



**CITY COUNCIL  
MEETING MINUTES  
JULY 5, 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: Jon Bennehoof, Frank Bertone, Tom Counts, Christina Drummond, Heather Karr, Brian Lorenz, and Daniel Swartwout. Staff present included: Andrew White, City Manager; Jeffrey Tyler, Assistant City Manager; Yazan Ashrawi, Law Director; Jason Nahvi, HR Business Partner, Claudia Husak, Planning Director; Elise Schellin, Planning Developer; and Amy Deere, City Clerk.

**II) PLEDGE OF ALLEGIANCE**

**III) PROCLAMATION**

**Recognizing Donald Emerick for his loyal and dedicated service to the City of Powell.**

[Proclamation\\_Donald\\_Emerick.pdf](#)

City Councilmembers thanked Donald Emerick for all of his hard work and for his service to the City of Powell.

**IV) CITIZEN PARTICIPATION**

Mayor Swartwout opened the floor for citizens who wished to address City Council with items not on this evening's agenda.

Brittany Zoecklein of the Delaware Public Health District gave an update and advised of a latex paint disposal event scheduled on July 23, 2022, at the Marion County Fairgrounds.

She also spoke about free Covid-19 vaccines available and recipients of a first dose will receive a \$100 gift card.

She advised the Public Health District has been doing monthly pool inspections for the county.

Councilmember Bennehoof advised City Council of the passing of Herschel "Woody" Williams, the last World War II Medal of Honor recipient.

Mayor Swartwout closed the Citizen Participation portion of the meeting.

**V) APPROVAL OF MINUTES**

**Approval of City Council Minutes of June 21, 2022.**

[City Council Minutes of 06212022.pdf](#)

MOTION: Frank Bertone moved to approve the meeting minutes of June 21, 2022. Jon Bennehoof seconded the motion.

VOTE:           Y   6             N   0   (None)           AB   1   (Christina Drummond)

Minutes passed 6-0-1.

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

**ORDINANCE 2022-17**

1. [Ord. 2022-17\\_Memo.pdf](#)
2. [Ord. 2022-17\\_Ordinance.pdf](#)

City Manager White began the discussion by advising under speed vehicles were a topic at the last Operations Meeting. There have been inquiries from constituents and pedestrians alike as to what the specifics were. They have included updated language to our application process.

Law Director Ashrawi advised this legislation is authorized by the Ohio Revised Code but based on that code, each local government is to adopt its own form of local legislation to either permit or prohibit the use of under speed vehicles. He also advised this Ordinance adopts something consistent with the Ohio Revised Code.

Mayor Swartwout stated essentially, this would codify how the City has already been treating the use of golf carts for the last four or five years. So although this is a new Ordinance, it will not change how the City's approach to golf carts has been. It is continuing the current practice but formalizing it in legislation.

Councilmember Bennehoof spoke about some redundancy in the Ordinance. City Manager White stated he felt it was purposeful due to the fact that it is from the Ohio Revised Code.

Law Director Ashrawi advised he would look into this a little further.

Councilmember Lorenz stated Section C and D concern him due to not all golf carts in the community have seat belts. If the Ordinance is passed, they would be asking all of the community to install seat belts and he is uncertain if it is Council's place to do that.

Law Director Ashrawi advised he would look into this as well. He added he understood the City of Powell's Police Department is a local public safety inspector of these vehicles currently, but he is not however, familiar with what precisely they do inspect in terms of seat belts.

Mayor Swartwout said he believed these requirements and they are in the Ohio Revised Code. As far as what is from a police inspection to then go to the Bureau of Motor Vehicles and obtain your license plate and without the license plate you are not authorized to drive on the street.

Further discussion occurred regarding the seat belt issue.

Councilmember Drummond spoke about the impact of traffic and the impact of parking in the City. She inquired as to a total number of golf carts in the City of Powell and wanted to see a map of where it is impacted. She continued by stating she would like to add for consideration, a clause that would expressly prohibit the use of golf carts on the City's pathways.

Mayor Swartwout said in his opinion, he thinks the intent of this is to essentially make local what is already in the Ohio Revised Code and that's been the practice of the City of Powell for a number of years. Further, he stated when looking at this legislation, there are two things to consider, following the Ohio Revised Code to make it a local issue, and then continuing to fulfill the expectations of our citizens based on four years of practice.

Councilmember Bertone stated there is another upcoming Operations Committee meeting and they would put in back on their agenda for further conversation and bring the findings back to City Council at the next City Council meeting.

Mayor Swartwout declared this Ordinance to have a second reading at the next City Council Meeting.

## **VII) COMMITTEE REPORTS**

Development Committee – Brian Lorenz spoke about the code enforcement program and how that pertains to signage, property and nuisances. Staff was directed to work on updating this code to take a customer service approach to enforcement, and to bring more information back to the Committee. He also spoke of some changes to the Zoning Code as it relates to the Board of Zoning Appeals. Further, he stated there was discussion of a massage registration, and Councilmember Bertone and himself will be following up with this issue. Staff also presented the Committee with a Development Committee Activity Status Report. There was also discussion on the Comprehensive Land Use Plan Update, and beginning this sooner rather than later.

Finance Committee – Tom Counts stated their next meeting is scheduled for July 12, 2022, at 7:00 p.m.

Operations Committee – Frank Bertone stated their next meeting is scheduled for July 19, 2022, at 6:30 p.m.

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

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

Powell CIC – Brian Lorenz stated they met last week and discussed a couple of items and interviewed a consultant firm as they look into economic development consultant contracts. The next meeting is July 26, 2022, which is a regular CIC meeting, but plan on meeting next week to interview another firm to possibly help with economic development consultant services.

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

City Manager White gave his report. He spoke of the Powell Festival and thanked City Council for their support and Staff who volunteered their time to assist. Also, he mentioned the next event upcoming on July 15, 2022.

He thanked Donald Emerick for his work with the City.

He gave a paving update and advised there were four crews in the City right now working on various neighborhoods.

He advised the City Council of job postings within the Public Service Department.

He spoke of the Finance Director and the initiated Staff input for the 2023 budget and development. They will be posting some revenue estimates for next year.

#### **IX) OTHER COUNCIL MATTERS**

Councilmember Bertone thanked everyone for their time and contribution to the Powell Festival.

#### **X) EXECUTIVE SESSION**

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

Mayor Swartwout requested a roll call to enter into Executive Session: Heather Karr, yes; Brian Lorenz, yes; Daniel Swartwout, yes; Jon Bennehoof, yes; Frank Bertone, yes; Tom Counts, yes; and Christina Drummond, yes.

VOTE:            Y   7              N   0   (None)            AB   0  

Motion passed 7-0-0.

Entered into Executive Session at 8:09 p.m.

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

VOTE:            Y   7              N   0   (None)            AB   0  

Motion passed 7-0-0.

Adjourned Executive Session and entered into Regular Session at 8:46 p.m.

XI) ADJOURNMENT

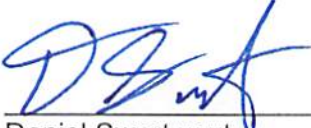
MOTION: Frank Bertone moved to adjourn. Heather Karr seconded the motion.

VOTE: Y 7 N 0 (None) AB 0

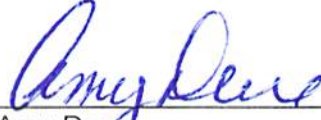
Motion passed 7-0-0.

Meeting adjourned at 8:46 p.m.

MINUTES APPROVED: JULY 19, 2022

  
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Daniel Swartwout,  
Mayor

7-28-22  
Date

  
\_\_\_\_\_  
Amy Deere,  
City Clerk

7-28-22  
Date