



**CITY COUNCIL
MEETING MINUTES
MARCH 1, 2022**

I) CALL TO ORDER/ROLL CALL

A regular meeting of the Powell City Council was called to order by Mayor Daniel Swartwout on March 1, 2022, at 7:30 p.m. City Council members present included Jon C. Bennehoof, Frank Bertone, Tom Counts, Christina Drummond, Heather Karr and Daniel Swartwout. Brian Lorenz was absent. Also present were Andrew D. White, City Manager; Jeffrey Tyler, Assistant City Manager; Yazan Ashrawi, Law Director; Rosa Ocheltree, Finance Director; Buddy Caplinger, Services Director; Chris Huber, City Engineer; Claudia Husak, Planning Director; Jason Nahvi, HR Business Partner; Amy Deere, City Clerk; and Ben Delatore, City Intern.

II) PLEDGE OF ALLEGIANCE

III) CITIZEN PARTICIPATION

Mayor Swartwout opened the citizen participation portion of this meeting, and hearing no comment, the citizen participation was closed.

IV) APPROVAL OF MINUTES

Approval of Minutes of February 15, 2022

[02.15.2022_Council Minutes.pdf](#)

Mayor Swartwout gave a Point of Order stating times noted for entering into and leaving Executive Session, were not provided as traditionally stipulated. Law Director Ashrawi stated it did not need to be added but presented the change could be made moving forward, and the minutes could be passed as they are currently.

MOTION: Council Member Bertone moved to adopt City Council Meeting Minutes of February 15, 2022. Council Member Bennehoof seconded the motion.

VOTE: Y 6 N 0 (None) AB 0 (None)

Motion passed 6-0-0.

V) DELAWARE PUBLIC HEALTH DISTRICT UPDATE

Presented by Sheila Hiddleston, MS, RN, Health Commissioner

Sheila Hiddleston stated Covid numbers are looking good, and as of yesterday, 59 out of 100,000 per case rate is what has been tabulated. She added there were 5 ICU beds available in January, and as of yesterday, there were 93 beds available. She said the Delaware County Public Health District was still following all of the CDC Regulations. She spoke of the upcoming District Advisory Board Meeting scheduled for March 24, 2022, and either the Mayor, City Manager White, or someone Council would appoint, could attend. She added anyone could attend, but the City is only allowed one vote. She said the meeting would be held at the Willis Education Center, with light refreshments beginning at 6:45 p.m. and the meeting would begin at 7:00 p.m. She advised of one Board of Health member for the District Advisory Board to appoint. She said they have six applicants for the position. Mayor Swartwout commented on the impressive collection of candidates. Council Member Bertone thanked her for everything she has done for the community.

VI) RESOLUTIONS

a. RESOLUTION 2022-14

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE DELAWARE COUNTY BOARD OF COMMISSIONERS ("COUNTY"), THE LIBERTY TOWNSHIP BOARD OF TRUSTEES ("TOWNSHIP"), THE CITY OF POWELL ("CITY"), AND THE DELAWARE COUNTY ENGINEER ("ENGINEER") FOR THE MULTI-USE PATHWAY PROJECT ALONG HOME ROAD.

1. [Res. 2022-14_Memo_Multi-Use Pathway Project.pdf](#)
2. [Res. 2022-14_Resolution_Multi-Use Pathway Project.pdf](#)
3. [Res. 2022-14_Resolution_Exhibit A_Multi-Use Pathway Project.pdf](#)
4. [Res. 2022-14_Resolution_Exhibit B_Multi-Use_Pathway_Project.pdf](#)

Mayor Swartwout gave a Point of Order stating he did not read the definitions in the parenthesis as he read the Resolution aloud. Law Director Ashrawi advised it is appropriate to read the title without the parenthetical definitions.

City Manager White stated this was an exciting project moving forward, especially coming out of the cooperative spirit we have taken with the Township. He advised this walk will provide additional safety through the hybrid-activated crosswalk beacon and our cost to participate in the program is \$11,250.00 or 50% of the cost of the project, whichever is less. He also stated this was a great opportunity to move forward, bringing a safety measure back to that portion of the community and work with Liberty Township. He also stated Staff recommends this Resolution for adoption.

Mayor Swartwout opened the floor for public comment on Resolution 2022-14, and hearing none, the public comment portion was closed.

MOTION: Council Member Counts moved to adopt Resolution 2022-14. Council Member Drummond seconded the motion.

VOTE: Y 6 N 0 (None) AB 0 (None)

Resolution passed 6-0-0.

b. RESOLUTION 2022-15

A RESOLUTION AUTHORIZING THE MAYOR TO APPROVE AND EXECUTE THE UPDATED EMPLOYMENT AGREEMENT WITH ANDREW WHITE.

1. [Res. 2022-15_Memo_City Manager's Contract.pdf](#)
2. [Res. 2022-15_Resolution_City Manager's Contract.pdf](#)
3. [Res. 2022-15_City Manager's Contract.pdf](#)

Law Director Ashrawi advised Council of an update of the placeholder regarding the retroactivity of some of the terms including employer contributions to OPERS, pending a discussion with OPERS. OPERS has confirmed administratively, the employer contributions cannot be retroactively created, so that portion of the contract will be on a forward going basis beginning March 14, 2022. Everything else would remain the same. He added he felt it appropriate to amend the Resolution slightly in Section 1, to reflect Council is approving and the Mayor is authorized to sign the Employment Agreement and substantially the same form as what is provided in Exhibit A, due to the need of the change regarding OPERS. Mayor Swartwout asked as that particular issue was discussed, in the spirit of the agreement, could the approximate \$2,400.00 still be addressed in an alternative manner. Law Director Ashrawi agreed and advised there would be an Ordinance being read this evening appropriating the funds for the agreement as it currently stands and there would be no additional financial obligations on the City, a one-time payment of approximately \$2,400.00 would rectify the gap from January 1, 2022, to March 14, 2022.

Mayor Swartwout opened the floor for public comment on Resolution 2022-14, and hearing none, the public comment portion was closed.

MOTION: Council Member Bennehoof moved to adopt Resolution 2022-15. Mayor Swartwout gave a Point of Order due to the need of an amendment. Council Member Counts moved to amend Section 1 by deleting the words, which is, in the second line, and inserting, in substantially the same form as attached hereto and incorporated herein by reference as Exhibit "A". Council Member Bertone seconded the motion.

VOTE: Y 6 N 0 (None) AB 0 (None)

Motion passed 6-0-0.

MOTION: Council Member Counts moved to adopt amended Resolution 2022-15. Council Member Bennehoof seconded the motion.

VOTE: Y 6 N 0 (None) AB 0 (None)

Amended Resolution passed 6-0-0.

VII) ORDINANCES: FIRST READING(S)

ORDINANCE 2022-04

AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2022.

1. [Ord. 2022-04_Memo_Ordinance_Appropriations.pdf](#)
2. [Ord. 2022-04_Ordinance_Appropriations.pdf](#)

Finance Director Ocheltree stated this Ordinance modifies the appropriations for the year ending December, 2022, and the memo in support of the Ordinance contains all of the information relating to the request as discussed with the Finance Committee Meeting last month. She added there was one item added and not discussed specifically at the committee meeting, which is relating to the City Manager's contract. She also advised Staff recommends approval of this Ordinance.

Mayor Swartwout opened the floor for public comment on Ordinance 2022-14, and hearing none, the public comment portion was closed.

MOTION: Council Member Counts moved to Suspend the Rules. Council Member Bennehoof seconded the motion. Mayor Swartwout called for a roll call for passage: Daniel Swartwout, yes; Jon Bennehoof, yes; Frank Bertone, yes; Tom Counts, yes; Christina Drummond, yes; and Heather Karr, yes.

VOTE: Y 6 N 0 (None) AB 0 (None)

Motion passed 6-0-0.

MOTION: Council Member Bennehoof moved to adopt Ordinance 2022-04. Council Member Karr seconded the motion. Mayor Swartwout called for a roll call for passage: Daniel Swartwout, yes; Jon Bennehoof, yes; Frank Bertone, yes; Tom Counts, yes; Christina Drummond, yes; and Heather Karr, yes.

VOTE: Y 6 N 0 (None) AB 0 (None)

Ordinance passed 6-0-0.

VIII) COMMITTEE REPORTS

Development Committee – Council Member Karr advised there was a high level discussion about the CIC Funding and Economic Development. She added there was also a TIF overview and updates, as well as annexations, hotel and lodging tax discussions, and a very brief discussion about tax incentives and local collaboration as it applies to CEDA. She also stated that Assistant City Manager Tyler gave an update on the timeline for the Zoning Code updates and the priorities. She added the next Development Committee Meeting is scheduled for April 5, 2022, at 6:30 p.m.

Finance Committee – Council Member Counts said the next Finance Committee Meeting is scheduled for March 8, 2022, at 7:00 p.m.

Operations Committee – Council Member Bertone advised the next Operations Committee Meeting is scheduled for March 15, 2022, at 6:30 p.m.

Community Diversity Advisory Committee – Council Member Karr gave a brief update of their last meeting. There was discussion of the planning of "Passport to Powell", and the planning of pushing it out into the businesses as well as having something on the main stage. She also stated the local businesses are very excited. She advised the next Community Diversity Advisory Committee Meeting is scheduled for April 20, 2022, at 6:00 p.m.

Planning and Zoning Commission – Claudia Husak stated the Commission is meeting on March 9, 2022, at 6:30 p.m. and they are looking at a Sketch Plan for a property on the north end of Liberty Street, for a demolition of a garage, as well as a lot split, having two houses built in the future. She added the Lily Reserve Project will also be looked at for the third time, which is the

site at Olentangy and Murphy Parkway. She advised following this meeting, the project will come to Council for final approval. She added this project is a very robust and complementary project to infill the vacant area.

Powell CIC – Jim Hrivnak advised the next CIC Meeting is scheduled for March 22, 2022, at 7:00 p.m.

IX) CITY MANAGER'S REPORT/CITY CALENDAR

City Manager White spoke about exciting activity going on in the community regarding the transport pathway system as data is being collected and updated in social media to alert the community of how their roadways in their area are being ranked as to condition. He then spoke about the Adventure Park Pedestrian Tunnel and advised Staff expected to receive several bid submissions by the March 11, 2022, deadline. Additionally, it is expected to receive proposals regarding work for the 2022 Street Resurfacing Program as this should be beginning soon. He spoke of discussion with the Services Director about looking into additional potential recreational enhancements for some of our park systems. Adventure Park itself has some open land available for additional programming, so we are looking at options for what can be done with that space.

He then provided an update of a water line break in front of the Chamber of Commerce, and advised there would be flaggers tomorrow morning and informed everyone this could be a bit dangerous, with the road going down to one lane.

He also spoke of a growing litter problem and recommended to the public, should they see an issue, please advise Staff of the same so it may be handled.

He spoke of the closure of Esporta Fitness and how it continues to generate some discussion, and that some of the community has spoken out about how they would like the City to step into that arena.

He spoke of the Council Goal Setting Meeting, and how Staff is really focusing internally on the deliverance of the projects which were discussed at the meeting.

He then spoke about Megan Canavan's last day with the City, March 11, 2022. He wished her all the success, and wanted to express formally on the record, she was an incredible asset to the City and when he joined the City, she passed onto him, in her position, all of the information she had in her possession gained in the several years she had with the City, and how important that was to him. Additionally, she was a great supporter of him and she stepped up immediately with a lot of initiative and drive and he will certainly miss working with her. He then stated HR Business Partner Nahvi is helping him put together a job description, to which will have to go through the Operations Committee and potentially through the Finance Committee to modify the budget due to the fact the dollars that are currently there are for part-time compensation. He also acclimated to propose a stop-gap measure with a third party to manage some of the social media activities. He then thanked Council for their support referencing his position with the City.

X) OTHER COUNCIL MATTERS

Council Member Drummond spoke of City Manager White's comments on Adventure Park and recreation and partnerships, and wondered if part of those plans involved reaching out to the Powell Pool and exploring conversations there. City Manager White responded it was an ongoing conversation about the operation itself. Assistant City Manager Tyler advised there was a financial ask which they have with the City and he is unsure if the City can fulfill the obligation. He added they were also interested in hearing about what is happening with the Wellness Facility, to which at this time, cannot be answered. He stated he will reach out to them again to see specifically what that are asking and will more than likely have to bring it to the Operations Committee and/or Finance Committee.

Mayor Swartwout stated Megan Canavan was an asset to the City for a long time and did an amazing job communicating with our residents and was a trusted voice within the community. He stated she would definitely be missed. He also thanked everyone who participated in the Goal Session Meeting.

XI) ADJOURNMENT

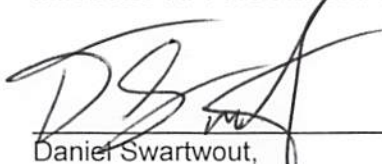
MOTION: Council Member Bertone moved to adjourn. Council Member Bennehoof second the motion.

VOTE: Y 6 N 0 (None) AB 0 (None)

Motion passed 6-0-0.

ADJOURNED AT 8:04 P.M.

MINUTES APPROVED: MARCH 15, 2022



Daniel Swartwout,
Mayor

3-15-22

Date



Amy Deere,
City Clerk

3-15-22

Date