



**CITY COUNCIL
MEETING MINUTES
July 2, 2019**

CALL TO ORDER/ROLL CALL

A regular meeting of Powell City Council was called to order by Mayor Jon C. Bennehoof on Tuesday, July 2, 2019 at 7:29 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; Megan Canavan, Communications Director; Rocky Kambo, Assistant Director of Development; Karen J. Mitchell, City Clerk; and interested parties.

PLEDGE OF ALLEGIANCE

CITIZEN PARTICIPATION

Mayor Bennehoof opened the citizen participation session for items not included on the agenda. Hearing none, the Mayor closed the public comment session.

APPROVAL OF MINUTES – June 18, 2019

MOTION: Councilman Counts moved to approve the minutes of June 18, 2019. Councilman Bertone seconded the motion. By unanimous consent of the remaining members, the minutes were adopted.

RESOLUTION 2019-08: A RESOLUTION SPECIFYING THE MUNICIPAL SERVICES TO BE FURNISHED TO 35.336 +/- ACRES, MORE OR LESS, LOCATED AT THE SOUTH EAST CORNER OF HOME ROAD AND THE CSX RAILROAD TRACKS, WHICH IS PENDING ANNEXATION TO THE CITY OF POWELL. ([EX. A](#))

Steve Lutz, City Manager: This resolution was discussed in Development Committee tonight. It is the first step in an annexation process. City Council adopts a resolution, notifying the County Commissioners that if the land is to be annexed into the City, the City is willing to provide municipal services.

This land is part of a proposed development by Redwood, who plans to construct apartments on the site. It is approximately a 35-acre annexation, with approximately 35 acres already within the City. If the City adopts this Resolution, P&Z will begin to go through the sketch plan of the proposed development.

City Council can adopt the Resolution tonight in which case the proposed development will proceed. You could turn it down in which case the proposed development would die, or you could do nothing. Under state law, the City is required to act on this within a certain period. If you do not take action on this tonight, it will most likely just die on its own fruition without a special meeting.

Mayor Bennehoof: Does Staff have a position?

Mr. Lutz: We just identified the pros & cons.

Councilman Swartwout: We had a discussion during Development Committee meeting about why we are getting this Resolution before any of the plans, which is a little unusual, procedurally, for the City. Could you fill everyone in on that discussion?

Rocky Kambo, Assistant Director of Development: Essentially, with their purchase contract with GSF Chemical, Redwood needed to put this through to Council by this date to keep the contract going.

Councilman Swartwout: This does not lock the City into anything as far as the annexation or the proposed development? It is just allowing this discussion to happen.

Mr. Kambo: That is correct. This is really just saying that we could provide or furnish these services to this property, but it does not provide any sort of approvals or guarantees of any sort.

Councilman Swartwout: Because P&Z could look at the sketch plan and say forget it.

Mr. Kambo: Yes.

Councilman Bertone: As Dan mentioned we did discuss this in Development Committee. As with any project, there are pros and cons. The limited real estate availability that we have in our City now is becoming top-of-mind for folks. While this Resolution may not tie us to anything per se, let us just be aware that conversationally, folks are becoming more and more aware of what we have as available space, and it is not as much as we think it is.

Councilman Newcomb: I thought many good questions were brought up at Development Committee. I am concerned that we are seeing this now before P&Z is going to see the sketch plan. I have many questions: What are the expenses on this? What is the impact on the schools? I feel like I am being asked to invest in something that I do not know anything about. I am very reluctant to do that.

Councilman Lorenz: I believe in full transparency. I am going to vote no on this Resolution. I am all for annexation. What I have seen to this date is not something that I feel is in the best interest of the City. I think what could be put there could be more commercial/industrial, so I am just letting you know where I am with that. I do not think it is worth us investing Staff time to start going down that road and I do not want to mislead the developer either.

Councilman Counts: I have a little different view on this and it has nothing to do with the ultimate vote on what might be developed here. This is no different from anything within the City or anything that is subject to a pre-annexation agreement where a proposal comes through and goes through our normal process. Our normal process is to let P&Z go through all the nitty gritty of whether this project is an appropriate one for the City. I think we need to allow it to go through that process. We are the ultimate decision makers on this, but we are not the first decision makers. We need to let it go through the process. If we make the decision now to let it die, then we are taking over the role of Planning & Zoning.

Councilwoman Riggins: Tom, do you not want this to die? You want it to go forward to P&Z.

Councilman Counts: Absolutely. There are various points in this process where we get to weigh in on it and make the final decision.

Councilwoman Riggins: So if this goes by the wayside, then it sounds like this contract purchase will fall through. Do I understand that correctly?

Gene Hollins, Law Director: I believe there is a date within that purchase contract by which they had to file for annexation. This particular development was told by the Fire Department it would require a secondary means of ingress/egress. They had to work with one of the adjoining property owners to get that worked out. As a result, they have been in contract for quite a while and working on that access issue. Once they got something worked out conceptually that is when they filed the annexation just before the contractual deadline. That is not our problem. What you are looking at tonight is straight annexation stuff and has nothing to do with zoning. At this point, we are voting on whether, without any commitment whatsoever to zoning, to accept the 35 acres if they pursued annexation.

Councilwoman Riggins: Regardless of the use?

Mr. Hollins: Correct. Right now, it is proposed to be annexed to you and there is no pre-annexation agreement approved, nothing like that. We have had conversations with them about a potential use. I do hear the statement we may want to go ahead and send them a message as early as possible just for their own best interest. If we do have no interest whatsoever in this development, you could go ahead and send that message, but formally speaking, right now, there is no agreement on how to zone this if we accept it at this time.

Mayor Bennehoof: I recognize this as strictly a commitment on City's part to provide services should this land be annexed. I recognize this property as a tortured piece of property with the railroad tracks and limited access. I do not know if this is the highest and best use for it, but that is not my role. That is P&Z's role.

Councilman Swartwout: The final vote rests with Council, so at the end of the day, P&Z could pass this through with flying colors and we could vote it down. There is no abdication of our final responsibilities to P&Z.

I believe we [Council] would weigh in on the pre-annexation agreement, petition to annex, and the Final Development Plan that would also probably be with a rezoning. I am also cognizant of what Brian said as far as all of that taking valuable Staff time moving forward, especially when we consider how little zoned industrial/commercial land we have left in the City. That is an important discussion we should have or think about before we move forward and direct any Staff time to this.

Steve, if we do not act on this tonight to hold it over for another meeting to get more information after the sketch plan review are you saying it would die?

Mr. Lutz: There is a time period.

Mr. Hollins: State law provides us 20 days from the date of filing to act on it. The next meeting would be outside the 20 days.

Councilman Counts: This is the first time I have heard of a potential development on this, but as I read the four corners of this document it really says nothing about proposed use. It talks about us providing services upon annexation. I am definitely not in a position to make any kind of decision on use at this point, whether, good, bad or indifferent. I do not even know what the Comprehensive Plan says about the proposed use of this. To stop this right now, because of what I *think* it might be, would be highly inappropriate. As I said before, there are other places where we weigh in on the use and that is the time we should do it. I think the input that P&Z can bring to light if the use is good, bad or indifferent is important.

Councilman Swartwout: I would just mention that they have been before Development Committee some time last year where they presented the general proposal of what it is that they want here.

Councilman Newcomb: So why don't we wait for P&Z?

Councilman Bertone: The sketch plan review is July 12th and the window will close between now and the next meeting. This document is simply a Resolution to begin the process. We still have multiple checkpoints. I think we owe it to ourselves to advance the conversation and learn more about this. As we discussed in Development Committee, there are many questions on the table. What we learned last year in terms of Redwood coming in and presenting is just that. We do not know what they have changed, what other information there is. For us to just throw it out now is not the best use for us to spend our time now. I think we should continue the conversation and move this forward tonight.

Mayor Bennehoof: My statement about it not being our place, it was a point in time. It is P&Z's place to make a recommendation and Staff's too. Once the whole of the idea is brought forward to make a recommendation to us, then it is for us to accept our responsibility and decide the action. I do believe it might be in the best interest to advance this. I agree with Tom and Frank.

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

MOTION: Councilman Counts moved to adopt Resolution 2019-08. Councilman Bertone seconded the motion.
VOTE: Y 4 N 3 (Lorenz, Newcomb, Swartwout)

SECOND READING: ORDINANCE 2019-24: AN ORDINANCE ACCEPTING THE ANNEXATION OF 11.555 +/- ACRES, MORE OR LESS, LOCATED AT THE CORNER OF HOME AND STEITZ ROADS, FROM LIBERTY TOWNSHIP TO THE CITY OF POWELL. (EX. A)

Mr. Lutz: This and the next Ordinances go hand-in-hand. It is the second reading for a proposed annexation for a mixed-use development of commercial, residential and a library.

Mr. Kambo: As mentioned, this is the second reading for this proposal. It is on the corner of Home & Steitz Roads. It is a mixed-use development proposed here with apartments and retail on Home Road. The open space here [indicating] is for the future proposed library that will be going in. At the last Council meeting, you had representatives from the library to speak on that. The way that this was approved by P&Z was that it is a 2-phase process. The overall development plan was approved by P&Z with a condition that once the library knows what it will look like it will come back through P&Z for architectural review. With that condition, this proposal was approved unanimously by P&Z.

Councilman Newcomb: I am abstaining.

Councilman Swartwout: We have not really heard a whole lot of economic information about the effects on the City of this potential development. Can you go over that a little bit?

Mr. Kambo: We ran an analysis on this, but I may not have the exact numbers.

The Comprehensive Plan talks about strategic annexation. There is a number of ways that the City is able to grow: infill development; strategic annexation; the north road growth corridor. When we look at annexing into the City, we have to make a determination of whether or not this is ultimately a good use for the City, not just on the metric of how much money is it bringing in, but the type of use we are bring in. Does it provide services to the residents? Does it help bolster what the City of Powell is all about? In this case, we are bringing in commercial land into the City. We made mention of it already that we have limited commercial land as it is within the City of Powell. In Staff's opinion, based on the Comprehensive Plan, annexing more commercial lands within the City is a strategic annexation. In this particular case, we have some commercial lands up front and the apartments in the back are taxed at the commercial rate as well. So there are those funds available, not to mention the fact that a library is coming into the City of Powell. On an economic development side of things – pure numbers – I am not entirely sure what that would bring in. There will be staff at this library, but you look at the service this provides to the residents of Powell and I think that goes a long way in the benefits of this particular development for the City. Ultimately, the taxes are a benefit. The use is a benefit.

Councilman Swartwout: Mr. Wicks, are you represented by Smith & Hale on this?

John Wicks, Real Property Design & Development, Developer [from the audience]: Yes.

Councilman Counts: One of the things that this particular parcel has is the high-tension lines. Does that not restrict the kinds of things that you might otherwise deem appropriate for a piece that is strategic in annexation purposes?

Mr. Kambo: That is a very good question and a very good point. It was one of the things that when Staff reviewed it at P&Z, we looked at the impediments on the site. Those high-tension wires are very clearly an impediment to the site and makes it a very difficult site to develop. The developer did a very good job in putting parking and a retention/detention pond in those areas that cannot be developed. Therefore, yes, it was a consideration.

Councilman Counts: And it is not just the land that is underneath the high-tension wires, but also the land adjacent to it. Would you say the uses that are being requested here are probably the highest and best use for a piece that is that close to high-tension wires?

Mr. Kambo: I agree with that statement. With a site that is as encumbered as this is with the high-tension lines, you can almost see that it has almost shifted the development where it can be on that site away from those high-tension lines.

Councilman Lorenz: I want to acknowledge Mr. and Mrs. Petz. They have been to numerous meetings and worked with Mr. Wicks quite a bit. We did get your comments at the last meeting, so I appreciate that. They are affected by the project the most and hopefully this will all work out for the best for them. We appreciate the time and effort you put into this as well.

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

MOTION: Councilman Counts moved to adopt Ordinance 2019-24. Councilman Bertone seconded the motion.
VOTE: Y 6 N 0 AB 1 (Newcomb)

SECOND READING: ORDINANCE 2019-25: AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR HOME STEITZ LLC TO CONSTRUCT A MIXED-USE DEVELOPMENT OF COMMERCIAL, RESIDENTIAL AND A LIBRARY ON 11.555 ACRES, MORE OR LESS, LOCATED AT THE NORTHWEST CORNER OF HOME AND STEITZ ROADS, AND AMENDING THE ZONING MAP TO PLACE THIS PROPERTY WITHIN THE PC, PLANNED COMMERCIAL DISTRICT. (EX. A)

Mr. Lutz: Staff has nothing to add to this tonight.

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

MOTION: Councilman Counts moved to adopt Ordinance 2019-25. Councilman Bertone seconded the motion.
VOTE: Y 6 N 0 AB 1 (Newcomb)

FIRST READING: ORDINANCE 2019-28: AN ORDINANCE TO ADOPT AN ADDITIONAL FIVE-DOLLAR VEHICLE REGISTRATION TAX ON MOTOR VEHICLES REGISTERED IN POWELL.

Mr. Lutz: The pros and cons of this matter were discussed quite a bit by Finance Committee. The state has authorized municipalities, if they so choose, to levy an additional \$5 annual license tax on motor vehicles registered within the municipality. If a municipality does enact this tax, it can only be used for costs associated with public roads, highways, bridges, streets and traffic signs. We have approximately 12,500 registered vehicles within the City so if we were to enact this registration fee, it would generate approximately \$62,000 a year that would be dedicated to our street maintenance.

Councilman Lorenz: If I read this right, does this just apply to the driver's license? Does it apply to every time I register a car?

Mr. Lutz: This is for the vehicle registration.

Councilman Lorenz: I have three cars, so I pay \$5 on each car?

Mr. Lutz: Yes.

Councilman Lorenz: So what would be the total cost for the entire registration? Would it just be the current cost, plus \$5?

Mr. Lutz: Yes. Whatever the current registration fee is plus \$5.

Councilman Lorenz: Does the county have a charge on top of this?

Mr. Lutz: Yes. Earlier this year, there was legislation that permitted counties to enact an additional \$5 fee for county use. Delaware County did adopt that.

Councilman Lorenz: So the bill for municipalities came after the bill for the counties.

Mr. Lutz: Yes. This bill came as part of the state gasoline tax diesel fuel legislation. It is earmarked strictly for municipalities. Earlier the legislation permitted an additional \$5 fee but if the county got ahold of it first, and then municipalities were shut out.

Councilman Lorenz: So you guys were on it, there was just nothing we could do because of the timing of the legislation.

Mr. Lutz: Correct.

Councilman Lorenz: So our residents are essentially going to be double taxed on their registration then because they will pay Powell and Delaware County. The monies will not go to capital improvement, but to road infrastructure funds, correct?

Mr. Lutz: It has to be earmarked for roads as opposed to using it in a park.

Councilman Counts: If the City had acted before the county, it would have gotten the \$5 that the county got. Because we did not act, we are in the position where we are taking advantage of this potential.

We debated this in Finance Committee. At this point, we simply do not know when there will ever be dollars available for road maintenance. This is an opportunity to take advantage of this. If somehow in the future we do get additional funds for our roads, there is no reason why we cannot rescind this, but at this point, I think that this is the best most prudent thing we can do.

Councilman Swartwout: Before further discussion, I would add that I noticed on the Ordinance itself, we have an option to suspend the rules. I am in favor of a second reading for anything that imposes a new tax on our citizens. I would hope that my fellow Councilmembers would not vote on this tonight.

Councilwoman Riggins: I agree with Dan. I think it needs to go to a second reading.

Councilman Newcomb: A second reading is fine with me.

Councilman Bertone: I understand where some of the thoughts and concerns lie in terms of the finances and what it means to our residents. I too have a couple of vehicles, thankfully, and understand what it means that to register it will cost me more down the road. However, I also look at this as a use tax. I am using those vehicles on the roads here and that is certainly something that, for \$5 per vehicle and knowing where we are from a financial standpoint and knowing we have the latitude to potentially rescind this down the road, I am an advocate for this use tax. I am open to taking this to a second reading.

Councilman Lorenz: I would add that because I am a conservative, I am not looking to tax people just to tax people. I know we need the money, but I am not sure if the cost outweighs the benefit in the end. We need to work on putting something together that is fair and equitable. I am not sure that this really gets us there.

Mayor Bennehoof: In light of the fact that the Local Government Fund was rescinded to balance the State of Ohio's budget, a lot of cities and municipalities and subdivisions took a big hit. Some took action some years ago; our City did not so we find ourselves in the situation we are currently in. I too see this as a use tax. I see it as an incidental. The gas tax went up and the prices jumped. This will not affect driving habits, but it could affect the bottom line for the City so I stand in favor of this. I understand that because I have a couple of vehicles, I will pay \$10 more a year to use them, but I do not see it as egregious.

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

Ordinance 2019-28 was taken to a second reading.

FIRST READING: [ORDINANCE 2019-29](#): AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR McCLURG PROPERTIES, LLC TO DEMOLISH THE EXISTING BUILDINGS AT 204 S. LIBERTY STREET AND CONSTRUCT AN OFFICE AND GARAGE. ([EX. A](#))

Mr. Lutz: This is a proposed new structure on S. Liberty Street that will be the new home for Buckeye House Painting.

Mr. Kambo: This proposal was reviewed by both the Planning & Zoning Commission and Historic Downtown Advisory Commission. The purview of commercial properties in the historic district are reviewed at P&Z, and P&Z has an opportunity to ask HDAC for the architectural review.

This property is located near Village Academy. Currently existing onsite is a single family home that P&Z and HDAC felt had no architectural merit and are okay with the demolition of the existing structure. The developer is proposing putting an office/shop toward the front of the property with parking on the north side, parking on the east side, and then a garage at the rear of the property with landscaping bordering the site and along the building.

This is a business coming into the City of Powell on the edge of our Historic District. In our Historic District, we want to adhere to our architectural guidelines as much as possible but what is unique in how we administer those architectural guidelines is that we have a strong footing in our traditions but we also have a type of building proposed here is that is unique. It is a statement piece. HDAC supported this unanimously. They see the merits of it. Staff does as well. This is that initial piece as you enter our historic downtown and provides that instant recognition that you are coming into the downtown area. From an architectural and economic development standpoint, it is bringing in a business into the City of Powell by converting a residential use into a commercial use. People will be in the office and that is income that is taxable for the City.

The proposed garage is in the rear and [for its the upper area], there were two options: an alternative and this one shown with a dormer. Staff is in favor of the dormer because it provides a lot more visual interest. With respect to the number of expected vehicles for this type of use, we were told that it was limited. It is primarily for their offices with a few trucks for pick-up of paint. There are four bays and an office, so we do not anticipate a lot of traffic coming through this site.

Staff is in favor of this development. We believe the unique architecture adds to the character of our historic downtown. Over time, we have done a fantastic job cultivating these new redevelopment projects that are happening. I also think that with a new business calling Powell home, it sends a signal to other businesses that we are open for business and we want you come into the City and help you plant your roots here.

Councilman Newcomb: I do think you guys have been doing a great job getting small businesses into the downtown and the architecture has been great on them. What is the current use now?

Mr. Kambo: It is a residential home.

Councilman Newcomb: What architect advised P&Z and the Commission?

Mr. Kambo: Shyft Collective and Derek Stadge. They provide the architectural review for the City. In this particular case, there would be a conflict of interest, so we did not use their services in reviewing this nor did we ask for their opinions on anything.

Councilman Newcomb: Did you get help from any architect?

Mr. Kambo: Fortunately, for us, Tom Coffey, who is the chair of HDAC, is an architect. He provided his comments. In addition, on staff, Elise Schellin, who is our Zoning Inspection Officer and currently doing her masters at OSU, has a degree in architecture as well.

Councilman Bertone: Thank you for the overview. I think it is a beautiful design, a neat building. I think it is a great opportunity for the City to bring in a new business opportunity. It is a unique look and feel. Great job by Staff and the Applicant.

Councilman Lorenz: I think it looks awesome. It will be a great addition to downtown. Good job by all.

Councilman Counts: Rocky, on the condition it says if the dormers are not possible – I am not sure what that means because it sure looks like the dormers are possible, so....

Mr. Kambo: I think P&Z was being flexible, but ultimately Staff is in support of having those dormers there and it would be under the advisement of Staff whether or not they are possible.

Councilman Counts: Aesthetically I think they look fantastic, but I also recognize this is at the end of the lot and even if you are driving the speed limit right there, it is probably unlikely that you will find the pleasure in the

dormers. I love the dormers, I think it is great and I do not think there is anything impossible about putting those dormers in.

Mayor Bennehoof: I agree with everything that Tom has said. I like the dormers. I wondered when I saw the dormers if there was perhaps a loft consideration there, but that is not for me speculate or care about.

Mr. Kambo: That was one of the things that we discussed, that maybe it provides additional lighting into their structure and use of that space.

Mayor Bennehoof: It looks like they are going to store trolleys and three work trucks. Is paint storage an issue?

Mr. Kambo: I do not believe it is. I do not think they are storing much paint onsite. I think it is meant to be a pick up spot for that paint.

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

Ordinance 2019-29 was taken to a second reading.

FIRST READING: [ORDINANCE 2019-30](#): AN ORDINANCE TO VACATE A DRAINAGE EASEMENT, LOCATED ON REAL PROPERTY OF RECORD IN PLAT CABINET 3, SLIDE 454-454B, IN THE RECORDER'S OFFICE, DELAWARE COUNTY, BEING LOT 3250, WOODS OF POWELL SOUTH, AND DECLARING AN EMERGENCY. ([EX. A](#))

Mr. Lutz: This matter was also discussed in tonight's Development Committee. A property owner wants to build a deck and there exists a drainage and utility easement that is prohibiting them from encroaching within it to build their deck. Staff has reviewed this easement and has no concerns. It is not necessary.

Mr. Kambo: Aaron Scott, City Engineer, reviewed this at tonight's Development Committee and provided his expertise. Ultimately, Mr. Rossi, who is the owner, wants to build a deck that is encroaching approximately two feet or so into the easement. Easements are used by the City to put in utilities, to do work, or provide storm water drainage. After review with the Engineering Department, we determined that in so many years, this has never been used and it is unlikely to be used in the future for any sort of reason. The only utility the City of Powell has is storm water drainage. We see no reason to make it difficult for the owner to build his deck and therefore recommend vacating this entire easement. Someone asked if we could vacate a portion of the easement. Mr. Scott mentioned that 10 feet would be the minimum sized easement required to do any such work so it is beneficial to the resident to vacate the easement entirely.

Councilman Counts: I presume that the homeowner wants to build the deck this summer. [Mr. Kambo: Yes.] So in order for that to happen we would need to suspend the rules and that is why there is a declaration of an emergency, etc.?

Mr. Kambo: Correct.

Councilman Lorenz: What is the easement for? Is it for storm water?

Mr. Kambo: It was a utilities easement but the only utility we have is storm water. We will not be putting in any utilities back there.

Councilman Bertone: As Rocky stated, we discussed this at length in Development Committee. There is no impact from the City's point of view. No utilities are currently located there and it came with a strong recommendation to approve.

Mayor Bennehoof: Generally, easements are not only on one property. Should we vacate the entire easement instead of just on this property?

Mr. Kambo: I would recommend we not get ahead of ourselves. This 10-foot easement continues along to the northward property as well. I think we should take it on a case-by-case basis.

Mayor Bennehoof: Is there any thought to moving the easement for a future use?

Mr. Kambo: I think that was an interesting discussion we had among Staff of whether or not we need to have an easement somewhere else on site. However, with so many years of this being here without any talk of using it and we still have a 5-foot easement here to the north as well [it did not seem necessary].

Mayor Bennehoof: If something came up along those other property lines, would we be able to get to them somehow?

Mr. Kambo: Absolutely.

Mayor Bennehoof: I see 25-foot tree preservation zone. Can you help me understand where that is and is it involved in the easement? If so, does that affect his ability to build the deck?

Mr. Kambo: Tree preservation zones are meant to say, in this particular area, ensure that those trees are not cut down. As long as they are able to work within the confines of where there are *not* trees, then we are fine.

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

MOTION: Councilman Counts moved to suspend the rules regarding Ordinance 2019-30. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Counts moved to adopt Ordinance 2019-30. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

COMMITTEE REPORTS

Development Committee: *Next Meeting: July 2, 2019, 6:30 p.m. We met this evening and had a lengthy conversation about a number of topics that we heard about this evening through legislation. Staff has been given the green light to begin crafting DORA legislation as an event-specific effort so you will be hearing more about that in the coming weeks as it progresses.*

Finance Committee: *Next Meeting: July 9, 2019, 7:00 p.m.*

Operations Committee: *Next Meeting: July 16, 2019, 6:30 p.m.*

Planning & Zoning Commission: *Next Meeting: July 10, 2019, 7:00 p.m.*

Powell CIC: *Next Meeting: TBD. We will meet later in July and will get you a date in the next week.*

CITY MANAGER'S REPORT

I would like to thank all the volunteers and individuals involved in Powell Fest this year. Mother Nature cooperated and it was a wonderful event.

Councilman Lorenz: Great job Megan for leading the Staff in that.

Mayor Bennehoof: Staff did a very nice job, I agree. It is a wonderful event and I believe we had record attendance and receipts.

OTHER COUNCIL MATTERS

There was none.

EXECUTIVE SESSION: O.R.C. Section 121.22(G)(1) Personnel Matters, O.R.C. Section 121.22(G)(3) Pending or Imminent Litigation, and O.R.C. Section 121.22(G)(8) Economic Development.

MOTION: Councilman Counts moved at 8:25 p.m. to adjourn into Executive Session pursuant to and O.R.C. Section 121.22(G)(1) Personnel Matters; O.R.C. Section 121.22(G)(3) Imminent or Pending Litigation; and (8) Economic Development. Councilman Bertone seconded the motion.

VOTE: Y 7 N 0

Councilman Swartwout excused himself and left the meeting.

MOTION: Councilman Counts moved at 9:00 p.m. to adjourn from Executive Session into Open Session.
Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

ADJOURNMENT

MOTION: Councilman Counts moved to adjourn the meeting at 9:00 p.m. Councilman Bertone seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: July 16, 2019



Jon C. Bennehoof
Mayor

7/23/2019

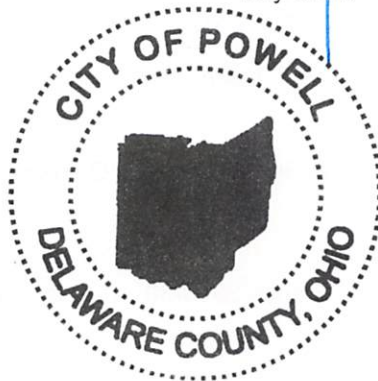
Date



Karen J. Mitchell
City Clerk

7/23/2019

Date



City Council

Jon C. Bennehoof, Mayor

Frank Bertone

Tom Counts

Brian Lorenz

Brendan Newcomb

Melissa Riggins

Daniel Swartwout