



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

CALL TO ORDER/ROLL CALL

A regular meeting of Powell City Council was called to order by Mayor Frank Bertone on Tuesday, August 18, 2020 at 7:31 p.m. City Council members present included Jon C. Bennehoof, Frank Bertone, Tom Counts, Heather Karr, Brian Lorenz, Melissa Riggins and Daniel Swartwout. Also present were Andy White, City Manager; Eugene Hollins, Law Director; Megan Canavan, Communications Director; Aaron Scott, Assistant City Engineer; Karen Sybert, Finance Director; Chief Steve Hrytzik, Chief of Police; Karen J. Mitchell, City Clerk; and interested parties.

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION

APPROVAL OF MINUTES: July 30, 2020

MOTION: Councilman Bennehoof moved to adopt the minutes of July 30, 2020. Councilman Counts seconded the motion. By unanimous consent of the remaining members, the minutes were adopted.

APPROVAL OF MINUTES: August 4, 2020

MOTION: Councilman Bennehoof moved to adopt the minutes of August 4, 2020. Councilman Counts seconded the motion. By unanimous consent of the remaining members, the minutes were adopted.

CONSENT AGENDA

Item
Departmental Reports – July 2020

Action Requested
Receipt of Electronic Reports

MOTION: Councilman Bennehoof moved to adopt the consent agenda. Councilman Counts seconded the motion. By unanimous consent of the remaining members, the consent agenda was adopted.

FIRST READING: ORDINANCE 2020-15: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL FUEL SHARING AGREEMENT WITH LIBERTY TOWNSHIP FOR THE PURPOSE OF SHARING EXPENSES, AND DECLARING AN EMERGENCY. (EX. A) (Memo)

Andy White, City Manager: We have been discussing this matter for some time, predating my tenure with the City. This is a relatively small item of collaboration proposed between the City and Township. With regard to its potential implication to policies moving forward, I think it is a large item to consider. I have talked to some of you about it. The Law Director has reviewed some of the information with the contract. It is straightforward. Essentially, Liberty Township will enter into an agreement with the City for a shared use of its fueling station, predominately effecting our Police and Services Departments. There is a savings and an effort to try to promote this action beyond the two party system to include communities such as Orange Township, and perhaps Delaware County's fleet that is operating out of the south side. The contract itself is terminable by either party with a 30-day notice. It is a good first step and an opportunity to open other doors on bigger policies. I have been meeting with the Township administrator regularly to talk about a consensus agenda and this is one of the items we have talked about, but there are many others. In the interest of that cooperative, collaborative spirit, I would appreciate Council's endorsement.

Councilman Lorenz: Development Committee gave this unanimous support at its last meeting, aside from giving Andy some homework to do on financials.

Councilman Swartwout: With respect to the insurance requirements, do we already meet all of these requirements or is

that going to pose any kind of additional cost to the City?

Gene Hollins, Law Director: We are self-insured to some limit, but then we have the CORMA risk management pool that we are a member of that insures us with excess liability insurance. We do need to double check this. Those are not real high limits or unusual requirements, but that is one of the questions I did have as well.

Councilwoman Riggins: Can you explain what the reasoning is for why this would be an emergency measure?

Mr. White: Simply expedience. If Council wishes to pursue some additional information on the finances, we can do that. We have talked about this extensively at the committee level and it has been an outstanding issue for a long time. Based on that and that both parties are anxious to move forward with it. I am comfortable with the language in the contract that allows termination within 30 days' notice by either party. If more participants come into the contract, we would have to come back to Council to change the terms, such as changing the split of expenses from 50/50 to a different split. Ultimately, it is whatever Council's pleasure is.

Councilman Bennehoof: I am glad to see this has made it to our desk. It has been a long time coming, long time conceived, and I appreciate that we are here. I, too, have no real concerns about the language. I think that it would be understood that the other entity would come to the table and say we have others interested and we are now going to go to a 33% or 25% split of expenses. I do not think there is any problem with that.

Councilman Counts: I raised several issues, one of which is the insurance because it does say licensed insurance companies will write the insurance. We are self-insured under CORMA, and CORMA is not a licensed insurance company. There are many things like that which, if I were drafting this, I would draft so it was accurate. I am not sure what ability we have to deal with that. For instance, how do you calculate the actual cost of the fuel when the prices change between the time of filling up and the time of billing? Nevertheless, the bottom line is that there is a 30-day cancellation so if there is a problem, we can get out of it quickly. I think the principle is fine; I would just draft this agreement differently.

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

Councilman Bennehoof: I think there are some good points made here. We could enact this and ask for some amended language over time. It might come to the point where there would be another party anyway, so it would be an appropriate revision of the documentation. I am in favor [of this legislation].

MOTION: Councilman Bennehoof moved to suspend the rules regarding Ordinance 2020-15. There was not a second.

Ordinance 2020-15 was taken to a second reading.

COMMITTEE REPORTS

Development Committee: Next Meeting: September 1, 2020, 6:30 p.m.

Finance Committee: Next Meeting: September 8, 2020, 7:00 p.m. We met last week and talked about our revenue stream. For those not at the meeting, in the month of August, we had \$874,000, which is a higher number than what we normally have in August. It is because of the filing date in July as well as the estimated payments. For a year-to-date, it is about \$323,000 less than what we had the prior year. The takeaway from that is while we are not lacking funds to fund operations, this is a watch. We need to see how this plays out from month to month to see whether we get behind and if we have to take any kind of precautionary measures. Karen Sybert, Finance Director: We received our second payment for the month of August, which brings us to within \$75,000 of where we were at this time last August. It does appear that we are catching up. We will see how it continues through the end of the year.

Operations Committee: Next Meeting: August 18, 2020, 6:30 p.m. We met earlier this evening. We discussed several items. The first item we discussed was a proposed audio/video update to improve our Council and committees meetings to allow for greater participation, viewing and engagement from those watching from home. The committee gave the go ahead to Staff to present financing information to the Finance Committee in September. We also discussed the organizational review that is ongoing and got some updates from our City Manager. Our City Manager will be having a meeting later in the week to hammer out the issues with our personnel manual and policies. We did a review with the City Manager, Communications Director and the Chief of our first expanded DORA. The response from Staff and the stakeholders was positive. We also discussed some ways to improve it going forward as well as some ways to help the situation for some of the residents that live in the northwest quadrant of the district. Finally, we discussed the Community Diversity Advisory Committee, associated resolution and its language, and the timeline for that going forward.

Planning & Zoning Commission: Next Meeting: September 9, 2020, 7:00 p.m.

Powell CIC: Next Meeting: TBD. We met last week on Wednesday. We have decided that we will have a regular meeting date of the fourth Wednesday of each month starting in September. We will run another feature publication in the

Columbus Monthly in November. It is the first time we have done that since I served as mayor. Frank, we will look for a letter from you and I am sure you will get a lot of great coaching from Megan [Canavan, Communications Director] on that as well as the CIC. There is some advertising in there that highlights the community. We had a long discussion about Council goals. I briefed CIC on that. Jim Hrivnak, who serves as chair, is very interested in both bodies working together and for the CIC to help facilitate some of the goals of Council. Jim will want to come in and address Council. I think he is going to wait until October when we get some more traction on our goals. I was appointed interim secretary.

CITY MANAGER'S REPORT/CITY CALENDAR

Mr. White: I would like to add to Tom and Karen's report. One of the items we are looking at in detail this year is a better approximation of our revenues and expenses. There is a lot of fluctuation between what we estimate on an annual basis, especially in 2020, with regard to some of the vacancies we have open and some of the expenses that we will encumber funds for and then not spend. Some of that is beneficial but also I would mention that encumbered dollars for responsible expenses that are not then executed in operations can lead to very systemic wide failures going forward. Initially through the review before the two August numbers were provided, there was a roughly \$900,000 potential shortfall in our budget. I hope that we catch up on some of that money moving forward on the revenue. Now we have seen that this has happened and we are on pace where we were last year. On the other side of the column, there are several hundred thousand dollars of savings that have already been banked by the City on non-executed expenditures. That is just in personnel. There are other items within operations expenditures that are much larger. Through the month of August, we want to be between 60-70% of our expense consumption. On these other items, we are between 36-42%. I would throw caution on a policy when we move forward that I would like to see a much tighter bandwidth in terms of how we deviate from that number. Of course, any budget is just a plan and there is going to be cause for fluctuation. I would really like to work with Council and the departments through the committee process to establish much more of a level playing field as it relates to that because that is a lot of flexibility.

I have been working with our engineers on the capital improvement program. We have a plan in place right now that itemizes many programs that encompass maintenance and some of the transportation plan that we have established. However, roughly \$38 Million dollars is identified on necessary expenditures moving forward. That is a very general plan. With some of the operational savings and the revenues that we have identified to this point in time, I would ask Council to consider moving forward with the next layer of assessment and analysis for a capital improvement program. This program could encompass a 5 or 10 year build out that we would pass as part of our budget plan each year that would call out specific items to be done in 2025, while keeping a mindful eye on potential grant dollars.

A summary of several personnel vacancies exist within administrative departments. This has created available budgetary resources and, combined with the unknown long-term economic effects of COVID-19, an opportunity to invest in nonrecurring needs. The administration will be advertising an RFP/Rfq for professional engineering services to refine the City's current capital projects list into a specific Capital Improvements Plan (CIP). Projects and cost could then be prioritized and resources set in the budgetary process over the next decade. Further coordination with state and federal granting agencies should generate additional budgetary offsets. I wanted to introduce that as a next level of conversation to have with the policy board because I look at some of the programs we are doing right now and the benefit to the community because of the way dollars are laid out, we are reducing a million dollar plus road-resurfacing program so that our cost is now 40%. That can be done repeatedly, but not every time, and I would like to work to express our capital priorities to Council and the community more clearly. In the past, it seems we have expressed the need to encompass revenue to support maintenance efforts, but there is also the effort beyond maintenance, which is how do you connect point A to point B to service some of the anticipated development. Conceptually, I am not looking for any specific direction or authorization from Council tonight, but I wanted to throw that out there in my report to inform you of some of the consideration my thinking has taken me to. I think that would be a relatively inexpensive effort with some of the operational savings that we have already experienced and give us a nice tool moving forward.

I have taken a hard look at other large items of expense within the budget, health insurance being a main priority. We are in a consortium right now. There are a number of innovative things that are always coming out in the health technology field. I am going to be looking at that closely and I would like to consider with Council how we provide for those expenses. The administration is recommending the establishment of a stand-alone Health Insurance fund to better plan for, and target, specific health insurance policies and outcomes. A separate fund will allow a clear evaluation of actual budget performance compared to the adopted budget. Savings generated in this fund could then be utilized to underwrite future cost increases or new programming. Budget expenditures exceeding annual amounts would also need to be addressed legislatively, further requiring consistent evaluation of this major program. Perhaps that is something Tom and I could talk about more fully with the Finance Committee.

Similarly, Frank and I have talked about bonding and a bond strategy. That is something that came out of our strategic discussion. There are a lot of moving parts. I will be pursuing some discussion internally to present to you a bond

strategy and some different variable items for consideration. There is a number of things that are falling off. Interest rates are extremely competitive right now. We have identified a need for several items of infrastructure. I have a desire, as part of the team and from what we do, to produce outcomes for the community in the fashion of deliverable infrastructure. I think there is an opportunity to take a look at that, transformative, impactful things like the opening of Seldom Seen Park, or the establishment of a safe passage underneath the CSX tracks. We have some of these dollars identified. Going forward, we only have a handful of meetings left between now and the end of the year. What do we as a legislative and administrative team want to accomplish? I would like to work with you to identify some of these things that we would then program on the calendar.

Brian touched base a little bit on the Powell CIC. I think Jim is really excited about the work that Council did with its strategic goal setting session and I think he wants to try to coordinate and fill in some of the gaps for the CIC and how they would like to be used by Council as a tool.

There is a standing issue in Olentangy Ridge. There is a driveway at the "T" intersection of Muladore & Beechridge, that I am sure Council is familiar. It has been a longstanding complaint. I was able to go out with Chris [Huber, City Engineer] yesterday and look at it. Something is going on. There is a pronounced pitch to the curb entrance to his driveway that is a problem. There was discussion as to whether or not that was a condition caused by our road. There is a legal issue and an implication to a decision that will be made on an allocation of funds by the City to incur this type of expense citywide. I am at least curious enough from my field observation to look into this more with Council's concurrence to find out whatever I can as to whether or not this is a standalone issue that would be different than another driveway apron front. I will put together a report and forward you the correspondence. In my conversations with Mr. Carlson, I know that he has expressed his concern to you in the past. I think ultimately he is just looking for a conclusion that we can do it or that we cannot do it. He was amenable to that.

OTHER COUNCIL MATTERS

There was none.

EXECUTIVE SESSION: Ohio Rev. Code §121.22(G) (1) Personnel Matters – to discuss the hiring and compensation of public employee(s).

MOTION: Councilman Bennehoof moved at 7:58 p.m. to adjourn into Executive Session pursuant to Ohio Rev. Code §121.22(G)(1) Personnel Matters. Councilman Counts seconded the motion.

VOTE: Y 7 N 0


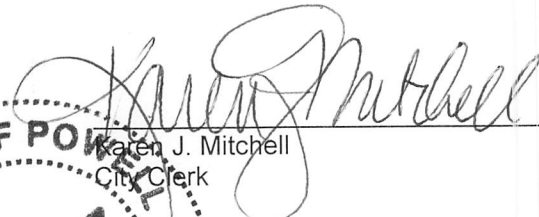
MOTION: Councilman Bennehoof moved at 8:14 p.m. to adjourn from Executive Session into Open Session. Councilman Counts seconded the motion.


VOTE: Y 7 N 0

ADJOURNMENT

MOTION: Councilman Bennehoof moved to adjourn the meeting at 8:14 p.m. Councilman Counts seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: September 1, 2020

 9/9/2020  9/10/20
Frank Bertone, Mayor Date **OF POWELL COUNTY, OHIO** Karen J. Mitchell, City Clerk Date



City Council
Frank Bertone, Mayor
Jon C. Bennehoof Tom Counts Heather Karr Brian Lorenz Melissa Riggins Daniel Swartwout