



**CITY COUNCIL
MEETING MINUTES
SEPTEMBER 21, 2021**

I) CALL TO ORDER/ROLL CALL

City Council members present include Frank Bertone, Dan Swartwout, Jon C Bennehoof, Tom Counts, Heather Karr, Brian Lorenz, and Melissa Riggins. Also present were Andrew D White, City Manager; Yazan S Ashrawi Esq, Law Director; Jeffrey Tyler, Assistant City Manager / Community Development Director; Claudia Husak, Planning Director; Elise Schellin, Development Planner; and Jason Nahvi, HR Business Partner.

II) PLEDGE OF ALLEGIANCE

Boy Scout Troop #428 presented the flag.

III) PROCLAMATIONS

Jason Tharp Day
[JasonTharpDay.pdf](#)

IV) CITIZEN PARTICIPATION

Lori Kipfer, 413 Ashmoore Cir. E., addressed City Council to honor Dustin Sun and recognize Mr. Sun's work running the concession stand at the Powell pool. Ms. Kipfer also thanked City Council for hosting the Boy Scout Troop #428 who are working on citizenship in the community badge.

Garry Swackhamer, 76 Scioto St., asked City Council to consider a noise ordinance. Mr. Swackhamer stated that downtown residents are having trouble with loud music coming from the commercial business on Depot Street on weekend nights. He suggested the creation of a committee to address the situation, and presented letters from neighbors in the downtown residence district to City Staff. Jeff Staten, 98 Scioto Street, also spoke on the noise issue and the disruption it causes to daily life. Mr. Staten also brought up issues of customers trespassing onto his property and being disrespectful to neighboring residents. Joe Miracle, 59 E. Case Street, stated his support for a noise ordinance in downtown Powell. Julie Cantrell, 98 Scioto Street, also supports the creation of a noise ordinance and voiced concerns over people parking in her front yard.

Hearing no other comments, Mayor Bertone closed Citizen Participation.

V) APPROVAL OF MINUTES

09072021 Council Minutes

[09072021 Council Minutes.pdf](#)

MOTION: Jon C Bennehoof moved to approve 09072021 Council Minutes. Dan Swartwout seconded the motion.

VOTE: Y 7 N 0 (None) AB 0 (None)

VI) CONSENT AGENDA

a. August 2021 Departmental Report

[Building_August21.pdf](#)

[Communications_Aug21.pdf](#)

[Development_August21.pdf](#)

[Engineering_August21.pdf](#)

[Finance_August21.pdf](#)

[Police_August21.pdf](#)

b. Community Improvement Corporation Appointment

MOTION: Brian Lorenz moved to approve VI) CONSENT AGENDA. Jon C Bennehoof seconded the motion.

VOTE: Y 7 N 0 (None) AB 0 (None)

VII) ORDINANCES: FIRST READING(S)

ORDINANCE 2021-23: AN ORDINANCE AUTHORIZING THE CITY MANAGER OF THE CITY OF POWELL TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE STATE ROUTE 750 RESURFACING AND SEWER REPLACEMENT PROJECT (DEL-750-2.17, PID 110618).

1. [Ord. 2021-23_Memo.pdf](#)

2. [Ord. 2021-23_Ordinance.pdf](#)

Mr. White introduced the legislation. He stated that State Route 750 is shared between the City and the State, and is planned to be repaved in 2022. The City's portion of the pavement program would equal approximately \$300,000. Staff is recommending adoption, and does not feel this legislation is an emergency.

Councilman Bennehoof asked how long it took to build the reserve of \$190,000. Mr. White stated that he could find that out, but assumes it has been building since the last SR 750 project. Bennehoof stated that the cost of the project seems reasonable. Councilman Swartwout asked if ODOT would be managing the project, and if the City is just funding a portion on the project that ODOT will be running. Mr. White confirmed that is correct. Councilman Counts noted that within months of the last repavement, ruts and rolls started to appear on the pavement. Counts stated that we need assurance that the same thing is not going to happen again. Mayor Bertone asked if the City has input in the selection process for a vendor, since City funds are being allocated to the project. Mr. White stated that it is something worthy of an ask. Councilman Bennehoof asked if the City has any assurance that the project costs will not exceed the amount presented. Mr. Ashrawi stated that the City can discuss that with the State in greater detail.

Hearing no other comments, Mayor Bertone closed the council comments portion. He opened the item for public comment and hearing none, public comment was closed. The second reading of this ordinance will be on October 5, 2021.

VIII) COMMITTEE REPORTS

IX) CITY MANAGER'S REPORT/CITY CALENDAR

Mr. White recognized Jason Nahvi, who joined Powell as the new HR Business Partner; gave updates on staffing for the Finance Director and Clerk of Council; addressed the scheduling for a scope meeting on the downtown planning effort with Planning Next; commented that vandalism of public places, which is being encouraged through social media, will not be tolerated in the community; touched base on updating the sidewalk legislation and appropriating funds for the new program; discussed the creation of an investment strategy outline; and made Council aware of an upcoming CIP presentation.

Hearing no other comments, Mayor Bertone closed this item.

X) OTHER COUNCIL MATTERS

Councilman Bennehoof suggested revising the Zoning Code. Councilman Lorenz noted that Development Committee is looking into updating the Zoning Code, Land Use Plan, and entitlement process.

Hearing no other items, Mayor Bertone closed Other Council Matters.

XI) EXECUTIVE SESSION

MOTION: Jon C Bennehoof moved at 8:20 p.m. to enter executive session XI) EXECUTIVE SESSION. Dan Swartwout seconded the motion.

VOTE: Y 7 N 0 (None) AB 0 (None)

MOTION: Dan Swartwout moved at 8:29 p.m. to adjourn from executive session. Jon C Bennehoof seconded the motion.

VOTE: Y 7 N 0 (None) AB 0 (None)

XII) ADJOURNMENT

MOTION: Jon C Bennehoof moved to adjourn the meeting at 8:29 p.m. Dan Swartwout seconded the motion.

VOTE: Y 7 N 0 (None) AB 0 (None)

MINUTES APPROVED: October 5, 2021

Frank Bertone, Date
Mayor

Andrew White Date
City Manager