



City Council Meeting Minutes

Tuesday, September 26, 2023

1) Call to Order

Mr. Markham called the meeting to order at 6:02 pm.

2) Roll Call of Members

Council Members in Attendance: Troy Markham, Lori Ann Feibel, Jessica Saad, Jen Robinson, Matt Klingler, Monique Lampke

3) Pledge of Allegiance

4) Presentations/Special Guests

a) Darris Blackford for the Columbus Marathon

Mr. Blackford spoke about the upcoming Nationwide Children's Columbus Marathon which has raised more than 12 million dollars. He shared some of the highlights of the event and thanked Bexley for being part of the marathon.

b) Author Visits - Kelly Muir

Ms. Muir spoke about her book, *Lessons From Nowhere*, a memoir of Kelly's life that involves three formative years in Bexley, and the impact the community, which is now her home, had on her life. Ms. Lampke also shared some about Ms. Muir's success in martial arts, a skill which she teaches to many Bexley families.

5) Ordinances with Special Guests

6) Public Comments (Speaker Slip Required)

None.

7) President's Report

Mr. Markham reminded everyone that Council members are in budget season which will take some time over the next few weeks. Mr. Markham also reminded everyone that the Intel on Intel program at the library is tomorrow night, but registration is full.

8) City Attorney Report

No report.

9) Auditor's Report

Mr. McPeck spoke about some of the pieces of the recent audit and highlighted some of the potential areas of weaknesses that were identified during the audit, which he will continue to do to clarify these results for Council and for the community. Ms. Lampke shared her appreciation for his commitment to stay on top of this.

10) Administrative Update

a) Finance Department Update – Beecher Hale

Mr. Hale shared some of the highlights of his financial report and responded to questions from Council.

b) Police Department Update – Chief Gary D. Lewis, Jr.

In addition to sharing his report, Chief Lewis is excited to share that three officers will soon be living in Bexley, as a result of his efforts toward Council's interest in community policing. Mr. Markham also asked if the officers in the community were able to take advantage of the financial benefit approved for this purpose. Ms. Saad also asked about emergency management and communication in relation to Bexley's schools, which Chief Lewis answered. At Ms. Lampke's urging, Chief Lewis also shared more about the upcoming Coffee with a Cop event on October 4. Mr. Klingler asked about a recently announced effort to reduce gun violence in the City of Columbus and Chief Lewis shared his familiarity with this program and his willingness to be involved. Chief Lewis also shared a personnel update in response to Mr. Marcellino's request for an update.

c) Service Department Update – Andy Bashore

Mr. Bashore had nothing to add to his written report. Mr. Kessler spoke about the upcoming annual street paving project, which should be kicking off soon. Mr. Klingler asked about plantings on Drexel, which will occur this year and will not result in any full closures.

d) Recreation Department Update – Mike Price

Mr. Price shared some of the highlights of his report and some upcoming events.

e) Mayor's Update

Mr. Kessler shared some of the highlights of his report.

11) Consent Agenda (No Speaker Slip Required)

a) Meeting Minutes from September 12, 2023

Mr. Fishel read the item on the Consent Agenda.

Mr. Markham moved.

Mr. Klingler seconded.

All in Favor: Troy Markham, Lori Ann Feibel, Jessica Saad, Jen Robinson, Matt Klingler, Monique Lampke

Motion passed 6-0.

12) Third Readings (No 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.

Ms. Constance Lewis of 663 Euclaire asked if there was a process in place for residents who may need these funds to access them, which Mr. Price answered, clarifying that this fund is more specifically purposed to support senior programming and recreation to keep costs down.

Ms. Lampke moved to adopt Ordinance 31-23.

Mr. Klingler seconded.

All in Favor: Troy Markham, Lori Ann Feibel, Jessica Saad, Jen Robinson, Matt Klingler, Monique Lampke

Motion passed 6-0.

Mr. Markham asked to move Ordinance 35-23 up on the agenda.

13) Second Readings (Speaker Slip Required)

a) **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 as Mr. Marcellino will be late to the meeting, Mr. Kessler made an effort to share the rationale and intent behind this language, clarifying that he is sharing in a best effort to capture Mr. Marcellino's intent. Mr. Markham asked Chief Lewis if he had any concerns about enforcement or safety related to this change and Chief Lewis shared that he would be comfortable with this change. Mr. Fishel also made a clarifying comment.

Mr. Kessler also shared the current law and policy in Bexley and how this ordinance would impact that.

Mr. Marcellino arrived and joined the meeting at 6:49 pm.

Ms. Robinson asked a question about this ordinance.

Ms. Jodi Weston of 399 South Columbia asked a couple of clarifying questions about this ordinance and shared her concerns about how the list of dangerous dogs would be created and urged Council to consult recent studies and statistics. Ms. Weston also asked how a dog's breed would be determined.

- b) **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 information about the background and rationale behind the drafting of this ordinance. Mr. Kessler also provided some information about the existing ordinance.

Ms. Feibel spoke but her microphone did not properly record her voice, so her comments aren't decipherable. Ms. Lampke spoke about the ordinance, expressing the importance of keeping safety at the forefront of this issue. Ms. Saad asked if our Animal Control Officer could come to speak to Council about these issues, which Mr. Marcellino confirmed is in the works.

Ms. Dana Adler of 375 South Parkview Avenue thanked Ms. Feibel for sharing her story and then expressed her fear of walking in an area near her house, where she experienced a dog attack. Ms. Adler expressed her support of this ordinance and her feelings that this is needed to keep residents and their pets safe during pending investigations and legal processes involving matters like this.

Ms. Jodi Weston of 399 South Columbia expressed her concerns with the level of the offense and her belief that there is a need for a policy and procedures that can be put in place before Mayor's Court. She then expressed concerns about attacks at Wolfe Park.

- c) **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 shared that he would not add anything as this was well covered at the last meeting but did welcome any questions. Ms. Lampke asked about the potential of emergency language, which Mr. Kessler answered, stating that due to the time of year it's unlikely to be an urgent issue with temperatures dropping.

- d) **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. Feibel provided some background and rationale behind this ordinance. Mr. Fishel also clarified some language in the ordinance that was recently approved, clarifying what portion of the ordinance is up for vote. Ms. Feibel spoke again, but her microphone again did not pick up clearly at this time. Ms. Saad asked how many companies would be impacted and Ms. Feibel and Mr. Kessler answered that. Mr. Kessler also added that some additional legal review is still needed on this

Mr. Marcellino spoke in favor of this ordinance, expressing his intent to support it. Ms. Saad expressed her agreement but suggested a language change to the ordinance. Ms. Feibel provided some additional information which is mostly inaudible. Ms. Robinson asked the enforcement element, which Ms. Feibel answered, asking Mr. Kessler to provide detail on the enforcement and penalty, which he did. Ms. Lampke expressed her uncertainty about the implications on the contractor versus implications on the homeowner which feel more appropriate to her.

Tony Segers of 230 East Town Street in Columbus. Mr. Segers represents Ohio Plant. Mr. Segers provided some of the highlights of his background and the written testimony he provided in support of this ordinance.

Ms. Lampke asked about existing case law, which Mr. Seger answered.

- e) **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. This ordinance will move to the consent agenda for the next meeting.

- f) **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 handed this to the Mayor for more information, which he provided.

Mr. Markham moved to amend the agenda to add Ordinance 34+23 to the second readings section.

Mr. Klingler seconded.

All in Favor: Troy Markham, Lori Ann Feibel, Jessica Saad, Jen Robinson, Matt Klingler, Monique Lampke, Sam Marcellino

Motion passed 7-0.

- g) 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.

Mr. Fishel read the ordinance and Mr. Kessler provided some background and rationale. This ordinance will be moved to the consent agenda at the next meeting.

14) First Readings (Speaker Slip Required)

None.

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.
- 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.

Ms. Feibel moved to remove Ordinance 27-23 from the table.

Mr. Klingler seconded.

All in Favor: Troy Markham, Lori Ann Feibel, Jessica Saad, Jen Robinson, Matt Klingler, Monique Lampke, Sam Marcellino

Motion passed 7-0.

Ms. Lampke shared some of the history and rationale of this ordinance and her thought on the importance of positive changes on the future health of ourselves and neighbors. Ms. Feibel's microphone was still not functioning so her comments during this time were difficult to decipher fully. Ms. Lampke asked to have the ordinance pulled up so she could review a section and asked a question about signage. She also asked about the police department's capacity to enforce this, which Mr.

Kessler answered. Mr. Marcellino expressed his concerns about how enforceable this is in Bexley where many instances are on public streets. Ms. Feibel responded to this concern and Mr. Kessler also provided some additional information. Mr. Klingler expressed his appreciation of the work that's gone into this ordinance, but still expressed his concerns with the timing of passing this ordinance before moving forward with a strong communications push to inform residents ahead of time. Ms. Feibel responded to this suggesting a future effective date, which Mr. Fishel confirmed is legally possible. Mr. Markham expressed his appreciation for the rollback to City property only, but still expressed a concern on a clarifying issue. Ms. Lampke asked for input or feedback from the schools and whether we've received that, which Ms. Feibel and Mr. Kessler answered. Ms. Saad expressed appreciation for the conversation and asked for more time to review the ordinance. Ms. Robinson expressed her appreciation for the reworking of this ordinance and expressed her concerns with the potential of police interactions and enforcement that could turn in a negative direction given the probability that individuals may not be aware of this law. Mr. Kessler asked Mr. Fishel if it would be possible to transition this to a parking enforcement issue, which Mr. Fishel answered. Council members continued to discuss this ordinance and implications on residents, visitors, and potential challenges of enforcement.

Don Lewis of 663 Euclaire expressed concerns with the cost of a ticket and asked about fines for other infractions. Mr. Lewis also expressed concerns with whether this is a worthwhile use of officers' time. Mr. Lewis also expressed concerns with temperature.

Ms. Feibel moved to table Ordinance 27-23.

Ms. Lampke seconded.

All in Favor: Troy Markham, Lori Ann Feibel, Jessica Saad, Jen Robinson, Matt Klingler, Monique Lampke, Sam Marcellino

Motion passed 7-0.

16) Strategic Committee – Jen Robinson, Chair

Ms. Robinson shared about the One Bexley Gathering and invited questions. She also shared about an upcoming Author Visit with Laura Meckler on October 8 along with The Big Table event later in October.

17) Zoning and Development Committee – Matt Klingler, Chair

Mr. Klingler spoke about recent Land Use Strategy 2.0 meetings and upcoming meetings for ARB and BZAP. Mr. Klingler encouraged Council Members to review LinkUS which is potentially going to ballot this November.

18) Service and Environmental Committee – Lori Ann Feibel, Chair

Ms. Feibel's microphone was not picking up well and her comments here are undecipherable.

19) Recreation and Parks Committee – Jessica Saad, Chair

Ms. Saad spoke about the 40th anniversary of the Bexley Education Foundation and several upcoming events including the Legacy Giving event with BCF and BEF, the Halloween Bash and the Teen Halloween Bash, and the upcoming Jeffrey Park Preservation workshop.

20) Finance Committee – Monique Lampke, Chair

Ms. Lampke thanked everyone for coming early for the budget meeting.

21) Safety and Health Committee – Sam Marcellino, Chair

Mr. Marcellino reminded everyone of the upcoming HeartSafe Bexley AED training for elected officials. He also spoke about recent conversations he's had with residents of Euclaire regarding speed and safety, which he'll be discussing with the police chief.

22) Public Comments (No Speaker Slip Required)

City Attorney Marc Fishel reminded Council members that members of the public may come to speak about Trinity and provided some information about that.

23) Adjourn

Mr. Markham moved to adjourn.

Mr. Klingler seconded.

All in Favor: Troy Markham, Lori Ann Feibel, Jessica Saad, Jen Robinson, Matt Klingler, Monique Lampke, Sam Marcellino

Motion passed 7-0.

Meeting was adjourned at 8:36 pm.

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) 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.