



**CITY COUNCIL
MEETING MINUTES
SEPTEMBER 5, 2023**

I. CALL TO ORDER/ROLL CALL

Mayor Daniel Swartwout called the Tuesday, September 5, 2023 meeting of City council to order at 7:32 p.m. The following Councilmembers were present for the meeting: Ferzan Ahmed, Jon Bennehoof, Christina Drummond, Heather Karr, David Lester, Tom Counts and Daniel Swartwout. Staff members in attendance included: Andrew White, City Manager; Samantha Borchers, Assistant Finance Director; Jason Nahvi, Human Resource Manager; Claudia Husak, Planning Manager/Zoning Administrator; Mallory Sribanditmongkol, Strategic Communication Officer; Grant Crawford, Public Service Director; Aaron Stanford, City Engineer; Jeffrey Tyler, Assistant City Manager/Community Development Director; and Yazan Ashrawi, Law Director.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Jon Bennehoof.

Following the Pledge of Allegiance Mayor Swartwout provided an announcement that the public hearing for Ordinance No. 2022-09 has been cancelled and this ordinance will not be an item on the agenda for discussion.

III. CITIZEN PARTICIPATION

Mayor Swartwout opened the floor for citizen participation for comment on matters not on the agenda. The following individual provided public comment:

Brittany Zoecklein
Registered Environmental Health Specialist 2
Delaware Public Health District
470 South Sandusky Street
Delaware, Ohio 43015

Brittany Zoecklein provided the following updates relating to Delaware Public Health District:

- The Health District has moved to their new location and will be having an open house, the date is still to be determined.
- Information relating to upcoming community events including: Fall Unity Community; Stigma with Mental Health and movies series at the Strand Theatre; and First Aid and CPR Training.

Hearing no other public comment, Mayor Swartwout closed the citizen participation.

IV. PRESENTATION

- a. Update on the New Blood Donation Center, Cory Paul, American Red Cross

PRESENTOR:

Cory Paul, Executive Director
American Red Cross
Greater Columbus Chapter
995 East Broad Street
Columbus, Ohio 43205

Cory Paul provided information to Council relating to the new donor center that is located on Hills Miller Road in Delaware County. This location is able to collect both blood and platelets. All blood collected in the area goes through the Greater Columbus Chapter on Broad Street and supplies over 43 hospitals. This is the largest blood center of the world. He provided information relating to the procedure to draw blood or platelets. Councilmember Bennehoof requested information relating to the shelf life of platelets. Mr. Paul responded that the platelet shelf life is only a couple of days. Councilmember Ahmed questioned if there is a certain blood type more in demand. Mr. Paul responded that type O blood is used the most, but that they will take any. He also discussed that they try not to let any blood supply expire and will reach out to the National Blood Network to determine if there is a need for supplies.

V. APPROVAL OF MINUTES

- a. Approval of City Council Meeting Minutes of August 15, 2023

[08.15.2023 council minutes.pdf](#)

MOTION: Jon Bennehoof moved to approve the City Council Minutes of August 15, 2023 as written, seconded by Christina Drummond. Motion passed by a vote of 7-0.

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

VI. RESOLUTIONS

- a. **RESOLUTION NO. 2023- 22**

A RESOLUTION ACCEPTING THE AMOUNT AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

[1. Res. 2023-22 Memo.pdf](#)

[2. Res. 2023-22, Budget Commission Amount and Rates.pdf](#)

[3. Exhibit A_2024 Schedule A.pdf](#)

City Manager White discussed that this is a routine resolution adopted annually as part of the budget process. He spoke of the need for further discussion at the Finance Committee in regards to the 10 M. and 5 M. limitation as it relates to a debt investment portfolio strategy.

Mayor Swartwout opened public comment for Resolution No. 2023-22. Hearing none, he closed public comment.

MOTION: Tom Counts moved to approve Resolution No. 2023-22, seconded by Christina Drummond. Motion passed with a vote of 7-0.

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

b. **RESOLUTION NO. 2023-23**

A RESOLUTION ADOPTING THE DELAWARE COUNTY 2023 MULTI-HAZARD MITIGATION PLAN.

1. [Res. 2023-23 Memo.pdf](#)
2. [Res 2023-23 , Multi Hazard Mitigation Plan.pdf](#)

City Manager informed Council that the County updates their Hazard Mitigation Plan ever so often and has done so recently. This plan coordinates all actions of the local jurisdictions with the County and their agencies including working with federal agencies for funding resources in the event of a disaster. This document also draws attention to emergency management in general.

Councilmember Christina Drummond commended Interim Police Chief Ron Sallows and the work the department is doing in emergency planning. Councilmember Ferzan Ahmed questioned who is the point person in the event of County wide disaster. City Manager White addressed that typically it is the Chief of Police, but that staff is looking at this internally as any emergency response may need additional coordination from different departments. Typically, incident command is through the police department. Councilmember Jon Bennehoof clarified that there is no financial impact to the City and that adoption of the resolution allows for participation in federal funds.

Mayor Swartwout opened public comment for Resolution No. 2023-23. Hearing none, he closed public comment.

MOTION: Jon Bennehoof moved to approve Resolution No. 2023-23, seconded by Heather Karr. Motion passed with a vote of 7-0.

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

c. **RESOLUTION NO. 2023-24**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH GOLF VILLAGE PROPERTY OWNERS ASSOCIATION FOR THE REPLACEMENT OF AN IRRIGATION SYSTEM.

1. [Res. 2023-24 Memo.pdf](#)
2. [Res 2023-24, Authorizing CM to Sign DRK Agreement for irrigation system.pdf](#)
3. [Golf Village Powell Irrigation Damage Agreement.pdf](#)
4. [Exhibit 1. NW NE Corner Home-Sawmill.pdf](#)
5. [Exhibit 2. SW SE Corner Home-Sawmill.pdf](#)

City Manager White discussed that the City was approached earlier in the year relating to the infrastructure improvements associated with the planned Powell OSU Wexner Medical Center in which roadwork was done by the Delaware County Engineers office and impacted a private irrigation system within the intersection area. There was no participation to resolve the issue by the County and the City was reached out as a potential partner based on the proximity of the location and importance of the corridor. For exchange for participation it is referenced in the agreement to collaborate with Don R. Kenney properties for future development including annexation. He clarified this does not guarantee anything but future collaboration. He discussed the cost of the system and was included as an appropriation at the Finance Committee meeting.

Councilmember Christina Drummond clarified that this situation includes an HOA has an irrigation system that needs repaired and that the City would be covering the cost of the repairs. She questioned the land location in the HOA easement and would come under public right-of-way or stay with the private HOA. City Attorney Ashrawi clarified that the nothing with the land would change with the agreement. She voiced a concern on the City paying for private infrastructure repairs and the precedent it could set without the land coming under public ownership. Councilmember Tom Counts discussed that this location is the northern gateway into the City and need to look at gateways from all directions, the City needs to determine what the gateway is desired to look like. Councilmember Jon Bennehoof provided previous conversations with Mr. Kenney and then had future conversation with the City Manager. He discussed that there were productive conversations with the City and that Mr. Kenney will continue to maintain the landscaping. He discussed the potential opportunity for future annexation.

Mayor Swartwout opened public comment for Resolution No. 2023-24. Hearing none, he closed public comment.

MOTION: Tom Counts moved to approve Resolution No. 2023-24, seconded by Jon Bennehoof. Motion passed with a vote of 6-1 (No: Drummond).

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

VII. ORDINANCES: SECOND READING(S)

a. ORDINANCE NO. 2023-22

AN ORDINANCE AMENDING CODE SECTIONS 1143.16.2; AND 1123.01 OF THE CODIFIED ORDINANCES REGARDING THE SPECIAL EVENTS AND OBJECTIONABLE, NOXIOUS, OR DANGEROUS USES, PRACTICES.

1. [Ord. 2023-22_Memo.pdf](#)
2. [Ord. 2023-22_Ordinance.pdf](#)
3. [Ord. 2023-22_Exhibit A.pdf](#)
4. [Ord. 2023-22_History.pdf](#)

Planning Manager Claudia Husak informed Council that there were no changes to the ordinance from the first reading.

Mayor Swartwout opened public comment for Ordinance No. 2023-22. Hearing none, he closed public comment.

MOTION: David Lester moved to approve Ordinance No. 2023-22, seconded by Christina Drummond. Motion passed with a vote of 7-0.

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

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

VIII. ORDINANCES: FIRST READING(S)

a. **ORDINANCE NO. 2023-23**

AN ORDINANCE MODIFYING APPROPRIATIONS FOR THE CALENDAR 2023
AND DECLARING AN EMERGENCY.

1. [Ord. 2023-23_Ordinance_Memo.pdf](#)

2. [Ord. 2023-23_Ordinance.pdf](#)

3. [Ord. 2023-23 Exhibit A .pdf](#)

Mayor Swartwout and Councilmember Tom Counts discussed that this is a quarterly appropriation and is a new approach to providing appropriations to Council compared to a as needed basis. Councilmember Tom Counts also spoke that with quarterly appropriations, the numbers may seem larger adjustments. Assistant Finance Director Samantha Borchers presented to Council that the appropriations were recently presented at the Finance Committee and include 16 items totaling \$770,700. She highlighted four items for appropriations including a vehicle purchase for a salt truck, income tax collection fee, street maintenance program and capital projects, including the Don Kenney agreement.

Councilmember Christina Drummond had questions relating to Item 2, Downtown Planting and Item 3, Engineering Fees and Item 11, Special Events. She wanted to confirm relating to Item 2 that we were not doubling the budget, but were rather front loading the charges for next year since we have not expended the charges from this year yet. City Manager confirmed that this is correct. She also questioned the Item 3 for Engineering Fees for the OSU project and recognize that there are additional fees to cover planning costs a wanted see if this is related to a delay in the project. City Manager White discussed that since the budget was put together it has been determined that OSU will be gearing up to do additional work and it is anticipated that there will be fees collected this year and have an increase in plan reviews. Assistant City Manager Jeffrey Tyler clarified that this is a third-party consultant services and are reimbursable expenses and that the City will recoup funds once the project is under way. She had a question on Item 11 regarding the transfer of Third Fridays to the Powell Festival. City Manager White discussed this was a cost recovery for 2023 due to increased cost of operating expenses and sanitation.

Mayor Swartwout opened public comment for Ordinance No. 2023-23. Hearing none, he closed public comment.

MOTION: Jon Bennehoof moved to suspend the rules for Ordinance No. 2023-23, seconded by Christina Drummond. Motion passed with a vote of 7-0.

Mayor Swartwout requested a roll call for passage of rule suspension: Ferzan Ahmed, yes; Jon Bennehoof, yes; Tom Counts, yes; Christina Drummond, yes; Heather Karr, yes; David Lester, yes; and Daniel Swartwout, yes.

MOTION: Ferzan Ahmed moved to approve Ordinance No. 2023-23, seconded by David Lester. Motion passed with a vote of 7-0.

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

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

IX. COMMITTEE REPORTS

Development Committee: Next Meeting: October 3, 2023 @ 6:30 pm

Councilmember Heather Karr discussed the Placemaking presentation by NBJJ on evaluation the RFP's for Village Green. The second workshop on design guidelines will be presented on September 13 at the P&Z meeting and the third workshop will be held on September 19 to discuss Master service Agreements.

Finance Committee: Next Meeting: September 12, 2023 @ 7 pm

Councilmember Counts provided information on the recent Finance Committee meeting in which they discussed the recommended appropriations and the CIP. The CIP is expected to be presented at the next meeting of Council.

Operations Committee: Next Meeting: September 19, 2023 @ 6:30 pm

Councilmember Jon Bennehoof informed Council that the next Operations Committee meeting will be September 19, 2023.

Community Diversity Advisory Committee: Next Meeting: September 20, 2023 @ 6 pm

Councilmember Heather Karr discussed the next meeting will be September 20, 2023 and she provided her thanks for participants of Passport to Powell.

Planning & Zoning Commission: Next Meeting: September 13, 2023 @ 6:30 pm

Councilmember Ferzan Ahmed informed Council that the next Planning and Zoning meeting will be September 13, 2023.

Powell Development Corporation: Next Meeting: September 26, 2023 @ 7 pm

Mayor Swartwout discussed information on the recently held Powell Development Corporation meeting in which there was discussion on the budget, rebranding, new website and logo design.

X. CITY MANAGER'S REPORT/CITY CALENDAR

City Manager White provided the following updates and acknowledgements:

He acknowledged Deputy Chief Ron Sallows has accepted the role of Interim Chief and that they are working on recruitment, retention and expansion.

He discussed the need to look at the Right-of-Way Policy and will need more attention as we look at a uniformity of perimeter. He discussed the gap in the pathway between Liberty High School and the new library, which is outside the municipal jurisdiction. He spoke on looking at this area coming into the City and using the TIF Fund to help make the pavement connection.

There is a lot of interest in the City and there is an applicant looking at a vacant florist building which could transition into commercial/retail or commercial/restaurant. This interest has started the discussion on the DORA boundaries and staff is looking at the DORA boundaries to create uniformity.

Information was provided on the paving status.

The CSX crossing at SR750 is up for consideration for grade improvements. CSX would coordinate the work and do the work and provided an estimate for the work.

XI. OTHER COUNCIL MATTERS

Councilmember Christina Drummond provided information on the upcoming Fall Festival for Liberty Township and the opportunity to do a joint event and to let her know if any members of Council are able to participate.

Councilmember Ferzan Ahmed questioned if there was any movement to get a pedestrian crossing at the railroad on Liberty Road near library. City Manager White, informed Council that this is programmed in the CIP and the general concept is to provide for a safe corridor on the east side the road and have pedestrian crossing in a dedicated crosswalk south of the intersection. Public Service Director Grant Crawford also addressed that there are jurisdictional boundaries that will need to be crossed and will need coordination with Liberty Township and Delaware County. Councilmember Drummond noted the need for advanced signalization requirements, like a Hawk system, due to the crossing use by school-age children.

Councilmember Jon Bennehoof acknowledged Public Service Director Crawford and staff member Alex Stavrides on a productive meeting relating to the cemetery and the Boy Scouts.

Mayor Swartwout discussed the need for scheduling of special meetings of Council at the end of the month. Assistant City Manager Tyler provided that the plan is to have three separate meetings to interview the three developer candidates for the Village Green RFP. He expects the interviews to last an hour or hour and half.

XII. EXECUTIVE SESSION

Ohio Revised Code Sec. 121.22 (G)(1) - To consider the appointment of a public employee or official, and the investigation of charges or complaints against a public employee.

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

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

Councilmember Jon Bennehoof moved to enter into executive session pursuant to Ohio Revised Code Sec. 121.22 (G)(1) - To consider the appointment of a public employee or official, and the investigation of charges or complaints against a public employee; Ohio Revised Code Sec. 121.22 (G)(2) To consider the purchase of property for public purposes; and 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. This motion was seconded by Councilmember Tom Counts. Motion was approved by consensus and Council entered executive session at 8:28 p.m. The following members of Council were present for the discussion: Ferzan Ahmed, Jon Bennehoof, Tom Counts, Heather Karr, Christina Drummond, David Lester, and Daniel Swartwout. In addition, the following staff were present: Yaz Ashrawi, Andy White, Jason Nahvi, and Jeff Tyler. Following the discussion, Councilmember Jon Bennehoof moved to exit executive session and return to open session. This motion was seconded by Councilmember Ferzan, and the motion was approved by consensus. Council exited executive session at 9:31 p.m.


XIII. ADJOURNMENT

MOTION: Councilmember Jon Bennehoof moved to adjourn the City Council meeting. This motion was seconded by Councilmember Ferzan Ahmed and approved by consensus. The meeting adjourned at 9:31 p.m.

MINUTES APPROVED: September 19, 2023

 9/19/23

Daniel Swartwout, Date
Mayor

 9/19/23

Elaine McCloskey Date
City Clerk

