



**CITY COUNCIL
MEETING MINUTES
November 17, 2020**

CALL TO ORDER/ROLL CALL

A regular meeting of Powell City Council was called to order by Mayor Frank Bertone on Tuesday, November 17, 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; Yazan Ashrawi, Legal Counsel; Megan Canavan, Assistant City Manager; Stephen Hrytzik, Chief of Police; Chris Huber, City Engineer; Karen Sybert, Finance Director; Jeffrey Tyler, Community Development Director; Elise Schellin, Development Planner; Karen J. Mitchell, City Clerk; and interested parties.

PLEDGE OF ALLEGIANCE

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: November 4, 2020

Councilmember Lorenz had two changes to the agenda.

MOTION: Councilmember Lorenz moved to adopt the minutes of November 4, 2020 as amended. Councilmember Swartwout seconded the motion. Councilmember Bennehoof abstained. By unanimous consent of the remaining members, the minutes were adopted as amended.

CONSENT AGENDA

Item
Departmental Reports – October 2020

Action Requested
Receipt of Electronic Reports

RESOLUTION 2020-27: A RESOLUTION TO CONDITIONALLY ACCEPT AND BEGIN ADOPTION OF THE REQUIRED MINIMUM TWO YEAR MAINTENANCE PERIOD FOR PUBLIC IMPROVEMENTS WITH REGARD TO THE SMITH FARM AT CARPENTERS MILL SUBDIVISION, SECTION 2, PHASE B, AS THE SAME IS DELINEATED UPON THE PLATS THEREOF RECORDED IN O.R. 1644, PAGES 319-320, DELAWARE COUNTY, OHIO RECORDS. (EX. A) (MEMO)

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.

SECOND READING: ORDINANCE 2020-28: 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, 2021. (EX. A) (MEMO)

Andy White, City Manager: Attached to the Ordinance is a revised Exhibit A, which the Finance Director worked on to incorporate some of the discussions we had. Overall, we have had lengthy discussions and I have appreciated the feedback from both Council and Staff.

The big items I would like to represent to you tonight is that this budget, if adopted, includes a cost of living adjustment across the board, including two labor contracts, of 2.25%. There is an increase in health insurance renewal premiums for 2021 of a 9 1/2% increase that we feel good about considering the market and its volatility now. We moved some monies around to address some capital infrastructure. I would point out through our discussions of efficiencies there is a streamlining in the structure and positions will be realigned within Public Service and Parks & Recreation.

I would like to recognize Jeff Tyler who has been with us for a week now. It is one thing for us to have another body on the bench with us, but his impact has been critical. So in addition to having that additional fulltime equivalent with us, I think you will see some things moving forward that are very encouraging and optimistic. I am very optimistic about what we can get to going into next year. Some Staff openings within the Development Department that we have included were modified upwards to provide the City an additional flexibility for the market.

I have spoken at length with the Mayor and Tom about this, but I look at this as a couple of different steps. Long-term this is a budget to get us into the new year. Assuming this is adopted in its current state, I see opportunity in the month of December to address some of the core objectives that we want to address in 2021. We started talking about a few of those items tonight at Operations Committee, most notably, the community attitude survey, to figure out where we are at and what we need to be doing. I will also be working on a budget report for Council. I think there is some significant opportunity for the City to consider making some immediate impact in 2021. I would like to identify that because those are not incorporated into this budget document as it stands. They are available through several fund balances. We do not touch those in this document, but we do anticipate coming back to you for some additional discussion on that. I have talked to a number of Council specifically regarding street maintenance. We allocate a million dollars for residential paving in 2021 and I think there are some additional things we will be looking at as well.

By and large, this is the first opportunity we have had to all work together on this document. I know it is a cumbersome process. I appreciate everyone's perspective and all the thought that went into it. Should this be adopted, I will begin to look at the programs of the City and begin to incorporate the strategic objectives, core values, the adoption of the personnel manual updates, etc. Overall, based on what we have experienced this year and looking forward into next year, I feel very optimistic of where our financial position is.

Karen Sybert, Finance Director: The only changes in this budget are the items Andy addressed. There are a few messages in the personnel section of the General Fund and the change to a \$1 million dollars for the street maintenance program.

Mayor Bertone: I appreciate your leadership of this whole effort. Thank you very much for pulling this together. I know it is a complicated and cumbersome process as you mentioned. Tom, as always, I appreciate your leadership as well in providing a steady rudder to everybody on this process, all the department heads as well as all the other Councilmembers. It was a very engaged process. I think this document accurately reflects everyone's comments and input.

Councilmember Counts: This budget represents a vetting at multiple Finance Committee meetings and the last Council meeting. It had few changes. As Andy mentioned, we are going to add more money to street maintenance, which I think is a good thing. I think we are well set in terms of having something good for Council to pass tonight.

Councilmember Swartwout: I wanted to echo Tom's comments as well. I think he is spot-on. Would it be an accurate and fair assessment to say that the budget is a blueprint and just because money is allocated in the budget, does not mean that this money has to be spent? Would that be a correct statement? [Mr. White: Yes.] So if we passed this budget as is and we were to find opportunities for savings in the next fiscal year, we could still achieve those savings even though these monies may be allocated elsewhere. Would that be accurate?

Mr. White: That is correct. Further, the Finance Director and I have identified a basic standard operating procedure lacking where there are certain contracts we obligate ourselves to that Karen Sybert and I would feel more comfortable about if we put a legislative cover on it and ask Council to approve through a legislative resolution in certain instances.

This the most important policy statement that the City endorses on an annual basis. Looking at the way it is lined up now, I think there are some opportunities for us to streamline some of these efforts so that we are specifically articulating what our facilities management plan is going to be for all our different properties within the City. What is our legal strategy going to be? I think the budget does that, but I think in terms of the operation itself, I think there are some protections we may be coming back to you for in the future to make sure that the expenditures that we are proposing and acting upon are articulated to Council and vetted for and on behalf of the constituents.

Councilmember Lorenz: I would like to congratulate Andy and Staff on getting through this process and working expeditiously with Tom and the Finance Committee. Kudos to all of you. This is probably one of the most difficult things you take on, and I appreciate that. As far as adding back monies into the budget for the street maintenance program, I think that is something that will pay dividends with the residents in the long term. It is a tangible effort that our residents will be able to see, use, and shows the value of conservative leadership here. Thank you.

Councilmember Bennehoof: I think this has probably been the best budget year in my experience as far as ease of understanding and ease of it coming together. I am not belittling the effort that went into it. I think Karen Sybert, Tom and Andy did a stellar job with Staff to put a really good document in front of us. Thank you.

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

MOTION: Councilmember Bennehoof moved to adopt Ordinance 2020-28. Councilmember Counts seconded the motion.
VOTE: Y 7 N 0

COMMITTEE REPORTS

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

Finance Committee: *Next Meeting: December 8, 2020, 7:00 p.m. We do not normally meet in December, but we decided that we need to start tackling the revenue issue and looking at various things.*

Operations Committee: *Next Meeting: November 17, 2020, 6:30 p.m. We met tonight and discussed the DORA and whether it should continue long-term. We came to the consensus that the DORA would continue in its present form as status quo through at least March and we will revisit it then to determine if we should make a more permanent change either through codification or whatever is legally required to so. We discussed the Community Attitude Survey that we have been doing every other year until 2020. We went ahead and established a small ad hoc committee to meet with Saperstein & Associates to discuss what that could entail for a possible survey in 2021. We discussed the Community Diversity Advisory Committee, the role, composition, and charge and we set a timeframe for putting that into action. We also received a small business program update on the number of businesses that have already applied. The CIC has already met and will meet again to consider some of those applications. So far, it seems like this program has been an absolute smashing success. Thank you to all those involved, Brian, CIC, Megan, Andy, everyone. This has just gone about as well as you could possibly hope it will. So a tremendous thank you to everyone.*

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

Powell CIC: *Next Meeting: November 24, 2020, 6:00 p.m. Dan summed it up, so I will not rehash it all. Thanks to Megan, Andy, and Yaz in helping the CIC board in starting to get some of these loans out. We received many applications. We did a virtual meeting last week to talk about the program. If you are a small business in the City of Powell and you are in need of funds to recoup lost rent, etc., give us a call or reach out to me, and we will walk you through the process. We want to help stimulate the local economy.*

CITY MANAGER'S REPORT/CITY CALENDAR

Mr. White: With the adoption of Ordinance 2020-28, I think it is an opportunity to reflect what a year this has been. Not to restate what anyone already has, but I first just wanted to state the obvious. Thank you Frank and Council for the opportunity to be part of this team. Looking around the room at the individuals I get work with on a daily basis and the many new faces there. I am extremely encouraged for where we stand going into 2021. Yaz and Jeff have just recently started with brand new roles and Elise about this time last year with an internship and now manning the department of one. Megan taking on a new roles and Karen, Chief, Chris stepping up with Aaron in Engineering. It has been a privilege to be a part of and I thank each of you individually and look forward to great things to come. We are sometimes some of our own worst critics and we want to do better. Moving into the end of the year and getting into some of the excitement that is coming up, I am looking forward to turning the page on 2020 as I think many of us are. I would like to get with Tom to talk about some additional financial priorities to make December a productive month and set the stage for some things that we are working on. Yaz has been doing some legwork on a bunch of legal outlines on behalf of the administration that I think we will be ready to lay out in front of Council for some additional direction. There is an awful lot of ongoing work in addition to the budget at every level with a committed, hard-working Staff that are trying to advance the interest of the City.

I am requesting a last minute adjustment to the agenda to include an Executive Session to discuss pending litigation.

OTHER COUNCIL MATTERS

Councilmember Swartwout: To piggyback on all of the thank yous and kudos, I wanted to send a very special thank you to Karen Mitchell who I think has done an outstanding job as our clerk this year. What a trying year it has been to be a clerk. From in-person meetings, to online meetings, to hybrid meetings, back to in-person meetings, back to Zoom meetings. Things have really been well managed through a chaotic situation that has constantly been in flux. I have to say that I appreciate knowing that no matter how our meeting format might change from hour to hour, Karen is always on top of things and always has things in a great orderly manner that allows our meetings to happen in a very good and efficient way. The meetings are happening so well in spite of the chaos that is going on. Beyond that, being a first year committee chairperson, I just appreciate the extra guidance and assistance that Karen has given on a month-in and month-out basis of constructing the agendas. I really think as we look back on 2020 and we look at the situation as it has constantly evolved, the one constant has been that Karen always has things in good order so we can conduct the

people's business in an efficient manner. So I just wanted to say thank you Karen because I do not think it has been recognized enough just how hard you have worked to do things well in this ever evolving environment.

EXECUTIVE SESSION: Ohio Rev. Code §121.22(G)(3) Pending or Imminent Litigation.

MOTION: Councilmember Lorenz moved at 7:55 p.m. to adjourn into Executive Session pursuant to Ohio Rev. Code §121.22(G)(3) Pending or Imminent Litigation. Councilmember Bennehoof seconded the motion.

VOTE: Y 7 N 0


MOTION: Councilmember Bennehoof moved at 8:12 p.m. to adjourn from Executive Session into Open Session. Councilmember Swartwout seconded the motion.

VOTE: Y 7 N 0

ADJOURNMENT

MOTION: Councilmember Bennehoof moved to adjourn the meeting at 8:12 p.m. Councilmember Swartwout seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: December 1, 2020

	12/15/2020		12/16/2020
Frank Bertone Mayor	Date	Karen J. Mitchell City Clerk	Date



City Council
Frank Bertone, Mayor

Jon C. Bennehoof Tom Counts Heather Karr Brian Lorenz Melissa Riggins Daniel Swartwout