



## City Council Meeting Agenda

Tuesday, September 12, 2023

### 1) Call to Order

President Markham called the meeting to order at 6:03 pm.

### 2) Roll Call of Members

Council Members in Attendance: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler, Jessica Saad

Council Members **excused**: Lori Ann Feibel

### 3) Pledge of Allegiance

### 4) Presentations/Special Guests

#### a) Linda Kass, Author

Ms. Kass spoke about her background and role in the community both as an author and as the owner of Gramercy Books and spoke about her new book, *Bessie*, which releases today. Her launch event will be celebrated tomorrow evening at the JCC. Mr. Markham asked Ms. Kass about the history of Gramercy Books and what inspired her to bring a bookstore to Bexley and some of the design elements. Mr. Kessler thanked Linda for coming and stated that Gramercy Books is a treasure for the community.

#### b) Family of Raylin Wasmus for Childhood Cancer Awareness Month

The family of Raylin Wasmus was not present, but Mayor Kessler read the proclamation.

### 5) Ordinances with Special Guests

- a) **Resolution 5-23** confirming the Mayor's appointments to the Architectural Review Board; the Board of Zoning Appeals and Planning; the Recreation and Parks Board; and the Environmental Sustainability Advisory Committee; introduced by Jen Robinson on August 15, 2023. This is the third reading.

a. **Courtney Jones**, candidate for Architectural Review Board

Ms. Robinson spoke briefly about the Resolution, but Mr. Kessler thanked Courtney for her willingness to serve and asked for a brief professional background. Ms. Jones provided a brief overview of her background and her reasoning for interest in the appointment. Mr. Kessler then provided an overview of the proposed amendments.

Ms. Saad departed at 6:22 pm.

Ms. Robinson moved to amend Resolution 5-23 as shown.

Mr. Klingler seconded.

All in Favor: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler

**Motion Passed 5-0.**

Ms. Robinson moved to pass Amended Resolution 5-23.

Mr. Klingler seconded.

All in Favor: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler

**Motion Passed 5-0.**

b) **Resolution 4-23** to authorize the Mayor to seek financial assistance from the Ohio Public Works Commission for funding of various capital infrastructure improvement projects; introduced by Monique Lampke on August 15, 2023. This is the third reading.

a. **David Koch**, City Engineer

Mr. Fishel read the ordinance and Ms. Lampke provided some brief background on this before inviting Mr. Koch to speak about this project. Mr. Koch provided some background and rationale behind the project and the improvements it will provide to accessibility. Ms. Lampke asked a question about impact to Main Street, which Mr. Koch answered. Mr. McPeck asked about efforts in place to assess existing infrastructure and to anticipate future needs. Mr. Koch spoke about other projects and answered additional questions from Council members on these issues.

Ms. Lampke moved to adopt Resolution 4-23.

Ms. Robinson seconded.

All in Favor: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler

**Motion Passed 5-0.**

**6) Public Comments (Speaker Slip Required)**

None.

**7) President's Report**

Mr. Markham encouraged Council members to attend the Betsy Goldstein program on Wednesday, September 27 at the public library called *The Intel on Intel*.

## **8) City Attorney Report**

Mr. Fishel spoke about pending House Bill 257 is moving forward and will allow elected officials to participate in meetings virtually with some specific restrictions.

## **9) Auditor's Report**

Mr. McPeck provided a report on our investments, which are performing well. Mr. McPeck also spoke briefly about the recent audit and his plan to provide a high-level summary of this report. Mr. McPeck also spoke about a discovery of inappropriate behavior within the Finance Department specific to an employee who was no longer with the City at the time of the findings. Franklin County law enforcement was immediately notified and action is anticipated in the coming weeks regarding this matter, which is less than \$20,000

## **10) Administrative Update**

### **a) Recreation Department Update – Mike Price**

Mr. Price had nothing to add to his report. Mr. Kessler complimented the staff of the Rec Department and spoke in praise of the Labor Day Block Party and the Community Campout and asked if Ms. Saad was present.

### **b) Finance Department Update – Beecher Hale**

Mr. Hale has no report but would be happy to answer any questions. Hearing no questions, Mayor Kessler moved on.

### **c) Police Department Update – Chief Gary D. Lewis, Jr.**

Chief Lewis is not present, but Mayor Kessler would be happy to pass along any questions that come up and did highlight some of the updates on the Chief's report. Mr. Marcellino asked about the status on the hire of officers, which Mr. Kessler will look into.

### **d) Service Department Update – Andy Bashore**

Mr. Bashore does not have any addition to his written report but (look at 6:56 pm) Drexel paving won't occur until spring, but speed analysis might be possible before spring. Mr. Kessler also added

that there's a series of meetings coming up regarding the bike lanes and Pleasant Ridge paving and potential traffic calming options for this roadway.

e) Mayor's Update

Mr. Kessler spoke about his recent visit to the Holocaust Museum and how powerful this museum is. Mr. Kessler spoke about upcoming events, and added information about the Intel on Intel event and the Otterbein/Capital rivalry cook-off. Mayor Kessler then covered several highlights from his report. Cole's Kitchen request from Mr. Marcellino. Mr. Lampke asked about a Livingston Avenue meeting on the Mayor's report, which he answered.

**11) Consent Agenda (No Speaker Slip Required)**

a) Meeting Minutes from August 22, 2023

Mr. Markham moved to adopt the items on the Consent Agenda.

Mr. Klingler seconded.

All in Favor: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler

**Motion Passed 5-0.**

**12) Third Readings (No Speaker Slip Required)**

a) **Ordinance 23-23** to appropriate \$10,000 from the water fund and \$10,000 from the sewer fund to pay overtime for the remainder of 2023; introduced by Monique Lampke on August 15, 2023.

Ms. Lampke moved to amend Ordinance 23-23 as shown.

Mr. Klingler seconded.

All in Favor: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler

**Motion Passed 5-0.**

Ms. Lampke moved to adopt Amended Ordinance 23-23.

Mr. Klingler seconded.

All in Favor: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler

**Motion Passed 5-0.**

b) **Ordinance 27-23** to amend Chapter 452.06, "Unattended Vehicles: duty to lock ignition, remove key, set brake, etc." in order to modernize provisions of this section and to expand restrictions on idling for the protection of both the health of citizens and the environment, and to add Section 618.25, Animals in Unattended Motor Vehicles, in order to protect the health and welfare of animals in unattended vehicles; introduced by Lori Ann Feibel on August 15, 2023.

Mr. Fishel read the ordinance and Ms. Lampke provided some background.

Ms. Lampke moved to table Ordinance 27-23 as shown.

Mr. Klingler seconded.

All in Favor: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler

**Motion Passed 5-0.**

- c) **Ordinance 28-23** to amend Chapter 1456.01 Registration Required and to provide standards for care in the areas surrounding trees in the tree lawn, introduced by Lori Ann Feibel on August 15, 2023.

Mr. Fishel read the ordinance and Ms. Lampke asked Mr. Kessler walked Council through some of the amendments, which remove reference to mosquito contractors.

Mr. Wilson of 2404 Bexley Park Road spoke about some clarification on the residents and contractors and ways to protect our trees.

Mr. Klingler asked if landscapers would receive literature about this and Mayor Kessler confirmed.

Ms. Lampke moved to amend Ordinance 28-23 as shown.

Ms. Robinson seconded.

All in Favor: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler

**Motion Passed 5-0.**

Ms. Lampke moved to adopt Amended Ordinance 28-23 as shown.

Mr. Klingler seconded.

All in Favor: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler

**Motion Passed 5-0.**

*Agenda Note: Third readings of Resolution 4-23 and Resolution 5-23 will be completed during the Ordinances with Visiting Presenters section of the meeting.*

### **13) Second Readings (Speaker Slip Required)**

- a) **Ordinance 31-23** to establish the Bexley Senior Services Fund to receive donations to be used for senior services for Bexley's resident senior citizens introduced by Monique Lampke on August 22, 2023.

Mr. Fishel read the ordinance and Ms. Lampke provided some brief background on this Ordinance but ordinance will not be moved to Consent Agenda due to Lori Ann and Jess being absent.

### **14) First Ordinances (Speaker Slip Required)**

- a) **Ordinance 30-23** to amend section 618.16 of the Bexley Codified Ordinances to authorize the Animal Control Officer to designate an animal as dangerous or vicious pending the review and

adjudication by the Bexley Mayor's Court of any criminal charges filed pursuant to the codified ordinances, and to declare an emergency, introduced by Sam Marcellino on September 12, 2023.

Mr. Fishel read the ordinance and Mr. Marcellino provided some background and rationale behind this ordinance and existing laws about dogs in the State of Ohio. Mr. Marcellino then provided an overview on what powers this would provide to our Animal Control Officer. Mr. Kessler provided some additional details from the Mayor's Court prosecutor which would allow us to impound the dog, but expressed his thought that this provides a less invasive enforcement option.

- b) **Ordinance 32-23** to add Section 618.25 Animals in Unattended Motor Vehicles, in order to protect the health and welfare of animals in unattended vehicles, introduced by Sam Marcellino on September 12, 2023.

Mr. Fishel read the ordinance and Mr. Marcellino provided some background on the rationale behind this ordinance but did not have much to add. Ms. Lampke asked if there were any animal cruelty laws in place that would impact this legislation.

- c) **Ordinance 33-23** to amend Chapter 1456.01 Registration Required; and to add Chapter 1494, Mosquito Control Treatment, introduced by Lori Ann Feibel on September 12, 2023.

Mr. Fishel read the ordinance and Ms. Lampke spoke briefly about this ordinance and asked Mr. Kessler to provide some information on this ordinance.

- d) **Ordinance 34-23** to establish the position of Administrative & Public Records Manager and to establish the pay range at \$27.26 per hour to \$41.61 per hour, and to declare an emergency, introduced by Monique Lampke on September 12, 2023.

Mr. Fishel read Ordinance 34-23 and Ms. Lampke provided some background on this ordinance and Mr. Kessler spoke about public records training.

- e) **Ordinance 35-23** to amend section 618.16(a)(5) of the Bexley Codified Ordinances to amend the definition of "Vicious Animal", and to reorder and amend existing Section 618.16(a)(8), introduced by Sam Marcellino on September 12, 2023.

Mr. Fishel read the ordinance and Mr. Marcellino spoke about the background and some potential feedback anticipated on this ordinance.

- f) **Ordinance 36-23** to authorize supplemental appropriations for calendar year 2023, introduced by Monique Lampke on September 12, 2023.

Mr. Fishel read the ordinance and Ms. Lampke provided some background on the need for this ordinance.

- g) **Resolution 6-23** adopting the 2023 recommendations of the Bexley Tax Incentive Review Council regarding tax-abated properties in the City of Bexley introduced by Monique Lampke on September 12, 2023.

Mr. Fishel read the ordinance and Ms. Lampke provided some brief background and invited Mayor Kessler to provide additional information which he did.

**15) Tabled Ordinances**

- a) **Ordinance 19-23** declaring the improvements to the former Trinity Seminary apartments site to be a public purpose; declaring such improvements to be exempt from real property taxation; requiring the owners thereof to make service payments in lieu of taxes; designating the public infrastructure improvements to be made that will directly benefit the real property; establishing a public improvement tax increment equivalent fund for the deposit of service payments; authorizing a revenue sharing agreement with the Bexley City School District; and authorizing a tax increment financing and redevelopment agreement with the developer of the site introduced by Matt Klingler on June 27, 2023.

No action.

**16) Safety and Health Committee – Sam Marcellino, Chair**

Mr. Marcellino spoke about the HeartSafe Bexley initiative and thanked Mr. Nathans for taking such a great lead on this project. He also reminded Council of upcoming training on this project for elected officials.

**17) Strategic Committee – Jen Robinson, Chair**

Ms. Robinson spoke about the October 1 One Bexley Gathering event and encouraged everyone to sign up.

**18) Zoning and Development Committee – Matt Klingler, Chair**

Mr. Klingler spoke about the recent ARB and CIC meetings and about the Land Use Strategy Commission and some of the recent activity there. Mr. Klingler also spoke about attending the grand opening of the St. Charles Convocation Center and euchre day at the Bexley Senior Center. Mr. Klingler also spoke about some great feedback received from the front yard corner lot group and some recent traffic calming measures at Roosevelt.

**19) Service and Environmental Committee – Lori Ann Feibel, Chair**

Ms. Lampke suggested reaching out to Lori Ann if you have any questions about recent news on the idling ordinance.

**20) Recreation and Parks Committee – Jessica Saad, Chair**

Ms. Robinson spoke about an upcoming Bexley Education Foundation and Bexley Community Foundation event. Ms. Robinson also spoke about a blood drive coming up at the Bexley Senior Center.

**21) Finance Committee – Monique Lampke, Chair**

Ms. Lampke reminded everyone of the upcoming candidates night and the Latinx and Hispanic Heritage festival in late September. Ms. Lampke also reminded everyone of the budget meeting before the next Council meeting.

**22) Public Comments (No Speaker Slip Required)**

None.

**23) Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the employee, official, licensee, or regulated individual requests a public hearing by division (G)(1) of section [121.22](#) of the Revised Code; and to conference with the public body's attorney concerning pending or imminent court action by division (G)(3) of section [121.22](#) of the Revised Code. Court action is "pending" if a suit has been commenced; court action is "imminent" if it is on the point of happening or impending.**

Mr. Markham moved to enter Executive Session for the reason above.

Ms. Lampke seconded.

All in Favor: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler

**Motion Passed 5-0.**

Council moved into Executive Session at 6:49 pm.

Council exited Executive Session at 6:51 pm.

**24) Adjourn**

Mr. McPeck moved to adjourn.

Mr. Markham seconded.

All in Favor: Jen Robinson, Sam Marcellino, Troy Markham, Monique Lampke, Matt Klingler

**Motion Passed 5-0.**



## City Council Policy for Public Comments:

### Public Comments:

For the purpose of receiving the orderly comments from all speakers desiring to address City business before Council, adopts the following policy:

- Any speaker addressing Council shall complete a Speaker Slip to be turned in prior to the start of the meeting.
- Any speakers who have public comments at the end of the meeting do not have to have a Speaker Slip but they do still need to provide their name and address.
- Please note that all public comments should pertain to City of Bexley business only.
- All reasonable comments must be made within a maximum of three (3) minutes when addressing City Council.
- Undue interruption or other interference with the orderly conduct of remarks is not permitted.
- Defamatory or abusive remarks are always out of order.
- If the subject of the comment is not on the Council Agenda, the public may discuss the City issue during the Public Comments portion of the meeting. If the subject of the comment is on the Council Agenda, the public may discuss the issue at the time the issue is addressed during the Council meeting.
- Violation of this policy may result in termination of the speaker's comments and/or removal from the meeting.
- President of Council reserves the right to limit the length and scope of all Public Comments.

### Presentations and Guests:

While we are grateful to have you attend a City Council meeting. Please be sure to keep your presentation to a maximum of five (5) minutes in order to keep the meeting moving in an efficient and productive manner. Thank you for your understanding.

### City Council Policy for Correspondence:

All correspondence addressed to City Council or requested to be distributed to City Council by the named sender is a matter of public record and will be placed on the City of Bexley Website ([www.bexley.org](http://www.bexley.org)) at Public Documents/City Council/Council Correspondence. If the subject of the correspondence is not on the Council Agenda, but pertains City business, the sender may discuss the issue during Public Comments. If the subject of the correspondence is on the Council Agenda, the sender may discuss the issue at the time the issue is addressed during the Council meeting.