



**CITY COUNCIL
MEETING MINUTES
September 17, 2019**

CALL TO ORDER/ROLL CALL

A regular meeting of Powell City Council was called to order by Mayor Jon C. Bennehoof on Tuesday, September 17, 2019 at 7:26 p.m. City Council members present included Jon C. Bennehoof, Frank Bertone, Tom Counts, Brendan Newcomb, Melissa Riggins and Daniel Swartwout. Brian Lorenz was absent. Also present were Steve Lutz, City Manager; Eugene Hollins, Law Director; Karen Sybert, Finance Director; Megan Canavan, Communications Director; Dave Betz, Development Director; Chris Huber, City Engineer; Steve Hrytzik, Interim Chief of Police; 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.

Brittany Zoecklein, Delaware General Health District: I had our finalized Community Profiles placed at your table tonight for the City of Powell and Delaware County. These profiles are updated every two years. ([Exhibit 1 – Community Profile](#)). The profiles can be accessed online at www.DelawareHealth.org.

Gary Yashko, 611 Gradall Court: I am here because of last night's Liberty Township Trustee meeting. I wanted to commend the actions of Officers Audrey and Jared Wilt. Their professionalism in handling that situation was exemplary. We are very fortunate in Powell to have this police department and it was on display again last night. I would extend that as well to Sheriff Martin and his deputies who also responded last night.

Nico Franano, 2855 Lexington Drive, Liberty Township: I come to you with an update. I am sure at least some of you have become aware of some of the issues that transpired last night at the Liberty Township Trustee meeting, some of which affect the City of Powell. There were two resolutions considered by the Trustees that directly impact the relationship between the Township and the City. As a resident of the Township who strongly believes that the success of our communities are intertwined, and the next 25-30 years of us proceeding together in growth and prosperity or in challenges, lie with cooperation, communication, and strong working relationships, I regret to say that this was not on display last night.

The first resolution of note was of surprise to all of the citizenry there. In fact, they [Trustees] tried very hard to obfuscate the actual cause of it by citing an obscure Ohio Administrative Code section. Two Trustees decided it was time to notify the City of Powell that they wanted to move the Code Enforcement Administration for Building Code out from the City of Powell, where we have had a strong working relationship for years, to Delaware County. That represents not only a loss of revenue to the City, but also it widens the communication gap that should be strong and intertwined. It was met with shock and disappointment by the residents in attendance and we are sorry that this is the case, and wanted to communicate to Council that this is certainly not the sentiment or wish of many in the community.

The second resolution, which is even more troubling for every resident in the City and Township, made a recommendation to the Auditor's office to reduce the collection of the fire levy by 2 mills to 3.6 mills on a permanent, ongoing basis. That means \$3 million dollars less, give or take, of revenue per year from the voted on tax levy that 75% of the residents of the City and Township approved in November 2017. \$3 million dollars less of funding for critical capital improvements, critical safety gear for our firefighters, critical vehicle and equipment replacement and maintenance. It will also constrain the Fire Department through the remainder of the

levy to do any expansion of staffing to meet the ever-increasing demand for services that we experience both in the City and in the Township. It is about a 3.71% annual growth compounded rate over the last 8 years. At that rate by the time this levy is over, we are going to be at about 3,600 calls for service. Last night the trustees made a very misinformed decision to handicap and kneecap the ability of the first responders in our community to serve our community and to keep us safe. While the talking points out of the meeting do not indicate an immediate staffing change, the reality is when you look at the budget through the end of the levy, even with zero capital improvement and a zero staffing increase; they are going to be in a budget hole. Eventually they will have to look for money somewhere and, unfortunately, staffing is vulnerable.

We would ask you to consider any remedies you may have to help address what is an unfortunate and debilitating budget cut to a department that has every dollar of that full funding allocated to keep us safe.

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

PROCLAMATION: [Safe Driving Awareness Month](#)

PROCLAMATION: [Childhood Cancer Awareness Month](#), received by Lani & Rudy Zupanc on behalf of their son, Reed Zupanc.

PRESENTATION: [Oath of Office for Stephen Hrytzik](#) as Powell Chief of Police

APPROVAL OF MINUTES – [September 3, 2019](#)

MOTION: Councilman Counts moved to approve the minutes of September 3, 2019. Councilman Swartwout seconded the motion. By unanimous consent of the remaining members, the minutes were adopted.

CONSENT AGENDA

Item

- *Departmental Reports – [August 2019](#)*

Action Requested

Receipt of Electronic Reports

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 2019-13:](#) A RESOLUTION TO ACCEPT THE REPORTS AND RECOMMENDATIONS OF THE POWELL TAX INCENTIVE REVIEW COUNCIL.

Steve Lutz, City Manager: State law requires that the City's Tax Incentive Review Council meet each August to review revenues and expenditures out of our TIF districts. They did that in August and each year at this time we present a resolution to Council where the Tax Incentive Review Council has recommended that all our TIFs are in compliance.

Mayor Bennehoof: So they are all performing as expected.

Mr. Lutz: Yes.

Councilman Newcomb: The Resolution says that this is enhancing our tax base. When I look at the Seldom Seen TIF, did we actually do a financial analysis of that TIF? Because when I look at the Task Force report for every residential unit that we build, we lose about \$400 a year. I look at the student population at Powell Grand and in April, there were 80 students there. 80 x \$11,000, which is the cost to educate a student at Olentangy, is \$880,000. The tax that is going to the school district is \$740,000 so the school district is losing \$140,000 a year. That is \$1.4 million dollars over 10 years. So I wonder whether that project is actually enhancing our tax base on either the City side or the school side.

The second part of that is the Bunker Lane extension. I do not see how that benefits the community. I do see how it benefits that particular development, but not necessarily the entire community.

Mr. Lutz: Per state law, what the Tax Incentive Review Council reviews are the revenues and expenditures. That is what they are reporting on.

Councilman Newcomb: So they are saying that there was a surplus, I presume?

Mr. Lutz: No. They are certifying what revenues came in and what went out. They are looking at it from a financial picture.

Councilman Swartwout: What language were you concerned about Brendan?

Councilman Newcomb: The 'Whereas' clause 'by enhancing the tax base.' I guess I am questioning whether the TIFs have actually enhanced our tax base.

Councilman Bertone: I want to go back to Powell Grand for a moment. It has been some time ago since we have talked about that effort or a number of projects up and down the Sawmill Parkway corridor. Those projects as they come forward are reviewed. They are looked at independently for the pros and cons associated with those given transactions. We know that as that the parkway gets built out, there are additional projects that will provide additional surplus funds or additional revenues toward the community and its needs.

As for Bunker Lane, I look at where I live today, for example. There are many ingress/egress points and I am thankful that the City helped approve that project to get done. Bunker Lane is now a major input point to Powell Grand.

I continue to state that some of the students that are living in the Powell Grand community are in fact residents that lived elsewhere in the community but are currently in transition for one reason or another. There is already cost-benefits factored in for those students. So when we say there are 80 students, I do not question that, but I would make certain that we make sure we understand where those students are coming from.

Councilman Swartwout: I wanted to comment again on the language. I do not see a problem at all with the language in the Whereas clause. Everything that we are talking about there stems from the word "the purpose." The purpose of the TIF district is to provide this and enhance that. We are not making a statement of fact or making a declaration there. We are just stating that this is the purpose of a TIF fund.

Councilman Newcomb: And I am questioning where that Seldom Seen TIF is actually serving that purpose.

Mayor Bennehoof: To follow up on Frank's point on development, that is incomplete at that location. When that is completed, those commercial properties will fill out that TIF funding structure and we will be realizing a greater value from the TIF. Would it be nice if they were already built out and contributing? Yes. But we do not control that.

Frank's point about the students in transition is also a good point.

Councilman Bertone: You raise some valid points and considerations for us as a Council and Staff to keep in mind as we go forward and that is the important piece here. We are all mindful of where our money is going or being spent by other parties. But let's also be mindful of what that community was built out to help with. We also use it to help fund the Seldom Seen Park development and the infrastructure improvements supporting that community at large. As much as I enjoy where I live, I am grateful to have that as an option for our residents here. It certainly adds to us as a community in terms of other amenities or other services that can be provided to residents. Not everyone can afford it all right here, right now, today; or they are in transition. We have to be mindful of that.

Councilman Swartwout: I think beyond that, with respect to this specific Resolution, we have to be mindful of what the purpose of this Resolution is. It is just merely to comply with state law when it comes to the TIFs. It is not about making an objective finding as to whether this is meeting its purpose or that is meeting its purpose.

Eugene Hollins, Law Director: That is correct. The language of this Resolution is up to Council. But I do not think every TIF was intended to serve every one of those purposes. Seldom Seen largely supports the park. That is within your discretion. If someone would like to make a motion to change the language, that is fine.

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

MOTION: Councilman Counts moved to adopt Resolution 2019-13. Councilman Bertone seconded the motion.
VOTE: Y 5 N 1 (Newcomb)

RESOLUTION 2019-14: A RESOLUTION IN SUPPORT OF THE OHIO DEPARTMENT OF TRANSPORTATION SAFETY GRANT. (EX. A)

Mr. Lutz: This matter was discussed at the last Development Committee. Delaware County is seeking to apply for a Safety Grant through the Ohio Department of Transportation. This grant would help fund a proposed roundabout at the intersection of Sawmill Road and Presidential Parkway. Three of the legs of that intersection are located in Liberty Township and the other leg is in the City of Powell. One thing the Committee made note of which they wanted to be clear about and we tried to reflect that in this Resolution, is to state that it was fully understood that local funding contributions amounts have not yet been determined and will be determined in the future. This Resolution does not commit any dollars at this point.

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

MOTION: Councilman Counts moved to adopt Resolution 2019-14. Councilman Bertone seconded the motion.
VOTE: Y 6 N 0

SECOND READING: ORDINANCE 2019-40: AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2019. (EX. A)

Mr. Lutz: This is the second reading for the proposal modifying the appropriation. The City is not seeking to fill the Assistant City Engineer position that was recently vacated when he left for a new position as the City Engineer at the City of Gahanna. What is being proposed with this Ordinance is to allocate a portion of the \$37,000 in salary and benefit savings, \$25,000, for contract engineering in order to continue to utilize them for engineering plan review services.

Chris Huber, City Engineer: We are using consulting here as a stopgap to keep our City running efficiently. Toward the end of the year, I want to wrap up many of the projects that we have on hand. We have a lot of plan reviews that are in the wrap-up stage, along with our construction sites that are wrapping up before winter as well. In the meantime, if we do need plan review services, it is an easy service to coordinate with a consultant, and will allow us to operate some of the departmental functions as efficiently as we can until we have hired a replacement.

Councilman Newcomb: I was looking at the minutes from the last meeting and you said you were anticipating some big developments coming down the line. One of those was the Redwood Development, which is no longer going to be annexed into the City. The other concern was with the Wexner Medical Center that is coming somewhere down the pipe. We do not know when, but that was the other concern. So one concern is gone and the other – the Wexner – I do not know if you can reach out to those folks to find out if anything is going to be coming in from them in the next 2 to 3 months. Otherwise, I would be curious to know what plan reviews need to be done.

Mr. Huber: There are other plan reviews that may come in as well. Some of the ones I do expect are the southwest corner of Seldom Seen & Liberty Roads, Middlebury Crossing, and the future phase of Carpenter's Mill. We just had a meeting with someone who may be looking to do something on his property. It is not so much that I want to spend this money, I want it to be there in the event plans do come in, I can use it to turn around plan reviews timely.

Councilman Newcomb: How long does a plan review typically take?

Mr. Huber: It varies on the nature of the plan. For example, I recently signed a Taco Bell plan in front Target. That type of plan is a very quick review because a lot of the upfront engineering things are straightforward and makes it a quick process. But that is not always the case on all projects. Some projects are much more complex.

Councilman Bertone: On the scale of these projects, it sounds like you may have a backlog from what I am picking up. Unfortunately, I do not have a list of what that backlog is. I would appreciate that. Is there an alternative approach to this? In other words, can you build a project if you had to do a project review, could you build and apply that fee explicitly? Can a contract resource review it and apply that fee to their project?

Mr. Huber: We collect a certain amount of money for plan review. For example, for the first plan review it might be \$6,000, and then each plan review after that is 30%. They are very comfortable with our fee schedule. It aligns with other communities very well. I even brought up whether we could do a sub amount for each project. For instance, if we get a project, what is the budget on this project versus just an open checkbook?

Councilman Bertone: The \$25,000 you are asking for today is to get you through what period?

Mr. Huber: Early spring.

Councilman Swartwout: That has changed from the last meeting where you said it was until the end of the year.

Mr. Huber: I thought about it and I think maybe early spring just to be conservative in case the staffing is not complete yet. I can do it through the end of the year, but I thought this might give us a bit more flexibility to have that consultant.

Mayor Bennehoof: So you said \$37,000 of payroll and benefits that you are not using, you would like to use \$25,000. When in fact, that would be, perhaps, a larger number say \$74,000 of not-salary, not-benefits because you are going through another quarter yet, right? [Mr. Huber: Right.] So that is \$12,000 in savings if you were to use all \$25,000 for plans that came in. Then you stated that this is as needed, so if you managed everything that came in without consulting services, you would not spend the \$25,000, it would be less. [Mr. Huber: Yes. It is an hourly with a not to exceed.] So the savings over payroll and benefits would be different than the \$12,000, it could be a different number and being that it is going through spring, it is an even bigger savings potentially.

Mr. Huber: Another reason I extended it was because I thought if we did get a plan review in November and it is one that needs several months to review, I would not want to end our relationship with the plan review consultant before that project was completed.

Councilman Swartwout: Now that the time frame has changed – because one of the reasons you mentioned for asking for this \$25,000 appropriation was to evaluate your staffing needs – has the evaluation period changed as well? How does this play into the whole initial purpose of this in evaluating your staffing needs?

Mr. Huber: I think 3-6 months is fine for evaluating staffing needs. I would like to have some indication by the end of the year, but I would like to keep that open.

Councilman Swartwout: How do you imagine the evaluation process? I imagine you have already started the evaluation process over the last few weeks since John left. One of the things we talked about was if we did not like this appropriation, we could address it in the budget. But now we are going past the budgetary timeframe and we are now into next year where we cannot address it in the budget. There are some moving pieces here that I am trying to understand.

Mr. Huber: The purchase order would just carry over from this year into the new year. There would be no additional expenditure for next year's budget for this. We would still be utilizing the operating expense we already had in place for this year.

Councilman Swartwout: What about the budgetary staffing for next year?

Mr. Huber: That would just remain the same. We are not pulling anything from the staffing budget with this contract.

Councilman Swartwout: You do plan to hire a person next year, do you not?

Mr. Huber: Yes.

Councilman Swartwout: The focus of what you are trying to do is to determine whether it should be an internal hire to elevate to the assistant position [Mr. Huber: That is correct.] or to directly hire an assistant position. And you need three to six months to make this determination.

Mr. Huber: Right. I want to be very sure about it.

Councilman Counts: The real issue in my mind is that your department has some statutory obligations to provide plan reviews and those need to happen within a certain time. In order to meet those deadlines, we need interim help. So this is to provide that interim help when we need it for solely those projects. I do not want to put words in anyone's mouth, but I think we have gone a little bit awry here in the sense that this is truly to cover a situation where we are down one employee. This is not about next year. It is not about the budget. I personally am not sure what you said about going into next year is even possible in terms of what we are doing here. This is for this year. I do not expect necessarily that we will even use all this money, but we need to do the work and that is what this is about. This is frankly a function of management to figure out how to manage the obligations of the City. This is the proposal that they have come up with. I think when we start really digging into the details, we are going beyond what our role as policy managers is. I personally am going to make a motion for this Ordinance and vote for it.

Councilman Swartwout: To respond to Tom and what he says about us going beyond our role and policy, under our City Charter, Section 4.07, Powers of Council, management and control of the finances and property of the municipality - this is a \$25,000 appropriation - is specifically delineated to us as a power. So I do not see how we are getting afar from the discussion at all. We are adhering explicitly to what it says we should be doing in our Charter. I think asking appropriate questions when there is a \$25,000 request is certainly within our function. This is not the only department that is down Staff. Parks & Rec is down Staff, Building is down Staff, Finance was down Staff for two months. So to come in and make the case why this is necessary and for us to ask the appropriate questions of why this is necessary is very much an appropriate function of what we do.

Councilman Counts: There is a big difference between some of those other functions and what we are talking about here because many of those other functions, while necessary, are not the kinds of things that have these [statutory] deadlines to meet. That is a huge difference. Secondly, if we were talking about increasing our overall budget by \$25,000 then yes it would be very appropriate to do this. But what we are talking about is basically moving this amount, which would have been used for that staff person who is doing this work, to a contract position to cover this work. I think that is a little different situation. It does not require the level of inquiry that you might otherwise have.

Councilwoman Riggins: Just to clarify, there is \$10,000 already sitting there waiting to be used, correct?

Mr. Huber: Correct.

Councilwoman Riggins: From the rate schedule, it looks like on average, this contract person would charge about \$100 per hour, is that a fair statement?

Mr. Huber: Yes. I actually got with our consultant to get a breakdown on similar projects they have done in other communities. One example they gave me was a 10-acre multifamily complex. The plan review was \$8,000. They had 70 hours, 2% was the senior level, engineering II was 28%, 70% was done by the engineer I position which is around \$95 per hour. It is bottom heavy on that one. Projects that are more complex may have a higher percentage use of the higher-level engineers.

Councilwoman Riggins: So the \$8,000 is a large project.

Mr. Huber: I would compare that to a smaller version of Harpers Pointe, and that was for several plan reviews on that project.

Councilwoman Riggins: Over what period of time for the 70 hours from your example?

Mr. Huber: That included three submittals, but no time frame. The time frame for the Taco Bell that I mentioned earlier could take a month and a half. A plan that has a full subdivision with storm water hydraulics, offsite considerations, traffic information, off-site improvements, like Carpenter's Mill, could take several months to get through all the City's concerns. Not just from Engineering but from Development as well.

Councilwoman Riggins: How many of these \$8,000 projects do you foresee being started or done before the end of this year?

Mr. Huber: A handful potentially. It is development driven from when they decide to submit their plans. This year we had a big rush in spring with 6 or 7 coming in at once, and then there was a lull. It is not predictable.

Councilwoman Riggins: Are any of these current projects past the lawful deadline?

Mr. Huber: No.

Councilman Newcomb: Is there a statutory requirement on turning around a plan review? Is it 30 days, 60 days?

Mr. Huber: Departmental-wise, we try to get everything turned around in 30 days. I think there is [a statutory requirement] within the Building Department, but I do not believe there is anything for site plans.

Mr. Hollins: [inaudible because the microphone had been turned off].

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

MOTION: Councilman Counts moved to adopt Ordinance 2019-40. Councilman Bertone seconded the motion.

VOTE: Y 4 N 2 (Newcomb, Riggins)

FIRST READING: ORDINANCE 2019-42: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO GRANT A WATERLINE EASEMENT FOR WATER SERVICE TO DEL-CO WATER COMPANY, INC. OVER A PORTION OF PROPERTY LOCATED ON BOTH SIDES OF ADVENTURE PARK DRIVE WITHIN THE CITY OF POWELL. ([EX. A](#))

Mr. Lutz: This proposed Ordinance has to do with Morris Station, which is a new single-family subdivision immediately south of Adventure Park. I will have Gene describe the purpose of this Ordinance, as our initial concern was to make sure that the Delco water line is installed within the centerline of the metes and bounds description and how this goes about accomplishing that.

Mr. Hollins: It is on our property, so we grant the easement. It is necessary that Council take legislative action to grant the easement on our property. If you look at the back page at the diagram, which may be the easiest way to explain this, it provides one or two more [inaudible due to microphone being turned off] development. The water lines would have to be extended from a point on our property to their development. The metes and bounds legal description is what we would prefer so we know exactly where these easements are.

I have talked with Delco's staff and attorneys. This is their standard easement which they do request. It does actually say that the easement would be the "widths on Exhibit A from the centered and parallel with the centerline water lines as finally laid and constructed" by the surveyors that may or may be the [inaudible] it was described in the legal description. So what we have decided to do is have this executed and held until it is actually constructed and verified that it is in the location that should be in the engineering plans with the placement in the center of this easement. We will only record this if it is constructed in that area or alignment. If it is not, we will have the developer come back to us with the actual [inaudible]. It is a little more complicated than our normal easement, but this is per the request of Delco, how they like to conduct their business, and generally will not deter the developer who is to build this without signing an easement [inaudible].

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 2019-42. Councilman Bertone seconded the motion.

VOTE: Y 5 N 0 AB 1 (Swartwout)

MOTION: Councilman Counts moved to adopt Ordinance 2019-42. Councilman Bertone seconded the motion.

VOTE: Y 5 N 0 AB 1 (Swartwout)

COMMITTEE REPORTS

Development Committee: *Next Meeting: October 1, 2019, 6:30 p.m.*

Finance Committee: *Next Meeting: October 8, 2019, 7:00 p.m. I encourage all non-committee members to attend because we will be deep into the budget.*

Operations Committee: *September 17, 2019, 6:30 p.m.*

Planning & Zoning Commission: *Next Meeting: October 8, 2019, 7:00 p.m.*

Powell CIC: *Next Meeting: Next Meeting: TBD*

CITY MANAGER'S REPORT

Seldom Seen Park parking lot is scheduled to be paved on Thursday. I anticipate the paving operation to go much smoother than the rest of the construction. If you have not been out to the playground, I would encourage you to walk out there and take a look at it. It has been a long time coming, but it looks fabulous.

On September 25, the Olentangy High School Homecoming Bonfire will be taking place here at the Village Green. We received a request to waive the City fees for this event, which are approximately \$200.

Mayor Bennehoof: Do we need to take action that in some form Steve?

Mr. Lutz: It is up to Council.

Councilman Counts: Do we need to take formal action?

Mr. Lutz: If you want to waive the fees, it would require a motion.

Councilman Newcomb: I thought we spoke about that in Operations when Chief was here.

Mr. Lutz: Never about the fees.

Mayor Bennehoof: What are the thoughts of Council? Frank?

Councilman Bertone: I am not for waiving fees. If in fact you need a donation, I will pay for it myself. My daughter will be attending the event, so I will cover the fee.

Councilman Counts: My thought is that while I am not interested in waiving fees, this is for another public group, the high school. I would be okay waiving the fees.

Mayor Bennehoof: I too would be in favor of waiving the fees for this specific kind of thing.

Councilman Swartwout: Is this a school sponsored activity or a student club sponsored activity?

Mr. Lutz: I assume a school activity. We have been dealing with the principal, but I do not know.

Mayor Bennehoof: I will ask for an indication of a thumbs-up or thumbs-down whether we waive the fees. If anyone has an objection to that speak now. [Four thumbs-up].

Councilman Newcomb: I do not think we should waive the fees.

Councilwoman Riggins: I do not think we should waive without further discussion and [without considering] the precedent we may be setting. Just having a piece of paper put before us tonight and making a decision. It requires more thought before we do this.

Mayor Bennehoof: How about this. I would like to propose that we empower the City Manager to make the appropriate call. Anybody opposed to that? Is there a motion?

Councilman Swartwout: So our thumbs-up, thumbs-down vote is now not of consequence?

Mayor Bennehoof: Well we did not really vote. There seems to be some concern about us actually making the waiver. I am fine either way. I wanted to try to placate the dissenters.

Councilman Counts: It looks like this event is on September 25th. We have to make a decision tonight.

MOTION: Councilman Counts moved to waive the fees for the Olentangy Liberty High School Bonfire event on

September 25 2019. Councilman Bertone seconded the motion.

VOTE: Y 4 N 2 (Newcomb, Riggins)

OTHER COUNCIL MATTERS

There was none.

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

MOTION: Councilman Counts moved at 8:34 p.m. to take a recess and reconvene at 8:45 p.m. to adjourn into Executive Session pursuant to O.R.C. Section 121.22(G)(1) Personnel Matters; Section 121.22(G)(3) Pending or Imminent Litigation; and 121.22(G)(8) Economic Development. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

Councilman Swartwout left at 9:25 p.m.

MOTION: Councilman Counts moved at 9:40 p.m. to adjourn from Executive Session into Open Session. Councilman Bertone seconded the motion.

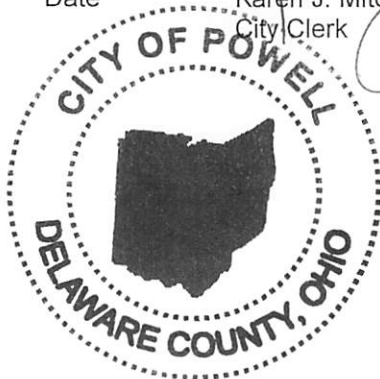
VOTE: Y 5 N 0

ADJOURNMENT

MOTION: Councilman Newcomb moved to adjourn the meeting at 9:40 p.m. Councilman Counts seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: October 1, 2019

Jon Bennehoof 10/15/2019 Karen J. Mitchell 10/15/2019
Jon C. Bennehoof Date Karen J. Mitchell Date
Mayor City Clerk



City Council

Frank Bertone

Tom Counts

Jon C. Bennehoof, Mayor

Brian Lorenz

Brendan Newcomb

Melissa Riggins

Daniel Swartwout