



**CITY COUNCIL
MEETING MINUTES
MAY 17, 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, Daniel Swartwout, Heather Karr, and Christina Drummond. Staff present included: Andrew White, City Manager; Jeffrey Tyler, Assistant City Manager; Jason Nahvi, HR Business Partner; Yazan Ashrawi Esq., Law Director; Rosa Ocheltree, Finance Director; Buddy Caplinger, Public Services Director; Claudia Husak, Planning Director, Chris Huber, City Engineer; 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. Seeing no participants, he closed the portion of Citizen Participation.

IV) PRESENTATION

Krista Schrader and Richard Kirschner gave a presentation about Magical Moments, a non-profit organization.

V) MAYORAL PROCLAMATION

Recognizing Magical Moments Foundation
[Magical Moments_Proclamation.pdf](#)

VI) APPROVAL OF MINUTES

- a. Approval of City Council Meeting Minutes of May 3, 2022.**
[City Council Minutes of 05.03.2022.pdf](#)

MOTION: Jon Bennehoof moved to approve City Council Meeting Minutes of May 3, 2022. Frank Bertone seconded the motion.

VOTE: Y 6 N 0 (None) AB 1 (Heather Karr)

Motion passed 7-0-0.

Resolution 2022-23 approved.

b. RESOLUTION 2022-24

A RESOLUTION TO ADOPT AND SUPPORT THE STORM WATER MANAGEMENT PROGRAM (SWMP) FOR THE CITY OF POWELL, OHIO AND FURTHER AUTHORIZING THE CITY MANAGER TO CERTIFY THE SWMP.

1. [Res. 2022-24 Memo.pdf](#)
2. [Res. 2022-24_Resolution.pdf](#)
3. [Res. 2022-24_Exhibit_A.pdf](#)
4. [2022-24 Exhibit B - Powell_SWMP_5-04-2022.pdf](#)

Mayor Swartwout opened the floor for public comment on Resolution 2022-24. Seeing none, he closed the public comment portion for Resolution 2022-24.

MOTION: Jon C Bennehoof moved to approve Resolution 2022-24. Brian Lorenz seconded the motion.

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

Motion passed 7-0-0.

Resolution 2022-24 approved.

c. RESOLUTION 2022-25

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED OF EASEMENT AGREEMENT WITH CSX TRANSPORTATION, INC. FOR THE PEDESTRIAN TUNNEL.

1. [Res. 2022-25_Memo.pdf](#)
2. [Res. 2022-25_Resolution.pdf](#)

Mayor Swartwout opened the floor for public comment on Resolution 2022-25. Seeing none, he closed the public comment portion for Resolution 2022-25.

MOTION: Jon Bennehoof moved to approve Resolution 2022-25. Christina Drummond seconded the motion.

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

Motion passed 7-0-0.

Resolution 2022-25 approved.

IX) ORDINANCES: SECOND READING(S)

a. ORDINANCE 2022-08

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO AWARD A BID TO STRAWSER PAVING COMPANY, IN THE AMOUNT OF \$1,614,360.19, FOR THE 2022 STREET MAINTENANCE AND REPAIR PROGRAM, AND DECLARING AN EMERGENCY.

1. [Ord. 2022-06_Memo.pdf](#)

2. [Ord. 2022-06_Ordinance.pdf](#)

3. [Ord. 2022-06_Exhibit A_Maps.pdf](#)

4. [Ord. 2022-06_Exhibit B_Bid_Summary.pdf](#)

Mayor Swartwout opened the floor for public comment on Ordinance 2022-06. Seeing none, he closed the public comment portion for Ordinance 2022-06.

MOTION: Jon Bennehoof moved to suspend the rules. Frank Bertone seconded the motion. Mayor Swartwout requested a roll call for passage: Frank Bertone, yes; Tom Counts, yes; Christina Drummond, yes; Heather Karr, yes; Brian Lorenz, yes; Daniel Swartwout, yes; Jon Bennehoof, yes.

Motion passed 7-0-0.

Rules suspended.

MOTION: Tom Counts moved to approve Ordinance 2022-06. Frank Bertone seconded the motion. Mayor Swartwout requested a roll call for passage: Tom Counts, yes; Christina Drummond, yes; Heather Karr, yes; Brian Lorenz, yes; Daniel Swartwout, yes; Jon Bennehoof, yes; and Frank Bertone, yes.

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

Motion passed 7-0-0.

Ordinance 2022-06 approved.

b. ORDINANCE 2022-10

AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2022, AND DECLARING AN EMERGENCY. (SUSPENSION OF THE RULES REQUESTED)

1. [Ord. 2022-10_Memo.pdf](#)

2. [Ord. 2022-10_Ordinance.pdf](#)

Mayor Swartwout opened the floor for public comment on Ordinance 2022-10. Seeing none, he closed the public comment portion for Ordinance 2022-10.

MOTION: Brian Lorenz moved to suspend the rules for Ordinance 2022-10. Jon Bennehoof seconded the motion. Mayor Swartwout requested a roll call for passage: Christina Drummond, yes; Heather Karr, yes; Brian Lorenz, yes; Daniel Swartwout, yes; Jon Bennehoof, yes; Frank Bertone, yes; and Tom Counts, yes.

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

Motion passed 7-0-0.

STRUCTURES WITHIN THE RIGHT-OF-WAY, AND TO RELOCATE CHAPTER 1153, RELATED TO TELECOMMUNICATIONS, FROM THE CITY'S ZONING CODE TO TITLE THREE AS NEW CHAPTER 941.

[1. Ord. 2022-12_Memo .pdf](#)

[2. Ord. 2022-12_Ordinance.pdf](#)

[3. Ord. 2022--12_Small Cells & Telecommunications Code.pdf](#)

Mayor Swartwout opened the floor for public comment on Ordinance 2022-12. Seeing none, he closed the public comment portion for Ordinance 2022-12.

MOTION: Jon Bennehoof moved to suspend the rules for Ordinance 2022-12. Brian Lorenz seconded the motion. Mayor Swartwout requested a roll call for passage: Jon Bennehoof, yes; Frank Bertone, yes; Tom Counts, yes; Christina Drummond, yes; Heather Karr, yes; Brian Lorenz, yes; and Daniel Swartwout, yes.

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

Motion passed 7-0-0.

Rules suspended.

MOTION: Brian Lorenz moved to approve Ordinance 2022-12. Heather Karr seconded the motion. Mayor Swartwout requested a roll call for passage: Frank Bertone, yes; Tom Counts, yes; Christina Drummond, yes; Heather Karr, yes; Brian Lorenz, yes; Daniel Swartwout, yes; and Jon Bennehoof, yes.

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

Motion passed 7-0-0.

Ordinance 2022-12 approved.

XI) COMMITTEE REPORTS

The Chairs for each committee gave their report, including Planning Director Husak, for the Planning & Zoning Commission.

XII) CITY MANAGER'S REPORT/CITY CALENDAR

City Calendar

[City Calendar.pdf](#)

XIII) OTHER COUNCIL MATTERS

XIV) 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: Christina Drummond, yes; Heather Karr, yes; Brian Lorenz, yes; Daniel Swartwout, yes; Jon Bennehoof, yes; Frank Bertone, yes; and Tom Counts, yes.