



**CITY COUNCIL  
MEETING MINUTES  
MAY 3, 2022**

**I) CALL TO ORDER/ROLL CALL**

Mayor Daniel Swartwout called the City Council Regular Session meeting to order at 7:30 p.m. City Council members present included: Frank Bertone, Jon Bennehoof, Tom Counts, Brian Lorenz, Dan Swartwout, and Christina Drummond. Heather Karr was absent. Staff present included: Andrew White, City Manager; Jeffrey Tyler, Assistant City Manager; Jason Nahvi, HR Business Partner; Yazan S Ashrawi Esq., Law Director; Rosa Ocheltree, Finance Director; Buddy Caplinger, Public Services Director; Claudia Husak, Planning Director, Elise Schellin, Development Planner, Steve Hrytzik, Police Chief; and Amy Deere, City Clerk.

**II) PLEDGE OF ALLEGIANCE**

**III) CITIZEN PARTICIPATION**

Mayor Swartwout asked if there was anyone who would like to address Council about something not on the agenda, and asked them to please come forward.

Jeannine Ashton – 90 Wallsend Ct., has recently moved to Powell, spoke of her concerns of traffic enforcement, particularly speeding in her neighborhood, specifically along Liberty Road.

City Manager White stated he would be glad to connect with Mrs. Ashton along with Steve Hrytzik, Powell Police Chief about this issue.

Mayor Swartwout asked if there was anyone else who would like to address Council. Seeing no further participants, he closed the portion of Citizen Participation.

**IV) APPROVAL OF MINUTES**

a. **City Council Meeting Minutes of April 19, 2022.**

[CC\\_Minutes\\_04.19.2022.pdf](#)

MOTION: Jon C Bennehoof moved to approve the amended minutes of April 19, 2022. Frank Bertone seconded the motion.

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

Motion passed 6-0-0.

Amended minutes approved.

**b. City Council Work Session Meeting Minutes of April 26, 2022.**

[CC\\_WS Minutes 04.26.2022.pdf](#)

MOTION: Jon C Bennehoof moved to approve the amended Work Session minutes of April 26, 2022. Frank Bertone seconded the motion.

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

Motion passed 6-0-0.

Amended Work Session minutes approved.

**V) ORDINANCES: SECOND READING(S)**

None

**VI) ORDINANCES: FIRST READING(S)**

**a. ORDINANCE 2022-08**

AN ORDINANCE APPROVING A COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR A LOT SPLIT AND CONSTRUCTION OF A +5,650-SQUARE-FOOT SINGLE-FAMILY DETACHED RESIDENCE AT 60 CASE AVENUE AS SUBMITTED BY WILLIAM WADDELL.

1. [Ord. 2022-08\\_Memo.pdf](#)
2. [Ord 2022-08\\_Ordinance.pdf](#)
3. [Ord. 2022-08\\_Exhibit A.pdf](#)
4. [Ord 2022-08\\_Exhibit B\\_History.pdf](#)

Planning Developer Schellin gave a presentation.

Bill Waddell thanked Staff for their help throughout the process. He added they wanted to do a project which would fit in with the community, because Powell is where they would like to stay.

Councilmember Bertone said he felt this will be a nice addition to the downtown district to the north end.

Mayor Swartwout opened the floor for public comment on Ordinance 2022-08. Seeing none, he closed the public comment portion for Ordinance 2022-08.

Mayor Swartwout stated Ordinance 2022-08 will go on for a second reading at the next City Council Meeting on May 17, 2022.

**b. ORDINANCE 2022-09**

AN ORDINANCE APPROVING DEVELOPMENT TEXT DEVIATIONS AND A FINAL DEVELOPMENT PLAN WITH ALL ASSOCIATED SITE IMPROVEMENTS FOR THE FIRST PHASE OF A +70-ACRE DEVELOPMENT AT 3041 HOME ROAD, CONSISTING OF ±25.7 ACRES TO BE DEVELOPED WITH 126 RESIDENTIAL UNITS IN 24 BUILDINGS, ZONED PLANNED COMMERCIAL DISTRICT AS SUBMITTED BY POD DESIGN ON BEHALF OF REDWOOD LLC.

1. [Ord. 2022-09\\_Memo - Redwood Development.pdf](#)
2. [Ord. 2022-09\\_Ordinance.pdf](#)
3. [Ord. 2022-09\\_Exhibit A\\_Development Text.pdf](#)
4. [Ord. 2022-09\\_Exhibit B\\_FDP.pdf](#)
5. [Ord. 2022-09\\_Exhibit C\\_History.pdf](#)

Planning Director Husak gave a presentation.

Todd Foley, representing the applicant, gave a presentation.

Councilmember Bertone thanked Mr. Foley for his thorough presentation. He spoke about the Phases included in this development. His concern is there would be a building of the phase and then wait for another phase. He wants to make certain if we are talking a commercial zone, that commercial zone begins to take shape and not be left behind.

Mr. Foley responded when we went through this process the group that Redwood was in contract with when Covid struck, was a senior based user. Assisted living, memory care, etc. and Redwood is still in contract with this user. This is not part of this project's phasing.

Vice Mayor Counts asked about Redwood's experience with the sidewalk being the same elevation as the road, is on-street parking allowed, and wondered if there was a problem with people parking in this walk way area.

Mr. Foley advised on-street parking is prohibited. He continued by saying one of the immediate added benefits, is the sidewalk is plowed right along with the street. The driveway lengths are designed in a way that no car will extend into the street.

Vice Mayor Counts continued with siding questions, and given Redwood's relationship with their siding provider, what has been the experience of colors being eliminated and the ability to get replacement siding.

Mr. Foley stated the standard color palette, those are colors which have been used on their projects for over ten years. Due to the preferred relationship to the siding provider, there hasn't been any issue.

Jake Shields added the installer is personally invested in Redwood's neighborhoods. The worry for supply is non-existent and will be available for these neighborhoods.

Vice Mayor Counts asked about the emergency access point and it seemed this would not be constructed until phase 2. Normally, we would have a second access point with

any major development. Has there been any discussion to build that second access point earlier?

Planning Director Husak advised what was received from Liberty Township was an approved variance for the delay of construction of the second emergency access with the start of phase 2, which has an expected starting date of spring/summer of 2024.

Councilmember Lorenz wanted to see a photo of the sidewalks, how it works, how it wears, etc. and asked Mr. Foley to provide photos to Staff.

Councilmember Bennehoof asked for certainty of Redwood's contract with the potential commercial development.

Jake Shields advised Redwood has been in constant discussion with the user and extending the timelines, etc.

Councilmember Bennehoof asked Staff if all of the Architectural Advisor's concerns been addressed and documented somewhere.

Planning Director Husak advised from a standpoint of the Architectural Advisor, the preference of a hardy product still stands. In terms of having more details put into the buildings, this has been resolved.

Councilmember Bennehoof spoke about an elevation of street and water retention pond and how there is no curb between the street and the retention pond. He has some concern of someone ending up in the pond.

Mr. Foley stated they would be open to adding a low guard rail in that specific location.

Councilmember Drummond wanted Mr. Foley to speak to the targeted demographics for these communities.

Mr. Foley stated Redwood builds one type of product, a single story, two bedroom, two car garage attached unit. The communities are not necessarily targeted for families, they have no pools, no playgrounds, no clubhouses, etc.

Councilmember Drummond spoke of the traffic study and how this development will not have a lighted signal and if there was anything to help with the traffic.

Mr. Foley advised there is not a warrant for a traffic signal per the traffic study. They will need to provide an east bound, right turn lane, which will help that condition.

Councilmember Drummond asked about snow plowing and who is responsible for doing it.

Mr. Foley advised since they are private streets, Redwood would be responsible for snow removal as well as maintenance.

Mayor Swartwout addressed the zoning code and the term divergence versus deviation. He further stated his concern about the commercial component and the TIF revenue created and how the City could get assurance, at least commensurate with what the

expectations are. He also spoke about the .042 siding and asked for clarification between builder grade, thin residential and standard residential.

Mr. Foley advised there are a majority of these colors are at .042. Some other colors can go up to .045 because of their composition and can actually go up to .047. The manufacturer can provide higher level millage of that. It also pertains to wind load it can sustain, the cracking, fading, etc.

Mayor Swartwout stated Ordinance 2022-09 will go for a second reading at the next City Council Meeting on May 17, 2022.

## **VII) COMMITTEE REPORTS**

Development Committee: Brian Lorenz gave his report and advised the next committee meeting is scheduled for June 7, 2022, at 6:30 p.m.

Finance Committee: Tom Counts gave his report and advised the next committee meeting would be scheduled for June 14, 2022, at 7:00 p.m. due to the fact a second Work Session regarding the CIP, is scheduled for May 10, 2022, at 7:00 p.m.

Operations Committee: Frank Bertone gave his report and advised the next committee meeting is scheduled for May 17, 2022, at 6:30 p.m.

CDAC: Jason Nahvi gave his report and advised the next committee meeting is scheduled for May 18, 2022, at 6:00 p.m.

Planning & Zoning Commission: Claudia Husak gave her report and advised the next meeting is scheduled for May 11, 2022, at 6:30 p.m.

CIC: Brian Lorenz gave his report and advised the next committee meeting is scheduled for May 24, 2022, at 7:00 p.m.

## **VIII) CITY MANAGER'S REPORT/CITY CALENDAR**

### **City Calendar**

[City Calendar.pdf](#)

City Manager White gave his report to Council

## **IX) OTHER COUNCIL MATTERS**

Councilmember Bennehoof spoke of Roberts Rules and how the minutes do not have to be verbatim. It was discussed by Council and agreed to not have the minutes verbatim. He also stated it was time to get off paper and Council should receive some form of device for receiving packets and such.

Mayor Swartwout also spoke about the Granicus Program and what a benefit it would be for Council and anyone who would like to see a specific action in a meeting, they could go to that meeting of interest and cue it up.

Councilmember Bennehoof spoke about a ground breaking ceremony on May 29, 2022, regarding Gold Star.

Councilmember Drummond spoke about technology within the City's parking lots that would advise visitors where there was available parking.

**X) EXECUTIVE SESSION**

MOTION: Jon C Bennehoof moved to enter into Executive Session. Brian Lorenz seconded the motion.

Mayor Swartwout requested a roll call for passage of the motion: Brian Lorenz, yes; Daniel Swartwout, yes; Jon Bennehoof, yes; Frank Bertone, yes; Tom Counts, yes; and Christina Drummond.

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

Motion passed.

Entered into Executive Session at 9:56 p.m.

Frank Bertone moved to enter back into Regular Session. Brian Lorenz Seconded.

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

Motion passed.

Entered into Executive Session at 10:48 p.m.

**XI) ADJOURNMENT**


Frank Bertone moved to adjourn. John Bennehoof seconded.

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

Motion passed.

Meeting adjourned at 10:48 p.m.

MINUTES APPROVED: MAY 17, 2022

  
Daniel Swartwout, Mayor  
5-23-22  
Date

  
Amy Deere, City Clerk  
5-18-2022  
Date

