



Real People. Real Possibilities.™

AGENDA

Committee of the Whole

6:15 PM May 9, 2022

Council Members:

Andy Teater

Omar Tarazi

Les Carrier

Tina Cottone

Peggy Hale

Pete Marsh

Cynthia Vermillion

President

Vice President

Michelle Crandall, City Manager

Diane (Dee) Werbrich, Clerk of Council

City Hall, Council Chambers • 3800 Municipal Way, Hilliard, OH 43026



- I. Call to Order**
- II. Roll Call**
- III. Approval of Minutes**
 - A. March 28, 2022, Committee of the Whole
- IV. Business**
 - A. Electric Aggregation Presentation – AEP Energy
- V. Items for Discussion**
- VI. City Manager Updates**
- VII. Adjournment**



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CITY COUNCIL

March 28, 2022 Committee of the Whole Minutes

CALL TO ORDER

The meeting was called to order by President Teater at 5:31 PM.

ROLL CALL

Attendee Name:	Title:	Status:
Andy Teater	President	Present
Omar Tarazi	Vice President	Present
Les Carrier	Councilman	Present
Tina Cottone	Councilwoman	Present
Peggy Hale	Councilwoman	Present
Pete Marsh	Councilman	Present
Cynthia Vermillion	Councilwoman	Present

Staff Members Present: City Manager Michelle Crandall, Law Director Phil Hartmann, Assistant City Manager Dan Ralley, Finance Director Dave Delande, Police Chief Eric Grile, Deputy Police Chief Mike Woods, Community Relations Director David Ball and Clerk of Council Diane Werbrich

APPROVAL OF MINUTES

President Teater asked if there were any changes or corrections to the March 14, 2022, Committee of the Whole meeting minutes. Hearing none, the minutes were approved as submitted.

STATUS:	Accepted
AYES:	Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion

BUSINESS

A. Sidewalk Policy and Procedures

Ms. Schamp presented the City's Sidewalk Policy and Procedures. **(See attached)**

Council Questions during the Presentation

Ms. Cottone asked what the average cost for property owners is. Ms. Schamp replied she has an example she will show later in the slide presentation. She stated she would like to get input from Council regarding if there should be any special considerations for low-income households.

Ms. Hale asked if there is an estimated percentage of households that would be considered low-income in those areas. Ms. Schamp replied she does not have that information but would find out by reviewing how many property owners are receiving a financial hardship discount for trash collection. Mr. Marsh asked what the trash collection discount is or is it a sliding scale. Ms. Schamp replied that she believes it is 50%. Mr. Tarazi commented that a lot of the individuals who are receiving the discount are also renters. He noted that the owner-occupied homes are individuals who purchased that home a long time ago and are now retired living on a fixed income, but the house they purchased for \$60,000 to \$80,000 could be worth \$250,000 because the appreciation has increased. Vice President Tarazi asked how someone like that would be handled since they are living on a fixed income but have a lot of equity in their home. Ms. Schamp replied that for the City's trash discount, the home must be owner occupied and not a rental property. She added the current process for older adults who may be on a fixed income like Social



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Security but who may not be on Medicaid is that they do not qualify for that financial hardship because they must declare that they receive Medicaid or another income based financial assistance, but the City can set criteria that they feel is appropriate.

President Teater (inaudible)

Ms. Vermillion stated that she does not think that the fact a house appreciates should be considered because there is no cash value unless it is sold. President Teater commented that he would like to know what is considered low income, which may be learned from how other cities do it. Ms. Hale added that there is a difference between Medicaid, government-based aid and fixed income because not all fixed income qualified for aid. She would prefer it be on a case-by-case basis. President Teater (inaudible). Ms. Schamp stated when staff presents the Code amendments to Council, then a deeper dive and better information could be provided to Council at that time along with more options to consider as part of the process. She noted that the specifics do not need to be figured out right now if Council is supportive in moving forward with having some type of provision for low-income households and what that definition is.

Mr. Marsh asked if there is a senior discount for trash. Ms. Schamp replied that her thought on senior discounts is that there are many seniors who live in the community who make a fair amount of money and she does not think just being a senior citizen should qualify for not taking care of responsibilities on their property. She added the senior discount for trash is 10% and given to any one age 65 or older.

Mr. Carrier asked if there was an appeal process for homeowners that would be reviewed on a case-by-case basis. Ms. Schamp replied once the procedures on how to implement this are reviewed, there would be opportunities for property owners to call the City and a staff member would go and meet them to discuss the issues because it would be a judgment call on most of these cases. In Upper Arlington, if there was a reasonable grey area, they leaned toward it being the City's responsibility especially in the low-income neighborhoods. She noted that driveway approaches are generally the responsibility of the homeowner because they are the ones driving on that driveway and is unlikely there would be utilities or a tree that would impact that approach. Ms. Schamp reported that the age of concrete is 75-80 years and in the older neighborhoods it is getting close to that age especially if the concrete has never been replaced. Mr. Carrier asked to see the average sale price increase per year in the different neighborhoods. He noted that most of the older homes are put on the market after someone passes and if the City assesses the sidewalk at seven years, does the City get its money back when it sells or does the assessment continue. Ms. Schamp replied an assessment is for five year and usually runs with the property unless the buyer negotiates that. Mr. Carrier asked if the City could require the assessment to be paid off upon sale. Mr. Hartmann replied they will review because he believes he has seen that the assessment is required to be paid off in other cities. Mr. Carrier commented that with appreciation rising, requiring the assessment to be paid upon sale would get it paid off quicker. Mr. Carrier asked for the average repair cost.

Ms. Vermillion asked how many in Upper Arlington opted into the program and how many opted out. Ms. Schamp replied most opted into the City program. Ms. Vermillion then asked if the City would have the flexibility to extend the payoff period for properties with a significant bill. Ms. Schamp replied that the City would have that flexibility if that is what Council would like to do and they identify the threshold. President Teater remarked that everyone complains about their real estate taxes, and he would like to see this assessment softened as much as possible and pushed out for the bigger bills. Mr. Carrier reiterated that he would like to see if the City can tie it into the sale of the property. Vice President Tarazi commented that he likes the idea of a lien so that the City get the money back when the property is sold. President Teater asked if the City could do liens. Mr. Hartmann replied that the Law Department is reviewing but believes liens can be done. Ms. Vermillion asked if this was a lien on the property and that the property owner would not be making payments. Mr. Hartmann agreed and stated the City could put together its own type of voluntary assessment but the question is whether Franklin County will accept it because they used to allow cities to make their own voluntary assessment schedules. Mr. Tarazi stated they could put a lien on the property when it is sold which takes out the sensitivity to those individuals living paycheck to paycheck or on a fixed income. Mr. Hartmann replied that the Law Department will put together a memo



so that Council can review all the issues. Ms. Vermillion reminded everyone that not every homeowner is going to sell their home.

Mr. Marsh asked if the City replaced some of the curbs in the residential portion of Davidson Road. Ms. Schamp replied that they most likely were replaced as part of the resurfacing project.

Ms. Vermillion asked how many streets in the older neighborhoods does Ms. Schamp anticipate needing to be done in the next few years. Ms. Schamp replied she cannot answer that question right now and noted that a lot of them have been done already. She added that streets are prioritized by their Pavement Condition Index (PCI) rating, and those at the bottom are prioritized and are not necessarily in one neighborhood.

Ms. Cottone stated Ms. Schamp mentioned adjacent property owners and asked adjacent to what. Ms. Schamp replied that means adjacent to the sidewalk or the home that the sidewalk is in front of.

Ms. Vermillion asked if after the second letter is sent, can the City verify that the homeowner received it and read it because it would be easy for someone to dismiss something like that and not feel it was important. Ms. Schamp replied that she will talk to her team to discuss a way to do that, which may be through a certified letter. Vice President Tarazi stated sending certified letters is not a good system.

Vice President Tarazi reported there are a lot of handy people in the community who may try to do it themselves. Ms. Schamp replied that homeowners can fill minor cracks, but one or two minor cracks would not get flagged for repair or replacement because it would not meet the threshold. If the sidewalk was falling apart, they would have to file a right-of-way permit so that it would be inspected for proper thickness and followed the City's specifications, which would be in the letter directing homeowners to visit the City's website for all that information.

Mr. Marsh stated, although it would cost more, if the City followed the City of Westerville model would that greatly simplify the process and staff time on the project. Ms. Schamp replied that the City of Westerville did this program for 12 years where they charged residents for sidewalk replacement and recently abandoned it. They had six zones, went through each of them twice, and then ended the program. Ms. Schamp reported that for the three neighborhoods a conservative estimate is \$1.65 million, which is a significant cost for the City with all of the other City-wide Capital Projects but would make it easier but would come at a significant cost. She added after the City assessment is completed, then there would be a better understanding of how big this project will be.

Mr. Carrier asked when Ms. Schamp thought this would be done and concrete would be poured. Ms. Schamp replied any that are the property owner's responsibility will not be done until 2023. Mr. Carrier then asked how much was spent last year on cleaning up Cemetery Road. Ms. Schamp replied she would have to provide that information later because that was done as part of the Street Maintenance Program, which is listed in the CIP as T-121 and T-122 Street Maintenance Program. She noted Mr. Lester currently oversees this program and part of that includes curb ramps, some curb repairs and some sidewalk repairs relating to street tree upheavals and is how the City has handled it's responsibility. In the past a program did not exist, and letters were sent to property owners asking them to comply, which some did.

B. Council Rules Discussion

Council discussed current Council Rule 9. See the attached amended version approved by Council. **(See attached)**

Vice President Tarazi, seconded by Mr. Marsh, moved to approve the rewrite of current Council Rule 9 with the amendment suggested by Ms. Vermillion.



STATUS:	Approved (6-0)
MOVER:	Omar Tarazi
SECONDER:	Pete Marsh
AYES:	Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion
NAYS:	Andy Teater

C. Emergency Legislation Discussion

Council briefly discussed the process for handling emergency legislation and agreed to separate the emergency language with a separate vote.

Mr. Hartmann explained that the first vote would be on the emergency and the second would be on the actual ordinance. If the emergency fails, it moves on to second reading without the emergency language.

ITEMS FOR DISCUSSION

President Teater stated that Council needs to work harder to get questions to staff earlier to allow them time to prepare for questions.

Mr. Carrier publicly apologized to Ms. Clodfelder for the March 14, 2022, meeting. He stated that he also could have waited two weeks to address his concerns with Mr. Hartmann after he returned from his vacation.

Vice President Tarazi remarked that emails can be easily misunderstood and asked Council to call and clear the air so that things do not fester over time.

CITY MANAGER UPDATES - None

Mr. Carrier, seconded by Ms. Vermillion, moved to adjourn the meeting by Voice Vote.

MOTION:	Les Carrier
SECONDED:	Cynthia Vermillion
AYES:	Teater, Tarazi, Carrier, Cottone, Hale, Marsh, Vermillion

ADJOURNMENT – 6:53 PM

Andy Teater, President
Council Committee of the Whole

Diane Werbrich, MMC
Clerk of Council

Approved: _____

Minutes Acceptance: Minutes of Mar 28, 2022 5:30 PM (Approval of Minutes)