



## City Council Meeting Minutes

Wednesday, March 3, 2021

7:00 PM

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**1) Call to Order**

Meeting called to order by Ms. Lampke Chair at 6:00 p.m.

**2) Roll Call of Members**

Monique Lampke Chair, Matt Klinger, and Lori Ann Feibel Council President -Committee Members

Others Present: Bill Harvey Auditor and Mayor Ben Kessler

**3) Pledge of Allegiance**

**4) Review of Minutes of February 17th, 2021**

Motion to Amend Minutes by Ms. Lampke and seconded by Mr. Klinger. Vote 3-0 AMENDED

Motion to Adopt Minutes made by Ms. Lampke and seconded by President Feibel. Vote 3-0 APPROVED

A) Minutes of 2-7-21

**5) Discussion of Charter Review Recommendations**

Ms. Lampke said at the last meeting we received the history of the Charter Review. She said we also discussed the timelines of when this needs to be placed on the ballot. She wants to discuss how many issues does everyone feel comfortable putting on the ballot. President Feibel said 10 and 5 seem like a lot but it depends on the content. If one is to update the language in the Charter to be more gender neutral to be inclusive, that is a simple one. Another quick simple one is the staggering of the committee terms which could be bundled to allow others to have more text.

Ms. Lampke is aiming at no more than 5 at the very max to be presented. Mr. Klinger said he was leaning more toward 3 or 4. He asked Mr. Fishel about the listing on the ballot, do we list how it is now and then how it will be? Mr. Fishel said the actual language is an extremely abbreviated version with no specific changes. To add in Article I the Civil Rights language has to be available to read at the polling site, listed in the newspaper and mail requirement.

Mr. Klingler referred to Section 14 and adding the Mayor with City Council remove the City Attorney but deleted the Supervisor of the Schools. He said we need to make it as easy as possible for the voters. Mr. Fishel said there are some that are very straight forward and there are some that may benefit from some explanation. Mr. Harvey said he does not think most voters will review these issues prior to voting. He agrees that it would be good to show the actual changes.

Ms. Lampke said she definitely thinks the Civil Rights wording is one that rose to the top of her list as far as issues to be placed on the ballot. We could start with a diversity, equity and inclusion "bundle". Further discussion regarding the this language. Ms. Lampke said she struggled with Section 3. because it has been adopted by the Strategic Plan Amendments by City Council already. She said Section 4 was a close vote by the Charter Review Commission. She had some concern about the wording in Section 5. Mr. Fishel said he needs to make sure that there is nothing inconsistent with the City's current Ordinance. He said Section 5 is not inconsistent. He thinks there are a lot of people looking for this in the Charter and if it is not included on the ballot, his concern is there will be more details that could cause issues. Mr. Fishel said if everyone down the road decides to "not have a Citizen Review Board" then there would be issues but he does have any concerns from a legal standpoint with that language. Mr. Harvey said if you think the Citizen's Review Board may not have all the support from the voters, we might want to make it a stand alone to make sure the whole bundle doesn't go down.

Ms. Lampke asked Mr. Wilson to share some of the input on this particular section. Mr. Wilson said the discussion started with proposals from the community that was too granular. We didn't want to be overly specific and did discuss the subpoena power. Members of our group did some study of similar panels to investigate how other communities are handling this issue but we didn't think the group would be credible if they had to rely on others to volunteer information.

Ms. Lampke said it sounds like this should be one of the 3 or 5 issues. Mr. Klingler said he hears about subpoena power but then hears issues with collective bargaining, etc. but he is not an attorney, so if Mr. Fishel approves, that is his concern. Ms. Lampke said given how important this is, it would be a good one to be a stand-alone on the ballot. Mr. Fishel said Section 1 - 4 is certainly more aspirational than Section 5 which is a "must" do statement. Ms. Lampke said she would be happy to take a look at our current Ordinance and speak with Mr. Fishel to see if we need to wordsmith.

President Feibel said she would like to hear the discussion of not including Section 4 but place it on the back burner for now. Section 3 are included in our Amended Strategic Plan so we could add this to the back burner as well. Ms. Lampke said she reviewed the Amended Strategic and read where the information provides for the same issues as listed in this Section 3's proposal. The part about Mayor's Court was discussed. Mr. Fishel wants to be very respectful to all the work the Charter Commission did but he thinks there is the potential for Ordinances to be presented versus ballot issues. This is an example to put on the list to make a legislative change vs. the Charter.

Ms. Lampke said that would leave us just Section 1 and 2 for consideration for the ballot. Mr. Fishel suggested that they include Section 8 as well. Ms. Lampke said we will do a deeper drive

then to Section 1,2 and 8. Ms. Lampke said she liked every word of Section 1 and the Charter Review took great care on every word.

Discussion continued regarding the specific language. The suggestion regarding notice to Council members was discussed along with the President Pro tem. Mr. Klingler said he doesn't understand why we would have a President Pro tem elected at the same time as President of Council. President Feibel said Council had discussed that we elect a President Pro tem at each meeting. Mr. Fishel suggested that it could be set up as the "most senior Council Member" would become automatically the President Pro tem. Ms. Lampke discussed the issue of other Council members not being excluded. Mr. Fishel said that is already the case by law. In his experience, Executive Session is called by City Council and it is City Council's decision to invite the Mayor and the Auditor. Mr. Fishel said there is language that you could exclude the Mayor, City Attorney or Auditor if that subject is about them, they could be excluded. Ms. Lampke wants to think about this section a little more. President Feibel said as far as Executive Session, this is also already law. President Feibel said Section 24 and 25 are both back burner issues.

Mr. Klingler said the Charter's suggestions do make it easier to read and some of the suggestions seem obvious but not necessarily something that needs to go on a ballot.

Ms. Lampke said Section 79 is regarding the Charter Review for every 10 years with specific deadlines and puts in place a mechanism to provide for the Mayor to appoint five members and the Council to appoint 10 members. Do we want to consider this a stand alone or does it need further consideration by Ordinance? President Feibel likes doing it by Ordinance because the timing makes me a little concerned because if the process takes 18 months, when does that process start and finish? The other issue that Mr. Harvey brought up is the make up of our community, age differences, etc. Mr. Harvey said if we assume whatever the makeup of the community; where do you place the age limits, races, etc. He does not think this last selection that we used is the best one and should be "locked" in if there are better ways in the future. Mayor Kessler helped vet the candidates and then he picked 5 and Council picked 10. How will City Council determine how to vet and pick their 10 people if they have to do it on their own? Discussion continued. Mr. Harvey explained that the Mayor had a lot of good candidates this time because he had other applicants for Boards and we had a good group that applied. After Council picked 10 people, the Mayor was still able to fill in what would help make a good group for us. It was somewhat luck plus skill that we got the group we did have. He thinks putting something in the Charter that says "you absolutely have to do it this way...." Ms. Lampke agrees with Mr. Harvey that we need to leave some flexibility for Council. Mr. Klingler suggested adding a year "ending with a 9" to just begin the process. Ms. Lampke asked if Mr. Klingler wanted this on the ballot? Mr. Klingler said no, he doesn't think this should be placed on the ballot. In all reality, only one City Council will have to deal with this.

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

Ms. Lampke asked the members to look at their calendar. We have Spring Break coming up so she suggested Wednesday, April 7th for the next meeting. Mr. Klingler asked how many more meetings do we need prior to a public forum? President Feibel said May 11th is the date hopefully for the first reading of the Ordinance regarding Charter Review. She would hope by April, all recommendations could be in place. Mr. Klingler thinks the sooner the next meeting, the better.

Ms. Lampke opened this up for Public Comments.

Mr. Jim Wilson - He said he did want to respond to Mr. Masser's comments at the last meeting. With respect to the section on future Charter Reviews is to make it mandatory vs. optional. The rest was we heard from a lot of Council members that they wanted to hear how it is done. Mr. Wilson said he would not have applied had he known it would become a popularity contest with public voting. He thinks Section 3 and 4 are profoundly important and shows a commitment to this community to undue racism. With respect to Section 4, hopefully everyone knows his respect for Mr. Fishel but again, he thinks it is just the 2nd sentence that Mr. Fishel has issues about. He would encourage them to consider adding these Sections and if you don't like a word, replace it. Bexley needs to be honest which makes us a more diverse community in the future. He said if someone wanted to challenge a decision in the Zoning office, you have to show "disparate" actions. He does think this is an opportunity at this time, important to the communities around us to show things people say about Bexley just simply are not true.

Ms. Stacy Grossman, 2745 Alleghany Ave. - She wanted to piggyback on what Mr. Wilson said. They did a knock out job of consolidating information from local advocacy associations for positive change. Listening tonight, she agrees that it is important to strive the importance of inclusivity. Other people are watching what we are doing. She said perhaps follow the timeline for the census along with the Charter Review. In terms of appointment, we are fortunately enough to have had David Madison, John Brennan and now Mayor Kessler. The general consensus was a Mayoral form of government. It says a lot about the respect and responsibility for the Mayor to see who would fit the five slots. The same applies to the Council members, Bexley is so small we are all familiar with each other and a tight knit community. She does not think it is too much responsibility to put on the Mayor to place the 5 person appointee for the Charter Review. Thank you all so much. Ms. Lampke said Ms. Grossman was instrumental in our work amending the Strategic Plan.

**7) Adjourn**

Ms. Feibel moved to adjourn and Mr. Klingler seconded. Vote 3-0 ADJOURNED 9:00 PM