recently, it was in the CIC, which has committed reimbursing the City for \$3,000 of the \$6,700 dollars requested. Megan will review this request with you.

Megan Canavan, Communications Director: Most recently, Staff brought this proposed appropriation request before the Finance Committee in January. This request relates to special events detour signage. It originated in November during Operations Committee. The Chamber of Commerce attended that meeting and wanted to request closing Olentangy Street for their Spring Street Market event. They changed the location of it during their Fall Market to North Liberty Street and, unfortunately, they were not able to use N. Liberty Street moving forward, so they wanted to bring that back to Olentangy Street.

Following that meeting, they reached out to our Staff and we met with them a few different times to figure out what would be the recommended detour plan with Olentangy Street being closed. Our Engineering and Police Departments met and recommended that we utilize Sawmill Parkway, up to Seldom Seen during the closure of Olentangy Street for that event, from approximately 9:00 a.m. to 4:00 p.m. Because of that, they provided a list of signage needs to effectively and safely close that detour route. When we met with the Chamber, there was some thoughts that it was a little cost prohibitive for them, Staff reconvened to figure out if there was a way for the City to purchase these signs and rent them out to different groups and utilize them for our own events because when we did an inventory of our own signs, we felt like there were some gaps there and it could be useful for us for events like Powell Fest or the Memorial Day parade, etc.

As Steve mentioned, we contacted the CIC. Since some of our events are more for economic development to help our downtown business, core and beyond, the CIC agreed to chip in \$3,000 of the cost. We did contact Delaware County to see if they were able to subsidize the costs of the signs and they were not able to beat the cost that we received from Osbourne Sign Company. The proposal in front of you tonight is for \$6,700 with the understanding that the CIC would pay \$3,000 of that.

Councilman Lorenz: I am a little confused on why we are seeing this Ordinance. Why would it not go back to Operations Committee where it started? I think the charge was the Operations Committee indicated that they wanted Staff to look at ways to cost out signs and come back and give feedback. The Operations Committee was also pretty clear that we were not going to pay any money for signs. Then this goes to Finance Committee without anyone on Operations Committee being aware of it. Was it a mix-up Steve? How did that come about? It does not seem to be following the correct protocol.

Secondly, after reviewing this, I would expect to see a companion ordinance where we are modifying the Fee Schedule for sign rentals. I am in favor of economic development and supporting our community partners, but at the same time, we are not a bank. I would hope that we will recoup these costs and I would hope there would be a little bit more transparency in the process. I am a little disappointed that the Operations Committee members are just figuring this out now.

Mr. Lutz: On the Operations Committee, Staff was not present at that meeting. [Councilman Lorenz: Staff was present at that meeting.] I do not know who it was. All we have is the reflection of the minutes.



Councilman Lorenz: Right, and I believe I provided some documentation too.

Mr. Lutz: What we included in your packet was to the CIC. We received that and the... [Councilman Lorenz: It is just disappointing that there is a breakdown in communication here with this.]

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

Mayor Bertone: I will echo some of your concerns in that we have touched on a number of committees – Operations, Finance and CIC. It does appear to be a bit off kilter a little bit. I would advocate taking this to a second reading for us to discuss this further between councilmembers as well as with Staff to understand how we got to this point. It just sets a bad precedent in my mind in terms of we have one committee saying no and another committee is saying yes. We all want to do what is generally best for the community and promote business opportunities, but we have to certain from a financial standpoint that we can do it.

Ordinance 2020-03 was taken to a second reading.

#### **COMMITTEE REPORTS**

**Development Committee:** *Next Meeting: March 3, 2020, 6:30 p.m.*

**Finance Committee:** *Next Meeting: February 25, 2020, 7:00 p.m.*

**Operations Committee:** *Next Meeting: February 18, 2020, 6:30 p.m. We met tonight and discussed a potential event called Passport to Powell to be held at Village Green or Seldom Seen Park. We also discussed programming and fees for little leagues and other athletic leagues to use our park facilities, especially the new Seldom Seen Park that will be opening soon.*

**Planning & Zoning Commission:** *Next Meeting: March 11, 2020, 7:00 p.m. At the last meeting, there was a lively debate about a proposed single-family development at the northeast corner of N. Liberty Street and Carriage Road.*

**Powell CIC:** *Next Meeting: TBD*

#### **CITY MANAGER'S REPORT/CITY CALENDAR**

There was none.

#### **OTHER COUNCIL MATTERS**

There was none.

**EXECUTIVE SESSION:** O.R.C. Section 121.22(G)(1) Personnel Matters – Appointment of Board & Commission Members and hiring of Personnel.

MOTION: Councilman Lorenz moved at 8:04 p.m. to adjourn into Executive Session pursuant to O.R.C. Section 121.22(G)(1) Personnel Matters – Board & Commission Appointments and hiring of Personnel. Councilman Swartwout seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Swartwout moved at 8:30 p.m. to adjourn from Executive Session into Open Session. Councilman Lorenz seconded the motion.

VOTE: Y 6 N 0

**FIRST READING: ORDINANCE 2020-04:** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EMPLOYMENT AGREEMENT WITH ANDREW WHITE, AND DECLARING AN EMERGENCY.

MOTION: Councilman Lorenz moved to amend Ordinance 2020-04 to add the name "Andrew White" in the blank spaces on the Ordinance in the heading, the first Whereas clause, and Section 1 and to attach the draft employment agreement distributed to Council this evening as Exhibit A. Councilman Swartwout seconded the motion.

VOTE: Y 6 N 0

Mayor Bertone re-read the Ordinance with the approved changes.

Councilwoman Riggins: Where does it say that he has to give us a six-month notice?

Councilman Swartwout: It was six-months of severance.

Councilman Counts: If we terminate him.

Councilwoman Riggins: Ok, it is sixty (60) days' notice that he is required to give. Okay.

Councilman Counts: Are we also amending Section 2 to include that the Mayor is authorized to execute the employment agreement subject to a satisfactory FBI report?

Councilman Swartwout: Wouldn't that be in the contract? If we are looking to move forward now, it wouldn't be in the Ordinance because then we would still have to wait for that. Wouldn't we put it in the contract instead?

Mr. Hollins: It is okay for either approach.

Councilman Counts: Personally, I would put it in the contract. That way we can sign the contract and if it does not get satisfied, then you terminate the contract. Then he has some sense that we are actually going to sign the contract.

Mr. Hollins: In the contract, I would add it to Section 16(b).

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

MOTION: Councilman Swartwout moved to suspend the rules regarding Ordinance 2020-04. Councilman Lorenz seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Lorenz moved to adopt Ordinance 2020-04. Councilman Swartwout seconded the motion.

VOTE: Y 6 N 0

MOTION: Councilman Swartwout moved to appoint Zachary Hardison to Tax Increment Review Commission; Joseph Schmitz to Records Commission; and Janice Hitzeman and Jim Hrivnak to Board of Zoning Appeals. Councilman Lorenz seconded the motion.

VOTE: Y 6 N 0

#### ADJOURNMENT

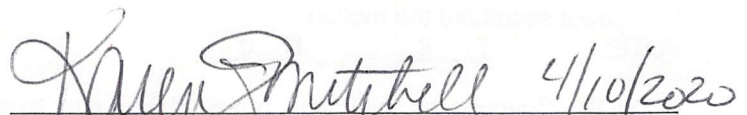
MOTION: Councilman Swartwout moved to adjourn the meeting at 8:39 p.m. Councilman Lorenz seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

**MINUTES APPROVED: March 3, 2020**

 4/7/2020

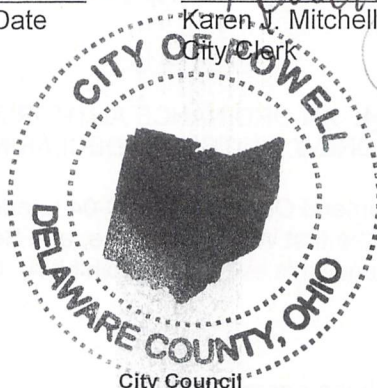
Frank Bertone  
Mayor

Date

 4/10/2020

Karen J. Mitchell  
City Clerk

Date



City Council  
Frank Bertone, Mayor

Jon C. Bennehoof

Tom Counts

Heather Karr

Brian Lorenz

Melissa Riggins

Daniel Swartwout