



**CITY COUNCIL
MEETING MINUTES
JUNE 7, 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, Tom Counts, Brian Lorenz, Daniel Swartwout, Heather Karr and Christina Drummond. Jon Bennehoof was absent. Staff present included: Andrew White, City Manager; Jason Nahvi, HR Business Partner; Yazan Ashrawi Esq., Law Director; Claudia Husak, Planning Director; Chris Huber, City Engineer; Rolanda Castle, Community Relations and Marketing Manager; 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 Citizen Participation.

IV) APPROVAL OF MINUTES

City Council Meeting Minutes of May 17, 2022

[Council Minutes of 05.17.2022.pdf](#)

MOTION: Frank Bertone moved to approve the meeting minutes of May 17, 2022. Brian Lorenz seconded the motion.

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

Minutes passed 6-0-0.

V) RESOLUTIONS

a. RESOLUTION 2022-21

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH GPD GROUP FOR ENGINEERING SERVICES

PERTAINING TO THE PEDESTRIAN TUNNEL REHABILITATION AT CSX
CROSSING NEAR ADVENTURE PARK.

1. [Res. 2022-21_Memo.pdf](#)
2. [Res. 2022-21_Resolution.pdf](#)
3. [Res. 2022-21_Exhibit_A.pdf](#)

City Manager White gave a brief summary and overview.

City Engineer Huber gave a brief summary and overview.

Scott Seaman gave a presentation, including a proposal summary and project narrative.

Councilmember Bertone asked if GPD were to find some structural issues, how it would affect the timeline as he just wants to see this project move forward.

Scott Seaman replied this was meant as a culvert to carry water underneath as well as carry the tracks and train above. If it does that, it fulfills the need of the railroad. The City wishes to use the culvert as a pedestrian path. Should there be structural issues, it would be up to the railroad to correct those whenever they see the need as the railroad does not want to spend any money. Should the City want to pursue the pedestrian tunnel, it would be up to the City to make the structure safe for pedestrians.

Councilmember Bertone stated the railroad could basically say to the City, just close the culvert so it cannot be used, which this could be a possibility. He asked about deed restrictions.

Mr. Seaman responded there currently is a deed restriction. When the owner of the property sold it to the railroad there was a restriction and he believed the restriction expires is 2034. We need to coordinate with the railroad to get another temporary easement for construction and improvements.

Councilmember Counts said the culvert was intended for water since 1990 when it was built. The City converted it for pedestrian use. He said if the tunnel was not there, he feels there would be a problem because the only access to the other side of town is at-grade crossings. If the goal of Council is to have a safe crossing to the other side of town, this is probably it.

Councilmember Drummond spoke about the stormwater maintenance and asked if this had to be dealt with initially prior to construction of the pedestrian tunnel.

Mr. Seaman said nothing will change without improvements, so we have to figure out the best way to mitigate it, giving the City options and go from there.

Mayor Swartwout opened the floor for public comment. Seeing none, Mayor Swartwout closed the public comment portion for Resolution 2022-21.

Councilmember Lorenz asked if Council were to adopt this Resolution as is, is it also adopting the additional services.

Law Director Ashrawi replied no, the Resolution authorizes the City Manager to enter into a professional services agreement with GPD for the scope of services as outlined in the proposal. Regarding the additional services, they would only apply, if authorized in the future.

Councilmember Counts advised there is a transfer and authorization in the Capital Improvement Fund for \$106,000.00.

MOTION: Tom Counts moved to approve Resolution 2022-21. Christina Drummond seconded the motion.

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

Resolution 2022-21 passed 6-0-0.

b. RESOLUTION 2022-26

A RESOLUTION TO RENAME THE VOTED CAPITAL IMPROVEMENTS FUND.

1. [Res. 2022-26_Memo.pdf](#)
2. [Res. 2022-26_Resolution.pdf](#)

Mayor Swartwout opened the floor for public comment. Seeing none, Mayor Swartwout closed the public comment portion for Resolution 2022-26.

MOTION: Tom Counts moved to amend Resolution 2022-23, to read Resolution 2022-26. Brian Lorenz seconded the motion.

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

Motion to amend Resolution 2022-23 to 2022-26 passed 6-0-0.

MOTION: Tom Counts moved to approve Resolution 2022-26. Brian Lorenz seconded the motion.

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

Resolution 2022-26 passed 6-0-0.

VI) ORDINANCES: FIRST READING(S)

ORDINANCE 2022-14

AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2022.

1. [Ord. 2022-14_Memo.pdf](#)
2. [Ord. 2022-14_Ordinance.pdf](#)

City Manager White advised in this Ordinance there is a request to transfer funds from the general fund to the CIP fund in the amount of \$1,888,711.00, based upon the formula that was established in the Finance Committee. It was also noted there would be an amount of \$377,000.00 of eligible funding for the CIC.

Additionally, to Councilmember Counts' point, there is also reference to \$106,747.00 needed for appropriation following the adoption of the Resolution for the CSX Tunnel program.

Mayor Swartwout opened the floor for public comment. Seeing none, Mayor Swartwout closed the public comment portion for Ordinance 2022-14.

MOTION: Tom Counts moved to suspend the rules for Ordinance 2022-14. Frank Bertone seconded the motion.

Mayor Daniel Swartwout requested a roll call for passage: Brian Lorenz, yes; Daniel Swartwout, yes; Frank Bertone, yes; Tom Counts, yes; Christina Drummond, yes; and Heather Karr, yes.

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

Motion to Suspend the Rules passed 6-0-0.

MOTION: Tom Counts moved to approve Ordinance 2022-14. Frank Bertone seconded the motion.

Mayor Daniel Swartwout requested a roll call for passage: Daniel Swartwout, yes; Frank Bertone, yes; Tom Counts, yes; Christina Drummond, yes; Heather Karr, yes; and Brian Lorenz, yes.

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

Ordinance 2022-14 passed 6-0-0.

VII) COMMITTEE REPORTS

Development Committee – Councilmember Lorenz advised the next goal being worked on by the Development Committee and Staff, is to amend the Zoning Code to streamline the entitlement process and to clean up language in the code. Their next meeting is scheduled for July 5, 2022, at 6:30 p.m.

Finance Committee – Councilmember Counts stated their next meeting is June 14, 2022, at 7:00 p.m.

Operations Committee – Councilmember Bertone advised their next meeting is scheduled for June 21, 2022, at 6:30 p.m.

Community Diversity Advisory Committee – Councilmember Karr said their next meeting is scheduled for July 20, 2022, at 6:00 p.m.

Planning and Zoning Commission – Planning Director Husak advised their next meeting was scheduled for July 13, 2022, at 6:30 p.m.

Powell CIC – Councilmember Lorenz stated their next meeting was scheduled for June 28, 2022, at 7:00 p.m.

VIII) CITY MANAGER'S REPORT/CITY CALENDAR

City Manager White gave his report.

IX) OTHER COUNCIL MATTERS

X) EXECUTIVE SESSION

Ohio Revised Code Sec. 121.22 (G)(1): To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

Ohio Revised Code Sec. 121.22 (G)(2): To consider the purchase of property for public purpose.

Ohio Revised Code Sec. 121.22 (G)(8): To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiate with other political subdivisions respecting requests for economic development assistance.

MOTION: Brian Lorenz moved to enter into Executive Session. Frank Bertone seconded the motion.

Mayor Daniel Swartwout requested a roll call for passage: Frank Bertone, yes; Tom Counts, yes; Christina Drummond, yes; Heather Karr, yes; Brian Lorenz, yes; and Daniel Swartwout, yes.

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

Motion to enter into Executive Session passed 6-0-0.

Adjourned to Executive Session at 8:33 p.m.

MOTION: Frank Bertone moved to adjourn Executive Session. Brian Lorenz seconded the motion.

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

Motion to adjourn Executive Session passed 6-0-0.

Entered into Regular Session at 9:26 p.m.

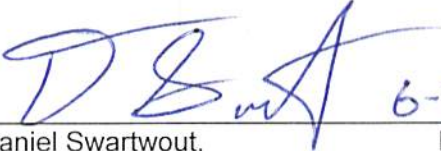
XI) ADJOURNMENT

MOTION: Christina Drummond moved to adjourn. Heather Karr seconded the motion.

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

Meeting adjourned at 9:26 p.m.

MINUTES APPROVED: JUNE 21, 2022



Daniel Swartwout, Date
Mayor



Amy Deere, Date
City Clerk