



**CITY COUNCIL  
MEETING MINUTES  
December 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, December 17, 2019 at 6:29 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; Dave Betz, Development Director; Megan Canavan, Communications Director; Karen J. Mitchell, City Clerk; and interested parties.

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

MOTION: Councilman Counts moved at 6:30 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 6 N 0

MOTION: Councilman Counts moved at 7:30 p.m. to adjourn from Executive Session into Open Session. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

**OPEN SESSION**

**PLEDGE OF ALLEGIANCE** led by [Claire Jamieson, Mayor for a Day](#)

**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** – December 3, 2019

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

**CONSENT AGENDA**

**Item**

- Departmental Reports – [November 2019](#)
- [Ohio Div. of Liq. Control – Dream Catcher Hospitality, LLC](#)

**Action Requested**

*Receipt of Electronic Reports  
Waiver Hearing*

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

**RESOLUTION 2019-16:** A RESOLUTION RECOGNIZING BRENDAN NEWCOMB'S TENURE AS A COUNCIL MEMBER OF THE CITY OF POWELL.

By unanimous consent of Council, Resolution 2019-16 was adopted.

**SECOND READING:** **ORDINANCE 2019-56:** AN ORDINANCE APPROVING A FINAL DEVELOPMENT PLAN FOR ANDY JOHANNI TO CONSTRUCT FIVE OFFICE BUILDINGS AND A DAYCARE ON 4.44 ACRES, MORE OR LESS, LOCATED AT 8930 LIBERTY ROAD ZONED PC, PLANNED COMMERCIAL DISTRICT. ([EX. A](#))

Steve Lutz, City Manager: Tonight is the second reading of this proposed development. Dave Betz will provide you an abbreviated review of the proposed development.

Dave Betz, Development Director: We went through an extensive presentation at the last meeting. As you recall, there are five office buildings being proposed, plus a daycare at the southwest corner of Seldom Seen and Liberty Roads. The first two buildings will be the dentist at the corner and the daycare. Staff and Engineering has reviewed this and with the Planning & Zoning Commission, and we all recommend approval with the conditions established in the Ordinance. A representative of the developer is also here tonight to answer any questions.

Councilman Newcomb: How is this going to coordinate with the traffic light on Liberty and Seldom Seen Roads?

Mr. Betz: the County Engineer has already started with the coordination on that project. The contractors have been chosen. The project will get started this Spring. Utility relocation has already happened. We will coordinate, from Staff purposes, at a preconstruction meeting with the County Engineer to coordinate how the vehicles will come and go, timing of any possible road blockage, etc. This property can be built simultaneously with the road improvement. This development will probably lag behind, and when the roadway and the signal gets installed, from the standpoint of occupancy. We do not see any problem with that occurring.

On two other items, Council asked for the Staff Report. That was included in your packet. They did reach out to Ashmoore HOA, but no other questions have been brought up.

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

MOTION: Councilman Counts moved to adopt Ordinance 2019-56. Councilman Newcomb seconded the motion.  
VOTE: Y 6 N 0

**FIRST READING: ORDINANCE 2019-57:** AN ORDINANCE WAIVING SECTION 1115.05(e) RELATING TO THE ISSUANCE OF ZONING CERTIFICATES FOR BUILDING CONSTRUCTION WITH REGARD TO ONE LOT AT MORRIS PLACE. (EX. A)

Mr. Lutz: The next three Ordinances are similar in nature. They are developers requesting permission to build a model home on their site prior to the conditional acceptance of the streets. This matter was discussed earlier this year with the Development Committee about establishing a policy on granting permission for model homes. The Development Committee recommended that each request come before Council and be considered on a case-by-case basis. This Ordinance before you tonight is for the new subdivision being constructed immediately south of Adventure Park. Staff does not have any concerns with the request.

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 2019-57. Councilman Bertone seconded the motion.  
VOTE: Y 3 N 2 (Newcomb, Riggins) AB 1 (Swartwout)

Ordinance 2019-57 was taken to a second reading.

**FIRST READING: ORDINANCE 2019-58:** AN ORDINANCE WAIVING SECTION 1115.05(e) RELATING TO THE ISSUANCE OF ZONING CERTIFICATES FOR BUILDING CONSTRUCTION WITH REGARD TO ONE LOT AT CARRIAGE PLACE. (EX. A)

Mr. Lutz: This request is to build a model home prior to conditional acceptance of the street at a new subdivision being built on North Liberty Street adjacent to the YMCA and the schools. From a Staff standpoint, we do not have any concerns about this request.

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

Ordinance 2019-58 was taken to a second reading.



**FIRST READING: [ORDINANCE 2019-59](#):** AN ORDINANCE WAIVING SECTION 1115.05(e) RELATING TO THE ISSUANCE OF ZONING CERTIFICATES FOR BUILDING CONSTRUCTION WITH REGARD TO ONE LOT AT HARPERS POINTE. ([EX. A](#))

Mr. Lutz: This is a request to build a model home prior to the conditional acceptance of the street at Harpers Pointe, which is located on the north side of East Olentangy Street, just west of Beech Ridge Drive. Staff does not have any concerns with this request.

Councilman Counts: I would just comment that several years ago we had the very first one. We agreed to approve that and have done this a couple times since then. To me, I would indicate my desire to a Council rule for these kind of things because it is a waste of time to do this when they are perfunctory and we do them regularly.

Mayor Bennehoof: That is a good point and I think we should take it under advisement.

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

Ordinance 2019-59 was taken to a second reading.

**FIRST READING: [ORDINANCE 2019-60](#):** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A TAX INCREMENT FINANCING AGREEMENT WITH HARPERS POINTE LAND COMPANY, LLC, AND DECLARING AN EMERGENCY. ([EX. A](#))

Mr. Lutz: Tonight is the first reading of this proposed Ordinance. Harpers Pointe is a 46 patio-style, single-family home development under construction on the north side of East Olentangy Street, just west of Beech Ridge Drive. This Ordinance is a proposed infrastructure agreement between the City and Harpers Pointe's developers, Len Pivar and David LaRue. As part of this development, Messrs. Pivar and LaRue agree to include a 42-inch storm sewer into their project. This sewer will resolve drainage issues that have existed within Olentangy Ridge subdivision, immediately north of this development, for decades. Harpers Pointe subdivision could have handled their own storm water by the installation of a much smaller and less expensive 15-inch sewer. Also as part of this development, a portion of the future public road will be built as part of Harpers Pointe. In the future this road will be extended across the Powell Center site and connect into Grace Drive, providing a key Keep Powell Moving connection between Beech Ridge Drive and Grace Drive. Law Director, Gene Hollins, will discuss this agreement with you tonight.

Gene Hollins, Law Director: Let me give a quick discussion of the legalese of these Agreements. This is very similar to TIF agreements you have seen before. We have had the opportunity to discuss this with the developer, and walk through it. There are some blanks they helped us address or fill-in. There are some questions we answered, and a few little clarifications or changes that will still need to be made to the Agreement. From a procedural standpoint, that probably indicates a second reading; however, the form of the Ordinance does say you can approve it in a form substantially similar and we can make those changes. That is completely up to Council, whatever is your desire tonight.

The gist of the Agreement is contained on page 14. Much of what proceeds that is how you construct these public improvements. They are constructed in a manner that is very similar to the contractual document you would see on our own public works projects, prevailing wage, bonds, insurance, and things like that.

In Section 6.1, we have established a TIF fund for the Downtown TIF. We agree that we will deposit monies into that TIF fund as the houses are built at Harpers Pointe and paid by the owners of those houses into our Downtown TIF fund.

In Section 6.2, to reflect the negotiations we have been having with the developer, we agree to pay the developer upon satisfaction of the conditions that we just discussed proceeding this which is build it according to the rules you have to follow to build public infrastructure and for which our requisition substantiates in the form of Exhibit D. They will turn in a bunch of documents in substantiation that they have met these requirements. We then review and agree to pay the actual cost of the work to the developer up to the TIF reimbursement amount. In other words, a not-to-exceed number, plus interest, on the cost of the work as such funds are deposited into the TIF

fund from those service payments made by the owners at that development. So we are paying them from money they generate into our TIF, not from our existing balance or not from TIF funds received from other property owners or developments. Those are set aside for other purposes for the City. We have run the numbers and this development should generate, based on the buildout that is projected by the developer, far in excess of the amount of funds needed to reimburse the developer. Spill over TIF money will then be available for other City infrastructure needs.

One other issue is, flipping back to the definitions on page 3, we took the latest cost estimates that were received for the public infrastructure from the developer's engineer, including soft costs, and added those together. Right now, the not-to-exceed amount is \$919,453.00 dollars. There is a mechanism later in the agreement for change orders and those change orders can be used to increase the not-to-exceed amount if they run into unforeseen site conditions, soil conditions, and things like that. There is some concern on behalf of the developer as to whether or not the not-to-exceed amount is consistent with the business deal previously discussed with Council. I indicated that is not my call because it is not a legal issue, but business issue. We can handle it however you direct us to in the agreement, but we wanted to ask Council for some direction this evening on that issue.

Mayor Bennehoof: Gene, is 'customary and actual' a possible substitution for 'not to exceed'?

Mr. Hollins: The 'actual' you have as a not-to-exceed ceiling and then you have the actual cost, the cost of the work. The cost of the work is substantiated when we reimburse the cost of the work, but then you also incorporate, usually, into these agreements that actual cost. Does it need a ceiling so that if the actual cost runs \$2 million dollars we have not contractually obligated you to pay back \$2 million dollars? We want the opportunity, if it hits that ceiling to work with them on a change order. That is just how these agreements are typically structured.

Mayor Bennehoof: And you said that change order process is in here?

Mr. Hollins: It is. Len Pivar and Dave LaRue are here to address that issue. I can draft this without a ceiling or with a ceiling. The ceiling does not have to be \$919,000. That is an issue for Council.

Len Pivar, 165 Thornbury Lane: My concern is with language. Words have meaning. I would prefer the language to read what we agreed to, the actual cost of the sewer. Also, change orders are fine, but when they are out in the field working, sometimes they have to get approval very quickly and I am not sure of the mechanics of a change order. This is a public service we are doing – a sewer we did not need – that we would be reimbursed the total cost of the sewer. It is not marked up. The prices are not exaggerated to cover cost overruns. These are costs based on engineer's estimates and actual bids from the subcontractors, and about 10% for contingencies. I respectfully ask that Council consider using different language and with the actual costs. We will provide proof.

Councilman Bertone: Where do we stand in your project right now?

Mr. Pivar: The weather has not helped. If you look at the basin by Powell Road, I do not know if the headwall is actually in there, but the sewer is protruding at that point. Everything is surveyed. They were in there today clearing for the most northern part of the sewer. I believe we had a five-week build estimate on the sewer. We had really wanted to start a couple of weeks ago, but we had some problems with OUPS locating electric lines we knew were there. There are little problems we are going to run into. For example, our site manager has requested Chris Huber [City Engineer] make a slight adjustment to the centerline on the sewer. It would still be within the easement, but moving it further away from some utilities that we have discovered. But we are looking at an approximate 5-week build out from now, five weeks, weather permitting.

Councilman Bertone: So we would not have a feel for the total cost for at least another 5 to 6 weeks, or so.

Mr. Pivar: I would say about two months.

Councilman Newcomb: Gene, page 14, if there is a default we can sue for specific performance or we can complete the job ourselves. It does not seem like that is really a remedy for the City.

Mr. Hollins: I would compare it to the public infrastructure improvements we do. Often we would want the bonds in place to properly abandon, if not complete, the project and draw on the bond. I do not think in this case that we

are going to partially complete the storm sewer. Once it is started, because it is going to serve the area north of this subdivision, we would probably want to draw on the bond and finish it.

Councilman Newcomb: On page 15, what is the interest rate going to be?

Mr. Hollins: We did discuss that. It is based on their cost of funds. They are not getting any spread on that and Dave LaRue can correct me if I get this wrong, but it is labor plus 2.75 or 275 basis points, which is their cost per capital.

Councilman Newcomb: Why are we paying interest?

Mr. Hollins: It is a negotiated item. That is a Council issue. We have done deals where we pay folks cash on the barrelhead as soon as it is done instead of waiting and paying them over time. We have done deals where we paid them back as we have received funds from their development over time. Some with interest, some without.

Councilman Newcomb: I see that we are paying \$18,000 of interest already on the \$919,000. So we are paying interest on top of interest.

Mr. Hollins: Basically, capitalized interest.

Councilman Newcomb: Last thing, the City's address on Exhibit D is incorrect.

Councilman Bertone: I would like to address Councilman Newcomb's questioning on the interest rate. As you know, the TIF has a balance today. Let's say that TIF has a balance of a million dollars. We are not depleting that at this moment in order for us to pay for this cost. Len and Mr. LaRue, with their project, are covering that cost; so in essence, this is a City component – the sewer. Our costs to build now in this project we fill from a 2.75% addition, plus labor, that is from a fair market point of view of what it would take for us to build this out in the future. That was one of the Genesis points of that conversation. We do not intend to deplete our TIF in order to cover this. We are waiting for those homes to come into the TIF in order to supplement.

Mr. Hollins: If I did not make it clear, we are not touching our existing TIF funds.

Councilman Counts: On the issue about the cap. I think we did make it clear to the developer that the sewer line, which is the largest piece of it, is the piece that is not done and where the risk of cost overrun is the greatest, that is the City's risk. We actually thought we could quantify that by the time we got this approved in the beginning of January. That does not seem to be the case. What I do not want to do is give the developer a blank check to say build us a sewer line and we will pay you whatever it costs. What I would prefer seeing is that we bump up that cap a little bit to give some cushion, but that if you run into problems, you come back and talk to us. I suggest that to Council as a means to resolve this issue within this time crunch.

Councilman Swartwout: Tom, could you explain the component involving the road?

Councilman Counts: Sure. The road is the piece that is outlined in red that comes out to Beech Ridge Drive. Beech Ridge Drive is the parcel's access to the public road. There was a lot of discussion in Development Committee and P&Z about that and the desire to have that piece to be a thoroughfare across to Grace Drive for our Keep Powell Moving purposes. That road improvement is a developer expense as we develop pieces across the board. In this particular instance, we asked them to build this road to a public standard versus a private standard. A public standard requires a greater depth of asphalt, etc., and it is a little bit more expensive. It is that differential between a public specification and a private specification, which is being TIFed. That is the nuance about the road and is the smaller piece of the overall TIF projects.

Councilman Swartwout: So according to the development plan that was approved, they could have built it to a private road specification. And we are asking them, for the benefit of spurring on greater economic development within that area, to build it to a public road standard.

Councilman Counts: Correct.

Councilman Newcomb: Does Staff know the length of that piece?

Mr. Betz: Approximately 250 feet.

Councilman Bertone: Chris [Huber, City Engineer] has been heavily involved and working close with Len's team in understanding the total distance and what is involved.

Councilwoman Riggins: There is not going to be any issues with this being a public road versus a private road is there?

Mr. Hollins: It will be dedicated as a public road, as stated in the agreement and part of the acceptance of the improvement and placing of the cost of the improvement on the ledger for reimbursement. The anticipation is in the future, the commercial property to the west may redevelop and at that point in time we would work with that developer. It is a case-by-case basis whether they will be benefitted enough by a public road through their site. They may not ask for reimbursement, but one way or another we will be working with them to get a public road extended all the way to Grace Drive.

Mayor Bennehoof: Messrs. Pivar and LaRue, is there any objection to taking this to a second reading?

Mr. Pivar: No. But first, I would like to correct something. It was not five weeks, but 55 workdays, so we are still looking at probably at least a couple of months out on getting this thing finished.

What I have an issue with and gives me big problems, is it is something that really should not be my responsibility and I do not know why I should be responsible for it or for unforeseen conditions. We are taking a big risk as it is with the TIF. We only get reimbursed as long as the TIF is there to reimburse us. What if we dig a hole and run into the Olentangy Caverns? That should not be our problem. We did not need this sewer. We did not need to put an ounce of water in this sewer. We have storm tech and other devices handling our subdivision. I do not want to be here in six months arguing because of the language of being responsible for additional costs. We should not be responsible for any cost.

Mayor Bennehoof: A remedy was to add some additional contingency to the top margin and there is the change order process in here. [Councilman Counts: That is correct.] Len, how much further along will you be in 3 weeks when we have our next meeting?

Mr. Pivar: I would guess that with reasonable weather, we could be up Grace Drive to the point we are going to the east, back toward the property. I would assume we would be somewhere in that area. As you know, we have the Holidays coming up in there as well.

Mayor Bennehoof: I will suggest that we take this to a second reading and we see how far along it gets, make the amendment suggested by Councilman Counts, revisit the change order process, and then act on this at our first meeting in January.

Mr. Pivar: To address Councilman Newcomb's concern, we have fully bonded this job so there is really no concern over the money being there to finish it.

Councilman Newcomb: I had questions on the contract but I also had four questions about the TIF. This is the first time we are meeting on this publically. What is the objective criteria the City uses to decide who gets a property tax incentive? We have had several developments in downtown Powell and this is the first one and why this one? We have had Armita Plaza, Buckeye Painting, Nocterra Brewery, Powell Crossing. None of them has received any property tax incentives, but this one does. What objective criteria are we using to determine that we should issue a property tax rebate?

Councilman Counts: First, let's get our nomenclature correct. This is not a tax incentive. The developer is getting no money out of this TIF. What is happening is that there are public improvements that need to be made. The sewer line principally, the biggest one, which is not this developer's responsibility, but is using the dollars generated by this TIF to fix a City problem. These are dollars that are being used for public purposes. It does not benefit this parcel, nor is any particular homeowner getting any benefit or paying any more tax or any less tax as a result of this TIF.

Councilman Newcomb: It is my understanding that it has to benefit this parcel. Is that correct Mr. Hollins? If this is not benefitting this parcel, why are we even talking about a TIF?



Councilman Bertone: Let's back up a second. Look to the north of this project, [the] Olentangy Ridge [subdivision]. You have 70 plus acres of water dumping into this development site. That is a fundamental issue to their project being successful.

Councilman Newcomb: This is the first time I have ever heard that there is a problem with water issues in Olentangy Ridge. Anytime we have discussed this project, we have always considered that any money generated by this project would be used to put a light at Beech Ridge Drive and Powell Road, to improve the area around the Four Corners, or, according to the Keep Powell Moving Plan, we would build a round-about at Beech Ridge Drive and Powell Road. We have never heard anything about putting in a sewer.

Mayor Bennehoof: The watershed issue has been widely talked about. If it was in a meeting you have missed, I do not recall.

Councilman Newcomb: I have missed no public meetings. I have not been invited to the private meetings.

Councilman Bertone: I know personally that I have discussed the watershed issue. At this point, we do have capital improvement needs that pop up from time-to-time for the City. Look at this project in that context from the sewer point of view. That sewer is crucial to vacating that water from this site in order for these properties to continue to be built out. That is a betterment to the City, a betterment to this parcel, and a betterment to this community at large. How we fund that effort is by having those difficult conversations every week here. The challenge comes down to how do you best do it, when do you synchronize it, and that is the situation we are in today. Messrs. Pivar and LaRue, and their team, have already bonded this up for now. From our standpoint, we would agree to pay for a public effort to approve that. That is our agreement here. As for the other projects you have mentioned, none of those projects even requested this through our approval process. The TIF dollars and their projects did not have a massive infrastructure need such as this piece.

Mayor Bennehoof: The "I" of TIF stands for 'increment' not 'incentive.' It is not an incentive to the development, it is increment financing that is going for the public work, but that the developer has agreed to undertake on behalf of the City during his development of Harpers Pointe.

Councilman Newcomb: All of these dollars are taxpayer dollars.

Mayor Bennehoof: And those taxpayer dollars would be used, if we contracted for a new road, sewer, or park, for those public purposes, and that is what this is about.

Councilman Newcomb: Except we have asked the residents to increase their personal income tax, so we could fund a safe walkway from the library across the train tracks. We need \$300,000 to fix the tunnel at Adventure Park. We did not have \$200,000 to put in a roundabout at Liberty and Seldom Seen Roads. Again, this is the first time I am hearing about sewers going down Grace Drive as the number one issue in Powell. Quite frankly, it is not. I do not understand why taxpayer dollars are being used to assist a developer to build homes that are going to be priced at \$500 to \$600,000 according to the City. It does not make any sense.

Mayor Bennehoof: Not one dollar of this TIF is going toward...[Councilman Newcomb: I realize not a dollar of the money in the TIF is going [to build homes], but the property taxes paid by this development are not going to the county, not going to the fire department, not going to the library, not going to senior citizens, and not going to the City's general fund, which is where we need the money. We need the money in the general fund and that is why we are asking homeowners to pay more in personal income tax. TIFs do nothing but divert money from the general fund.]

Councilman Bertone: They put the money in a specific pool to be utilized for a specific area. This is the Downtown TIF. This project is specific in the confines of the Downtown TIF.

Councilman Newcomb: Our task force report told us that that City loses hundreds of dollars per year for residential units. Why then would we refund an additional \$900,000 in taxpayer dollars to build more homes?

Mayor Bennehoof: They are not building homes with the [money]. They are building a sewer.

Councilman Newcomb: Yeah, they are building a sewer for the homes.

Councilman Counts: No, they are not.

Mayor Bennehoof: No, they are not. It is for the watershed problem that 30 or 40 years ago was a shortfall of the engineering at that time for the development of Olentangy Ridge subdivision. That is 70 acres of homes north of this development that all watershed onto this development.

Councilman Newcomb: Gene, do these sewers help those homes [at Olentangy Ridge]?

Mr. Hollins: From a legal standpoint, the terminology is 'directly benefit the TIF area.' To the extent, we are taking the storm water that is currently discharging into a private pond and diverting it to a public sewer where it probably should have been engineered 20 some years ago when it was built, and allowing that parcel in the TIF area to develop, it directly benefits the TIF area from a legal standpoint.

Councilman Swartwout: With some TIF agreements that we have had in the past it has been crucial to have the TIF agreement approved before the end of the year based on valuation. Could you talk about how that might play into this if this is approved this year versus next year in terms of valuation and what would actually go into the TIF fund? Is there any difference for this?

Mr. Hollins: I know what you are saying. That goes back to the original creation of the TIF. On this one, it has been created for a number of years. But, yes, you would usually want to create a TIF before the end of a year because then you lock in the January 1 value of that year.

Councilman Swartwout: So the valuation of this TIF, which is approximately 15 years old, is the valuation of the property as of 2004. [Mr. Hollins: Yes, absolutely.] So if we were to take it to a second reading, it would not have any sort of detrimental impact on what goes into the TIF fund.

Mr. Hollins: That is correct. For Council's consideration, we have been discussing that with the developers about taking it to a second reading so we do have firmer costs. We may not have the final costs. There is a built-in 10% contingency in the sewer, so we have some cushion even in that figure. We are only paying them with their own money. We could have drawn on existing funds or borrowed bond money and made a public improvement. Sometimes we like to ask the developer to do it at the same time as they are constructing their project to make it more cost efficient. If you can build it and finance it for us as well. This not something they would have otherwise built as part of their private developer-side cost.

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

Ordinance 2019-60 was taken to a second reading.

## **COMMITTEE REPORTS**

**Development Committee:** *Next Meeting: February 4, 2020, 6:30 p.m.*

**Finance Committee:** *Next Meeting: January 14, 2020, 7:00 p.m.*

**Operations Committee:** *January 21, 2020, 6:30 p.m.*

**Planning & Zoning Commission:** *Next Meeting: January 15, 2020, 7:00 p.m.*

**Powell CIC:** *Next Meeting: We had our annual meeting last night and all the officers were reappointed for 2020 pending Council's action on reappointing the members.*

## **CITY MANAGER'S REPORT**

The January 7<sup>th</sup> meeting is the changing of the guard meeting. At 6:30 p.m., please be prepared to have your photographs taken. At the meeting, we will be electing Mayor, Vice Mayor and others.

## **OTHER COUNCIL MATTERS**

Mayor Bennehoof read the Certificate of Recognition to Claire Jamieson for being tonight's honorary Mayor.

**EXECUTIVE SESSION:** O.R.C. Section 121(G)(1) Personnel Matters, and O.R.C. Section 121.22(G)(3) Pending or Imminent Litigation.

**MOTION:** Councilman Counts moved at 8:25 p.m. to adjourn into Executive Session pursuant to O.R.C. Section



121.22(1) Personnel Matters, and O.R.C. Section 121.22(3) Pending or Imminent Litigation. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

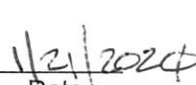

MOTION: Councilman Counts moved at 9:20 p.m. to adjourn from Executive Session into Open Session. Councilman Bertone seconded the motion.

VOTE: Y 6 N 0

#### ADJOURNMENT

MOTION: Councilman Counts moved to adjourn the meeting at 9:20 p.m. Councilman Bertone seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: January 7, 2020

	
Jon C. Bennehoof Mayor	Karen J. Mitchell City Clerk
	
Date	Date

