



**CITY COUNCIL
MEETING MINUTES
May 5, 2020**

CALL TO ORDER/ROLL CALL

A virtual regular meeting of Powell City Council was called to order by Mayor Frank Bertone on Tuesday, May 5, 2020 at 7:32 p.m. City Council members present included Jon C. Bennehoof, Frank Bertone, Tom Counts, Heather Karr, Brian Lorenz, Melissa Riggins and Daniel Swartwout. Also present were Andy White, City Manager; Eugene Hollins, Law Director; Steve Hrytzik, Chief of Police; Chris Huber, City Engineer; Karen Sybert, Finance Director; Rocky Kambo, Assistant Director of Development; Megan Canavan, Communications Director; Karen J. Mitchell, City Clerk; and interested parties.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: [April 21, 2020](#)

MOTION: Councilman Bennehoof moved to approve the minutes of April 21, 2020. Councilman Counts seconded the motion. By unanimous consent of the remaining members, the minutes were adopted.

SECOND READING: [ORDINANCE 2020-01](#): AN ORDINANCE APPROVING A MAJOR AMENDMENT TO A DEVELOPMENT TEXT IN A PR, PLANNED RESIDENCE DISTRICT, FOR THE RETREAT AND CARDINAL HILL SUBDIVISIONS. ([EX. A](#)) ([Addendum](#)) - *Tabled from April 7, 2020.*

Andy White, City Manager: I first wanted to compliment the work product that came out of this. This is a conversation that started before my tenure began and I followed it through my recruitment process. I was impressed by all parties in their initiative and the legwork that was done on behalf of the community residents prior to when it came to Council. I know Council is wanting to move forward with this and we got caught up with the pandemic issue, but I appreciate that the petitioner, Mr. O'Brien, was willing to have this conversation in this virtual venue because I am sure you would prefer to have the physical contact for all those who would like to speak. It is a big issue and you all put a lot of work into it. We are at this point so Council can make a decision and move forward with this overall text amendment.

My central understanding of the policy is that the Association had a set of deed restrictions that were set to expire and have expired. This puts this particular neighbor in a vulnerable position in terms of policing the standards that have become present within the neighborhood.

Ordinance 2020-01 is now five months old and I think at this point, we would like to continue the conversation and then for Council to take some affirmative action on this tonight.

Rocky Kambo, Assistant Development Director: Going way back, the deed restrictions expired December 31, 2019. The applicant and the majority of the residents wanted to put something in place to help protect the existing character of their community. We have had many great discussions on this. Following the tabling of this Ordinance, Staff got together with several residents for two additional discussions to try to work through some of the points of contention. We did make some text edits, but the edits were more clarifying, not substantive, in an attempt to make them more legally defensible. Gene did a great job in tightening up some of the language.

There was an addendum provided to Council in your packet. It refers to a change in Item 1.3. A chunk of language was deleted from the text. That was due to a lawsuit that has since been settled. In turn, the applicant asked for this bit of language to be removed from the text. There was also a request by Tim Schenz to change the start date of the text, which is now April 18, 2020, to the effective date of the Ordinance should this legislation pass.

I have to give kudos to all the residents on all sides of the table for providing their comments and being so involved. A big thank you to Council as well for providing their time, above and beyond, to get this document to where it is. In addition, Gene thanks to you too for moving things along.

Councilman Swartwout: I had a question for Gene. Assuming this was passed and, for whatever reason, there are consequences of this being passed that result in more City resources being devoted to this than we would like to see or problems within The Retreat as far as following the provisions of this. Would Council then have the power to overturn this legislation and abolish it later? Is that something Council would have the power to do?

Gene Hollins, Law Director: If it were to put us in a position where we were subject to litigation, one of our options would be to go back to the status quo that exists right now, which it is a planned district, but it would not have a text.

Councilman Swartwout: So it is something that Council could come back and revisit if there are problems that are generated from this.

Mr. Hollins: Yes.

Councilman Swartwout: With that question answered, I would like to say that the initial document that was brought to us in January had a number of issues; internal inconsistencies and things I found, that I thought were legally questionable. However, we worked through the process of input of those that are in favor and those that have significant reservations about this text, and I believe we have arrived at something I am comfortable voting yes on. I spent a tremendous amount of time with residents of The Retreat/Cardinal Hill and I think working together with those on both sides of this issue have brought us a document I am very comfortable with. I will be voting yes on it this evening.

Councilwoman Karr: I wanted to thank Frank, Dan, Jon, Staff and Gene as well as the residents for working very hard on this. I appreciate all the changes that this document has gone through. Gene, do you feel the document, as it stands, is defensible should it come to that?

Mr. Hollins: Yes. On several levels, we feel comfortable. This is a legislative act of Council, which is subject to referendum. The real legal challenge to something like this would be residents can collect signatures on a referendum petition and then the entire voting public would vote on it. The other way that these sometimes are tested legally through the courts is when they are applying to specific properties or specific applications, just like any other planned district text that exists in Powell. That gives us the opportunity to look more specifically at any issues that arise applying the text to a specific piece of property. We think it is legally defensible, but it is whether it raises other legal issues when applied to a particular property. We have mechanisms in place to deal with those issues so that we are not putting ourselves in a position where the municipality would be liable for any damages.

Councilman Lorenz: No comments.

Councilwoman Riggins: I will reiterate what has already been said, a lot of time and effort has gone into this issue and I think everyone has the same goal in wanting to do the right thing. I do have several concerns.

This proposed text is enacting new restrictions on individuals' property. This is not just incorporating into the text merely what has already been in place. It is imposing new, additional restrictions. I am concerned about government stepping in on the owners' property rights. In emails that have been exchanged with Gene, who has done a great job in providing research and case law, it shows that the law in Ohio is established in Curtis v. City of Cleveland, 166 Ohio.St. 509 (1957). While an old case, it is still good law. In that case, the ruling was, yes, we can do this and enact this ordinance, but we can only do that if the ordinance is substantially related to the public health, safety, morals, or general welfare. I think I am reaching to try to plug what this is going to accomplish into one of those requirements. In order for us to act on this, there has to be a showing not just of a relationship, but a substantial relationship to the public health, safety, morals, or general welfare. What I am struggling with is where is the substantial relationship to any of those? If anybody is going to be speaking tonight in support of this, I would like you to specifically address that issue.

If there is such a substantial relationship to the public health, safety, morals, or general welfare, then my next question would be why not enact an ordinance that applies to the entire city of Powell, not just to this subdivision. I am concerned about the precedence this would be setting. As Gene has explained, one person can ask the City to

enact an ordinance like this. If we do it in this situation, who else will pop up in other areas of the City to do the same thing? I have been thinking about this for a long time now and continue to be concerned about whether we are legally in a position to even be allowed to do this.

Councilman Bennehoof: I share some of those same concerns; however, I believe this document substantially mirrors or mimics much of our City Code and makes me wonder why we need things like a farm animal exception. It is not permitted in our City Code. Holiday decorations have to be removed within a certain number of days. That is in our City Code. Since we have come to where we are on this document with Staff time, legal time, citizen time, and Council time, I believe we come to this point at considerable expense. Because of that I think we need to look forward after this, wherever it falls tonight, and say what if Lakes of Powell, Golf Village, or another community, come to obsolesce of their restrictions, what does the City do at each juncture? I think we need to adopt something that is Citywide that precludes us having to go through these hoops each time. But I really am concerned about the expense of political and social capital and hard dollars that have been expended on this, and I think we really need to take a hard look at how to continue to do this as each new development, new to this environment, rolls in with expired deed restrictions.

Councilman Counts: Gene, isn't the standard that we are applying here on this matter the same standard for every other zoning or rezoning we have done in the City of Powell as long as the City has been here?

Mr. Hollins: It is the typical legislative standard, I would say not only for zoning, but for most of your legislation. It has to bear some relation to the health, safety and welfare. It just should not be arbitrary, capricious, irrational, or things like that.

Councilman Counts: So the standard here would be the same standard we would apply to a new subdivision. We would have to find the same substantial relationship and it would be up to this Council to do that.

Mr. Hollins: Correct. It is a decision, your discretion as a Council, that is vested to our sound discretion. Normally that is what you are going to see in the courts that rule on these things. They are looking to you because you are the closest to the situation and probably have the best feel, so usually a court is going to be there as a backup, but they really want to know your thoughts.

Councilman Counts: And it is quite rare that a court will overturn a zoning decision. It is very rare to find that arbitrary and capricious behavior by city council.

Mr. Hollins: We see the standard; we see it applied. The things that actually make it to court are the closer calls. It is not a high standard; I will put it that way.

Councilman Counts: Each subdivision that comes in has their own zoning text, but it does not necessarily mean that each subdivision has exactly the same identical text as the next subdivision. So there could be lots of differences between the subdivisions within our community, is that right?

Mr. Hollins: As in this case, we are looking for the developer or residents of that subdivision to make a proposal to us. Often it is tied to we want to get this type of zoning. And we say if you want that it, what commitments can you make back to us that are enforceable? That is the type of tool a planned district is. Often, it is the proposal coming from the landowners and developers and we will review it, but it may lead to some things being uniform, but also may lead to some property or site-specific type of commitments that would make sense for that particular community.

Councilman Counts: Living in a subdivision that has restrictions that leaves either something to be desired or it is not real clear that they are still in existence; I would applaud residents to come in and try to do the same thing. If I had any concern about this particular legislation, it is that I felt that this was going to be a model for other subdivisions, like Olentangy Ridge, and I wanted to make sure it was well vetted, gone over, and I believe that it has happened through the committees, City Staff, and our Law Director's work.

Dan O'Brien, Petitioner, 560 Cardinal Hill Lane: The Retreat/Cardinal Hill's effort to replace our expiring deed restrictions has been a two-year plus work in progress. It is based on the input of several sources: a group of concerned neighborhood volunteers; homeowners, not all of whom were association members; two neighborhood open houses; multiple meetings of the association board of trustees; a professional city planning company to give professional background to the document; Powell's P&Z Commission; Development Department and Law Director; and two prior meetings before City Council. Each of these entities assisted in shaping the development text

document into its current state. The document is much different and better today than its predecessor two years ago. I thank Powell for the insight and foresight to direct us toward this conclusion.

Our initial goal was to preserve property values in our neighborhood. Could the development text have been more restrictive? Absolutely. We knew the path to our goal was to focus on preserving the character, charisma, and the atmosphere of our wonderful neighborhood. With the input of all those previously mentioned, I believe we have a reasonable working document. Could it be better? It depends on the individual responding to the question. There is a very small vocal group of homeowners who want no rules or restrictions, or future development, and no guidelines for property maintenance. To the vast majority of homeowners in The Retreat/Cardinal Hill neighborhood, that position is not acceptable. We have homeowners who are concerned we may have given too much freedom of choice to homeowners, which may lead to future issues. However, a large majority of Retreat/Cardinal Hill homeowners who responded to our question of whether the development text was acceptable voted in favor of the development text.

As the document has matured, the current tally is now 94 approve, 28 disapprove, and 40 homeowners decided not to vote. As you know, without restrictions unbridled development and inadequate maintenance lead to property value decay. We have examples of this condition currently in our neighborhood, which has resulted in lower property values, loss of City income tax revenue, and property tax base erosion. None of these conditions is good for Powell or its citizens. We respectfully request you approve The Retreat/Cardinal Hill application revising the neighborhood development text.

Mayor Bertone opened this item to public comment.

Megan Canavan, Communications Director: No one has indicated they wish to speak.

Karen J. Mitchell, City Clerk: There are no additional, new emails.

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

Mayor Bertone: I want to compliment you Dan on your efforts to bring the residents along conversationally. To be above 90 in your total tally might be indicative of the fact that folks are not offering additional opinions at this point. I will turn back to Council to get any final comments or concerns before taking any action.

Councilman Bennehoof: Could you restate the statistics for and against this development text?

Mr. O'Brien: We have a total of 162 properties in The Retreat/Cardinal Hill neighborhood. 94 of those properties voted to approve the development text, 28 voted to not approve the development text, and 40 just did not vote at all.

Councilman Lorenz: If this is enacted, will the members of the subdivision be subject to some sort of dues?

Mr. O'Brien: No. That is left up to the discretion of the individual homeowner. The participation in The Retreat Association is voluntary. There is no other monetary expectation of a homeowner. We discussed this early on and it was decided that really was not part of this particular legislation. I can share with you that we are fortunate right now, this year, we have 136 of 162 homeowners that have opted to join The Retreat Association. Last year it was 136. The highest we had in the last 10 years is 142. There is a bit of ebb and flow, but at the end of the day, people step up because they want this to be a nice neighborhood and all we are trying to do is maintain the grounds. That is what our dues are for.

Councilman Lorenz: So even if we pass this Ordinance, it does not force a homeowner who may not be in favor of the development text to participate, join your association, or pay any formal dues.

Mr. O'Brien: That is correct. There are no expectations or requirements that anyone join The Retreat Association. It is strictly voluntary.

Councilwoman Karr: [audio issues]

Councilwoman Riggins: I am coming up with a 58% approval rate of the property-owners, is that correct?

Mayor Bertone: That is correct.

Mr. O'Brien: And 17% of the total membership disapprove.

Councilman Swartwout: To follow up on Brian's question, one of the issues that has brought up some contention is the ARC that is established here. To be a member of the ARC, you do not have to be a member of The Retreat Association, isn't that correct?

Mr. O'Brien: That is correct.

Councilman Swartwout: So somebody who did not want to volunteer to be a member of The Retreat Association, who did not want to pay any additional dues, could still be a part of this ARC. Is that correct?

Mr. O'Brien: Yes, that is correct.

Mayor Bertone: I would like to talk about the ARC. If I am a homeowner in The Retreat and the ARC disapproves of something I want to build, what are my options? Is that a hard stop no?

Mr. O'Brien: It is not a hard stop. All we are doing is recommending to Powell whether it be accepted, not accepted, or accepted with certain provisions. It is up to Powell to say yes or no. What we try to do at the ARC is work with the homeowner prior to going to City Council with a request for a building permit so they get a flavor of what we expect here in the area.

Mayor Bertone: Rocky, you would step in after the ARC says yes or no, is that correct?

Mr. Kambo: Yes. Similar to what we do with our other subdivisions where the HOA provides us a letter saying they are in support of an application. We would look to the ARC to provide their letter of support or not. If they did not provide a letter of support, we would take that into consideration, but it is not the end-all, be-all. We make the ultimate determination.

Mayor Bertone: I would like to thank not only the residents of The Retreat for all your feedback, but for your engagement in this entire process. I know it has been a long one. I would like to call out Staff for all the work they have put in as well as Gene. You have put a lot of work into this process, so thank you for that.

The pros and cons of this whole approach; I have not met one person who has waffled in any way. We have had a few folks that have changed their minds after receiving a little more information and have come along on a different path, but there are some firm pros and firm cons in this conversation. I appreciate everyone's willingness to work together. I only wish other neighborhoods were that willing to work together on other issues as well. It would make things a little easier for everyone.

I would lastly like to recognize Dan Swartwout because this is something you have really led the charge on with Council, so thank you for your leadership on it. So thanks for helping to bridge the gap internally, but also with helping with the residents.

MOTION: Councilman Counts moved to amend Exhibit A to Ordinance 2020-01 by deleting all references to April 18, 2020 and inserting June 5, 2020 in its place. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Bennehoof moved to amend Exhibit A to Ordinance 2020-01 by deleting the language in Section 1.3 in its entirety and replacing it with "Any structure existing on June 5, 2020 shall be permitted to remain, provided it is maintained in good condition and not expanded." Councilman Counts seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Counts moved to adopt Ordinance 2020-01. Councilman Bennehoof seconded the motion.

VOTE: Y 6 N 1 (Riggins)

FIRST READING: [ORDINANCE 2020-07](#): AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF POWELL, OHIO TO PROVIDE AMENDMENTS TO GENERAL OFFENSES POWELL CITY CODE SECTIONS 501.01, 509.03, 513.01, 513.03; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. ([Memo](#))

Mr. White: This item and the next Ordinance are companion pieces of legislation that are being recommended to you for adoption based on a review of our Code and modifications to state law throughout last year. These come to you in a form to update our City Code; in particular, 2020-07 from the General Offenses, so we are in accordance with the state law. Any conflicting statements would be removed. This has come from our codifier, Municode.

Mayor Bertone: When was our last update by Municode?

Ms. Mitchell: Late 2018, slightly longer than a year.

Councilman Bennehoof: On the bottom of page 4, section 'o' has no title and just goes into a subsection. I did not know if that was an oversight or intentional.

Ms. Mitchell: I will double check with Municode to confirm.

Mr. Hollins: We are not asking for a suspension of the rules on these so we can get verification prior to the second reading.

Mayor Bertone opened this item to public comment.

Ms. Canavan: There are no questions from the public on Zoom or Facebook.

Ms. Mitchell: There are no emails related to this Ordinance.

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

Ordinance 2020-07 was taken to a second reading.

FIRST READING: [ORDINANCE 2020-08](#): AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF POWELL, OHIO, TO PROVIDE AMENDMENTS TO POWELL CITY TRAFFIC CODE SECTIONS 301.031, 301.04, 301.20, 301.251, 301.26, 301.27, 301.33, 301.35, 301.361, 301.42, 301.43, 301.44, 301.51, 303.06, 313.01, 313.09, 331.01, 331.02, 331.03, 331.04, 331.05, 331.06, 331.07, 331.08, 331.09, 331.10, 331.12, 331.13, 331.14, 331.15, 331.16, 331.18, 331.19, 331.20, 331.22, 331.23, 331.24, 331.26, 331.27, 331.28, 331.29, 331.30, 331.31, 331.33, 331.40, 331.43, 333.03, 333.031, 333.04, 333.05, 335.15, 337.16, 337.27, 339.12, 351.03, 371.01, 371.02, 371.07, 373.01, 373.02, 373.03, 373.04, 373.05, 373.06, 373.07, 373.10, 373.11; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. ([Memo](#))

Mr. White: I would highlight for Council that some of these numerical values here are non-sequential. That is not an error. These are the codes that come in from the state, and in talking it over with Gene earlier today, when the codifier cannot find a specific line of the Code, they will create a numbering system that just expands the volume and flexibility. So when you see 333.031 and then 333.04 that is by design. But this is the same type of Ordinance as we looked at under Ordinance 2020-07; however, this would be for your traffic code section.

Mayor Bertone opened this item to public comment.

Ms. Canavan: There are no questions from the public on Zoom or Facebook.

Ms. Mitchell: There are no emails related to this Ordinance.

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

Ordinance 2020-08 was taken to a second reading.

COMMITTEE REPORTS

[Development Committee](#): *Next Meeting: May 5, 2020, 6:30 p.m.* We met earlier tonight. We discussed a proposal for a cell tower to be placed at Arbor Ridge Park. We also discussed a new 42-unit development just north of Golf Village and Home Road, just west of the Indian Springs Elementary School. Based on the circumstances, timing, and the sensitive nature of both applications, we will reconvene later this month to continue the discussion.

Finance Committee: *Next Meeting: May 12, 2020, 7:00 p.m.*

Operations Committee: *Next Meeting: May 19, 2020, 6:30 p.m. We will continue the conversation from our last meeting. One thing I am certain that will be talked about is Powell Fest and how we will handle it, the decisions that will need to be made about it going forward.*

Planning & Zoning Commission: *Next Meeting: May 27 or June 10, 2020, 7:00 p.m. It is dependent on if we receive any applications.*

Powell CIC: *Next Meeting: TBD – I would like to see us meet the last week of May, so I will get with Gene and Andy and we will get something scheduled.*

CITY MANAGER'S REPORT/CITY CALENDAR

Mr. White: I am starting to get into a busy pattern with the seasons changing. You should be seeing a lot more activity from our public service guys who are out and about as we get ready for some capital improvements.

We are out to bid with the residential resurfacing projects. I think we open those on the 14th, which means we could come back at our next meeting for consideration of an award. One of the things I want to emphasize that we have talked about is the competitive bids resulting from the Sawmill Parkway improvement and an applicable use for some of those proceeds. In conversations with the Engineering Department, I have asked them to continue to look at a number of alternate bids. So in a typical year if we are looking at \$350,000 of residential resurfacing and the bids come in competitive again, you may have an opportunity to consider up to \$700,000, \$800,000 worth of work depending on what market bares. I would ask Council to consider some of the projects you are aware of [a need for] within the City. I think there is an opportunity for us to continue to make those strategic investments despite some of the challenges we are currently facing. I think capital investments are going to have to remain a top priority.

Regarding strategic objectives and goal setting: 2020 is amazing but it is getting away from us. We have one more meeting in May and then we are getting into the second half of the year pretty quick. I realize it is difficult and appreciate the opportunity to meet with everyone like this, but I cannot wait until we can get back together [in person] and rolling up our sleeves to do some of the deliberations and sessions that need to happen.

I have talked with a number of folks about obvious concerns with financial impacts this pandemic is having on our resources. From my review, I think it is important to note that the City's financial balance sheet looks really good. There is a lot of built-in flexibility to handle just this type of event and there are a number of positions throughout the City that are currently still vacant. Other communities are starting to look at laying people off, reducing service footprints. I am not comfortable with making that type of recommendation at this point in time. Barring a few key positions, I think we are wise to consider a restriction on personnel going forward for the remainder of year. I am trying to learn from this experience. We are all doing things in a different capacity today than we were a year ago, and I think this is an opportunity for the City to consider its activities and how we have changed our service footprint. Moving forward, I think there is an opportunity to potentially grab on to some of these efficiencies and consider making them long-term. I continue to work on my assessment and I have gotten a lot of legwork done on that. I would like to get together with Council toward the end of May or early June to coordinate my findings in a report to you about what I see as going on and to come up with a set of a few priorities and start to plan out the second half of the year - also 2021 and beyond.

I would like us to consider who we would like to move forward with on some investments within the capital. There was some activity out at Seldom Seen Park today. We are getting our act together out there. I would like to see that open. The mayor and I had a conversation about the foot tunnel at Adventure Park that is in disrepair and need of some supports. The other tunnel is closer to the Seldom Seem rail crossing. Those are two potential opportunities to look at. Engineering is starting to kick the tires on that one a little bit so we can at least have some estimates of the investments you may consider making. Both require working with CSX, which will be a challenge, but let us at least start the conversation with them.

There is a lot of planning that I would like to work toward an itemization so we can hold ourselves accountable within the personnel administration of the City as we are working toward Council's stated objectives. There has already been a lot of great conversation on this, but I would like to get them formally laid out so we can get as much done in 2020 as we can.

I think the cell phone tower conversation we are having is somewhat of an outcome of where we at with transitioning. Ideally, we would have a very clear cell phone tower policy and an array of options for the City to consider to placing this type of infrastructure so that we are not in a reactive mode. Ultimately, have a proactive plan that the Council is directing is much preferred than having to react to some of this stuff and I would like to drill

down on that with you.

Finally, it is hard to believe that I just completed my first month in this position. It has gone by very fast. It has been challenging, but rewarding. I really enjoy working with all my colleagues and with you. But I wanted to thank Council for the opportunity to work with Steve Lutz, [retired City Manager]. He has been a mentor for the last thirty days. I just did not anticipate being able to work together that closely. I have learned a great deal, having that overlap, so I wanted to thank you for that, but also to recognize Steve for being the consummate professional the entire time that we were working together. Congratulations to Steve.

OTHER COUNCIL MATTERS

Mayor Bertone: I would like to take a moment to offer my appreciation and thanks to Steve. He is retiring from the City of Powell after nearly 25 years of service to the community. That quite a mark. For those of us that know Steve, he is the consummate professional, with high integrity, and dedicated to his team; doing anything and everything we have ever asked of him. When Steve came on board, we were a village of 3,800 people, and to see it today as a City of almost 15,000 people, I bet we are probably still running at about the same staffing level. That is a testament to how cost-conscious he was and yet still was able to deliver the high quality service that attracted many of us to the area.

I asked Karen to do this for me and she went back and looked it up. I wanted to know how many councilmembers Steve brought on, mentored along the way, and helped develop. It is 24 councilmembers and 11 mayors, some of those folks served multiple terms. I can tell you that in the last 6 ½ years, I am a better person for getting to know Steve and work closely with him. I will miss the weekly coffee chats. I think they benefited me more than they did him. I will be forever grateful for everything he has done for this community and we will miss him here.

Councilman Bennehoof: Steve has been a terrific mentor, the consummate gentleman, a great steward for the City. Through his leadership of the City, we have become what we are. While I look forward to the future, we would not be where we are without Steve having been the good steward he has been and I am truly grateful for his time and attention. Before when I was a civilian and in the audience, as well as once I crossed that threshold and got behind the desk, Steve has always been there. He has been a terrific asset for the City. I hope he remains in the community and stays an asset for the community.

Councilman Lorenz: I will echo everyone else's sentiments. I am grateful for Steve and the role that he has led here at the City for all this time. I am especially grateful, personally, for his kindness that he has shown to me and my family and all of the community members. I really feel like Steve was very accessible, very outgoing in the community, and he is a guy that loved being here. We are really going to miss him. While we did not always see eye-to-eye, as a planning commissioner, then a Councilmember and mayor, we have had numerous dialogue, great times, great conversations and he is just a great guy. Steve, I hope I will see you around and that you will continue to stay involved in some way, shape or form. Thanks for all that you have contributed.

Councilman Swartwout: As you said Frank, when Steve started in back in 1996, Powell was a village of about 3,800 people and now we are 3½ times that size. When you have that kind of growth in such a short period of time, there are certainly the opportunities for growing pains. The way Steve has managed this City and that growth to the point where we are now – a city of nearly 15,000 people – and the way the City continually lands on statewide and nationwide lists as one of the best places to live in the entire United States, says a tremendous amount about Steve's ability, talent, and the way he managed this City. I do not think we can thank Steve enough for his service and that stewardship during this period. Thank you Steve and congratulations on your retirement.

Councilwoman Riggins: I agree with everything that has been said to this point. I am just sorry that we are not able to have cake or punch or do something to celebrate this accomplishment together. He has done all this work for all these years and now he is just gone. Perhaps we can do something later on. I know he does not like the spotlight, but he has been appreciated.

Councilman Counts: I think I hold the record for the longest tenure of working with Steve. I do not remember if he came on board before I got on the Board of Zoning Appeals or just after, but it has been close to the entire 23 years. Steve has been quietly effective. He is a very humble person and yet I have not heard a negative thing said about him from our residents. He has always answered constituent requests promptly. I think the ultimate test is when Andy came on board, you would have thought Steve would have been out of here and yet this last month was probably one of Steve's most enjoyable months. He could let all the heat get onto Andy, sit back, just work, and do things that he knew could help the City. That ultimately is what Steve was all about, about the City, not about himself.

Councilwoman Karr: [audio issues] Thanks Steve for your 25 years. I appreciate the time you spent with me. Congratulations on your retirement.

EXECUTIVE SESSION: O.R.C. 121.22(G)(1) Personnel Matters – Employment

MOTION: Councilman Bennehoof moved at 8:44 p.m. to adjourn into Executive Session pursuant to O.R.C. Section 121.22(G)(1) Personnel Matters – Employment. Councilman Lorenz seconded the motion.

VOTE: Y 7 N 0

MOTION: Councilman Lorenz moved at 9:01 p.m. to adjourn from Executive Session into Open Session. Councilman Bennehoof seconded the motion.

VOTE: Y 7 N 0

ADJOURNMENT

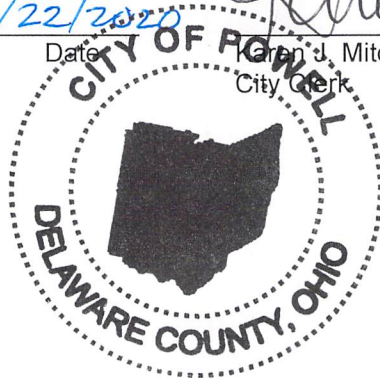
MOTION: Councilman Bennehoof moved to adjourn the meeting at 9:05 p.m. Councilman Counts seconded the motion. By unanimous consent of the remaining members, the meeting was adjourned.

MINUTES APPROVED: May 21, 2020

 5/22/2020

Frank Bertone
Mayor

Date



 5/21/2020

Karen J. Mitchell
City Clerk

Date

City Council

Frank Bertone, Mayor

Jon C. Bennehoof

Tom Counts

Heather Karr

Brian Lorenz

Melissa Riggins

Daniel Swartwout