



**CITY COUNCIL
MEETING MINUTES
AUGUST 16, 2022**

CALL TO ORDER/ROLL CALL

Mayor Daniel Swartwout called the City Council Regular Session meeting of August 16, 2022, to order at 7:30 p.m. City Council Members present included: Jon Bennehoof, Tom Counts, Christina Drummond, Heather Karr, and Daniel Swartwout. Frank Bertone and Brian Lorenz were absent. 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, Development Planner; Steve Hrytzik, Police Chief; and Amy Deere, City Clerk.

PLEDGE OF ALLEGIANCE

PROCLAMATION

Recognizing the Powell Youth Council

[Powell Youth Council.pdf](#)

The Powell Youth Council gave a presentation on what they do and how they can help the community by volunteering and participating in good causes.

Councilmember Bennehoof commended the students for being a part of the Powell Youth Council, and inquired if their schools were Purple Heart Schools, and advised them they could call him anytime.

Councilmember Drummond asked what number one issue they would like to work on to see change in their time on the Council. One of the members stated she would like to see change on women empowerment, pay equity, gender rights, etc. Another topic mentioned by a member was to see the youth of the community get more involved in Powell activities.

Councilmember Karr advised the Community Diversity Advisory Committee, at their last meeting, had great dialogue with the Powell Youth Council. They will also have a table at the upcoming Passport to Powell festivities. She also mentioned the Powell Youth Council would be partnering with the Committee at the City's Parks and Recreation Department, on an education piece on diversity inclusion. They are already trying to make a difference.

City Manager White stated since the pandemic, approximately 20% of the professional public servants have left the field of employment. He added after their experience tonight and following

their graduation, he would be more than happy to discuss any questions they may have, should they wish to enter into the public sector in government.

CITIZEN PARTICIPATION

Jessica Krauser – 1141 Carriage Valley Dr., spoke of the non-profit organization, the 5K for JK, dedicated to helping Parkinson's patients live their best lives. She gave an overview of the disease and how she began educating her family and friends of the disease following her research. She advised last year they raised \$90,000 for Parkinson's research. She asked City Council to join her and her Parkinson's Disease family on educating the community and come down on Sunday, October 9, 2022, at 11:00 a.m. at Olentangy Liberty Middle School for the 5K for JK. They are hoping to raise \$100,000 this year.

Sheila Hiddleson – Health Commissioner, Delaware County Health District, gave the County update to City Council. She spoke of upcoming events.

Councilmember Bennehoof spoke about the fentanyl epidemic. Sheila Hiddleson spoke of the implementation of a suicide fatality review team and an overdose fatality review team.

Mayor Swartwout closed Citizen Participation.

APPROVAL OF MINUTES

Approval of City Council Minutes of August 2, 2022

[City Council Minutes of 08022022.pdf](#)

MOTION: Jon Bennehoof moved to approve the City Council Meeting Minutes of August 2, 2022. Heather Karr seconded the motion.

VOTE: Y 5 N 0 (None) AB 0 (None)

City Council Meeting Minutes of 08.02.2022 passed with a vote of 5-0-0.

CONSENT AGENDA

a. Monthly Department Reports - July, 2022

1. [Building_Dept_Monthly_Report_July_2022.pdf](#)
2. [Communications_Dept_Monthly_Report_July_2022.pdf](#)
3. [Community_Development_Dept_Monthly_Report_July_2022.pdf](#)
4. [Engineering_Dept_Monthly_Report_July_22.pdf](#)
5. [Finance_Dept_Monthly_Report_July_2022.pdf](#)
6. [HR_Dept_Monthly_Report_July_2022.pdf](#)
7. [Police_Dept_Monthly_Report_July_2022.pdf](#)

b. Notice to Legislative Authority

1. [Notice to Legislative Authority - Memo.pdf](#)
2. [Notice to Legislative Authority_Exhibit_A.pdf](#)

MOTION: Tom Counts moved to approve the Consent Agenda of 08.16.2022. Christina Drummond seconded the motion.

VOTE: Y 5 N 0 (None) AB 0 (None)

Consent Agenda of 08.16.2022 passed with a vote of 5-0-0.

RESOLUTIONS

RESOLUTION 2022-27

A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD A BID TO SWOP4G FOR HIGHWAY ROCK SALT.

1. [Res. 2022-27_Memo.pdf](#)
2. [Res. 2022-27_Resolution.pdf](#)
3. [Res. 2022-27_22-021SWOP4G-Bid-Tabulation-1.pdf](#)

Mayor Swartwout opened the floor for public comment on Resolution 2022-27. Hearing none, Mayor Swartwout closed public comment.

MOTION: Tom Counts moved to approve Resolution 2022-27. Jon Bennehoof seconded the motion.

VOTE: Y 5 N 0 (None) AB 0 (None)

Resolution 2022-27 passed with a vote of 5-0-0.

ORDINANCES: SECOND READING(S)

ORDINANCE 2022-20

AN ORDINANCE APPROVING AN AMENDMENT TO AN APPROVED DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT 233 S. LIBERTY STREET AS SUBMITTED BY KAD, LLC TO CONSTRUCT FIVE RESIDENTIAL UNITS IN TWO BUILDINGS ON ± 1.5 ACRES.

1. [Ord. 2022-20_Memo.pdf](#)
2. [Ord. 2022-20_Ordinance.pdf](#)
3. [Ord. 2022-20_Exhibit A.pdf](#)
4. [Ord. 2022-20_History_CarmendyStation.pdf](#)

Development Planner Schellin spoke of some questions arising at the last City Council meeting. She advised Council this property is in the Downtown TIF.

Mayor Swartwout opened the floor for public comment on Ordinance 2022-20. Hearing none, Mayor Swartwout closed public comment.

MOTION: Jon Bennehoof moved to approve Ordinance 2022-20. Heather Karr seconded the motion.

Mayor Swartwout requested a roll call for passage: Heather Karr, yes; Daniel Swartwout, yes; Jon Bennehoof, yes; Tom Counts, yes; and Christina Drummond, yes.

VOTE: Y 5 N 0 (None) AB 0 (None)

Ordinance 2022-20 passed with a vote of 5-0-0.

ORDINANCE 2022-24

AN ORDINANCE TO ENACT CHAPTER 188 OF THE CODIFIED ORDINANCE TO IMPOSE A LODGING TAX WITHIN THE CITY OF POWELL, OHIO, IN SUPPORT OF ECONOMIC DEVELOPMENT AND TOURISM-RELATED PURPOSES.

1. [Ord. 2022-24_Memo.pdf](#)
2. [Ord. 2022-24_Ordinance.pdf](#)

Councilmember Drummond spoke of two concerns she has. One being the penalty language would not be enough of a deterrent given the balance and challenges, with this particular draft. Secondly, the bigger concern she has is the impact this may have on our Finance Department staff. As a point of caution she would like City Council to table this Ordinance.

Councilmember Karr stated when this came to the Development Committee in 2020-2021, she was in the opinion at that point, City Council needed to be proactive with this and not wait until a hotel is built and she is still of that opinion.

Councilmember Bennehoof said he supported this lodging tax back in 2020-2021, and is still in support of it. He added if there needed to be changes with the Ordinance, those changes could be made, but getting the Ordinance on the record is more important.

Mayor Swartwout opened the floor for public comment on Ordinance 2022-24. Hearing none, Mayor Swartwout closed public comment.

MOTION: Christina Drummond moved to amend the language of Ordinance 2022-24, to include the Finance Director's Office for the purpose of the ability to maneuver, if the need exists. Mayor Swartwout asked for a Second to the Motion. There was no second.

MOTION: Jon Bennehoof moved to approve Ordinance 2022-24. Tom Counts seconded the motion.

Mayor Swartwout requested a roll call for passage: Daniel Swartwout, yes; Jon Bennehoof, yes; Tom Counts, yes; Christina Drummond, yes; and Heather Karr, yes.

VOTE: Y 5 N 0 (None) AB 0 (None)

Ordinance 2022-24 passed with a vote of 5-0-0.

ORDINANCES: FIRST READING(S)

ORDINANCE 2022-18

AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR YEAR 2022.

- [1. Ord. 2022-18_Memo.pdf](#)
- [2. Ord. 2022-18_Ordinance.pdf](#)
- [3. Ord. 2022-18_Exhibit_A_Appropriations.pdf](#)

City Manager White spoke about the modification of appropriations for the calendar year 2022, increasing certain accounts due to adjustments needing to be made to the funds. These adjustments included, \$38,394 from the General Fund for IT, (Capital Outlay); \$1,650 from the General Fund for Finance, (Operating); \$55,995 from the Street Maintenance Fund, Snow and Ice Removal, (Operating); \$5,000 from Escrowed Deposited Fund, Finance, (Operating); and \$30,000 from CORMA Fund, Other Charges, (Operating).

Mayor Swartwout opened the floor for public comment on Ordinance 2022-18. Hearing none, Mayor Swartwout closed public comment.

MOTION: Jon Bennehoof moved to suspend the rules. Christina Drummond seconded the motion.

Mayor Swartwout requested a roll call for passage: Daniel Swartwout, yes; Jon Bennehoof, yes; Tom Counts, yes; Christina Drummond, yes; and Heather Karr, yes.

VOTE: Y 5 N 0 (None) AB 0 (None)

Motion to Suspend the Rules passes with a vote of 5-0-0.

MOTION: Jon Bennehoof moved to approve Ordinance 2022-18. Heather Karr seconded the motion.

Mayor Swartwout requested a roll call for passage: Jon Bennehoof, yes; Tom Counts, yes; Christina Drummond, yes; Heather Karr, yes; and Daniel Swartwout, yes.

VOTE: Y 5 N 0 (None) AB 0 (None)

Ordinance 2022-18 passes with a vote of 5-0-0.

ORDINANCE 2022-23

AN ORDINANCE DECLARING THE NECESSITY OF, DETERMINING TO PROCEED WITH, AND LEVYING ASSESSMENTS FOR THE PURPOSE OF IMPROVEMENT, CONSTRUCTION, AND RECONSTRUCTION OF THE PUBLIC SEWER MAIN INFRASTRUCTURE ON THE NORTH SIDE OF POWELL ROAD AND ON PROPERTY OWNED BY VERONA LLC AND KNOWN AS THE VERONA SUBDIVISION, AND DECLARING AN EMERGENCY.

- [1. Ord. 2022-23_and_2022-25_Memo.pdf](#)
- [2. Ord. 2022-23_2022_Verona_Assessment.pdf](#)
- [3. Ord. 2022-23_Exhibit_A_Verona_Assessments.pdf](#)

Mayor Swartwout declared this Ordinance to have its first reading and second reading to be on September 6, 2022.

ORDINANCE 2022-25

AN ORDINANCE DECLARING THE NECESSITY OF, DETERMINING TO PROCEED WITH, AND LEVYING ASSESSMENTS FOR THE PURPOSE OF IMPROVEMENT, CONSTRUCTION, AND RECONSTRUCTION OF THE PUBLIC SEWER MAIN INFRASTRUCTURE ON THE NORTH SIDE OF POWELL ROAD AND ON PROPERTY OWNED BY VERONA LLC AND KNOWN AS THE VERONA SUBDIVISION, PROVIDING A REVISED ASSESSMENT SCHEDULE, AND DECLARING AN EMERGENCY.

1. [Ord. 2022-23_and_2022-25_Memo.pdf](#)
2. [Ord. 2022-25_Ordinance.pdf](#)
3. [Ord. 2022-25_Exhibit_A.pdf](#)

Mayor Swartwout opened the floor for public comment on Ordinance 2022-23 and Ordinance 2022-25.

Dan Harmon – 9565 Fair Oaks Dr., and Craig Wilkins – 9547 Fair Oaks Dr., addressed City Council about the Verona assessments. They thanked City Councilman Counts, City Manager White, Finance Director Ocheltree and Law Director Ashrawi for all of their hard work with this issue.

Mayor Swartwout asked if there were any other citizens that would like to address City Council. Hearing none, Mayor Swartwout closed public comment.

Mayor Swartwout declared this Ordinance to have its first reading and second reading to be on September 6, 2022.

COMMITTEE REPORTS

Development Committee – Mayor Swartwout advised the next meeting is scheduled for September 6, 2022, at 6:30 p.m.

Finance Committee – Councilmember Counts advised the next meeting is scheduled for September 13, 2022, at 7:00 p.m.

Operations Committee – Mayor Swartwout advised the next meeting is scheduled for September 20, 2022, at 6:30 p.m.

Community Diversity Advisory Committee – Councilmember Karr spoke about the Passport to Powell festivities upcoming this weekend from 5:00 p.m. – 10:00 p.m. Their next meeting is scheduled for September 15, 2022, at 6:00 p.m.

Planning and Zoning Commission – Planning Director Husak advised their next meeting is scheduled for September 14, 2022, at 6:30 p.m.

Powell CIC – Mayor Swartwout advised their next meeting is scheduled for August 23, 2022, at 7:00 p.m.

CITY MANAGER'S REPORT/CITY CALENDAR

City Manager White gave his report and spoke about the need for public transportation in the area.

He also spoke about his brief visit with Congressman Jim Jordan today.

City Manager White recognized Parks and Recreation Manager Hindman and Gina Kolp, as the Parks and Recreation Department received a \$2,000 grant from OPRA for a Wetlands Initiative in 2023.

Further, he spoke of the Finance Department, and specifically the Finance Director, as they are working on a schedule for budget development. There will be sessions done administratively this week.

Finally, he spoke of an Executive Session to discuss the purchase of property for public purposes as well as personnel.

City Calendar

[City Calendar.pdf](#)

OTHER COUNCIL MATTERS

EXECUTIVE SESSION

Law Director Ashrawi stated the Executive Session would include Ohio Revised Code Section 121.22(G)(1) to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, as well as Section 121.22(G)(2) to consider the purchase of property for public purposes.

MOTION: Jon Bennehoof moved to enter into Executive Session. Tom Counts seconded the motion.

Mayor Swartwout requested a roll call for passage: Christina Drummond, yes; Heather Karr, yes; Daniel Swartwout, yes; Jon Bennehoof, yes; and Tom Counts, yes.

VOTE: Y 5 N 0 (None) AB 0 (None)

Motion to enter into Executive Session passes with a vote of 5-0-0.

Entered into Executive Session at 8:54 p.m.

MOTION: Jon Bennehoof moved to adjourn Executive Session and enter into Regular Session. Tom Counts seconded the motion.

VOTE: Y 5 N 0 (None) AB 0 (None)

Motion to adjourn Executive Session and enter into Regular Session passes with a vote of 5-0-0.

MOTION: Jon Bennehoof moved to accept the resignation of City Councilmember Frank Bertone. Tom Counts seconded the motion.

VOTE: Y 5 N 0 (None) AB 0 (None)

Motion to accept City Councilmember Frank Bertone's resignation passes with a vote of 5-0-0.

ADJOURNMENT

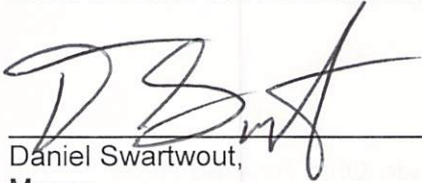
MOTION: Jon Bennehoof moved to adjourn. Tom Counts seconded the motion.

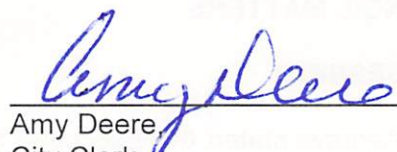
VOTE: Y 5 N 0 (None) AB 0 (None)

Motion to adjourn passes with a vote of 5-0-0.

Meeting adjourned at 9:25 p.m.

MINUTES APPROVED: SEPTEMBER 6, 2022

 9-6-22
Daniel Swartwout, Date
Mayor

 9-6-22
Amy Deere, Date
City Clerk