



City of Powell, Ohio  
City Council

**MEETING MINUTES**  
**December 18, 2018**

**CALL TO ORDER/ROLL CALL**

A regular meeting of Powell City Council was called to order by Mayor Jon C. Bennehoof on Tuesday, December 18, 2018 at 7:45 p.m. City Council members present included Jon C. Bennehoof, Frank Bertone, Tom Counts, Brian Lorenz, Brendan Newcomb, Melissa Riggins and Daniel Swartwout. Also present were Steve Lutz, City Manager; Eugene Hollins, Law Director; Dave Betz, Development Director; Rocky Kambo, Assistant Director of Development; Chris Huber, City Engineer; Megan Canavan, Communications Director, Karen J. Mitchell, City Clerk; and interested parties.

**PLEDGE OF ALLEGIANCE**

**EXECUTIVE SESSION:** O.R.C. Section 121.22(G) (1) Personnel Matters.

MOTION: Councilman Counts moved at 7:47 p.m. to adjourn into Executive Session pursuant to O.R.C. Section 121.22(G)(1) Personnel Matters. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Counts moved at 8:00 p.m. to adjourn from Executive Session into Open Session. Councilman Lorenz seconded the motion.

VOTE: Y 7 N 0

**OPEN SESSION**

**PRESENTATION:** Presentation of Gift to Ben Perry by Michelle Tenney of the Kiwanis Club of Powell.

**CITIZEN PARTICIPATION**

Mayor Bennehoof opened the citizen participation session for items not included on the agenda.

Scott Simmons, 7761 Liberty Road, Liberty Township Fire Station: I don't live in the township, but I've spent a third of my life for the last 17 years here. I am also the president of your Liberty Township professional firefighters, IAFF Local 3754. The Liberty Township professional firefighters are grateful for each and every one of you for taking a stand and listening to your constituents who are against outsourcing our EMS. As firefighter/paramedics, we take great pride in providing an all-hazard emergency service to this community. The support from you, as elected officials representing your constituents and the citizens of this community is truly overwhelming. On behalf of each and every member of the Liberty Township professional firefighters IAFF Local 3754: thank you from the bottom of our hearts. We look forward to continuing our services to this community for which we are sworn to protect.

Mayor Bennehoof: Thank you Scott. We appreciate your service.

Karen Slavic, 449 Village Ridge Court: I have lived here for about 20 years. I wanted to stop by and thank you for all for everything that you have done to support EMS. I beg you to please continue doing all you can for the residents and the firefighters. I also thank you for being so receptive and so kind. After sitting through that condescending and contentious [Liberty Township] meeting last night, I realized what a gift we have in Council who kindly, openly, receptively, and respectfully listened to the

citizens. Please continue doing all that you can for us and our firefighters.

Hearing nothing further, Mayor Bennehoof closed the public comment session.

**APPROVAL OF MINUTES** – December 4, 2018

MOTION: Councilman Counts moved to approve the minutes of December 4, 2018. Councilman Swartwout seconded the motion. By unanimous consent of the remaining members, the minutes were adopted.

**CONSENT AGENDA**

**Item**

**Action Requested**

- Departmental Reports – November 2018
- **RESOLUTION 2018-21:** A RESOLUTION TO CONDITIONALLY ACCEPT AND BEGIN THE REQUIRED, MINIMUM TWO-YEAR MAINTENANCE PERIOD FOR THE PUBLIC IMPROVEMENT OF STORM SEWER AND ASPHALT ROADWAY IMPROVEMENTS, A PART OF THE IMPROVEMENT PLANS APPROVED ON JULY 19, 2018 FOR NOCTERRA BREWING, CONSTRUCTED BY MCCLURG PROPERTIES LLC.

Receipt of Electronic Reports  
Adoption

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

**RESOLUTION 2018-20:** A RESOLUTION DISAPPROVING AND OPPOSING THE PROPOSED CHANGES TO LIBERTY TOWNSHIP FIRE-BASED EMS MODEL.

Steve Lutz, City Manager: At the last Council meeting, Council unanimously voiced their disapproval and opposition to the proposed changes to the Liberty Township Fire-based EMS model. Following the meeting, you requested that your opposition be formalized in a Resolution which can be voted on by Council tonight. Staff worked closely with the Mayor in drafting this Resolution for your consideration tonight.

Mayor Bennehoof opened this item to public comment.

Larry Coolidge, 78 W. Olentangy Street: A woman that spoke the other night said that this shows the importance of a city-styled government rather than a township-styled government where you have seven people to talk about [issues] and give their opinions. With only three [trustees], only two people are needed to enact/overthrow things, such as disbanding the fire/EMS. She went on to say that they [City] need to go out and annex properties as a way to protect the residents.

Hearing nothing further, Mayor Bennehoof closed the public comment session.

MOTION: Councilman Counts moved to adopt Resolution 2018-20. Councilman Bertone seconded the motion.

VOTE:            Y   7              N   0  

**COMMITTEE REPORTS**

**Development Committee:** Next Meeting: February 5, 2019, 6:30 p.m.

**Finance Committee:** Next Meeting: January 8, 2019, 7:00 p.m.

**Operations Committee:** Next Meeting: December 18, 2018, 7:15 p.m. We met tonight and had a discussion on our fiber initiative as well as introductory discussions on regulations of massage professionals. We will meet again the third Tuesday in January.

**Planning & Zoning Commission:** Next Meeting: January 9, 2019, 7:00 p.m. We have no new applications in; however, some things may come in between now and the next scheduled meeting.

**Powell CIC: Next Meeting: TBD**

### **CITY MANAGER'S REPORT**

The first Tuesday of the month is January 1<sup>st</sup>, a holiday, so we would typically move Council's meeting to Wednesday, January 2<sup>nd</sup>. We do not have any agenda items, so I would recommend Council consider cancelling that meeting and just meeting on the third Tuesday, January 15<sup>th</sup>, our next regularly scheduled meeting.

**MOTION:** Councilman Lorenz moved to cancel the first regularly scheduled meeting in January 2019, so the next meeting of Council will be on January 15, 2019. Councilman Bertone seconded the motion. By unanimous consent of the remaining members, the motion was approved.

### **OTHER COUNCIL MATTERS**

Councilman Lorenz: Steve, could you touch base with Chief Vest and get us an update on parking on residential streets on the side of the street where it's not permitted? I've gotten a bunch of calls from residents that are having that issue. It's pretty blatant. I've seen it in my neighborhood as well where they are just parking right under the 'no parking' signs. I don't know what his enforcement policy is, but with buses and contractors coming through, it's becoming an issue.

Mr. Lutz: Do you mean a long-term...[Councilman Lorenz: Yes.] We can present a report. It's a combination of the Police and Development Departments.

Mayor Bennehoof: We have gotten several anonymous letters mailed to the City in the last several months that, due to the fact that there is no contact information, we have not been able to respond to. One came recently and I wanted to read it into the record because there is no attribution to it other than "Verona/Powell New Residents." We cannot respond to anybody when they don't identify themselves or leave a way to contact them. It says: "Mr. Bennehoof, we the new residents of the Verona development/City of Powell have written numerous times to your City Engineer requesting that Powell install a street light at the intersection of Verona and [Route] 750. Printed global earth map attached. Today we have not heard from the City to our numerous follow-up letters to your City Engineer. We are very concerned for safety reasons that the high speed of traffic on Route 750, the new population of Verona will in time cause a very serious accident. Also, turning left out of our Verona neighborhood it is difficult to see oncoming, high-speed traffic. Please Mr. Mayor Bennehoof take fast action in the interest of this serious safety matter."

We would like to have a conversation with the author or interested parties of this note and that's why I am reading it into the record in an attempt to reach out. I understand the safety issues in the City. We had a terrible accident recently on Sawmill Road. These things are taken seriously by us; however, we are limited to what we can do without the help of the county and state. I believe Route 750 is a state road.

Mr. Lutz: If there is ever to be a signal in that location, that would be through ODOT. From a Staff standpoint, we have had conversations with ODOT, probably every six months or so, and they have made it very clear to us that this is not a location where they will be installing a traffic signal.

Mayor Bennehoof: I also had an email from a student at Liberty High School about the concern of young people and their feeling of desperation, an intimation of suicide, and what resources are currently available to them. I will be forwarding that note on to some of the resources I know of and will make those concerns known to resources that might be able to help. Specifically, her concern was that most of the currently available help was one-on-one and she felt that group interactions would be more useful.

**EXECUTIVE SESSION:** O.R.C. Section 121.22(G) (1) PERSONNEL MATTERS, O.R.C. Section 121.22(G)(3) IMMINENT or PENDING LITIGATION, and O.R.C. Section 121.22(G)(8) ECONOMIC DEVELOPMENT.



MOTION: Councilman Counts moved at 8:20 p.m. to adjourn into Executive Session pursuant to O.R.C. Section 121.22(G)(1) Personnel Matters. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Counts moved at 10:00 p.m. to adjourn from Executive Session into Open Session. Councilman Lorenz seconded the motion.

VOTE: Y 7 N 0

#### OPEN SESSION

MOTION: Councilman Counts moved to reappoint Don Emerick to the Planning & Zoning Commission for a four year term, beginning January 1, 2019. Councilman Lorenz seconded the motion.

VOTE: Y 5 N 2 (Newcomb, Riggins)

MOTION: Councilman Counts moved to reappoint Shawn Boysko to the Planning & Zoning Commission for a four year term, beginning January 1, 2019. Councilman Bertone seconded the motion.

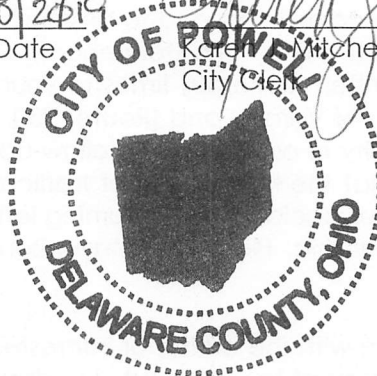
VOTE: Y 7 N 0

#### ADJOURNMENT

MOTION: Councilman Swartwout moved to adjourn the meeting at 10:02 p.m. Councilman Lorenz seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

**MINUTES APPROVED: January 15, 2019**

Jon C. Bennehoof 1/15/2019 Date Karen J. Mitchell 1/21/2019 Date  
Jon C. Bennehoof Mayor Karen J. Mitchell City Clerk



#### City Council

Jon C. Bennehoof, Mayor

Frank Bertone

Tom Counts

Brian Lorenz

Brendan Newcomb

Melissa Riggins

Daniel Swartwout