



**CITY COUNCIL
MEETING MINUTES
February 16, 2021**

CALL TO ORDER/ROLL CALL

A regular Zoom meeting of Powell City Council was called to order by Mayor Frank Bertone on Tuesday, February 16, 2021 at 7:30 p.m. City Council members present included Frank Bertone, Tom Counts, Heather Karr, Brian Lorenz, Melissa Riggins and Daniel Swartwout. Also present were Andy White, City Manager; Yazan Ashrawi, Law Director; Megan Canavan, Assistant City Manager; Stephen Hrytzik, Chief of Police; Karen Sybert, Finance Director; Jeffrey Tyler, Community Development Director; Claudia Husak, Planning Director; Aaron Scott, Assistant City Engineer; Karen J. Mitchell, City Clerk; and interested parties. Jon C. Bennehoof was absent.

PLEDGE OF ALLEGIANCE

PRESENTATION: Second Ward Community Initiative, by Rishika Gorai, Ava Estep, and Rani Singh-Prochniak, DECA Olentangy High School (Exhibit 1)

PRESENTATION: Promote Powell Campaign, Powell Chamber of Commerce, by Pam Miller

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 2, 2021

MOTION: Councilmember Counts moved to adopt the minutes of February 2, 2021. Councilmember Lorenz seconded the motion. By unanimous consent of the remaining members, the minutes were adopted.

CONSENT AGENDA

<u>Item</u>	<u>Action Requested</u>
<i>Departmental Reports – <u>January 2021</u></i>	<i>Receipt of Electronic Reports</i>
<i>Dept of Liquor Control – <u>Dream Catcher Hospitality LLC (Locust Table)</u></i>	<i>Waiver Hearing</i>

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

FIRST READING: ORDINANCE 2021-03: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FRAZIERHEIBY FOR THE PURPOSE OF PERFORMING COMMUNICATION AND EDUCATION SERVICES FOR THE CITY OF POWELL. (EX. A) (MEMO)

Andy White, City Manager: I will start with some logistics. The Ordinance should have presented at Staff's recommendation for suspension of the rules and adoption as an emergency, but the emergency language was not included. If this is approved, the intent would be to begin working with the consultant tomorrow on our communication strategy. I apologize for that oversight.

Megan Canavan, Assistant City Manager: I presented the proposed scope of services during last week's Finance Committee meeting. This is in three components. The first component of this is to help and assist the City in developing a communications educational program for the income tax restructuring initiative. It would include doing a deep dive in the strategic messaging side, taking the various components of the income tax restructuring proposal and making that in a format that individuals can understand, reaching the residents and educating them on what that includes. The second

component is the tactical side, taking those messages and trickling it down into a fact sheet, into a landing page on the City's website, a direct mail piece, and social media information as well. The third component is the accountability side, which we felt was incredibly helpful and very important in this project. We will be holding weekly status updates with the firm and that status would be provided to Council weekly. We felt this was important from a transparency standpoint as well as just keeping this project moving along in an expedient fashion.

Before you tonight is a contract with Frazierheiby and I am happy to answer any questions you may have.

Councilmember Counts: As previously mentioned, because of the short time frame, we do have to do this as an emergency legislation. We took the Finance Committee as the first reading. The good news was that Councilmembers showed up for that and we vetted this proposal in that forum. Therefore, this is not the first time Council has seen this. I think the recommendation is for approval tonight.

The question for Yaz is, is there any specific language to be added to this Ordinance before voting on it tonight to take care of the emergency nature of it?

Yazan Ashrawi, Law Director: Yes. It would be appropriate to first move to amend the Ordinance to make it an emergency measure. The precise language of that emergency measure can then be added appropriately. You can then suspend the rules to vote on it tonight.

Councilmember Riggins: I was not able to attend the Finance Committee meeting so this will be my first opportunity to ask questions. In looking at the compensation section, a \$36,000 total invoice, at \$9,000 per month. I am trying to figure out how that was presented because in actuality, the earliest it is going to start is February 17. The election is May 4. That is less than 3 months. I am wondering how that was addressed at \$9,000 per month for four months.

Ms. Canavan: The special election is May 4; however, we anticipate there will be some follow up that will be needed. We are happy to go back to them, if necessary, but that was not addressed with Frazierheiby.

Councilmember Riggins: What is your understanding of what services they would be providing after the election?

Ms. Canavan: They will provide an analysis and evaluation of the overall efforts at the conclusion of the election, such as what tools may have been more effective and provide their report back to the Staff and Council.

Councilmember Swartwout: To follow up on Melissa's question, as I look at this, I did not look at the proposal as we are paying a specific dollar amount for a specific month's worth of work. We had an overall price tag for an overall body of work and I look at that as more of just the installment of payments, as opposed to paying for services rendered in a particular month. Is that a fair statement?

Councilmember Riggins: I do not see it that way because of how it is written under the compensation portion, but then I was not part of that conversation.

Mr. White: To Dan's point, I think that is right. I also think Staff could also clarify should Council want them to. Overall, the conversation we had was the bandwidth range in terms of the budgetary resource allocation. This was pretty spot on to the numbers we identified within the budget. There were some that exceeded that amount, but we felt comfortable with this proposal from the appropriation resources available. I think the overall scope was \$36,000 for an aggressive campaign to begin in February and hopefully deliver a desired finished product in May.

Councilmember Riggins: Did anyone else submit a proposal?

Mr. White: Yes, we had four proposals. In terms of the resources we had available concurrent with the resource expertise in the firm and some of the previous campaigns; we felt the consultant agreement before you was the best approach to go forward with. There was one firm with a lower proposal, but there was some concern as to whether or not they would be able to produce the same amount.

We are half way through February and Staff's goal was to try to put something before you that we could act upon and begin in earnest, as early as tomorrow.

Councilmember Lorenz: I would add that I appreciate Finance Committee's efforts on vetting out these proposals and securing one for us. I did get to attend and listen to some of the dialogue. I think it is important to mention to our residents, and everyone else involved, that this is the cost of doing business. It is paramount that with one item on the ballot in a

primary year to drive voters to the polls; to get voters to recognize the redistribution of taxes through a credit adjustment is going to be the best long-term solution, not only for maintaining safety services, but going forward with our development and putting our community in a position to attract large companies and worthwhile investments that will help us grow. Coincidentally, I think it is great that the firm we are selecting is a woman-owned business.

Mayor Bertone: I echo the comments of a number of you. We looked at Frazierheiby in the aggregate in the agreement. We also looked back at what we had slotted in terms of a budget.

Great comments, Melissa, on asking what the deliverables are. It is easy for me to look back at this and say we are 77 days or so from this election. There is no greater issue for this community to solve than a funding mechanism to solve our capital improvement needs. However, as Brian mentioned, on public safety concerns, we need folks to vote. We have the benefit of an engagement opportunity to hear some of the financial studies associated with where we have gaps, where we have pain points, etc., but we also identified this as a tremendous opportunity for us to restructure, bring a more efficient model for the entire community at large, but also position us for the future. Getting the message out is imperative. I am a technical person at times, so for me to sit here and speak in numerical fashion may lose the better part of 90% of our community. Therefore, we need a firm like this to help us get that messaging out. We do not have a large window of time to accomplish this effort or to allow folks to give attention to this matter. I am excited about the opportunity we have before us in May and this is a great tool to help us get where we need to be.

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

MOTION: Councilmember Counts moved to amend Ordinance 2021-03 to strike Section 3 and replacing it with an emergency clause and to amend the title of the Ordinance to add "AND TO DECLARE AN EMERGENCY" to the end of the title. Councilmember Lorenz seconded the motion:

VOTE: Y 6 N 0

MOTION: Councilmember Counts moved to suspend the rules on Ordinance 2021-03. Councilmember Lorenz seconded the motion:

VOTE: Y 6 N 0

MOTION: Councilmember Counts moved to adopt Ordinance 2021-03. Councilmember Lorenz seconded the motion.

VOTE: Y 6 N 0

COMMITTEE REPORTS

Development Committee: Next Meeting: March 2, 2021, 6:30 p.m.

Finance Committee: Next Meeting: March 9, 2021, 7:00 p.m.

Operations Committee: Next Meeting: February 16, 2021, 6:30 p.m. We met earlier tonight and discussed snow removal operations, especially in light of the recent snowfalls we have had. The discussion then moved to there being some additional thoughts and planning to come forward to the committee in the spring. We talked about continuing the current hours/days of the DORA, and looking at possibly expanding the DORA with additional days and hours. We settled on continuing the DORA as it is, but coming back next month and looking at adding additional days and/or extending hours as we get more feedback from other communities that have had similar types of hours. We talked about Seldom Seen Park, particularly field usage, the policy considerations for field usage as to local residents being able to rent and secure the fields as opposed to more of a contract approach. We talked about some of the updates to the fee schedule, some of the steps necessary to move forward with that. We also talked about having Finance look at some of those policy considerations because some of those talks began there back in October. Jeff & Andy presented a fabulous Community Development Plan that was an overview of the department and the goals moving forward for Jeff's position and the City. It was an outstanding presentation that was included in everyone's packet for Operations Committee. It was a very thorough, in-depth document and I recommend everyone take a look at that. Our community attitude survey is ongoing and we will get the results of that soon. Finally, we discussed the applicants for the Community Diversity Advisory Committee and how we will move forward as far as appointing those applicants. It will be taken up in Executive Session later.

Planning & Zoning Commission: Next Meeting: February 24, 2021, 7:00 p.m. We have Liberty Reserve, a parking agreement review for 8 N. Liberty, as well as some temporary fences for Carpenter's Mill. HDAC will be meeting on February 18, 2021 at 6:30 pm. This group has not met during the pandemic, so this will be their first Zoom meeting. We are discussing the permanence of the patio, Huli Huli, as requested by P&Z. BZA will be scheduled to meet sometime in March, but a date certain has not yet been secured.

Powell CIC: Next Meeting: February 23, 2021, 6:00 p.m. I wanted to draw Council's attention to the thank you notes we received from some of the Small Business Loan recipients. It is nice that we are making a difference in the community. It was great to have Pam Miller's presentation with the Chamber with some of the ideas she is putting out there. There is a

lot of cohesion going on between the Chamber, CIC, and Council. Bringing that synergy to work together to solve problems feels great.

CITY MANAGER'S REPORT/CITY CALENDAR

Mr. White: Last week we kicked off our first session of our Citizens Academy. This is the first effort of its kind outside of the police academy. We have 16 participants. We covered a city manager form of government and the budget process. I appreciate Karen [Sybert, Finance Director]'s effort in that regard. I thought we had a robust conversation. We had an opportunity to have Q&A and the income tax structure came up. It was a great opportunity to engage and we got some positive feedback on the response. In fact, one of the class members suggested that Megan video tape my response and show that. Going forward over the next several weeks while this is ongoing, if Council has a specific interest in any of the subject matter that will be discussed, it would be a good opportunity for us to be present, particularly in light of the upcoming ballot issue. These will be on the next several Thursdays.

I appreciate Council's regard for the amendment from the floor on the legislation. I have had conversations about the formal and informal outreach. If Council has access to homeowners' associations, specific business groups, I will make myself available to attend any discussion groups. I think that would be a great component part of the process, so keep that in mind. I am also willing to make myself available on the weekends if that is more convenient.

I want to thank Chief Hrytzik. We got our first complaint on the newly annexed parcel on Home Road. It is a vacant home, as part of Liberty Reserve, and it was broken into. Staff contacted the owner and advised them to board the property and make sure it was properly secured.

We had a review of our stakeholder list for the Wellness Feasibility Study, so that is ongoing right now. I am happy to share the number of individuals we have listed if you have anyone in particular that you would like to share that with. I think from the consultant's standpoint, the more people we can talk to, the better. I would complement Staff. Megan helped put together the list and they were very impressed that it was much more comprehensive than the list that they are usually acquainted with at this part of the project. That is going to be gaining steam as we move into the end of February.

Tom, Frank and I have had this conversation about bond refinancing. We continue to look at options and Karen has been working on it as well. I would like to put that on the next Finance Committee for discussion. The competitive rates we are looking at right now would be a great opportunity for us to provide some needed flexibility, if possible, for our constituents.

I wanted to point out from the engineers' report that the SR750 mill and overlay was pushed to 2023. It was originally slated for 2022. There is some right-of-way acquisition that is concerning, as well as funding. The state has requested to move that to 2023.

We got a lot of feedback from the community on our snow maintenance. I wanted to thank our Staff. Jeff has been working quite a bit lately. I know Staff really appreciates hearing from the community that we are doing a good job. Hats off to our guys in the cars and trucks keeping us safe. We did have a couple of complaints. My compliments to Jeff in particular because he has been directly involved to try to resolve some snow maintenance issues. We have had some success and got some good feedback on that.

I will be working with Community Development and legal regarding an inquiry regarding The Retreat Development Text. That has been in place for several months now and there are some questions as to how effective it is, so we will be looking at that.

Logistically, for the new Community Diversity Committee, we talked at Operations Committee level about reaching out to the applicants and perhaps bringing them in for a conversation. If it pleases you both, Dan and Heather, I would go ahead and take the first stab at contacting the seven members and providing them with an option because of the staggered nature of the first initial term period. We could ask if they prefer one or two [year terms], and if they would be inclined to serve in any other capacity. I think they are a great candidate pool. We can then begin the process of scheduling. I will copy you all on the emails to each of the seven individuals.

We talked a little bit about the CIC and the business program, dovetailing on what we are trying to do with creating new revenue for the City's operational needs. It is also a competitive restructuring. I think the impetus where I received a lot of good, positive feedback is the credit and the tax restructuring of the credit, and talking about the amount of money that leaves Powell on a daily, monthly, annual basis. It is significant. In addition to trying to recoup those dollars to give back to the business community or trying to give back to the residents with a benefit of a cost saving, we can talk about the bond refinancing to try to do the same. The restructure effort that we have comes together with fewer people working today and I think all of this comes back to where we are trying to go which is to drive an efficient, but effective

organization. To that end, I think we should look at a second round of funding for the downtown as we move into spring. Things are looking good in the pandemic front, but it could also be spiking soon, so I want to be cautious in maintaining a very close monitor on our expenditures and revenue forecast as we move forward. It will be important to take that under advisement.

Aaron Scott, Assistant City Engineer: I wanted to offer a quick point of clarification. For the state route 750 paving, it will be in 2022. The miscommunication was between Andy and myself. The state had communicated to us back in October that they wanted to move it to 2023 based on needing to acquire some right-of-way for culvert replacement and potential funding issues on their side. Then they reached out late last month to let us know that we were back on for 2022. That just happened to coincide with me submitting the most recent department report that indicated that it was going to be 2023.

OTHER COUNCIL MATTERS

Councilmembers Counts: I wanted to make sure that everyone knew that last Tuesday at the Delaware County Board of the Elections, they did certify the ballot measure so we are officially on the ballot.

EXECUTIVE SESSION: Ohio Rev. Code §121.22(G)(1) Personnel Matters – Appointment of Board & Commission Members.

MOTION: Councilmember Counts moved at 8:21 p.m. to adjourn into Executive Session pursuant to Ohio Rev. Code §121.22(G)(1) Personnel Matters – Appointment of Board & Commission Members. Councilmember Lorenz seconded the motion.

VOTE: Y 6 N 0


MOTION: Councilmember Lorenz moved at 8:55 p.m. to adjourn from Executive Session into Open Session. Councilmember Counts seconded the motion.

VOTE: Y 6 N 0

ADJOURNMENT

MOTION: Councilmember Counts moved to adjourn the meeting at 8:55 p.m. Councilmember Lorenz seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: March 2, 2021

 3/15/2021
Frank Bertone
Mayor Date

 3/17/2021
Karen J. Mitchell
City Clerk Date

