



City Council Meeting Agenda

Tuesday, May 11, 2021

6:00 PM

- 1) **Call to Order**
- 2) **Roll Call of Members**
- 3) **Pledge of Allegiance**
- 4) **Discussion of City Council Appeal Case # 21-02**
- 5) **Presentations/Special Guests**
 - A) Rapid5 Project - Alicia Gaston, ULI Columbus
- 6) **Public Comments**
- 7) **President's Report**
- 8) **City Attorney Report**
- 9) **Administrative Update:**
 - A) Finance Department
 - B) Police Department
 - C) Service Department
 - D) Recreation Department
 - E) Mayor's Update
- 10) **Consent Agenda:**
 - A) Minutes from April 27, 2021 Meeting
- 11) **Ordinances/Resolutions with visiting presenters**
 - A) Resolution 05-21: A Resolution approving the 2021 Bicycle Friendly Bexley Plan (introduced by Richard Sharp on May 11, 2021)
- 12) **Third Readings:**
 - A) Resolution 04-21 approving the 2021 Havenwood Park Landscape Plan, introduced by Mr. Klingler, (Introduced on 4-13-21)
 - B) Ordinance 16-21 to amend the Capital Stadium Lights Planning Approval Conditions in

light of pandemic-based changes to Capital University's athletics schedule, in order to allow for two night-time licenses in 2021 to operate stadium lighting in which the lights are on past the hour of 9:30 pm but off prior to the hour of 11:00 pm, introduced by Ms. Saad (Introduced on April 13, 2021)

- C) Ordinance 17-21 to amend Chapter 1476, Unsafe Buildings, to include provisions for unsafe sites, introduced by Ms. Saad (Introduced on 4-13-21)

13) Second Readings:

- A) Ordinance 18-21, to appropriate \$50,000 from the General Fund for the purpose of paying legal fees in 2021, introduced by Mr. Markham (introduced on April 27, 2021)

14) First Readings:

- A) Ordinance 19-21: An ordinance to amend 262.02 (c)(13), Tuition Reimbursement, in order to allow for tuition reimbursement for employees hired after January 1, 2012 (introduced by Mr. Markham on May 11, 2021)
- B) Ordinance 21-21: An ordinance authorizing participation in the ODOT road salt contracts awarded in 2021 (introduced by Troy Markham on May 11, 2021)
- C) Ordinance 22-21: An ordinance to place proposed amendments to the City of Bexley Charter for voter approval on the November 2021 ballot (introduced by Ms. Lampke on May 11, 2021)
- D) Ordinance 23-21: **An Ordinance accepting the donation of an Access Easement, Conservation Easement and 1.175 acres of real property adjacent to and east of Alum Creek to the City of Bexley (introduced by Mr. Klingler)**
- E) Resolution 06-21: A resolution to adopt the tax budget for calendar year 2021 attached hereto as "Exhibit A" (introduced by Mr. Markham on May 11, 2021)

15) Tabled Ordinances:

- A) Ordinance 12-21, to adopt and approve the City of Bexley Electric Aggregation Plan of Operation and Governance, and to declare an emergency, introduced by Mr. Sharp (introduced on March 9, 2021).

16) Judiciary and Strategic Committee - Monique Lampke, Chair

- A) Charter Review Commission Recommendations
- B) April 27th Memo to Council
- C) April 27th Powerpoint Presentation

17) Service and Environmental Committee - Richard Sharp, Chair

18) Finance Committee - Troy Markham, Chair

19) Safety and Health Committee - Jen Robinson, Chair

20) Zoning and Development Committee - Jessica Saad, Chair

21) Recreation and Parks Committee - Matt Klingler, Chair

22) Public Comments (No Speaker Slip Required)

23) Adjourn

All agendas are subject to change.

City Council Policy for Correspondence:

All correspondence addressed to City Council or requested to be distributed to City Council by the 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, 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.

City Council Policy for Public Comments:

Members of the public are encouraged to provide comments to City Council at the following times:

For issues that are not on Council's agenda:

- At a designated public comment period near the beginning of the meeting

For items on Council's agenda (when speaker slip has been filled out in advance):

- During an ordinance or resolution that is being discussed
- Residents may submit up to two separate speaker slips per meeting
- Please note that the speaker slip must be filled out prior to entering Council chambers and must be promptly handed to the Council secretary

For items on Council's agenda (when a speaker slip has not been filled out in advance):

- During the public comment period after a motion has been made and seconded to adopt an ordinance or resolution (typically the third reading)
- During a designated public comment period at the end of the meeting

Time limits for public comments:

While City Council will not routinely impose time limits on either Agenda or Non-Agenda visitors who wish to address City Council, those commenting are asked to confine their remarks to approximately five (5) minutes and for Agenda items, to direct their comments to the subject matter being addressed in the legislation. This five minute limitation also applies to City Council members per 220.01 (rule 13).

Additional guidelines for public comments:

- Any speaker addressing Council shall provide his/her name and address.
- Undue interruption or other interference with the orderly conduct of remarks is not permitted.
- Defamatory or abusive remarks are always out of order.
- Violation of this policy may result in termination of the speaker's comments and/or removal from the meeting



Bexley City Council Minutes
April 27, 2021
6:00 p.m.

City Council Members:

President Lori Ann Feibel, Matt Klingler, Monique Lampke, Troy Markham, Jen Robinson, Jessica Saad, and Richard Sharp

Elected Officials:

Mayor Ben Kessler, Auditor Bill Harvey

Summary minutes are supplemented by a full audio record of meetings. To review meeting audio, please visit www.bexley.org/meetings.

1) Call to Order

Meeting was called to order by President Feibel at 6:00 p.m.

2) Rollcall

Members Present:

President Lori Ann Feibel, Matt Klingler, Monique Lampke, Troy Markham, Jen Robinson, Jessica Saad, and Richard Sharp

Members Absent:

None

3) Pledge of Allegiance - 6:02 p.m.

4) Presentations/Special Guests - None

5) Public Comments

President Feibel said this period is for public comment to be made for items not on the agenda. She asked if anyone had comments, to please state their name and address prior to speaking. There are no comments.

6) Public Hearing and reading of Ordinance 11-21

- a) Ordinance 11-21, to amend Amended Chapter 1230, Definitions; Chapter 1252.15, Accessory Uses and Structures; and Chapter 1223.05, Demolition; in order to provide for additional regulations and criteria related to the construction and demolition of accessory uses and structure in the City, introduced by Ms. Saad (introduced on March 9, 2021).

Motion to remove Amended Ordinance 11-21 from the table made by Ms. Saad. Motion seconded by Ms. Robinson. Vote 7 – 0 REMOVED FROM TABLE

Ms. Bokor provided a report from BZAP.

Council and the Mayor discussed the ordinance.

The public was asked for comments; no public comment was provided.

Motion to amend Amended Ordinance 11-21 by Ms. Saad. Motion seconded by Mr. Sharp. Vote 7 – 0 AMENDED

Motion to approve Amended Ordinance 11-21 by Ms. Saad. Motion seconded by Ms. Lampke. Mr. Sharp made a comment. Vote 7 – 0 APPROVED

- 7) **President's Report** - President Feibel reminded Council to complete their financial statements by May 17, 2021 and shared the Bexley Celebrations and Events Committee is working to create shared experiences, including July Fourth activities. She and Mayor Kessler are planning a quarterly roundtable with community leaders.

- 8) **City Attorney Report** - Mr. Fishel and council discussed an appeal that was filed regarding the BZAP's decision on 2300 East Livingston Avenue.

9) Administrative Update:

- a) Finance Department Update - Auditor Harvey reminded Council members to file taxes. He shared the March report on the screen and stated revenue is down below the budget, which was lowered based on pandemic. He is unsure if this is indicative of anything other than the payment of taxes has been delayed. However the City is still in good financial shape.
- b) Police Department Update - Chief Rinehart said he had no report other than his written report. Ms. Robinson announced a grant from the BCF for Police Appreciation Event and training.
- c) Service Department Update - Mr. Bashore said he had nothing to add to his written report. Ms. Lampke told Mr. Bashore that the Service Department employees who

assisted with Green Bexley Clean Up Day were very helpful. Mr. Sharp asked Mr. Bashore to include information on the Sewer Remediation Program to his report in the future.

- d) Recreation Director Update - Mr. Price said he had nothing to add to his written report. Mr. Sharp asked Mr. Price if he would like to highlight anything from his worksheet regarding the Mansion Project. This will be discussed during the conversation regarding the ordinance.
- e) Mayor's Report
Mayor Kessler provided highlights from his written report.

10) Consent Agenda:

Motion was made to amend Council Minutes from April 13, 2021 by Ms. Saad, so her report on page 6 reads, "Ms. Saad wanted to thank our local Bexley artists: A.J. Oshi, Anna Sokol, and Dalia Kanaps for Contributing their Artwork to be showcased in the Bexley Artists bike Rack Series."

Motion was seconded by Ms. Feibel.

Vote 7-0 PASSED

- a) Ordinance 13-21 to appropriate \$8,089.45 from the Unencumbered General Fund to pay for replacement of a Jeffrey Park stage and tent that were destroyed during a storm in 2020, introduced by Mr. Markham (Introduced on 3-30-21)
- b) Ordinance 15-21 to appropriate \$15,700 from the Water Fund to pay for waterline reconstruction in conjunction with the 2021 street reconstruction project, introduced by Mr. Markham (Introduced on 3-30-21)
- c) Resolution 03-21 to confirm the Mayor's appointments of Clare Ceballos to the Recreation Board, introduced by Matt Klingler (introduced on March 30, 2021)
- d) 4-13-21 Amended City Council Minutes

Motion for adoption of the Consent Agenda by Ms. Lampke, seconded by Ms. Robinson. Vote 7-0 PASSED

11) Ordinances/Resolutions with visiting presenters – Resolution 04-21 approving the 2021 Havenwood Park Landscape Plan, introduced by Mr. Klingler, (Introduced on 4-13-21)

This is a second reading; Ms. Elena Andrews shared her Powerpoint presentation detailing the park's history, Havenwood Park Landscape Plan's Guiding Principles (provide an organic experience, maintain the intimate informality of the park, promote education and awareness, provide appropriate hardscape elements, consider a tree succession plan, and provide signage), observations, opportunities, and the design process (new perimeter stone walls, new patio with raised platform and ramp, new shrubs, new trees, new perennials, annuals and furniture), next steps, and special thanks.

Ms. Andrews, Council, and Mayor Kessler discussed the presentation.

Mr. Pitts asked if this is an appropriate time to comment on another matter.

Constance Lewis, 663 Euclaire - Ms. Lewis complimented the job and asked the earliest the project can start, as well as questions about the bench funded by the South Bexley Neighborhood Association.

Mayor Kessler said Ms. Andrews can be an onsite guide.

Mr. Sharp asked a point of order for the initial public comment period.

12) Third Readings:

- a) Amended Ordinance 14-21 to appropriate \$180,000 from the Recreation Fund, and to appropriate \$350,000 from the Unencumbered General Fund and an additional \$150,000 from the Recreation Fund to pay for expenses related to the Jeffrey Mansion expansion, introduced by Mr. Markham (Introduced on 3/30/21)

Council, Mr. Price, and Mayor Kessler discussed the ordinance. **Motion to table Ordinance 31-20 made by Mr. Markham. Motion seconded by Ms. Saad. Vote 7-0 TABELD**

13) Second Readings:

- a) Ordinance 16-21 to amend the Capital Stadium Lights Planning Approval Conditions in light of pandemic-based changes to Capital University's athletics schedule, in order to allow for two night-time licenses in 2021 to operate stadium lighting in which the lights are on past the hour of 9:30 pm but off prior to the hour of 11:00 pm, introduced by Ms. Saad (Introduced on April 13, 2021)

Ms. Saad said the South Bexley Neighborhood Association is in favor of this and reiterated Mayor Kessler's previous comments regarding timing in light of the pandemic and lowered capacity.

Ms. Feibel would like this to be heard again instead of going on the consent agenda.

- b) Ordinance 17-21 to amend Chapter 1476, Unsafe Buildings, to include provisions for unsafe sites, introduced by Ms. Saad (Introduced on 4-13-21)

Council, Mayor Kessler, and Mr. Fishel discussed the ordinance.

14) First Readings:

- a) Ordinance 18-21, to appropriate \$50,000 from the General Fund for the purpose of paying legal fees in 2021, introduced by Mr. Markham (introduced on April 27, 2021)

Council, Mayor Kessler, and Mr. Fishel discussed the ordinance.

15) Tabled Ordinances:

- a) Ordinance 10-21 creating a Designated Outdoor Refreshment Area in a specified portion of the Main Street District and enacting regulations and declaring an emergency, introduced by Mr. Klingler (Introduced on 2-23-21)

Motion for removal from the Table of Ordinance 10-21 by Mr. Klingler, seconded by Ms. Robinson. Vote 7-0 REMOVED

Council, Mayor Kessler, and Mr. Fishel discussed the ordinance.

Mr. Tim Pitts, 2707 South Dawson Ave - spoke in favor of this ordinance, citing how this has positively impacted other communities. He encouraged Council to implement and reevaluate, if need be.

Motion to approve Ordinance 10-21 by Mr. Klingler, seconded by Mr. Sharp. Vote 7-0 APPROVED

- a) Ordinance 12-21, to adopt and approve the City of Bexley Electric Aggregation Plan of Operation and Governance, and to declare an emergency, introduced by Mr. Sharp (introduced on March 9, 2021). (t

16) Service and Environmental Committee Reading of Ordinances & Meeting - Richard Sharp, Chair

- a) Old Business
- b) New Business
- c) Service Committee Report – Mr. Sharp and Mr. Kessler discussed me meeting regarding a plan of operation and government ordinance. Mr. Sharp asked Mr. Kessler about any areas of the City with Columbia Gas line issues this year.

16) Finance Committee Reading of Ordinances & Meetings - Troy Markham, Chair

- a) Old Business
- b) New Business:
- c) Finance Committee Report – No report. Mr. Markham said the CIC didn't meet last month but will meet just before the next Council meeting.

17) Safety and Health Committee Reading of Ordinances & Meetings- Jen Robinson, Chair

a) Old Business

b) New Business

c) Safety Committee Report – The BCF is supporting Juneteenth observance and programs, including an upcoming author presentation, and BCS is also part of these programs.

18) Zoning and Development Committee Reading of Ordinances & Meeting – Jessica Saad, Chair

a) Old Business

b) New Business

c) Zoning Committee Report – Ms. Saad met with The College Experts storefront; they will sponsor some of the Juneteenth programs. Ms. Saad is available to assist facilitating a meeting with new businesses. Three Peletonia routes will come through Bexley.

19) Recreation and Parks Committee Reading of Ordinances & Meeting – Matt Klingler, Chair

a) Old Business

b) New Business

c) Recreation Committee Report – Mr. Klingler and Ms. Lampke toured the Mansion; it is in good shape and money has been well spent.

20) Judiciary and Strategic Committee Reading of Ordinances & Meetings – Monique Lampke, Chair

a) Old Business

b) New Business

d) Judiciary Committee Report

a. Charter Review Commission Recommendations

b. April 27th Memo to Council

c. April 27th Powerpoint Presentation – Ms. Lampke reviewed the Charter Review Commission’s progress, as well as Council’s working group recommendations to potentially be included in the November 2021 ballot, noting that the Board of Elections has the final determination on ballot language. The working group is recommending five bundles (diversity equity and inclusion; Citizen Review Board; board, committee, and commission board term lengths; ability to remove City Attorney; and nuances about council meetings and holding elections). Ms. Lampke also shared suggested issues to be considered for possible legislative

action by Council and suggested issues to be considered during future discussions.

Mr. Fishel, Auditor Harvey, and Council discussed the presentation

21) Public Comments (No Speaker Slip Required)

Jim Wilson, 2404 Bexley Park Road – thanked the Council committee in their work on the Charter Review Commission’s proposed amendments, and urged Council to take their review seriously.

The next Council meeting is scheduled to be held in person.

22) Adjourn – Motion made by Mr. Klinger, seconded by Ms. Saad. Vote 7 – 0 ADJOURNED

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Minutes Approved: _____, 2021

Attest: _____
William Harvey, Clerk of Council

Lori Ann Feibel, President of Council

RESOLUTION NO. 04 - 21

By: Matt Klingler

A Resolution approving the 2021 Havenwood Park Landscape Plan

Whereas, Havenwood Park is a unique and important park within the City's greenscape, and has historically functioned as a passive neighborhood park; and

Whereas, It has been several decades since the City invested in landscape design within the park, and a variety of landscape features have declined over the years; and

Whereas, City of Bexley design staff worked with a group of interested residents to arrive at a landscape plan to refresh the existing landscape and preserve the park's historical context as a passive park for the enjoyment of adjacent residents and visitors to the park; and

Whereas, Numerous public workshops and opportunities for public engagement have been conducted, including onsite tours of the park; neighborhood outreach; review and approval by the Tree and Public Gardens Commission; and presentation to the South Bexley Neighborhood Association; and

Whereas, The process for approval by City Council provides additional venues for resident engagement and feedback, and provides the administration with the confidence to pursue funding opportunities for the proposed landscape plan;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the 2021 Havenwood Park Landscape Plan, attached hereto as Exhibit A, is hereby approved.

Section 2. That this Resolution shall go into full force and effect at the earliest period allowed by law.

Passed _____, 2021

Attest: _____, 2021
William Harvey, Clerk of Council

Lori Ann Feibel, President of Council

Benjamin Kessler, Mayor

First Reading: 04-13-21
Second Reading:
Third Reading:



HAVENWOOD PARK LANDSCAPE PLAN

History, Guiding Principles, Observations and Opportunities, and Design

April 2021

spruce

City of Bexley's Parks

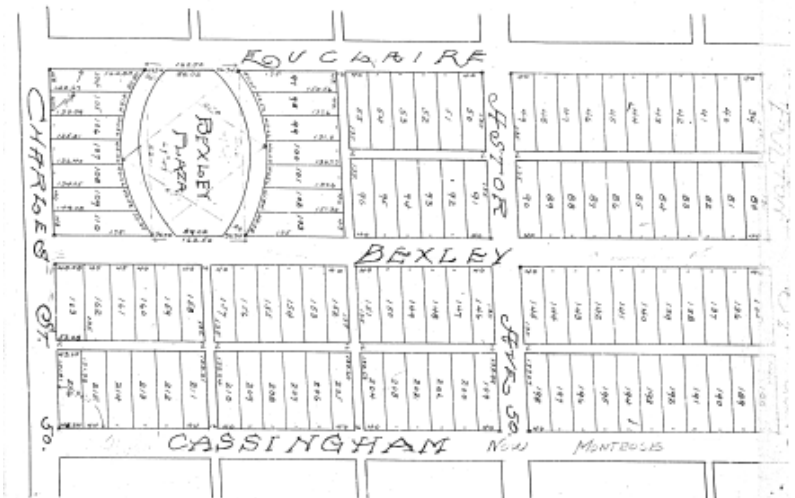


Purpose

Four parks can be found within Bexley city limits: Commonwealth Park, Havenwood Park, Jeffrey Park, and Schneider Park. Each one has their own distinctive appearance and use. Havenwood Park is the smallest park with beautiful mature trees that contribute to the City of Bexley's Arboretum. Much of the current landscape is overgrown and stone walls along the perimeter are failing. Remnants of an intended landscape design are visible but unfortunately all documents have been lost that would have explained the design vision. A new vision is needed for Havenwood Park to allow it to serve its residents for the next century.

68
Original returned to
Franklin Dispatch May 11, 1912

BEXLEY PLAZA



We, the undersigned The Bulen Realty Syndicate Company by its President and Secretary, duly authorized in the premises, do and lawfully certify that they have caused the plat herein shown by them and hereinafter described to be laid out and platted and subdivided into lots, streets, alleys and sidewalks as shown upon the plat herein annexed, said subdivision of land to be hereafter designated and known as BEXLEY PLAZA ADDITION, said real estate as subdivided being in the Township of Bayles, County of Franklin, State of Ohio, and being more particularly described as an amended subdivision of lots 7 to 10 inclusive and lots 49 to 50 inclusive, of Bixbee Addition as recorded in Plat Book No. 7, Page 15 & 4, Recorder's Office, Franklin County, Ohio.

The dimensions of lots, widths of streets, alleys, etc., are indicated thereon in feet and decimal parts thereof. All streets and alleys not herebefore dedicated now hereby dedicated to public use as highways.

In Witness Whereof, The Bulen Realty Syndicate Company, by J. Elwood Bulen, its President and Florence M. Bulen, its Secretary in presence of a resolution adopted by its Board of Directors on the 15 day of April, 1912, have hereunto caused the corporate seal to be affixed by its President and Secretary, this 15 day of April in the year of our Lord 1912.

Signed and acknowledged in our presence:

C. F. John
Notary Public

The Bulen Realty Syndicate Co.,
By J. Elwood Bulen, Pres.
By Florence M. Bulen, Secy.

State of Ohio, Franklin County, s. s.
I, the undersigned, Notary Public, do hereby certify that on this 15 day of April A. D. 1912 before me, the subscriber, a Notary Public in and for said County, personally came the above named The Bulen Realty Syndicate Company, by J. Elwood Bulen, its President and Florence M. Bulen, its Secretary, who are said President and Secretary duly authorized by a resolution adopted by its Board of Directors on the 15 day of April 1912 and acknowledged the signing of the same to be their voluntary act and deed for themselves and in the voluntary act and deed of said Company for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and affixed my official seal on the day and year aforesaid.

(Seal)
J. Elwood Bulen,
Notary Public, Franklin Co. O.

Book 10 Page 68

THE COLUMBUS SUNDAY DISPATCH, SUNDAY, JUNE 10, 1912

FOR SALE FOR SALE FOR SALE FOR SALE FOR SALE FOR SALE
LOTS LOTS LOTS LOTS LOTS LOTS

YOU ARE INVITED AND URGED TO COME TO THE GRAND OPENING OF

BEXLEY PLAZA

Take Main Street Car Direct to Capital University, Then a Short Walk (Over Good Walks) East on Main Street to the Big Sugar Trees

PICNIC

Bring Your Lunch and Celebrate the 4th in Picnicking in Beautiful Bexley Plaza Park. Plenty of Large Shade Trees.

Come Rain or Shine
We Have Parasols and Good Walks All the Way.

BEXLEY PLAZA STANDS FOR

The Closest Moderate Priced Addition to Bexley and City Car Service
Bexley is the highest land east and the location of most of our large homes.
REASONABLE BUILDING RESTRICTIONS PROTECT THE HOME OWNER

CHURCH and SCHOOL

Are only two squares from Bexley Plaza

The Same Influences

That so rapidly built up all properties about the State University will work out here, by the Capital University.

CITY DELIVERIES

And Local Store Facilities are Handy

The Rapid Growth of Our City

And its progressive trend to the east made certain by large developments, will increase land values to high profits.

MAGADAMIZED STREETS

Our sidewalks are wide, trees and parks all paid for, bear the no assessments charged outside precincts.

AMPLE LARGE LOTS

All Thru to Alley
\$225 Up

Only \$10 Cash and \$5 a Month

In Sight of Some of Our Finest Homes

All High-Class Environment

OR LARGE PARCELS

Fronting 60 Ft. at
\$450 and Up

Terms \$10 Cash and \$10 a Month

MAIL COUPONS FOR

Advance Reservations

Or telephone our Office before the 4th, when you will be called for by one of our Autos.

The Main St. car service is our best double track line with cars, with Ohio State University at one terminal and Capital University at the other.

Main Street is also one of our widest, oldest and finest thoroughfares, connecting with all of our best boulevards.

DON'T WAIT BUT GRASP THE OPPORTUNITY—NOW

BULEN REALTY SYNDICATE

Cor. High and Long
Douglas Building

Could use a Couple Good Salesmen

Elevator 9 West Long
Gitz. 3834

Buy Lots Where An Addition Goes Somewhere.

EYE THESE LOTS

THIS VIEW SHOWS ONE OF BEXLEY PLAZA'S THRU STREETS, APPROACHED FROM WAY NORTH OF BROAD ST. BY CASSIDY BOULEVARD. CONTINUES CLEAR THRU BEXLEY PLAZA ADDITION FROM

Main to Livingston

Crossed by Mound, Fulton, Astor, Charles St. and Bexley Plaza Park (note thick border of trees in Bexley Plaza Park).

Not running blind into a cornfield or hemmed in or crossed by a railroad or interurban.

Not In the Country

But a continuation of the city as noted by the familiar streets.

Buy Lots On Thru Thoroughfares

Where All the Streets Are Good and Lead Thru Good Property.

Not Bordered by Factories, Railroads or a Cheap Class of Property.

Be Sure of a Main Outlet.
Be Sure of Your Car Service.
Be Sure There's Room For Growth.
Be Sure of Your Present Surroundings.

Then Your Future Is Secure

Bexley Plaza

ADJOINS EXCLUSIVE BEXLEY, HAS CITY CAR SERVICE, SCHOOLS, CHURCHES, CITY DELIVERIES, BEAUTIFUL PARK AND CONNECTS WITH ALL OUR BEST BOULEVARD THRU OUR BEST PROPERTY.

LOGATED ON EAST MAIN ST.

At the Sign of the Big Sugar Trees,
Just East of the Capital University.

The Terminus of the Main St. City Car Line With Owl Car Service.

You Owe It to Yourself to Visit

THIS IDEAL PROPERTY

Seeing Is Believing—Buying Is Easy

CALL OFFICE FOR AUTO. OR
TAKE MAIN ST. CAR TO CAPITAL UNIVERSITY
—WALK EAST.

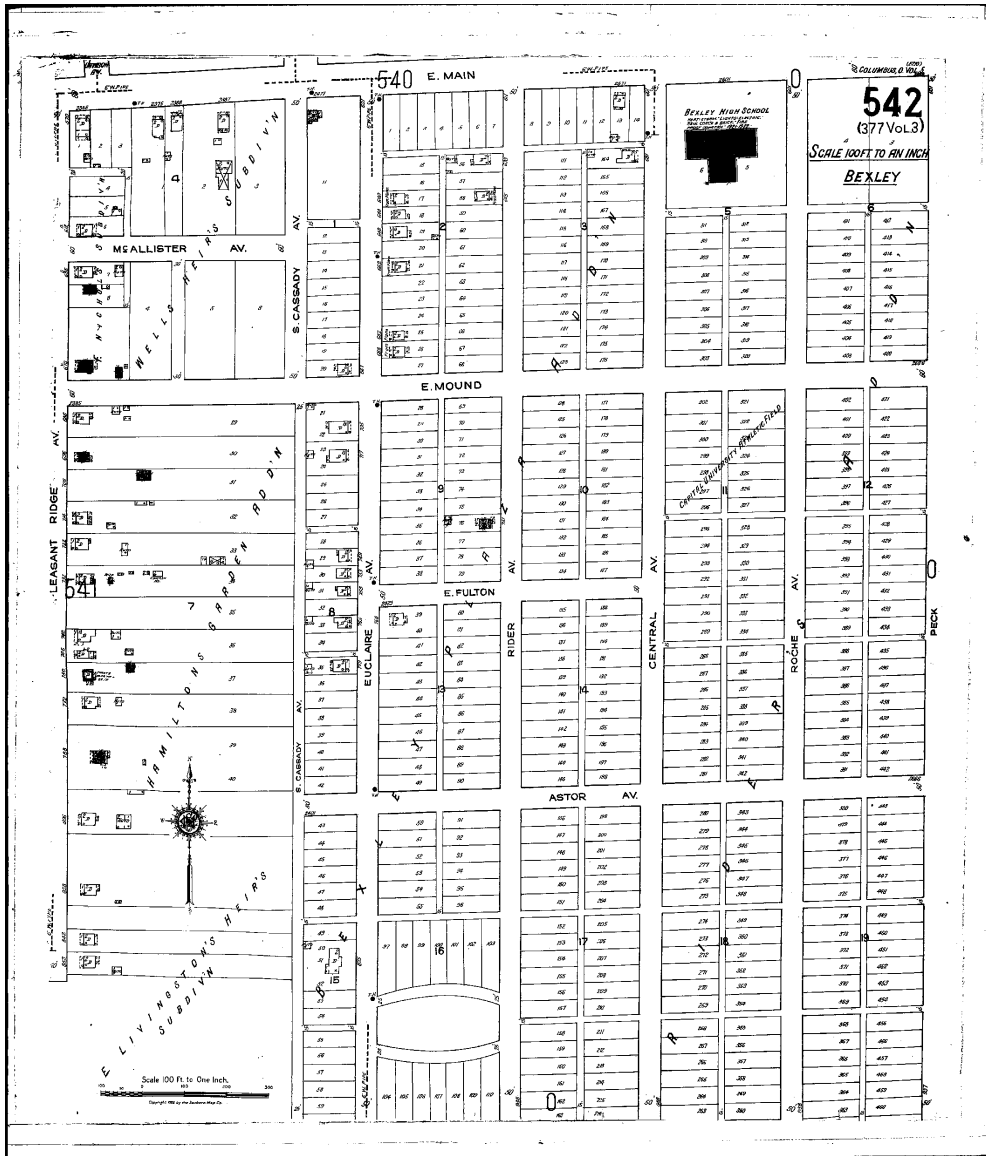
Bulen Realty Syndicate

Corner High and Long
ELEVATOR 9 W. LONG.

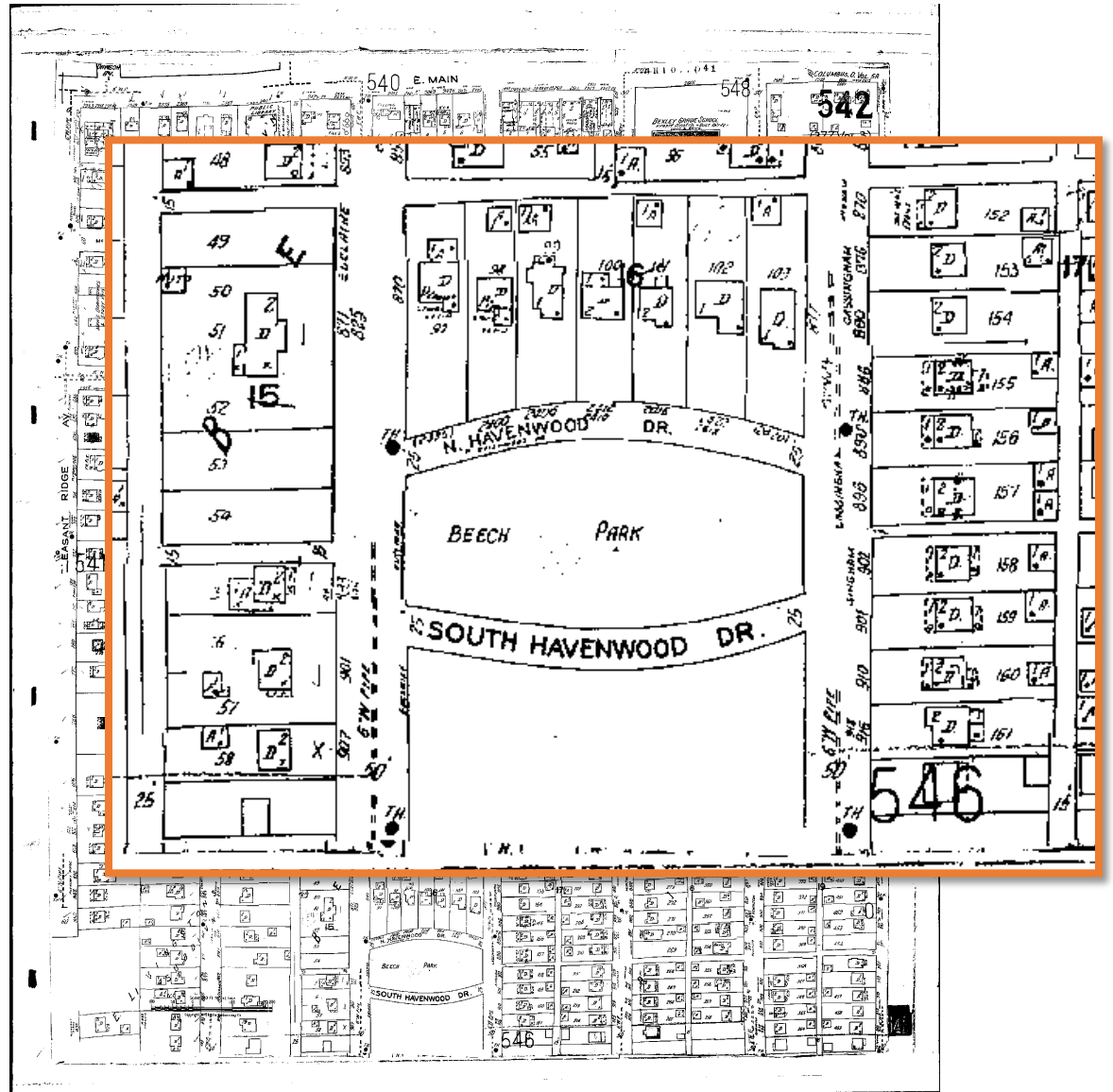
Douglas Bldg.
GITZ. 3834

'Bexley Plaza Addition' Deed
April 15, 1912

Bexley Plaza Grand Opening, Columbus Dispatch
June 1912 and July 1912



Sanborn Fire Insurance Map
1922 Volume 5 Sheet 542



Sanborn Fire Insurance Map
1951 Volume 5 Sheet 542

Guiding Principles



“The park that has nothing”

Guiding Principles

1. Provide an Organic Experience – Havenwood Park is not a heavily programmed park with multiple scheduled activities throughout the seasons. A wide range of both planned and unplanned activities spontaneously take place in the park. The intention is to keep this passive park open to everyone who would like to use it. Except for formal athletic practices which are not desired, anticipated uses include:

- Walking, sitting, and playing by both people and pets
- Jazz in the Park (annual summer jazz series hosted by the City of Bexley)
- Yoga, disc golf, Tai Chi, impromptu soccer practices for young kids
- Art
- The Little Library
- Bird watching
- Photography
- Potlucks, picnics
- Annual Easter Egg hunt



Guiding Principles

2. Maintain the Intimate Informality of the Park – As a small-scale park, plantings and furnishings should contribute to the intimate atmosphere. The open space in the center should be maintained for larger gatherings and play. The perimeter can provide spaces for individual seating (benches, tables and chairs, grill?), small scale gathering and natural play within the landscape.



Guiding Principles

3. Promote Education and Awareness – As part of the Bexley Arboretum, this is an excellent opportunity to label the existing trees in the park as well as install new shrubs and perennials to educate the visitors. Plants should be chosen to provide a variety of both native and non-native species that do well in the various light conditions found within the park as well as be hardy enough to withstand kids playing around them.



Guiding Principles

4. Provide Appropriate Hardscape Elements –

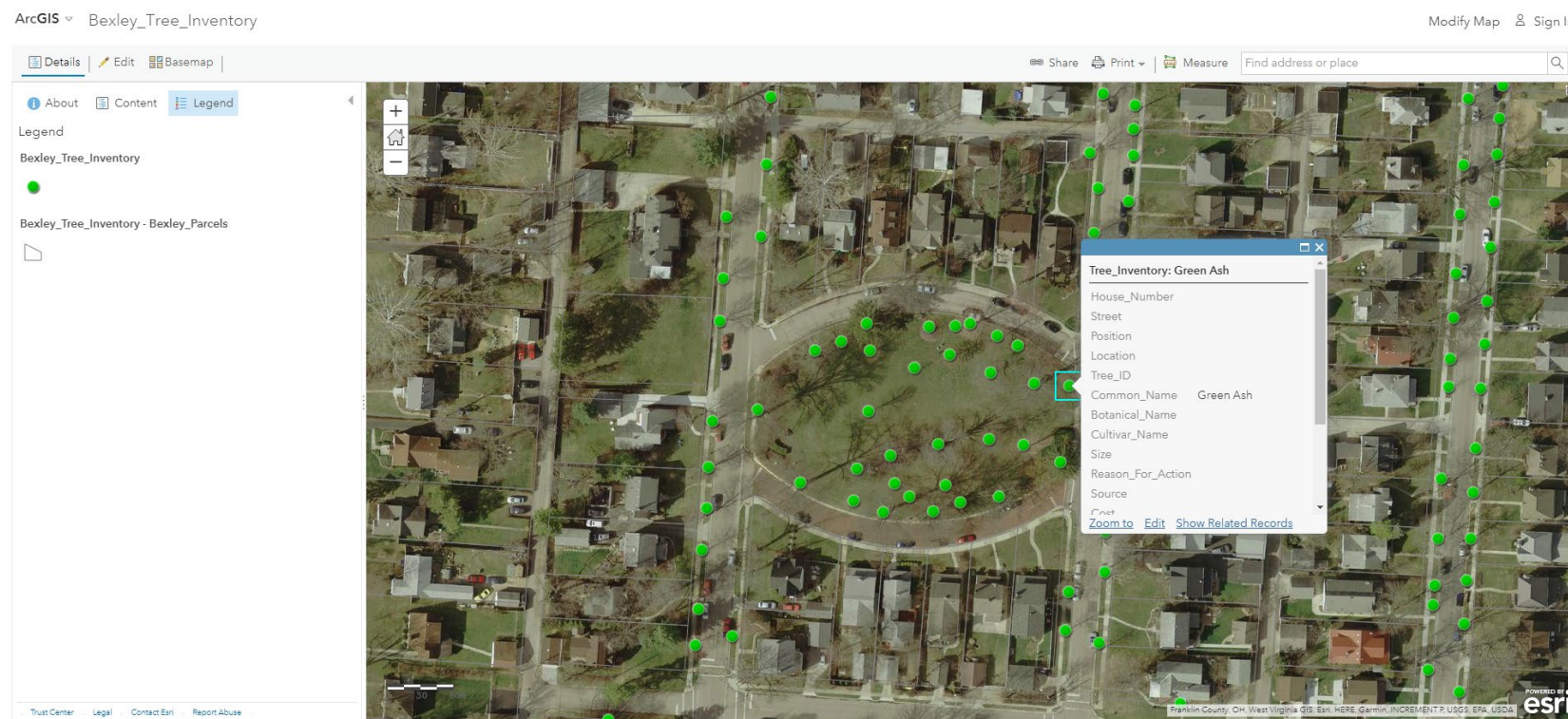
Currently, the only hardscape elements that exist in Havenwood Park are the dry-stack stone walls at the east and west ends which are in dire need of repair/replacement. Hardscape elements for Havenwood Park can include:

- Stone retaining walls to both retain the soil as well as provide safe areas for climbing and play.
- Patio that can be used for the stage during Jazz in the Park as well as well as tables and chairs.
- Sidewalks currently exist along Cassingham Rd and Euclaire Ave. Defined paths within the park are not appropriate or desired.
- Boulders for sitting and play.



Guiding Principles

5. Consider a Tree Succession Plan – The health and safety of the trees and residents are crucial. In order to maintain the feel and tree coverage of the park, it is recommended that the City consider a Tree Succession Plan.



Guiding Principles

6. Provide Signage – At the entries along Cassingham Rd and Euclaire Ave, signage to identify Havenwood Park is appropriate. The design and format will need to be determined by a separate design committee. Informational signage to identify the trees, shrubs and perennials is appropriate and should follow the existing format already determined by the City. An informational plaque to explain the history of Havenwood Park may be appropriate. The format should match the historic sign already approved by the City at Drexel Circle.



Observations



Almost symmetrical west and east ends

West End



West End



East End



Layering of repeated plant material:

- Lily Turf
- Taxus
- Lilac
- Kousa Dogwood
- Holly
- Witch Hazel
- Daylily
- Groundcover



East end main entry | West end secondary entry

West End

East End



Main Entry



Secondary Entry

Accessories



Declining and/or missing plant material



Opportunities



Opportunities



1 –Ramp (material TBD)

2 – Hardscape pavers to accommodate stage and tables (material TBD)

3 – New stone retaining walls and annuals (material TBD)

4 – Introduction of boulders for sitting and climbing

5 – Benches

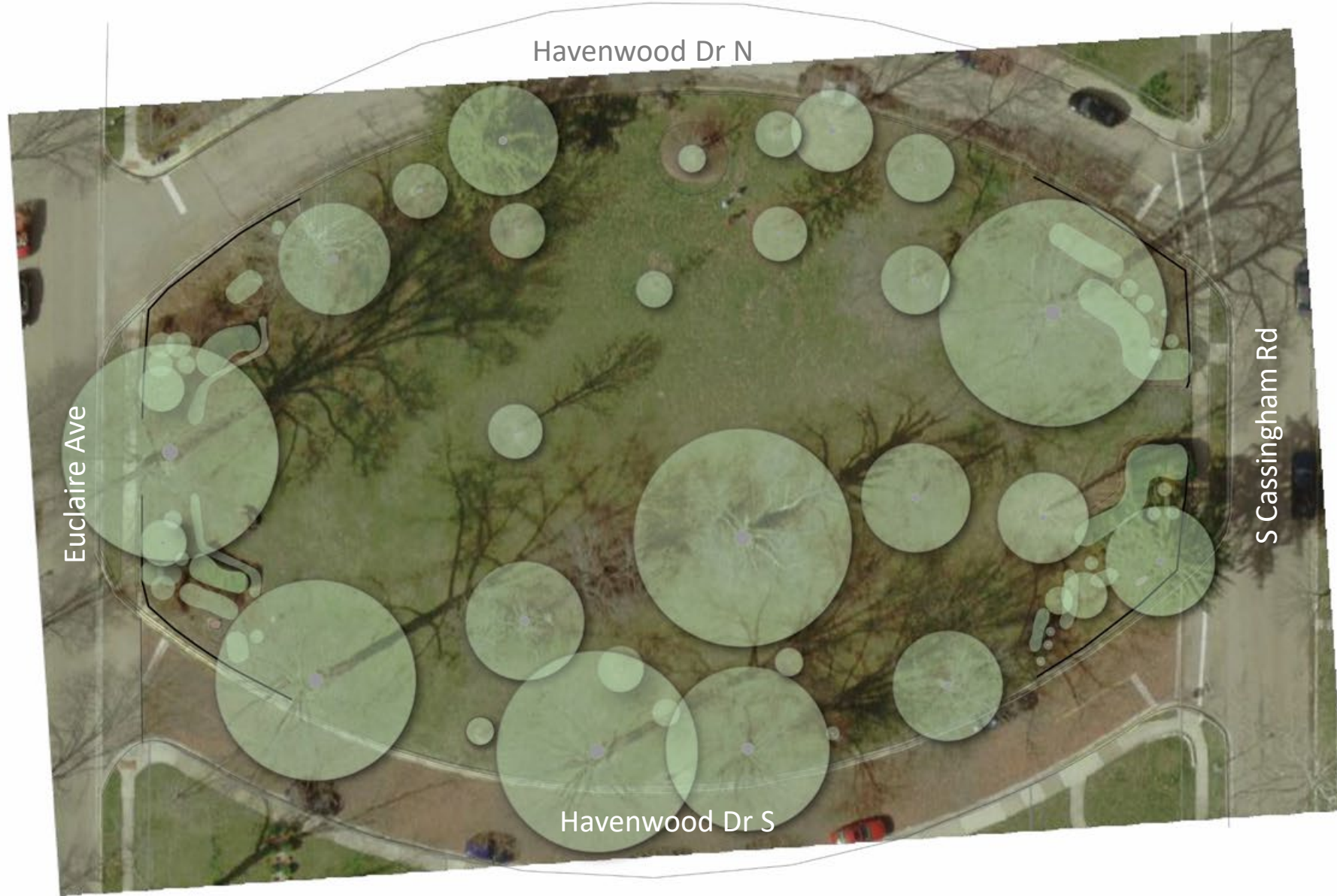
Design



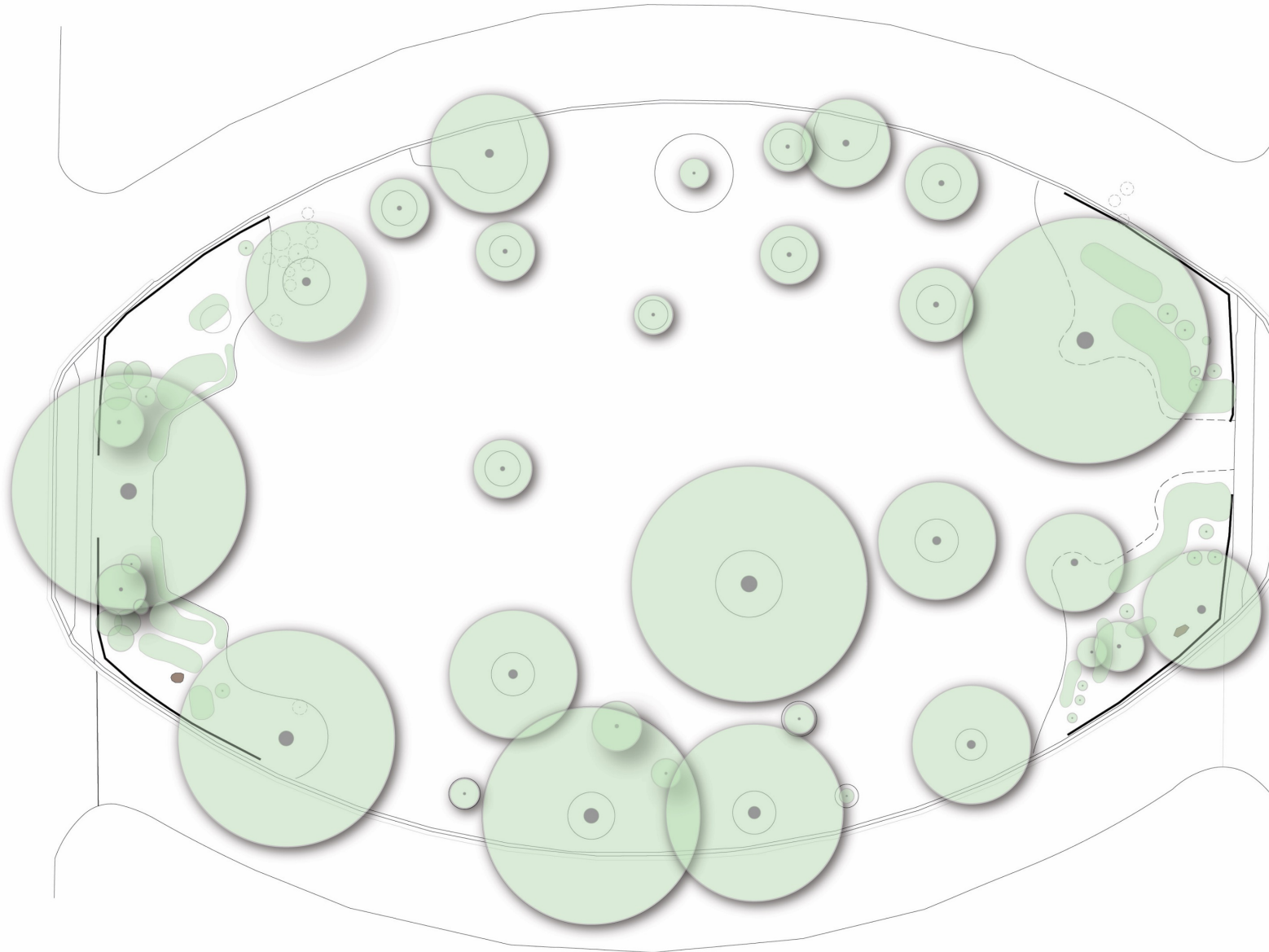
Aerial View



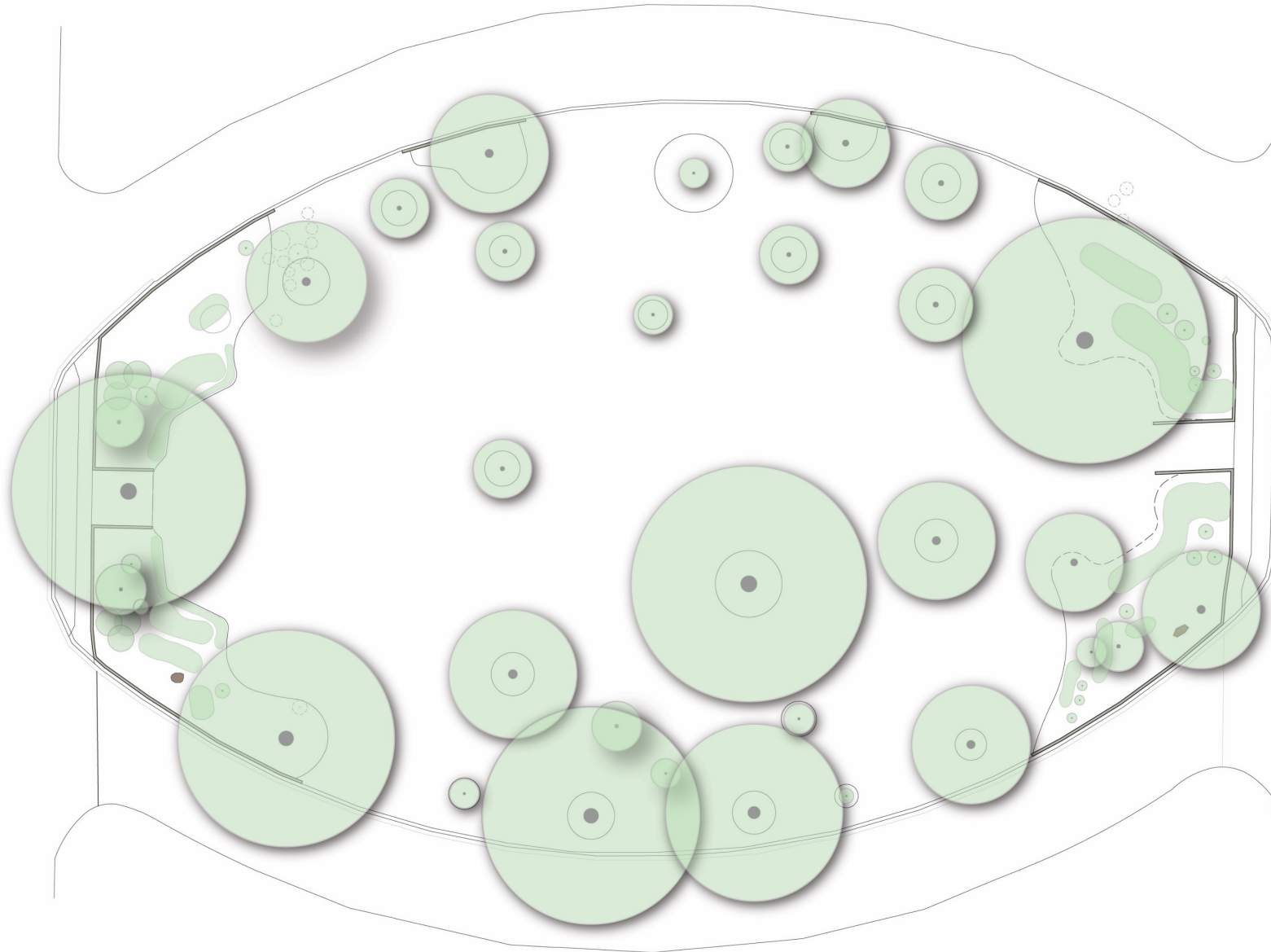
Existing Conditions



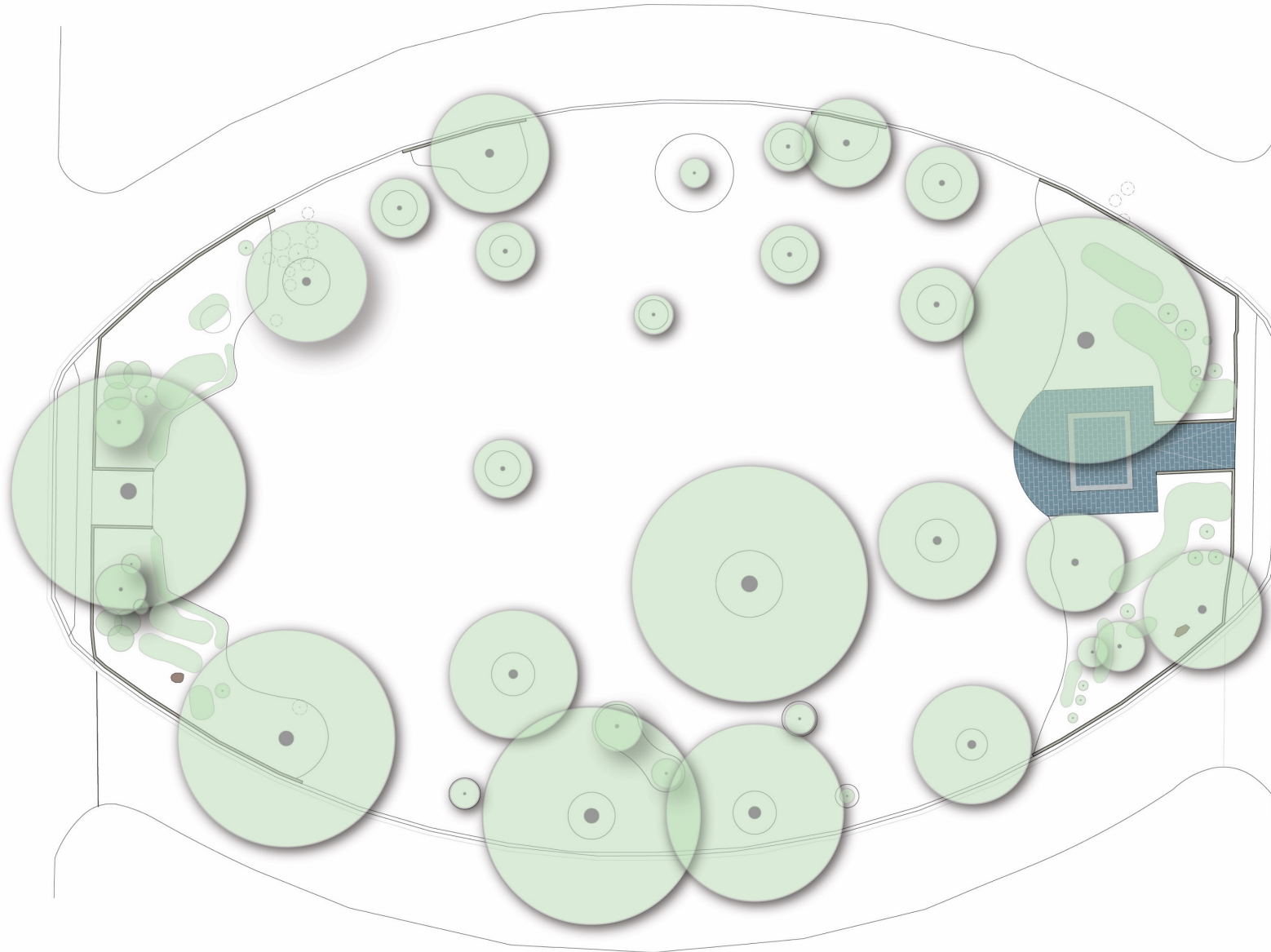
Existing Conditions



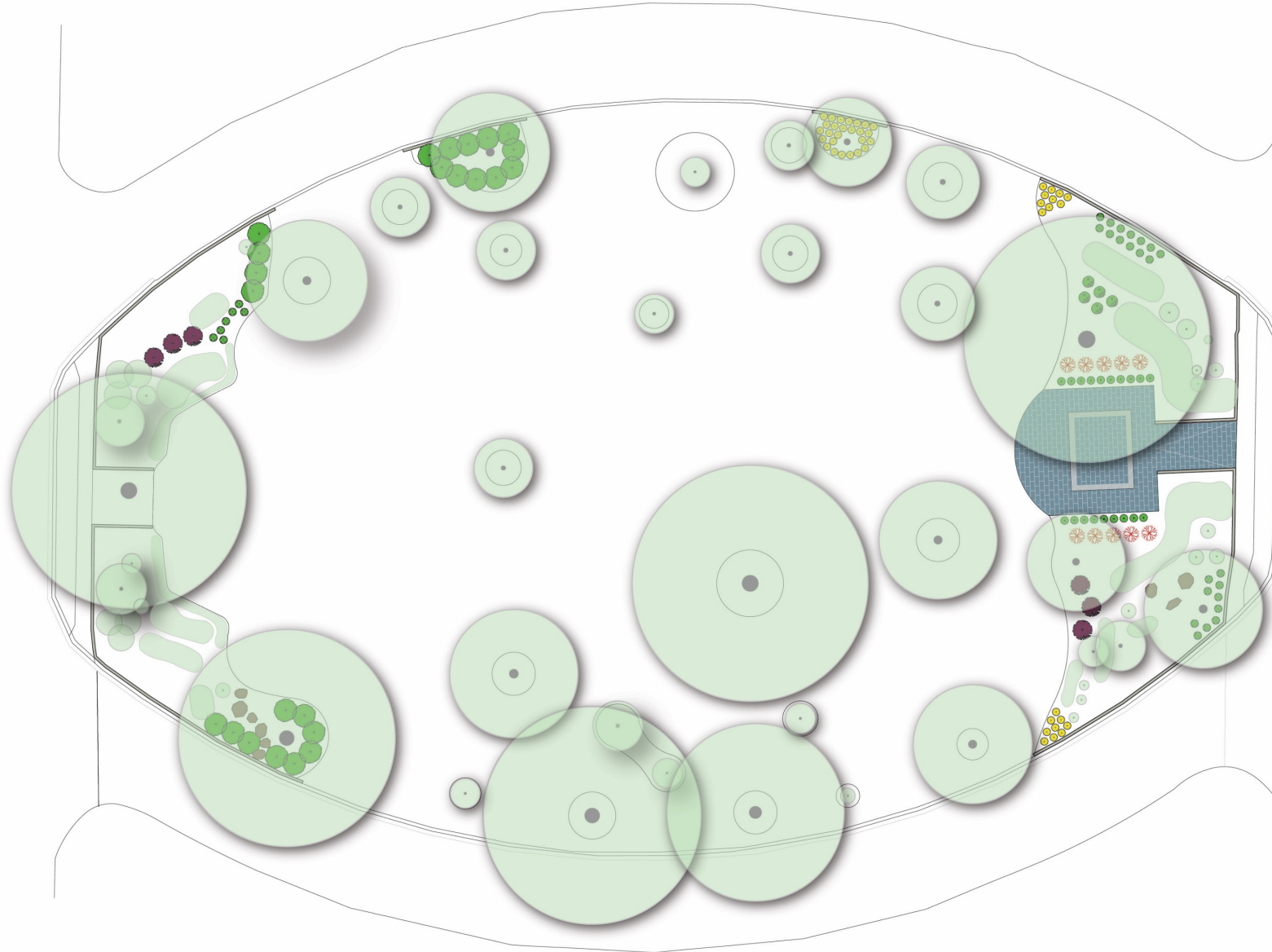
New Perimeter Stone Walls



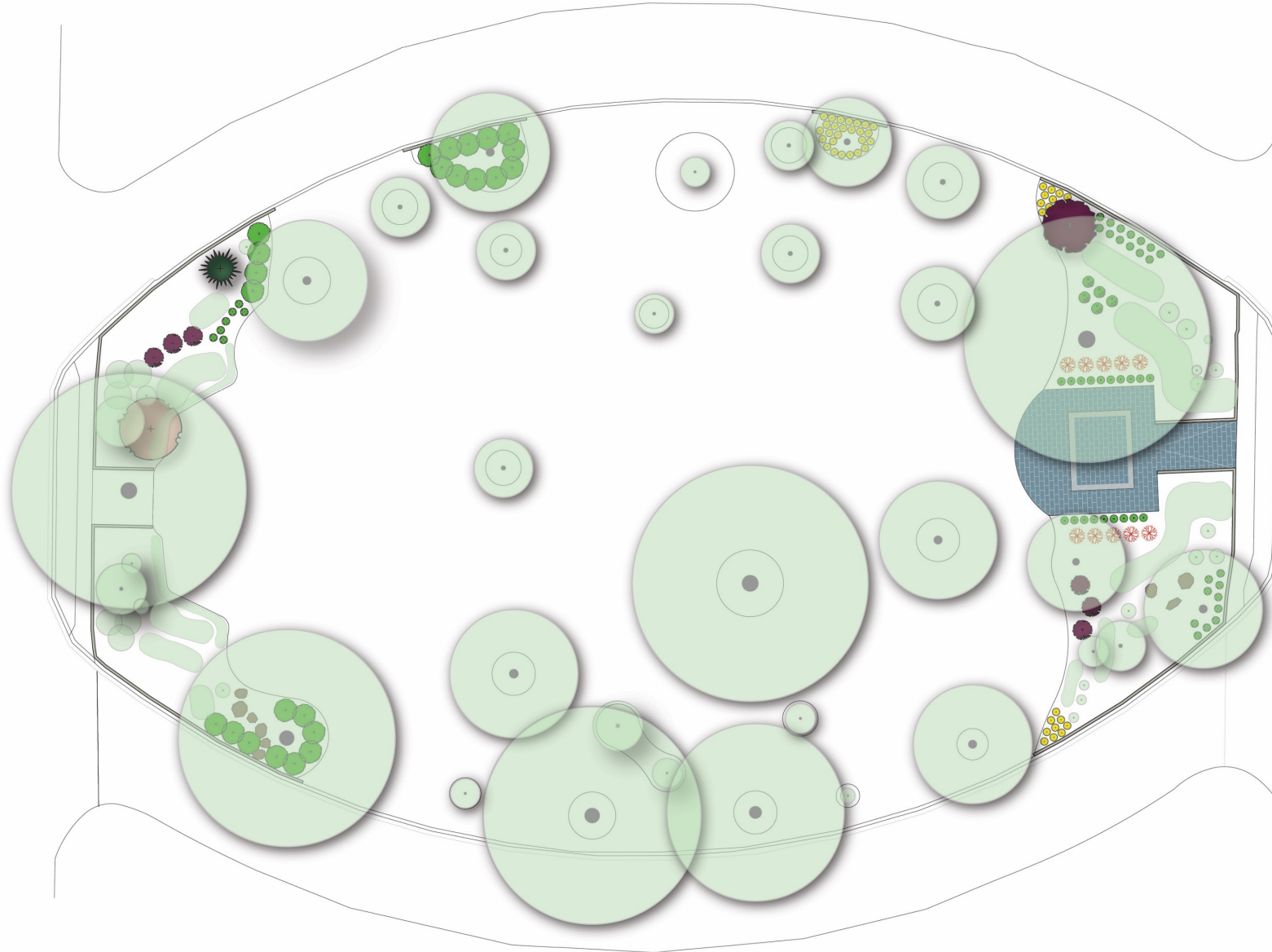
New Patio with Raised Platform and Ramp



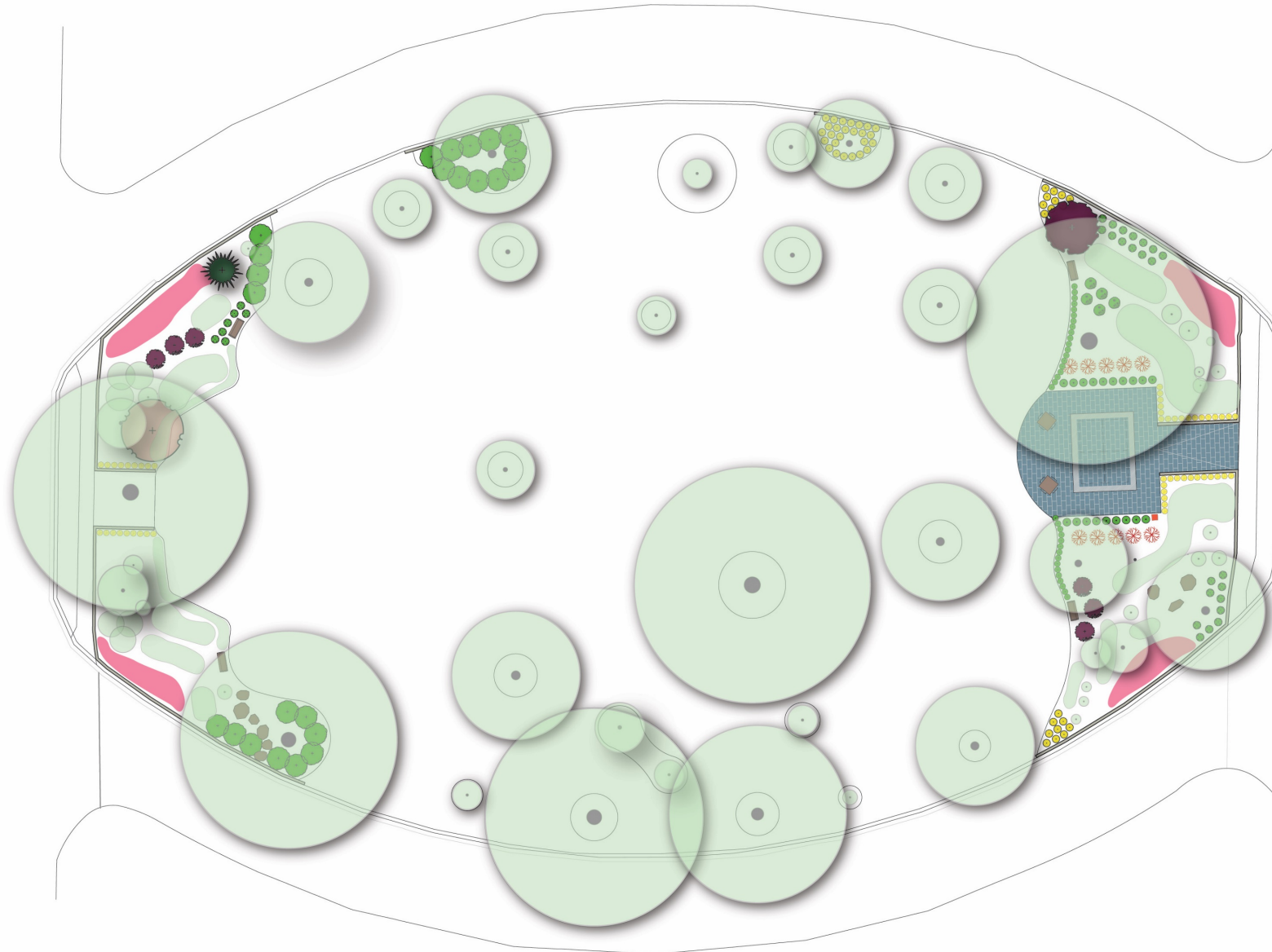
New Shrubs

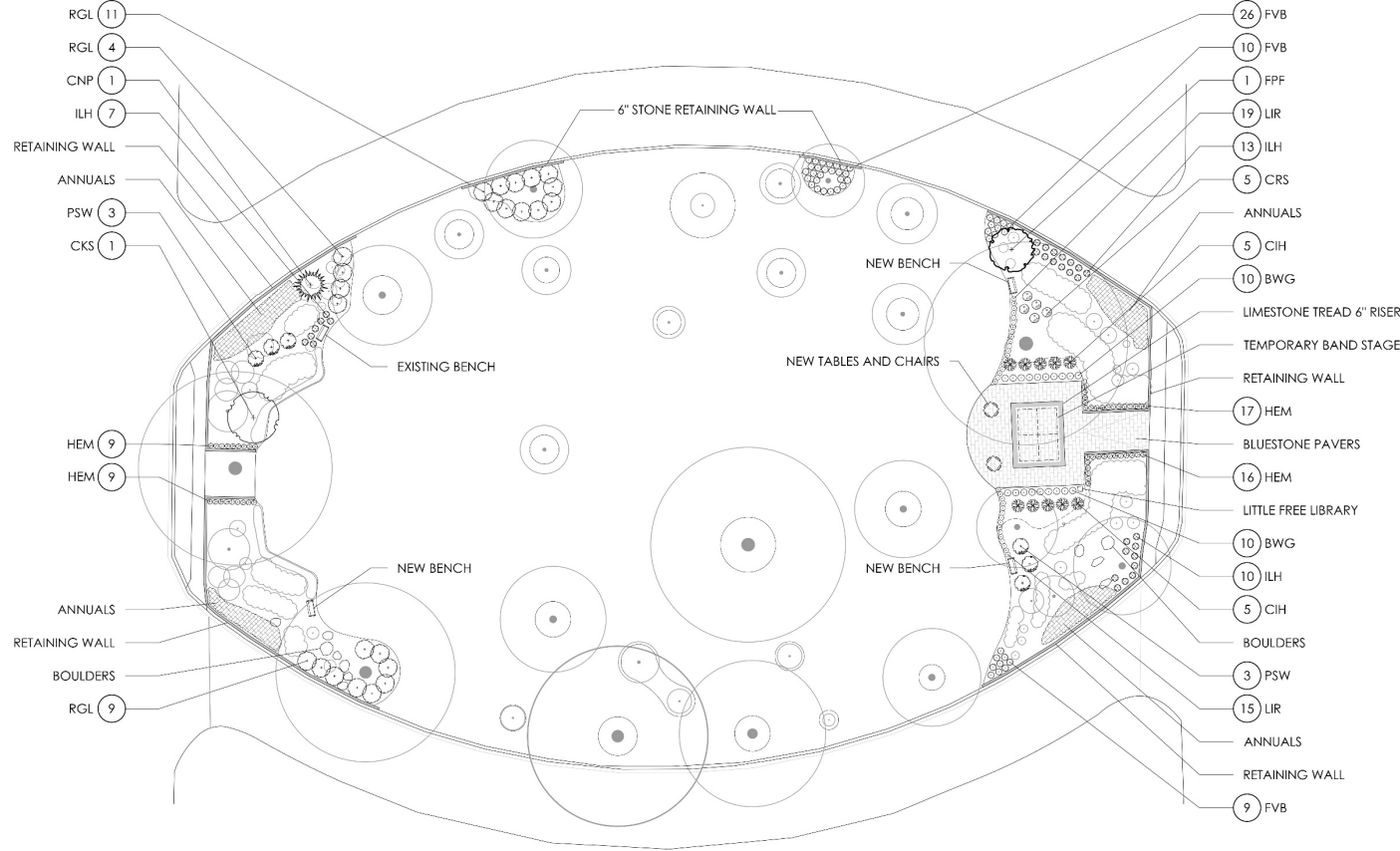


New Trees



New Perennials, Annuals and Furniture





TEAK BENCH



TEAK TABLE AND CHAIRS AND/OR BENCHES



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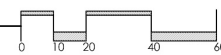
SETS & REVISIONS: DATE

FINAL DESIGN 1-29-21

HAVENWOOD PARK

BEXLEY, OH

1 LANDSCAPE PLAN
SCALE: 1" = 20' - 0"



2 SITE FURNISHINGS
SCALE: NTS

PLANT LIST

[CONTRACTOR RESPONSIBLE FOR ALL PLANTS SHOWN ON PLAN]

QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE
TREES				
1	CNP	CHAMAECYPARIS NOOTKATENSIS 'PENDULA'	NOOTKA CYPRESS	8-10'
1	CKS	CORNUS KOLSA 'SAMARITAN'	SAMARIAN DOGWOOD	2"
1	FPF	FAGUS SYLVATICA 'PURPLE FOUNTAIN'	PURPLE FOUNTAIN BEECH	2"
SHRUBS				
20	BWG	BUXUS 'WINTER GEM'	BOXWOOD	#3
5	CRS	CLETHRA ALNIFOLIA 'RUBY SPICE'	RUBY SPICE SUMMERSWEET	#5
10	CIH	CORNUS ALBA 'IVORY HALO'	REDTWIG DOGWOOD	#5
45	FVB	FORSYTHIA VIRIDISSIMA 'BRONKENSIS'	GREENSTEM FORSYTHIA	#3
30	ILH	ITEA VIRGINICA 'LITTLE HENRY'	VIRGINIA SWEETSPICE	#3
4	PSW	PHYSOCARPUS OPIULIFOLIUS 'SUMMER WINE'	NINEBARK	#5
24	RGL	RHUS AROMATICA 'GRO-LOW'	GRO-LOW FRAGRANT SUMAC	#5
PERENNIALS/ GRASSES				
51	HEM	HEMEROCALLIS 'HAPPY RETURNS'	DAYLILY	#1
34	LIR	LIRIOPE MUSCARI 'BIG BLUE'	LILY TURF	#1



CNP - NOOTKA CYPRESS
20-35X8-12



CKS - CHINESE DOGWOOD
25X30 / JUN-JUL



FPF - PURPLE FOUNTAIN BEECH
25X15



BWG - WINTER GEM BOXWOOD
2-5X2-3



CRS - RUBY SPICE SUMMERSWEET
4-6X3-5 / JUL-AUG



CIH - IVORY HALO REDTWIG DOGWOOD
4-6X4-6 / MAY-JUN



FVB - GREENSTEM FORSYTHIA
0.75-1X2-3 / MAR-APR



ILH - LITTLE HENRY VIRGINIA SWEETSPICE
1.5-2X2-2.5 / JUN-JUL



PSW - SUMMER WINE NINEBARK
4-6X4-6 / MAY-JUN



RGL - GRO-LOW SUMAC
2-3X6-8 / APR-MAY



HEM - DAYLILY
1-1.5X1-1.5 / JUN-OCT



LIR - LILY TURF
1-2X1-2 / AUG-SEP

3 PLANT LIST AND IMAGES
SCALE: NTS

LANDSCAPE PLAN

ALL DRAWINGS ARE THE ORIGINAL WORK OF SPRUCE LLC AND MAY NOT BE REPRODUCED, COPIED, OR SIMULATED IN ANY WAY WITHOUT THE WRITTEN CONSENT OF SPRUCE LLC. SPRUCE LLC RESERVES THE RIGHT TO SUBSTITUTE PLANTS FOR AVAILABILITY AND QUALITY.

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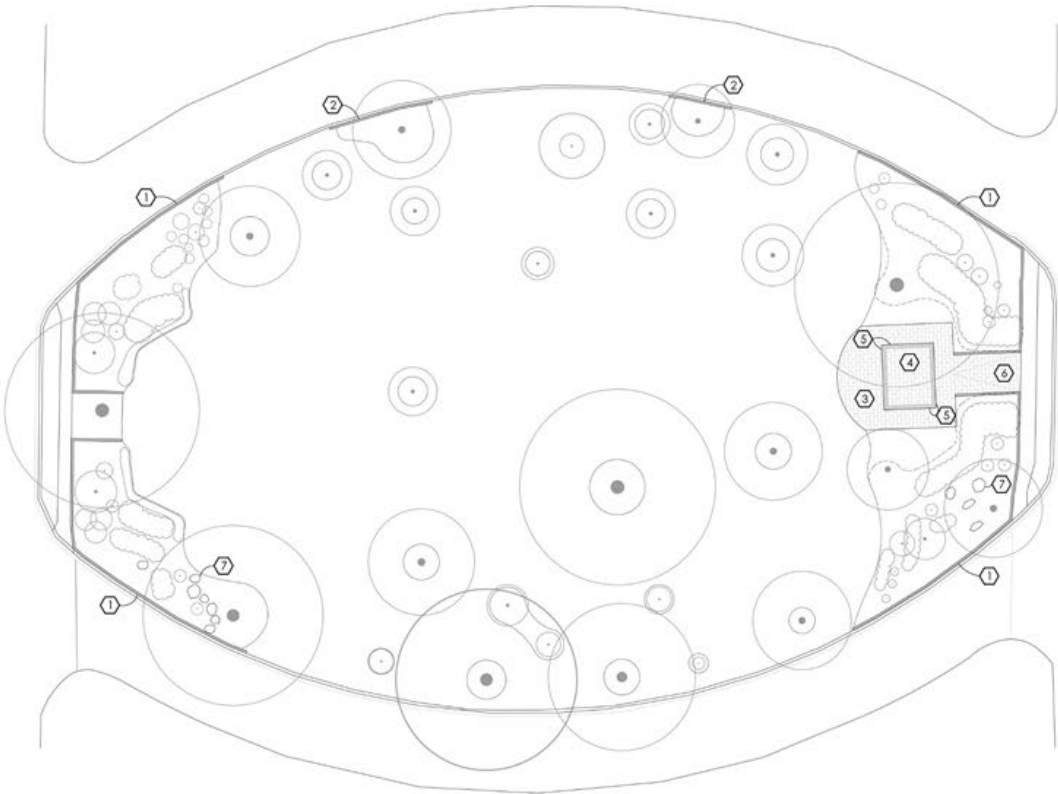
SETS & REVISIONS: DATE:
FINAL DESIGN 1-29-21

HAVENWOOD PARK

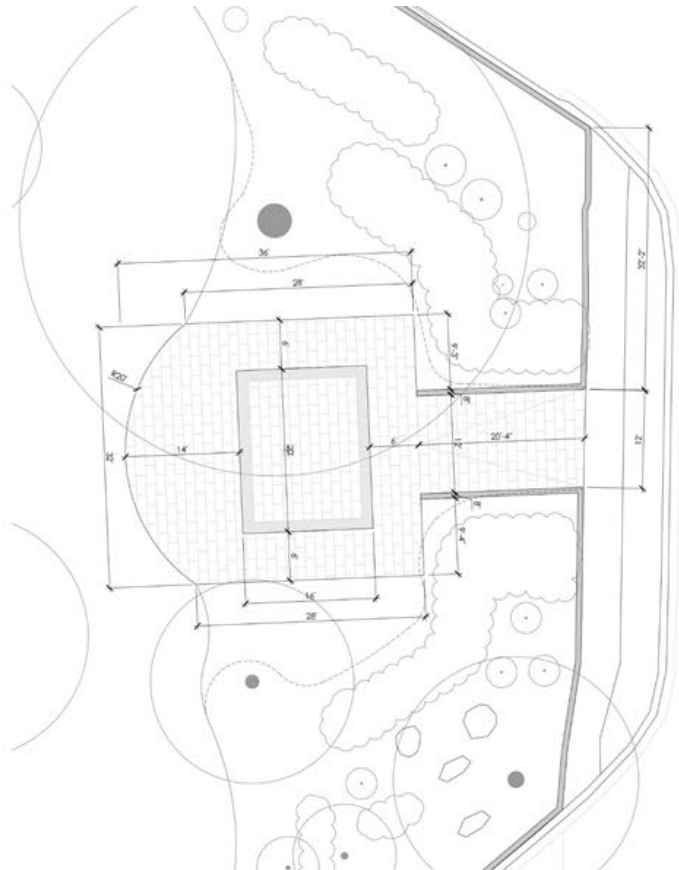
BEXLEY, OH

HARDSCAPE PLAN

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① HARDSCAPE PLAN
SCALE: 1" = 20' - 0"



② HARDSCAPE PLAN DIMENSIONS
SCALE: 1/8" = 1' - 0"



CONSTRUCTION NOTES:

- ① RETAINING WALL
TYPE: 6" MORTARED LIMESTONE
HEIGHT: 12"-18"
- ② RETAINING WALL
TYPE: 6" MORTARED LIMESTONE
HEIGHT: 6"
- ③ PATIO
TYPE: THERMAL BLUESTONE
SIZE: 12'X30' TO MATCH CITY HALL PATIO
- ④ 6" RAISED PLATFORM
TYPE: THERMAL BLUESTONE
SIZE: 12'X30' TO MATCH CITY HALL PATIO
- ⑤ 6" LIMESTONE TREAD
- ⑥ ACCESSIBLE RAMP
TYPE: THERMAL BLUESTONE
SIZE: 12'X30' TO MATCH CITY HALL PATIO
- ⑦ LARGE OHIO BOULDERS



PATIO
12'X30' THERMAL BLUESTONE



6" LIMESTONE TREAD



RETAINING WALL
6" LIMESTONE



BOULDERS
LARGE OHIO BOULDERS

Next Steps



Next Steps

- 1. South Bexley Neighborhood Association 3-4-21**
- 2. Review by Tree and Public Gardens Commission 3-24-21**
- 3. Signage Design Underway**
 - Creation of standard park sign to be used at all City parks in keeping with aesthetics of existing City signage
- 4. Cost Estimate**
- 5. Maintenance Plan**
 - Park will be irrigated
 - Dedicated City Arborist to oversee Parks

Special Thanks to

Sarah Bednar

Libby Buuck

Leslie Herrmann

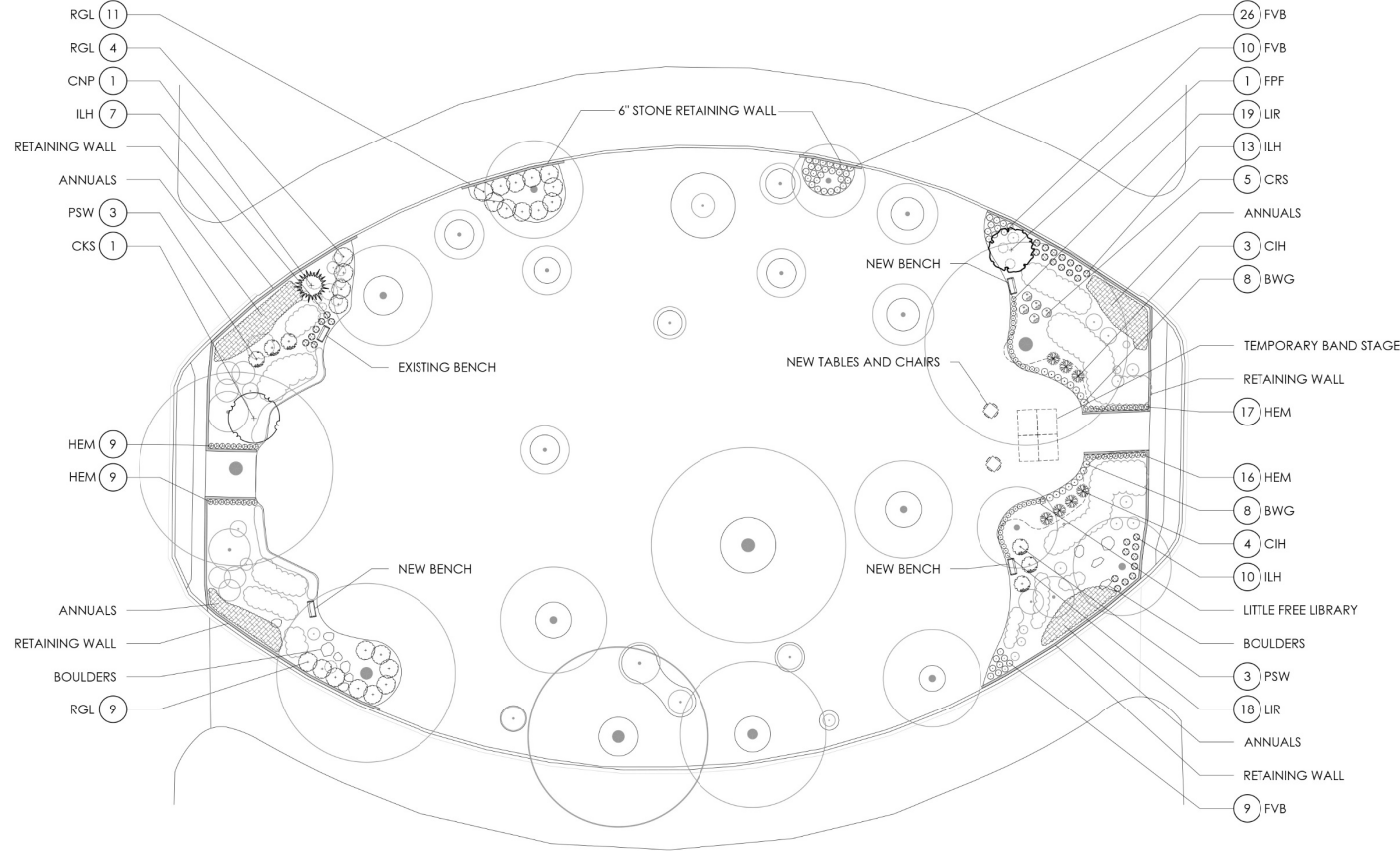
Pat James

David Stebenne

Shelia Straub, Tree and Public Gardens Commission Member

Mayor Ben Kessler

Grant Archer, Urban Forester



TEAK BENCH



TEAK TABLE AND CHAIRS AND/OR BENCHES



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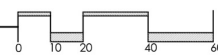
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COLUMBUS, OH 43209
T (614) 300-0790

SETS & REVISIONS:	DATE:
FINAL DESIGN	1-29-21
OPTIONAL DESIGN	4-26-21

HAVENWOOD PARK

BEXLEY, OH

1 LANDSCAPE PLAN
SCALE: 1" = 20' - 0"



2 SITE FURNISHINGS
SCALE: NTS

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1	FPF	FAGUS SYLVATICA 'PURPLE FOUNTAIN'	PURPLE FOUNTAIN BEECH	2"
SHRUBS				
16	BWG	BUXUS 'WINTER GEM'	BOXWOOD	#3
9	CRS	CLETHRA ALNIFOLIA 'RUBY SPICE'	RUBY SPICE SUMMERSWEET	#5
7	CIH	CORNUS ALBA 'IVORY HALO'	REDTWIG DOGWOOD	#5
45	FVB	FORSYTHIA VIRIDISSIMA 'BRONXENSIS'	GREENSTEM FORSYTHIA	#3
30	ILH	ITEA VIRGINICA 'LITTLE HENRY'	VIRGINIA SWEETSPICE	#3
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CNP - NOOTKA CYPRESS
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25'X90' / JUN-JUL



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2-5'X2-3'



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4-6'X3-5' / JUL-AUG



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4-6'X4-6' / MAY-JUN



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2-3'X6-8' / APR-MAY



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1-1.5'X1-1.5' / JUN-OCT



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1-2'X1-2' / AUG-SEP

3 PLANT LIST AND IMAGES
SCALE: NTS

LANDSCAPE PLAN

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ORDINANCE NO. 16 - 21

By: Jessica Saad

An ordinance to amend the Capital Stadium Lights Planning Approval Conditions in light of pandemic-based changes to Capital University's athletics schedule, in order to allow for two night-time licenses in 2021 to operate stadium lighting in which the lights are on past the hour of 9:30 pm but off prior to the hour of 11:00 pm.

WHEREAS, Capital University's 2020 football season was delayed until the spring of 2021, and therefore Capital did not utilize the nighttime license for lights past 9:30 pm in 2020;

WHEREAS, Capital wishes to hold a nighttime football game in the spring of 2021 for the delayed 2020 season, and also in the fall of 2021 for the standard fall season; and

WHEREAS, The Planning Approval Conditions do not allow for more than one license for lights to be used past the hour of 9:30 pm; and

WHEREAS, The City of Bexley has made multiple concessions to organizations and businesses in Bexley, in order to alleviate hardship brought about by the COVID-19 pandemic;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1.

That the Bernlohr Stadium Game Day and Stadium Management for Day and Night Games and Athletic Events Planning Approval Conditions, approved October 27, 2014, is hereby amended to allow for two night-time licenses in 2021 to operate stadium lighting in which the lights are on past the hour of 9:30 pm but off prior to the hour of 11:00 pm.

Section 2.

That this Ordinance shall go into full force and effect at the earliest period allowed by law.

Passed _____, 2021

Lori Ann Feibel, President of Council

Attest: _____, 2021

William Harvey, Clerk of Council

Approved: _____, 2021

Benjamin Kessler, Mayor

First Reading:

Second Reading:

Third Reading:

ORDINANCE NO. 17 - 21

By: Jessica Saad

An ordinance to amend Chapter 1476, Unsafe Buildings, to include provisions for unsafe sites

WHEREAS, The City of Bexley desires to protect human health and safety; and

WHEREAS, Bexley's current nuisance ordinance protects the community and its residents against unsafe structural conditions, but does not provide explicit protections against unsafe site conditions; and

WHEREAS, It is in the best interests of the community and its residents if the City provides for a process to remedy unsafe site conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1.

That Chapter 1476 be amended as follows:

CHAPTER 1476 Unsafe Buildings and Sites

1476.01 DEFINITION; DECLARATION OF NUISANCE; ABATEMENT.

(a) All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, which in relation to an existing use constitute a hazard to health by reason of inadequate maintenance, dilapidation or obsolescence, are, for the purpose of this chapter, "unsafe buildings." All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair and rehabilitation or by demolition in accordance with the procedure set forth in this chapter.

(b) All sites which in relation to an existing use constitute a hazard to health by reason of inadequate maintenance, dilapidation or obsolescence, or upon which environmental contamination exceeds applicable state and federal environmental standards for human occupancy, are, for the purpose of this chapter, "unsafe sites." All such unsafe sites are hereby declared to be public nuisances and shall be abated by rehabilitation in accordance with the procedure set forth in this chapter.

1476.02 NOTICE TO OWNER.

The Superintendent of Buildings shall examine or cause to be examined every building or structure **or site** or portion thereof reported as or believed to be an unsafe building **or site**, as defined in Section 1476.01. ~~He~~ **The Superintendent** shall give written notice to the owner of record, including any purchaser under a recorded land contract, and to the person occupying such building **or site** if ~~he~~ **they** is not the owner thereof. The written notice shall specifically state the defects that cause the building **or site** to be unsafe and shall state that the work shall commence within thirty days and continue, either to complete the specified repairs or improvements or to demolish and remove the building or structure, or a portion thereof, leaving the premises in a clean, safe and sanitary condition, such condition being subject to the approval of the Superintendent of Buildings. However, in the case of an emergency making immediate repairs necessary, the Superintendent of Buildings may order the changes or demolition to be made within a shorter period. The notice shall also require the building or portion thereof to be vacated forthwith by the occupants thereof.

1476.03 SERVICE OF NOTICE.

Proper service of such notice shall be by personal service, residence service, registered mail or certified mail. However, such notice shall be deemed to be properly served if a copy thereof is sent by registered or certified mail to the last known address. If any of the parties cannot be located, or ~~his~~ **their** address cannot be ascertained, the notice shall be deemed to be properly served if a copy thereof is placed in a conspicuous place in or about the building or structure affected by the notice. If such notice is by registered or certified mail, the thirty-day period within which such owner is required to comply with the order of the Superintendent of Buildings shall begin as of the date he received such notice.

(Ord. 9-69. Passed 3-11-69.)

1476.04 POSTING OF SIGNS.

The Superintendent of Buildings shall cause to be posted at each entrance to an unsafe building **or site** a notice to read: ~~"DO NOT ENTER. UNSAFE TO OCCUPY. BUILDING DEPARTMENT, CITY OF BEXLEY, OHIO."~~ **"Do not enter. Unsafe to occupy or use. Building Department, City of Bexley"**. Such notice shall remain posted until the required repairs **or remediation** are made or demolition is completed. No person shall remove such notice without permission of the Superintendent of Buildings and no person shall enter the building **or site**, except for the purpose of making the required repairs or of demolishing the same.

1476.05 PERMITS.

In all cases of construction and repair pursuant to orders of the Superintendent of Buildings, permits covering such work shall be obtained if required by this Building Code or any other City ordinance.

1476.06 NONCOMPLIANCE; REMEDY OF CITY.

If the owner of record, or the purchaser under a land contract, if that is the case, fails, neglects or refuses to comply with the notice to repair, rehabilitate or demolish and remove such building or structure or portion thereof, such person shall be subject to the provisions of this chapter and the Superintendent of Buildings shall proceed to have the building or structure **or site** or portion thereof demolished and removed from the premises, leaving the premises in a clean, safe and sanitary condition, and the cost of such work shall be paid by the City. If the City is not immediately reimbursed for such costs, the amount thereof shall be certified to the County Treasurer and levied as a special assessment against such property on which the building or structure is located and shall be collected in the manner provided for special assessments.

1476.07 UNSAFE CONDITIONS; REPORT REQUIRED.

Any owner, manager, lessee or occupant of a building who discovers or who has reason to believe that there exists, on the premises, a condition which may endanger other property or the life or limb of any person, and such condition cannot be immediately remedied so as to remove any danger therefrom, shall, within twenty-four hours after such discovery, report the existence of such dangerous condition to the Superintendent of Buildings who shall forthwith take such steps as may be necessary to protect the public safety and welfare. If the Superintendent of Buildings cannot be located, such report shall be made to the Director of Public Safety or the Mayor. No person who is an owner, manager, lessee or occupant of a building on which premises such a dangerous condition exists and who knows or should know of such dangerous condition shall fail to make such report to either the Superintendent of Buildings or the Mayor within twenty-four hours after such knowledge is obtained or should have been obtained.

1476.99 PENALTY.

(EDITOR’S NOTE: See Section 1430.99 for general Building and Housing Code penalty if no specific penalty is provided.)

Section 2.

That this Ordinance shall go into full force and effect at the earliest period allowed by law.

Passed _____, 2021

Lori Ann Feibel, President of Council

Attest: _____, 2021

William Harvey, Clerk of Council

Approved: _____, 2021

Benjamin Kessler, Mayor

First Reading:

Second Reading:

Third Reading:

ORDINANCE NO. 18 - 21

By: Troy Markham

An ordinance to appropriate \$50,000 from the General Fund for the purpose of paying legal fees in 2021.

WHEREAS, Legal fees in 2021 are projected to exceed budget projections, due to unanticipated urgent, community-serving projects, including the advancement of a critical public nuisance case, administering an unusual volume of zoning cases in the first half of 2021, and more extensive work on the proposed community choice electrical aggregation project than originally projected;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY

Section 1.

That \$50,000 is hereby appropriated form the general fund to pay Outside Counsel expenses within the City Attorney account.

Section 2.

That this ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

Lori Ann Fiebel, President of Council

Attest: _____
William Harvey, Clerk of Council

Approved: _____, 2021

Ben Kessler, Mayor

ORDINANCE NO. 19 - 21

By: Troy Markham

An ordinance to amend 262.02 (c)(13), Tuition Reimbursement, in order to allow for tuition reimbursement for employees hired after January 1, 2012

WHEREAS, The Tuition Reimbursement Program was modified in 2011 to apply only to employees hired prior to January 1, 2012, following the elimination of the estate tax and the reduction in the local government fund; and

WHEREAS, Financial conditions have since improved at the City of Bexley;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1.

That Chapter 262 (c)(13) hereby amended as follows:

(13) Tuition reimbursement program.

A. Participation.

Employees ~~hired prior to January 1, 2012~~ are eligible to participate in a tuition reimbursement program. Participation shall be voluntary and available only for job-related, self-development courses taken during non-working hours. All course work must be taken in accordance with a planned program approved in advance by the employee's department head.

B. Reimbursement.

For approved courses, an employee shall be reimbursed one hundred percent (100%) of the tuition expense and expenses incurred for required textbooks, to a maximum of four thousand dollars (\$4,000) during each calendar year, provided that the employee satisfactorily completes the approved course by attaining a grade C or better, or an equivalent. No reimbursement is available for a any other expense related to course attendance. Reimbursements shall be made to an employee upon submission of official transcripts, tuition statements and receipts for textbooks.

C. Tuition Reimbursement Repayment.

If an employee, within two years of receipt of tuition reimbursement, leaves City employment for any reason other than to commence regular or disability retirement, the employee shall repay the City any and all tuition reimbursement received during the two-year period prior to leaving City employment.

D. Annual Tuition Reimbursement Cap.

The City shall cap **overall** tuition reimbursements **based on annual appropriations** ~~to a total of \$10,000 per year~~, with reimbursements provided on a "first come, first served" basis.

Section 2.

That this Ordinance shall go into full force and effect at the earliest period allowed by law.

Passed _____, 2021

Lori Ann Feibel, President of Council

Attest: _____, 2021
William Harvey, Clerk of Council

Approved: _____, 2021

Benjamin Kessler, Mayor

First Reading:
Second Reading:
Third Reading:

Ordinance 21 – 21

By: Troy Markham

Authorizing participation in the ODOT road salt contracts awarded in 2021

WHEREAS, the City of Bexley (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and

b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and

c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the road salt contract; and

d. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract’s effective period; and

f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and

g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 30 **by 5:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email:

Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held

responsible or liable for failure to receive a Political Subdivision’s participation agreement and/or a Political Subdivision’s request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the Council of the City of Bexley that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

Passed: _____, 2021

Lori Ann Feibel President of Council

Attest: _____
William Harvey, Clerk of Council

Mayor Ben Kessler

Ordinance 12 - 21

By: Richard Sharp

An Ordinance to adopt and approve the City of Bexley Electric Aggregation Plan of Operation and Governance, and to declare an emergency.

WHEREAS, the City of Bexley (“City”) has determined that it is in the best interest of its residents to take action to address the electricity supply requirements of its residents and, to that end, to proceed with creating an electricity aggregation program for the City and its residents (the “Program”); and

WHEREAS, on November 6, 2001, the electors of the City of Bexley approved of the City’s plan to create an electric aggregation program for customers located within the boundaries of the City; and

WHEREAS, the City wishes to encourage and facilitate the development of Ohio renewable energy projects and, to that end, shall include a 100% renewable content in its City aggregation RFP with an emphasis on renewable energy produced or to be produced in Ohio; and

WHEREAS, in order to proceed with an additive renewable electric aggregation program, the City must pass the attached Electric Aggregation Plan of Operation and Governance; and

WHEREAS, the City held two public hearings to discuss the Electric Aggregation Plan of Operation and Governance, on _____ and on _____ after two consecutive weeks of newspaper publication, in accordance with Ohio Revised Code 4909.28;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1.

That the City of Bexley Electric Aggregation Plan of Operation and Governance, attached as Exhibit A, is hereby adopted and approved.

Section 2.

That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, and safety and shall go into full force and effect upon the approval of the Mayor.

Passed: _____, 2021

Lori Ann Feibel, President of Council

Attest: _____
William Harvey, Clerk of Council

Approved: _____, 2021

Ben Kessler, Mayor

First Reading: March 9, 2021

Second Reading:

Third Reading:

To: Bexley City Council
From: Councilmembers Monique Lampke, Lori Ann Feibel, and Matt Klingler
Re: Council Committee Recommendations on Charter Review Commission's Proposed Amendments
Date: April 27, 2021

Our council committee met on February 17, March 3, April 7 and April 21, 2021, together with City Auditor Bill Harvey and City Attorney Marc Fishel, to develop recommendations on the proposed amendments suggested by the Charter Review Commission. The proposed amendments are the collective work of Bexley residents who met for two hours at a time twice a month for over a year and we are grateful for their service and thoughtful consideration of the Charter.

After careful and extensive consideration of the report of the Charter Review Commission, we recommend that the following issues be included on the November 2021 Ballot (noting that the Board of Elections has the final determination on ballot language). We have also listed issues that Council could address via legislative action or during possible future discussion.

Group A: Suggested Issues To Be Included On November 2021 Ballot:

1st BUNDLE:

SECTION 1. Recognition and Intent

The City of Bexley recognizes that institutional racism and discrimination exist and have a painful, historic legacy in our community and in this country, the effects of which continue to place the health and well-being of minority residents at risk. The City of Bexley rejects, discourages, and condemns all forms of racism, discrimination, anti-Semitism, and all hate-based conduct. The City seeks to embrace diversity and to cultivate a welcoming and inclusive environment for all persons. It is the intent of the City of Bexley to work together with community groups, organizations, and individuals to confront racism and discrimination in order to promote diversity, equity, and inclusion.

SECTION 2. Non-Discrimination and Citizen Participation

In the exercise of its powers or in the performance of its duties, the City of Bexley and all of its departments, boards, commissions, committees, and employees shall strive to ensure that no person or group engaged in the conduct of official business or seeking to do business with the City is discriminated against based on race, sex, sexual orientation, gender identity or expression, color, religion or non-religion, ancestry, national origin, age, disability, and familial status or military status. The City's Strategic Plan shall incorporate and maintain strategies to eliminate institutional racism and discrimination, increase the diversity of the community, and to create a

~~welcoming and inclusive environment within the City. Bexley Mayor's Court shall ensure defendants' appearances by the least restrictive means possible in accordance with the Ohio Rules of Criminal Procedure. , or for any cause not reasonably related to the accomplishment of a legitimate government purpose.~~ Bexley encourages citizens to attend public meetings and when appropriate to offer insights, suggestions, comments, or questions to public officials to provide our City government with the richness that can come from the respectful exchange of ideas and urges citizens to be mindful of the needs of government officials to regulate discussion to sustain the orderly, productive work of governing the City.

SECTION 3. Diversity in Hiring and Contracting

The City of Bexley shall commit to actively recruit qualified individuals ~~from underrepresented populations~~, including minority and women candidates, for employment in all levels of City government with the goal of ~~accurately reflecting a diverse workforce the diversity of the City of Bexley and of Franklin County. a diverse workforce.~~ When issuing all contracts, the City shall give due consideration to individuals and firms owned or controlled by women and minorities ~~individuals from underrepresented populations, including minorities and women~~ by establishing and maintaining programs and policies which promote fairness and equity.

SECTION 4. Interpretation of Ordinances

The ordinances of the City shall be interpreted consistent with the City's values as set forth in this Section. Specifically, the ordinances of the City shall be interpreted to avoid ~~discriminatory~~ parate impact on any person on the basis of that individual's race, sex, sexual orientation, gender identity or expression, color, religion or non-religion, ancestry, national origin, age, disability, familial status or military status and to ensure fair and equitable treatment of individuals in their interaction with the City.

Gender Neutral Pronouns and Terminology

The Charter of the City of Bexley shall be amended so that, where applicable, all male and/or female pronouns or terminology in the various sections of the Charter shall be replaced with a gender neutral pronoun or terminology.

2nd BUNDLE:

SECTION 5. Citizen Review Board

The City Council shall provide by ordinance for a Citizen Review Board for the purpose of examining complaints regarding the conduct or policies of the City of Bexley or its employees and shall grant the Citizen Review Board subpoena powers necessary to conduct its work. The Citizen Review Board shall report to City Council at least annually regarding its work and may make recommendations for action by the City.

3rd BUNDLE:

SECTION 13. Appointment of Other Officers

The Mayor shall have the power to appoint, subject to confirmation by Council, the following officers, to-wit:

- (a) City Attorney.
- (b) Chief of Police.
- (c) Members of the Civil Service Commission.
- (d) Members of the Board of Health.
- (e) Members of the city planning and zoning boards, committees, or commissions as established~~City Planning Commission Board of Zoning and Planning city planning and zoning boards, committees, or commissions as established~~ by Council.
- (f) Members of other boards, committees~~committees~~, and commissions, if any, established by Council.
- (g) All other officers, superintendents and heads of administrative departments, whose positions may be created by Council, and for whose appointment no other provision is made. Unless otherwise provided by this Charter or by ordinance, all appointments made under this subdivision shall be at the pleasure of the Mayor.

No person shall be appointed as a member of any board or commission created by this Charter or by ordinance unless notice of the vacancy to be filled was published at least thirty days prior to the submission of such appointment by the Mayor to Council. Except as otherwise provided by the laws of the State of Ohio or as needed to establish staggered terms ~~or as needed to establish staggered terms,~~, the term of office for members of all boards and commissions created by this Charter or by ordinance shall be three years, each commencing July 1, provided that a vacancy during the term of any member shall be filled for the unexpired term of such office. In the case of newly appointed boards or commissions or cases in which the staggering of appointments needs to be restored, the Mayor, with the concurrence of Council, may appoint terms shorter than three years. ~~except in the case of newly appointed boards or commissions or cases in which the staggering of appointments needs to be restored. In these cases the Mayor, with the concurrence of Council, may appoint terms shorter than three years.~~

SECTION 51. Composition; Terms, Vacancies; Powers and Duties.

The Board of Health shall be composed of five members who shall serve without compensation. Their term shall be for three years. To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years. ~~To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years.~~ The members of the existing Board of Health shall continue in office for the terms for which they were appointed. The Board shall elect one of its members as President.

The Board of Health shall have such powers and perform such duties as may be prescribed by ordinance of Council and by statutes governing boards of health in cities not in conflict with such ordinances. (Amended Nov. 6, 2001)

SECTION 52. Composition; Terms; Compensation; Officers.

The Civil Service Commission shall consist of three electors of the City. The term of each member shall not exceed three years. ~~To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years. To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years.~~ They shall receive no compensation for their services. One of the members shall be chosen by the Civil Service Commission as chairperson, and a secretary shall be appointed by the Civil Service Commission members.

SECTION 58. Creation; Composition; Terms.

Council by ordinance shall create one or more boards, ~~committees, committees,~~ or commissions to ~~administer the City zoning code and perform other planning and zoning duties as determined by ordinance of Council. administer the City zoning code and perform other planning and zoning duties as determined by ordinance of Council. perform the powers and duties of a city planning commission and to administer the City zoning code.~~ Each such board, committee, or commission shall consist of electors of the City who shall serve without compensation and who, with the concurrence of Council, shall be appointed by the Mayor for terms of three years. ~~To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years. To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three 3 years. The members of the existing City Planning Commission shall continue in office until said commission is reorganized or replaced by ordinance of Council.~~

4th BUNDLE:

SECTION 14: Removal Power of Mayor

The Mayor, with the concurrence of Council, may at any time remove the City Attorney. The Mayor, with the concurrence of council, may at any time remove any officer, member of any board or commission so appointed under authority of paragraphs (c), (d), (e), or (f) of Section 13 hereof, for inefficiency, neglect of duty, or malfeasance in office, having first given such official a copy of the charges and an opportunity to be heard in person or by counsel in the official's own defense, before Council, and such removal shall be final.

5th BUNDLE:

SECTION 24: Meetings, President of Council

~~The four-year term of office for City Council Members will begin on January 1, following their election and shall go until December 31 in the fourth year of their term of service.~~ At 7:00 pm on the first Monday in January following a regular Municipal election, or on the succeeding day if the first Monday is a legal holiday, Council shall meet at the usual place of

holding its meetings, and Council shall elect one of its members President, who shall preside at meetings of the Council and perform such duties as presiding officer as may be imposed by Council. In the absence of the President at any meeting, Council shall elect a President Pro Tempore. Thereafter, Council shall meet at such times as may be prescribed by ordinance or resolution, but shall meet at least twice a month, except that Council may designate one month in the summer season for vacation. The Mayor, President of Council, or any four members thereof, may call special meetings of Council upon written notice provided at least six hours in advance of the special meeting. Written notice may be provided electronically via email or similar electronic means commonly used for Council notifications provided the member acknowledges receipt or delivered personally to the member, or left at the member's place of residence. Any request for a special meeting and the notice calling the same shall state the subjects to be considered , and such meeting shall be limited to a consideration of such subjects.

SECTION 66: Time for Holding Elections

Regular Municipal elections shall be held on the first Tuesday after the first Monday in November in the odd numbered years and shall be conducted and the results canvassed and announced by the regular election authorities. Any matter which by the terms of this Charter or ordinance of Council may be submitted to the electors of the City shall be submitted to the electors at the next regular Municipal election if one shall occur not less than sixty nor more than 120 days after its passage or the submission of the required petition or at the next regular State election if one shall occur not less than ninety nor more than 120 days after its passage or the submission of the required petition: otherwise it shall submit the amendment, initiative, or referendum at a special election to be called and held not less than sixty nor more than 120 days after its passage or the submission of the required petition.

SECTION 77: Amendments

Amendments to this Charter may be submitted to the electors of the City by a two-thirds vote of the Council, and shall be submitted by Council upon a petition signed by ten percent of the electors of the City, setting forth any such proposed amendment. The ordinance providing for the submission of any such amendment shall require that it be submitted to the electors in accordance with Section 66 of this Charter.

Notice of any proposed amendments shall be given in one of the following ways:

- a) Not less than thirty days prior to the election at which the amendments are to be submitted to the electors, the City Clerk shall mail a copy of the proposed amendments to each elector whose name appears upon the poll of the last regular Municipal or general election.
- b) The full text of the proposed amendments shall be published electronically by the City on whatever available platform or platforms the administration determines reasonably appropriate to reach the greatest number of residents within the City, once a week for not less than two consecutive weeks, ~~in an electronic mailing published by the City, on the City web page if available, and on a platform or platforms the City considers appropriate to distribute the information broadly to the electors,~~ with the first publication being at

least fifteen days prior to the election at which the amendments are to be submitted to the electors.

- c) Any other procedure authorized by the general laws of the State applicable to cities.

If such proposed amendments are approved by a majority of the electors voting thereon, they shall become part of the Charter.

Group B: Suggested Issues to Be Considered for Possible Legislative Action by Council:

Section 25 - Quorum, Rules, Journal, Public Meetings

Section 33 – Bonds of Officers and Employees

Section 64 - Public Utilities

Section 79 - Future Charter Review

Group C: Suggested Issues To Be Considered During Future Discussion:

Section 9 - Term and Qualifications of Mayor

Section 17 – Right of Mayor and Officials in Council

Section 40 - Recall

Section 48 - Powers and Duties of Chief

Section 49 – Term; Removal of Chief

Section 62 - Conflicts of Interest, Ethics and Campaign Financing

Section 81- Environment



SECTION 1. RECOGNITION & INTENT

The City of Bexley recognizes that institutional racism and discrimination exist and have a painful, historic legacy in our community and in this country, the effects of which continue to place the health and well-being of minority residents at risk. The City of Bexley rejects, discourages, and condemns all forms of racism, discrimination, anti-Semitism, and all hate-based conduct. The City seeks to embrace diversity and to cultivate a welcoming and inclusive environment for all persons. It is the intent of the City of Bexley to work together with community groups, organizations, and individuals to confront racism and discrimination in order to promote diversity, equity, and inclusion.



SECTION 2. Non-Discrimination and Citizen Participation

In the exercise of its powers or in the performance of its duties, the City of Bexley and all of its departments, boards, commissions, committees, and employees shall strive to ensure that no person or group engaged in the conduct of official business or seeking to do business with the City is discriminated against based on race, sex, sexual orientation, gender identity or expression, color, religion or non-religion, ancestry, national origin, age, disability, and familial status or military status. The City's Strategic Plan shall incorporate and maintain strategies to eliminate institutional racism and discrimination, increase the diversity of the community, and to create a welcoming and inclusive environment within the City.....



SECTION 2. Non-Discrimination and Citizen Participation (cont'd.)

.... Bexley Mayor's Court shall ensure defendants' appearances by the least restrictive means possible in accordance with the Ohio Rules of Criminal Procedure, or for any cause not reasonably related to the accomplishment of a legitimate government purpose. Bexley encourages citizens to attend public meetings and when appropriate to offer insights, suggestions, comments, or questions to public officials to provide our City government with the richness that can come from the respectful exchange of ideas and urges citizens to be mindful of the needs of government officials to regulate discussion to sustain the orderly, productive work of governing the City.



SECTION 3. Diversity in Hiring and Contracting

The City of Bexley shall commit to actively recruit qualified individuals, including minority and women candidates, for employment in all levels of City government with the goal of reflecting a diverse workforce. When issuing all contracts, the City shall give due consideration to individuals and firms owned or controlled by women and minorities by establishing and maintaining programs and policies which promote fairness and equity.



SECTION 4. Interpretation of Ordinances

The ordinances of the City shall be interpreted consistent with the City's values as set forth in this Section. Specifically, the ordinances of the City shall be interpreted to avoid discriminatory impact on any person on the basis of that individual's race, sex, sexual orientation, gender identity or expression, color, religion or non-religion, ancestry, national origin, age, disability, familial status or military status and to ensure fair and equitable treatment of individuals in their interaction with the City.



Gender Neutral Pronouns and Terminology

The Charter of the City of Bexley shall be amended so that, where applicable, all male and/or female pronouns or terminology in the various sections of the Charter shall be replaced with a gender neutral pronoun or terminology.



SECTION 5. Citizen Review Board

The City Council shall provide by ordinance for a Citizen Review Board for the purpose of examining complaints regarding the conduct or policies of the City of Bexley or its employees and shall grant the Citizen Review Board subpoena powers necessary to conduct its work. The Citizen Review Board shall report to City Council at least annually regarding its work and may make recommendations for action by the City.



SECTION 13. Appointment of Other Officers

(previously section 8)

Existing

The Mayor shall have the power to appoint, subject to confirmation by Council, the following officers, to-wit:

- (a) City Attorney.
- (b) Chief of Police.
- (c) Members of the Civil Service Commission.
- (d) Members of the Board of Health.
- (e) Members of the City Planning Commission by Council.
- (f) Member of other boards and commissions, if any, established by Council.
- (g) All other officers, superintendents and heads of administrative departments, whose positions may be created by Council, and for whose appointment no other provision is made. Unless otherwise provided by this Charter or by ordinance, all appointments made under this subdivision shall be at the pleasure of the Mayor.

New

The Mayor shall have the power to appoint, subject to confirmation by Council, the following officers, to-wit:

- (a) City Attorney.
- (b) Chief of Police.
- (c) Members of the Civil Service Commission.
- (d) Members of the Board of Health.
- (e) ***Members of the city planning and zoning boards, committees, or commissions as established by Council.***
- (f) Members of other boards, ***committees***, and commissions, if any, established by Council.
- (g) All other officers, superintendents and heads of administrative departments, whose positions may be created by Council, and for whose appointment no other provision is made. Unless otherwise provided by this Charter or by ordinance, all appointments made under this subdivision shall be at the pleasure of the Mayor.



SECTION 13. Appointment of Other Officers (cont.)

Existing

No person shall be appointed as a member of any board or commission created by this Charter or by ordinance unless notice of the vacancy to be filled was published at least thirty days prior to the submission of such appointment by the Mayor to Council. Except as otherwise provided by the laws of the State of Ohio, the term of office for members of all boards and commissions created by this Charter or by ordinance shall be three years, each commencing July 1, provided that a vacancy during the term of any member shall be filled for the unexpired term of such office. (Amended Nov. 6, 2001)

New

No person shall be appointed as a member of any board or commission created by this Charter or by ordinance unless notice of the vacancy to be filled was published at least thirty days prior to the submission of such appointment by the Mayor to Council. Except as otherwise provided by the laws of the State of Ohio ***or as needed to establish staggered terms.*** The term of office for members of all boards and commissions created by this Charter or by ordinance shall be three years, each commencing July 1, provided that a vacancy during the term of any member shall be filled for the unexpired term of such office. ***In the case of newly appointed boards or commissions or cases in which the staggering of appointments needs to be restored, the Mayor, with the concurrence of Council, may appoint terms shorter than three years.***



SECTION 51. Composition; Terms, Vacancies; Powers and Duties

(previously section 49)

Existing

The Board of Health shall be composed of five members who shall serve without compensation. Their term shall be for three years. The members of the existing Board of Health shall continue in office for the terms for which they were appointed. The Board shall elect one of its members as President.

The Board of Health shall have such powers and perform such duties as may be prescribed by ordinance of Council and by statutes governing boards of health in cities not in conflict with such ordinances. (Amended Nov. 6, 2001)

New

The Board of Health shall be composed of five members who shall serve without compensation. Their term shall be for three years. ***To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years.*** The members of the existing Board of Health shall continue in office for the terms for which they were appointed. The Board shall elect one of its members as President.

The Board of Health shall have such powers and perform such duties as may be prescribed by ordinance of Council and by statutes governing boards of health in cities not in conflict with such ordinances. (Amended Nov. 6, 2001)



SECTION 52. Composition; Terms; Compensation; Officers.

(previously section 50)

Existing

The Civil Service Commission shall consist of three electors of the City. The term of each member shall not exceed three years. They shall receive no compensation for their services. One of the members shall be chosen by the Civil Service Commission as chairperson, and a secretary shall be appointed by the Civil Service Commission members.
(Amended Nov. 6, 2001)

New

The Civil Service Commission shall consist of three electors of the City. The term of each member shall not exceed three years. ***To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years.*** They shall receive no compensation for their services. One of the members shall be chosen by the Civil Service Commission as chairperson, and a secretary shall be appointed by the Civil Service Commission members.



SECTION 58. Creation; Composition; Terms.

(previously section 56)

Existing

Council by ordinance shall create one or more boards or commissions to ~~perform the powers and duties of a city planning commission and to administer the City zoning code.~~

Each such board or commission shall consist of electors of the City who shall serve without compensation and who, with the concurrence of Council, shall be appointed by the Mayor for terms of three years. ~~The members of the existing City Planning Commission shall continue in office until said commission is reorganized or replaced by ordinance of Council.~~

(Amended Nov. 6, 2007)

New

Council by ordinance shall create one or more boards, committees, or commissions to **administer the City zoning code and perform other planning and zoning duties as determined by ordinance of Council.** Each such board, **committee,** or commission shall consist of electors of the City who shall serve without compensation and who, with the concurrence of Council, shall be appointed by the Mayor for terms of three years. **To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years.**



SECTION 14: Removal Power of Mayor

(previously section 9)

Existing

The Mayor, with the concurrence of Council, may at any time remove any officer, member of any board or commission, or superintendent or head of any department, so appointed under authority of paragraphs (a), (c), (d), (e), and (f) of Section 8 hereof, for inefficiency, neglect of duty, or malfeasance in office, having first given such official a copy of the charges and an opportunity to be heard in person or by counsel in the official's own defense, before Council, and such removal ~~when concurred in by Council~~ shall be final.

(Amended Nov. 6, 1990)

New

The Mayor, with the concurrence of Council, may at any time remove the City Attorney. The Mayor, with the concurrence of council, may at any time remove any officer, member of any board or commission so appointed under authority of paragraphs (c), (d), (e), or (f) of Section 13 hereof, for inefficiency, neglect of duty, or malfeasance in office, having first given such official a copy of the charges and an opportunity to be heard in person or by counsel in the official's own defense, before Council, and such removal shall be final.



SECTION 24: Meetings, President of Council

(previously section 21)

Existing

At 7:00 p.m. on the first Monday in January following a regular Municipal election, or on the succeeding day if the first Monday is a legal holiday, Council shall meet at the usual place of holding its meetings, ~~at which time the newly elected members of Council shall assume the duties of their office, and at said meeting~~ Council shall elect one of its members President, who shall preside at meetings of the Council and perform such duties as presiding officer as may be imposed by Council. In the absence of the President at any meeting, Council shall elect a President Pro Tempore. Thereafter Council shall meet at such times as may be prescribed by ordinance or resolution, but shall meet at least twice each month, except that Council may designate one month in the summer season for vacation.

New

At 7:00 pm on the first Monday in January following a regular Municipal election, or on the succeeding day if the first Monday is a legal holiday, Council shall meet at the usual place of holding its meetings, and Council shall elect one of its members President, who shall preside at meetings of the Council and perform such duties as presiding officer as may be imposed by Council. In the absence of the President at any meeting, Council shall elect a President Pro Tempore. Thereafter, Council shall meet at such times as may be prescribed by ordinance or resolution, but shall meet at least twice a month, except that Council may designate one month in the summer season for vacation.



SECTION 24: Meetings, President of Council

(previously section 21)

Existing

The Mayor, President of Council, or any four members thereof, may call special meetings of Council upon written notice ~~served personally upon each member, or left at the member's usual place of residence at least six hours previous to the time fixed for such meeting.~~ Any request for a special meeting and the notice calling the same shall state the subjects to be considered, and such meeting shall be limited to a consideration of such subjects.

(Amended Nov. 6, 1990)

New

The Mayor, President of Council, or any four members thereof, may call special meetings of Council upon written notice ***provided at least six hours in advance of the special meeting. Written notice may be provided electronically via email or similar electronic means commonly used for Council notifications provided the member acknowledges receipt or delivered personally to the member, or left at the member's place of residence.*** Any request for a special meeting and the notice calling the same shall state the subjects to be considered , and such meeting shall be limited to a consideration of such subjects.



SECTION 66: Time for Holding Elections

(previously section 64)

Existing

Regular Municipal elections shall be held on the first Tuesday after the first Monday in November in the odd numbered years and shall be conducted and the results canvassed and announced by the regular election authorities. Any matter which by the terms of this Charter or ordinance of Council may be submitted to the electors of the City at any special election may be submitted at a general Municipal election, ~~but not at any State election.~~

New

Regular Municipal elections shall be held on the first Tuesday after the first Monday in November in the odd numbered years and shall be conducted and the results canvassed and announced by the regular election authorities. Any matter which by the terms of this Charter or ordinance of Council may be submitted to the electors of the City shall be submitted to the electors at the next regular Municipal election ***if one shall occur not less than sixty nor more than 120 days after its passage or the submission of the required petition or at the next regular State election if one shall occur not less than ninety nor more than 120 days after its passage or the submission of the required petition: otherwise it shall submit the amendment, initiative, or referendum at a special election to be called and held not less than sixty nor more than 120 days after its passage or the submission of the required petition.***



SECTION 77: Amendments

Existing

Amendments to this Charter may be submitted to the electors of the City by a two-thirds vote of the Council, and shall be submitted by Council upon a petition signed by ten percent of the electors of the City, setting forth any such proposed amendment. The ordinance providing for the submission of any such amendment shall require that it be submitted to the electors ~~at the next regular Municipal election if one shall occur not less than sixty nor more than 120 days after its passage; otherwise it shall provide for the submission of the amendment at a special election to be called and held within the time aforesaid.~~

Notice of any proposed amendment shall be given in one of the following ways:

New

Amendments to this Charter may be submitted to the electors of the City by a two-thirds vote of the Council, and shall be submitted by Council upon a petition signed by ten percent of the electors of the City, setting forth any such proposed amendment. The ordinance providing for the submission of any such amendment shall require that it be submitted to the electors ***in accordance with Section 66 of this Charter.*** Notice of any proposed amendments shall be given in one of the following ways:



SECTION 77: Amendments (cont'd)

Existing

(a) Not less than thirty days prior to the election at which the amendment is to be submitted to the electors, the City Clerk shall mail a copy of the proposed amendment to each elector whose name appears upon the poll of the last regular Municipal or general election.

(b) The full text of the proposed amendment shall be published ~~once a week for not less than two consecutive weeks in a newspaper published in the City, with the first publication being at least fifteen days prior to the election at which the amendment is to be submitted to the electors. If no newspaper is published in the City, then such publication shall be made in a newspaper of general circulation within the City.~~

(c) Any other procedure authorized by the general laws of the State applicable to cities.

(Amended Nov. 6, 1990)

If such proposed amendment is approved by a majority of the electors voting thereon, it shall become a part of the Charter.

New

a) Not less than thirty days prior to the election at which the amendments are to be submitted to the electors, the City Clerk shall mail a copy of the proposed amendments to each elector whose name appears upon the poll of the last regular Municipal or general election.

b) The full text of the proposed amendments shall be published *electronically by the City on whatever available platform or platforms the administration determines reasonably appropriate to reach the greatest number of residents within the City, once a week for not less than two consecutive weeks, with the first publication being at least fifteen days prior to the election at which the amendments are to be submitted to the electors.*

c) Any other procedure authorized by the general laws of the State applicable to cities.

If such proposed amendments are approved by a majority of the electors voting thereon, they shall become part of the Charter.



Group B: Suggested Issues to Be Considered for Possible Legislative Action by Council:

- Section 25 - Quorum, Rules, Journal, Public Meetings
- Section 33 – Bonds of Officers and Employees
- Section 64 - Public Utilities
- Section 79 - Future Charter Review



Group C: Suggested Issues To Be Considered During Future Discussion:

- Section 9 - Term and Qualifications of Mayor
- Section 17 – Right of Mayor and Officials in Council
- Section 40 - Recall
- Section 48 - Powers and Duties of Chief
- Section 49 – Term; Removal of Chief
- Section 62 - Conflicts of Interest, Ethics and Campaign Financing
- Section 81- Environment

To: Bexley City Council
From: Councilmembers Monique Lampke, Lori Ann Feibel, and Matt Klingler
Re: Council Committee Recommendations on Charter Review Commission's Proposed Amendments
Date: April 27, 2021

Our council committee met on February 17, March 3, April 7 and April 21, 2021, together with City Auditor Bill Harvey and City Attorney Marc Fishel, to develop recommendations on the proposed amendments suggested by the Charter Review Commission. The proposed amendments are the collective work of Bexley residents who met for two hours at a time twice a month for over a year and we are grateful for their service and thoughtful consideration of the Charter.

After careful and extensive consideration of the report of the Charter Review Commission, we recommend that the following issues be included on the November 2021 Ballot (noting that the Board of Elections has the final determination on ballot language). We have also listed issues that Council could address via legislative action or during possible future discussion.

Group A: Suggested Issues To Be Included On November 2021 Ballot:

1st BUNDLE:

SECTION 1. Recognition and Intent

The City of Bexley recognizes that institutional racism and discrimination exist and have a painful, historic legacy in our community and in this country, the effects of which continue to place the health and well-being of minority residents at risk. The City of Bexley rejects, discourages, and condemns all forms of racism, discrimination, anti-Semitism, and all hate-based conduct. The City seeks to embrace diversity and to cultivate a welcoming and inclusive environment for all persons. It is the intent of the City of Bexley to work together with community groups, organizations, and individuals to confront racism and discrimination in order to promote diversity, equity, and inclusion.

SECTION 2. Non-Discrimination and Citizen Participation

In the exercise of its powers or in the performance of its duties, the City of Bexley and all of its departments, boards, commissions, committees, and employees shall strive to ensure that no person or group engaged in the conduct of official business or seeking to do business with the City is discriminated against based on race, sex, sexual orientation, gender identity or expression, color, religion or non-religion, ancestry, national origin, age, disability, and familial status or military status. The City's Strategic Plan shall incorporate and maintain strategies to eliminate institutional racism and discrimination, increase the diversity of the community, and to create a

~~welcoming and inclusive environment within the City. Bexley Mayor's Court shall ensure defendants' appearances by the least restrictive means possible in accordance with the Ohio Rules of Criminal Procedure. , or for any cause not reasonably related to the accomplishment of a legitimate government purpose.~~ Bexley encourages citizens to attend public meetings and when appropriate to offer insights, suggestions, comments, or questions to public officials to provide our City government with the richness that can come from the respectful exchange of ideas and urges citizens to be mindful of the needs of government officials to regulate discussion to sustain the orderly, productive work of governing the City.

SECTION 3. Diversity in Hiring and Contracting

The City of Bexley shall commit to actively recruit qualified individuals ~~from underrepresented populations~~, including minority and women candidates, for employment in all levels of City government with the goal of ~~accurately reflecting a diverse workforce the diversity of the City of Bexley and of Franklin County. a diverse workforce.~~ When issuing all contracts, the City shall give due consideration to individuals and firms owned or controlled by women and minorities ~~individuals from underrepresented populations, including minorities and women~~ by establishing and maintaining programs and policies which promote fairness and equity.

SECTION 4. Interpretation of Ordinances

The ordinances of the City shall be interpreted consistent with the City's values as set forth in this Section. Specifically, the ordinances of the City shall be interpreted to avoid ~~discriminatory~~ parate impact on any person on the basis of that individual's race, sex, sexual orientation, gender identity or expression, color, religion or non-religion, ancestry, national origin, age, disability, familial status or military status and to ensure fair and equitable treatment of individuals in their interaction with the City.

Gender Neutral Pronouns and Terminology

The Charter of the City of Bexley shall be amended so that, where applicable, all male and/or female pronouns or terminology in the various sections of the Charter shall be replaced with a gender neutral pronoun or terminology.

2nd BUNDLE:

SECTION 5. Citizen Review Board

The City Council shall provide by ordinance for a Citizen Review Board for the purpose of examining complaints regarding the conduct or policies of the City of Bexley or its employees and shall grant the Citizen Review Board subpoena powers necessary to conduct its work. The Citizen Review Board shall report to City Council at least annually regarding its work and may make recommendations for action by the City.

3rd BUNDLE:

SECTION 13. Appointment of Other Officers

The Mayor shall have the power to appoint, subject to confirmation by Council, the following officers, to-wit:

- (a) City Attorney.
- (b) Chief of Police.
- (c) Members of the Civil Service Commission.
- (d) Members of the Board of Health.
- (e) Members of the city planning and zoning boards, committees, or commissions as established~~City Planning Commission Board of Zoning and Planning city planning and zoning boards, committees, or commissions as established~~ by Council.
- (f) Members of other boards, committees~~committees~~, and commissions, if any, established by Council.
- (g) All other officers, superintendents and heads of administrative departments, whose positions may be created by Council, and for whose appointment no other provision is made. Unless otherwise provided by this Charter or by ordinance, all appointments made under this subdivision shall be at the pleasure of the Mayor.

No person shall be appointed as a member of any board or commission created by this Charter or by ordinance unless notice of the vacancy to be filled was published at least thirty days prior to the submission of such appointment by the Mayor to Council. Except as otherwise provided by the laws of the State of Ohio or as needed to establish staggered terms ~~or as needed to establish staggered terms,~~, the term of office for members of all boards and commissions created by this Charter or by ordinance shall be three years, each commencing July 1, provided that a vacancy during the term of any member shall be filled for the unexpired term of such office. In the case of newly appointed boards or commissions or cases in which the staggering of appointments needs to be restored, the Mayor, with the concurrence of Council, may appoint terms shorter than three years. ~~except in the case of newly appointed boards or commissions or cases in which the staggering of appointments needs to be restored. In these cases the Mayor, with the concurrence of Council, may appoint terms shorter than three years.~~

SECTION 51. Composition; Terms, Vacancies; Powers and Duties.

The Board of Health shall be composed of five members who shall serve without compensation. Their term shall be for three years. To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years. ~~To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years.~~ The members of the existing Board of Health shall continue in office for the terms for which they were appointed. The Board shall elect one of its members as President.

The Board of Health shall have such powers and perform such duties as may be prescribed by ordinance of Council and by statutes governing boards of health in cities not in conflict with such ordinances. (Amended Nov. 6, 2001)

SECTION 52. Composition; Terms; Compensation; Officers.

The Civil Service Commission shall consist of three electors of the City. The term of each member shall not exceed three years. ~~To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years. To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years.~~ They shall receive no compensation for their services. One of the members shall be chosen by the Civil Service Commission as chairperson, and a secretary shall be appointed by the Civil Service Commission members.

SECTION 58. Creation; Composition; Terms.

Council by ordinance shall create one or more boards, ~~committees, committees,~~ or commissions to ~~administer the City zoning code and perform other planning and zoning duties as determined by ordinance of Council. administer the City zoning code and perform other planning and zoning duties as determined by ordinance of Council. perform the powers and duties of a city planning commission and to administer the City zoning code.~~ Each such board, committee, or commission shall consist of electors of the City who shall serve without compensation and who, with the concurrence of Council, shall be appointed by the Mayor for terms of three years. ~~To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years. To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three 3 years. The members of the existing City Planning Commission shall continue in office until said commission is reorganized or replaced by ordinance of Council.~~

4th BUNDLE:

SECTION 14: Removal Power of Mayor

The Mayor, with the concurrence of Council, may at any time remove the City Attorney. The Mayor, with the concurrence of council, may at any time remove any officer, member of any board or commission so appointed under authority of paragraphs (c), (d), (e), or (f) of Section 13 hereof, for inefficiency, neglect of duty, or malfeasance in office, having first given such official a copy of the charges and an opportunity to be heard in person or by counsel in the official's own defense, before Council, and such removal shall be final.

5th BUNDLE:

SECTION 24: Meetings, President of Council

~~The four-year term of office for City Council Members will begin on January 1, following their election and shall go until December 31 in the fourth year of their term of service.~~ At 7:00 pm on the first Monday in January following a regular Municipal election, or on the succeeding day if the first Monday is a legal holiday, Council shall meet at the usual place of

holding its meetings, and Council shall elect one of its members President, who shall preside at meetings of the Council and perform such duties as presiding officer as may be imposed by Council. In the absence of the President at any meeting, Council shall elect a President Pro Tempore. Thereafter, Council shall meet at such times as may be prescribed by ordinance or resolution, but shall meet at least twice a month, except that Council may designate one month in the summer season for vacation. The Mayor, President of Council, or any four members thereof, may call special meetings of Council upon written notice provided at least six hours in advance of the special meeting. Written notice may be provided electronically via email or similar electronic means commonly used for Council notifications provided the member acknowledges receipt or delivered personally to the member, or left at the member's place of residence. Any request for a special meeting and the notice calling the same shall state the subjects to be considered , and such meeting shall be limited to a consideration of such subjects.

SECTION 66: Time for Holding Elections

Regular Municipal elections shall be held on the first Tuesday after the first Monday in November in the odd numbered years and shall be conducted and the results canvassed and announced by the regular election authorities. Any matter which by the terms of this Charter or ordinance of Council may be submitted to the electors of the City shall be submitted to the electors at the next regular Municipal election if one shall occur not less than sixty nor more than 120 days after its passage or the submission of the required petition or at the next regular State election if one shall occur not less than ninety nor more than 120 days after its passage or the submission of the required petition: otherwise it shall submit the amendment, initiative, or referendum at a special election to be called and held not less than sixty nor more than 120 days after its passage or the submission of the required petition.

SECTION 77: Amendments

Amendments to this Charter may be submitted to the electors of the City by a two-thirds vote of the Council, and shall be submitted by Council upon a petition signed by ten percent of the electors of the City, setting forth any such proposed amendment. The ordinance providing for the submission of any such amendment shall require that it be submitted to the electors in accordance with Section 66 of this Charter.

Notice of any proposed amendments shall be given in one of the following ways:

- a) Not less than thirty days prior to the election at which the amendments are to be submitted to the electors, the City Clerk shall mail a copy of the proposed amendments to each elector whose name appears upon the poll of the last regular Municipal or general election.
- b) The full text of the proposed amendments shall be published electronically by the City on whatever available platform or platforms the administration determines reasonably appropriate to reach the greatest number of residents within the City, once a week for not less than two consecutive weeks, ~~in an electronic mailing published by the City, on the City web page if available, and on a platform or platforms the City considers appropriate to distribute the information broadly to the electors,~~ with the first publication being at

least fifteen days prior to the election at which the amendments are to be submitted to the electors.

- c) Any other procedure authorized by the general laws of the State applicable to cities.

If such proposed amendments are approved by a majority of the electors voting thereon, they shall become part of the Charter.

Group B: Suggested Issues to Be Considered for Possible Legislative Action by Council:

Section 25 - Quorum, Rules, Journal, Public Meetings

Section 33 – Bonds of Officers and Employees

Section 64 - Public Utilities

Section 79 - Future Charter Review

Group C: Suggested Issues To Be Considered During Future Discussion:

Section 9 - Term and Qualifications of Mayor

Section 17 – Right of Mayor and Officials in Council

Section 40 - Recall

Section 48 - Powers and Duties of Chief

Section 49 – Term; Removal of Chief

Section 62 - Conflicts of Interest, Ethics and Campaign Financing

Section 81- Environment



SECTION 1. RECOGNITION & INTENT

The City of Bexley recognizes that institutional racism and discrimination exist and have a painful, historic legacy in our community and in this country, the effects of which continue to place the health and well-being of minority residents at risk. The City of Bexley rejects, discourages, and condemns all forms of racism, discrimination, anti-Semitism, and all hate-based conduct. The City seeks to embrace diversity and to cultivate a welcoming and inclusive environment for all persons. It is the intent of the City of Bexley to work together with community groups, organizations, and individuals to confront racism and discrimination in order to promote diversity, equity, and inclusion.



SECTION 2. Non-Discrimination and Citizen Participation

In the exercise of its powers or in the performance of its duties, the City of Bexley and all of its departments, boards, commissions, committees, and employees shall strive to ensure that no person or group engaged in the conduct of official business or seeking to do business with the City is discriminated against based on race, sex, sexual orientation, gender identity or expression, color, religion or non-religion, ancestry, national origin, age, disability, and familial status or military status. The City's Strategic Plan shall incorporate and maintain strategies to eliminate institutional racism and discrimination, increase the diversity of the community, and to create a welcoming and inclusive environment within the City.....



SECTION 2. Non-Discrimination and Citizen Participation (cont'd.)

.... Bexley Mayor's Court shall ensure defendants' appearances by the least restrictive means possible in accordance with the Ohio Rules of Criminal Procedure, or for any cause not reasonably related to the accomplishment of a legitimate government purpose. Bexley encourages citizens to attend public meetings and when appropriate to offer insights, suggestions, comments, or questions to public officials to provide our City government with the richness that can come from the respectful exchange of ideas and urges citizens to be mindful of the needs of government officials to regulate discussion to sustain the orderly, productive work of governing the City.



SECTION 3. Diversity in Hiring and Contracting

The City of Bexley shall commit to actively recruit qualified individuals, including minority and women candidates, for employment in all levels of City government with the goal of reflecting a diverse workforce. When issuing all contracts, the City shall give due consideration to individuals and firms owned or controlled by women and minorities by establishing and maintaining programs and policies which promote fairness and equity.



SECTION 4. Interpretation of Ordinances

The ordinances of the City shall be interpreted consistent with the City's values as set forth in this Section. Specifically, the ordinances of the City shall be interpreted to avoid discriminatory impact on any person on the basis of that individual's race, sex, sexual orientation, gender identity or expression, color, religion or non-religion, ancestry, national origin, age, disability, familial status or military status and to ensure fair and equitable treatment of individuals in their interaction with the City.



Gender Neutral Pronouns and Terminology

The Charter of the City of Bexley shall be amended so that, where applicable, all male and/or female pronouns or terminology in the various sections of the Charter shall be replaced with a gender neutral pronoun or terminology.



SECTION 5. Citizen Review Board

The City Council shall provide by ordinance for a Citizen Review Board for the purpose of examining complaints regarding the conduct or policies of the City of Bexley or its employees and shall grant the Citizen Review Board subpoena powers necessary to conduct its work. The Citizen Review Board shall report to City Council at least annually regarding its work and may make recommendations for action by the City.



SECTION 13. Appointment of Other Officers

(previously section 8)

Existing

The Mayor shall have the power to appoint, subject to confirmation by Council, the following officers, to-wit:

- (a) City Attorney.
- (b) Chief of Police.
- (c) Members of the Civil Service Commission.
- (d) Members of the Board of Health.
- (e) Members of the City Planning Commission by Council.
- (f) Member of other boards and commissions, if any, established by Council.
- (g) All other officers, superintendents and heads of administrative departments, whose positions may be created by Council, and for whose appointment no other provision is made. Unless otherwise provided by this Charter or by ordinance, all appointments made under this subdivision shall be at the pleasure of the Mayor.

New

The Mayor shall have the power to appoint, subject to confirmation by Council, the following officers, to-wit:

- (a) City Attorney.
- (b) Chief of Police.
- (c) Members of the Civil Service Commission.
- (d) Members of the Board of Health.
- (e) **Members of the city planning and zoning boards, committees, or commissions as established by Council.**
- (f) Members of other boards, **committees**, and commissions, if any, established by Council.
- (g) All other officers, superintendents and heads of administrative departments, whose positions may be created by Council, and for whose appointment no other provision is made. Unless otherwise provided by this Charter or by ordinance, all appointments made under this subdivision shall be at the pleasure of the Mayor.



SECTION 13. Appointment of Other Officers (cont.)

Existing

No person shall be appointed as a member of any board or commission created by this Charter or by ordinance unless notice of the vacancy to be filled was published at least thirty days prior to the submission of such appointment by the Mayor to Council. Except as otherwise provided by the laws of the State of Ohio, the term of office for members of all boards and commissions created by this Charter or by ordinance shall be three years, each commencing July 1, provided that a vacancy during the term of any member shall be filled for the unexpired term of such office. (Amended Nov. 6, 2001)

New

No person shall be appointed as a member of any board or commission created by this Charter or by ordinance unless notice of the vacancy to be filled was published at least thirty days prior to the submission of such appointment by the Mayor to Council. Except as otherwise provided by the laws of the State of Ohio ***or as needed to establish staggered terms.*** The term of office for members of all boards and commissions created by this Charter or by ordinance shall be three years, each commencing July 1, provided that a vacancy during the term of any member shall be filled for the unexpired term of such office. ***In the case of newly appointed boards or commissions or cases in which the staggering of appointments needs to be restored, the Mayor, with the concurrence of Council, may appoint terms shorter than three years.***



SECTION 51. Composition; Terms, Vacancies; Powers and Duties

(previously section 49)

Existing

The Board of Health shall be composed of five members who shall serve without compensation. Their term shall be for three years. The members of the existing Board of Health shall continue in office for the terms for which they were appointed. The Board shall elect one of its members as President.

The Board of Health shall have such powers and perform such duties as may be prescribed by ordinance of Council and by statutes governing boards of health in cities not in conflict with such ordinances. (Amended Nov. 6, 2001)

New

The Board of Health shall be composed of five members who shall serve without compensation. Their term shall be for three years. ***To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years.*** The members of the existing Board of Health shall continue in office for the terms for which they were appointed. The Board shall elect one of its members as President.

The Board of Health shall have such powers and perform such duties as may be prescribed by ordinance of Council and by statutes governing boards of health in cities not in conflict with such ordinances. (Amended Nov. 6, 2001)



SECTION 52. Composition; Terms; Compensation; Officers.

(previously section 50)

Existing

The Civil Service Commission shall consist of three electors of the City. The term of each member shall not exceed three years.

They shall receive no compensation for their services. One of the members shall be chosen by the Civil Service Commission as chairperson, and a secretary shall be appointed by the Civil Service Commission members.

(Amended Nov. 6, 2001)

New

The Civil Service Commission shall consist of three electors of the City. The term of each member shall not exceed three

years. ***To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years.*** They shall receive no compensation for their services.

One of the members shall be chosen by the Civil Service Commission as chairperson, and a secretary shall be appointed by the Civil Service Commission members.



SECTION 58. Creation; Composition; Terms.

(previously section 56)

Existing

Council by ordinance shall create one or more boards or commissions to ~~perform the powers and duties of a city planning commission and to administer the City zoning code.~~

Each such board or commission shall consist of electors of the City who shall serve without compensation and who, with the concurrence of Council, shall be appointed by the Mayor for terms of three years. ~~The members of the existing City Planning Commission shall continue in office until said commission is reorganized or replaced by ordinance of Council.~~

(Amended Nov. 6, 2007)

New

Council by ordinance shall create one or more boards, committees, or commissions to **administer the City zoning code and perform other planning and zoning duties as determined by ordinance of Council.** Each such board, **committee,** or commission shall consist of electors of the City who shall serve without compensation and who, with the concurrence of Council, shall be appointed by the Mayor for terms of three years. **To create staggered terms, the Mayor, with the consent of Council, can appoint members for less than three years.**



SECTION 14: Removal Power of Mayor

(previously section 9)

Existing

The Mayor, with the concurrence of Council, may at any time remove any officer, member of any board or commission, or superintendent or head of any department, so appointed under authority of paragraphs (a), (c), (d), (e), and (f) of Section 8 hereof, for inefficiency, neglect of duty, or malfeasance in office, having first given such official a copy of the charges and an opportunity to be heard in person or by counsel in the official's own defense, before Council, and such removal ~~when concurred in by Council~~ shall be final.

(Amended Nov. 6, 1990)

New

The Mayor, with the concurrence of Council, may at any time remove the City Attorney. The Mayor, with the concurrence of council, may at any time remove any officer, member of any board or commission so appointed under authority of paragraphs (c), (d), (e), or (f) of Section 13 hereof, for inefficiency, neglect of duty, or malfeasance in office, having first given such official a copy of the charges and an opportunity to be heard in person or by counsel in the official's own defense, before Council, and such removal shall be final.



SECTION 24: Meetings, President of Council

(previously section 21)

Existing

At 7:00 p.m. on the first Monday in January following a regular Municipal election, or on the succeeding day if the first Monday is a legal holiday, Council shall meet at the usual place of holding its meetings, ~~at which time the newly elected members of Council shall assume the duties of their office, and at said meeting~~ Council shall elect one of its members President, who shall preside at meetings of the Council and perform such duties as presiding officer as may be imposed by Council. In the absence of the President at any meeting, Council shall elect a President Pro Tempore. Thereafter Council shall meet at such times as may be prescribed by ordinance or resolution, but shall meet at least twice each month, except that Council may designate one month in the summer season for vacation.

New

At 7:00 pm on the first Monday in January following a regular Municipal election, or on the succeeding day if the first Monday is a legal holiday, Council shall meet at the usual place of holding its meetings, and Council shall elect one of its members President, who shall preside at meetings of the Council and perform such duties as presiding officer as may be imposed by Council. In the absence of the President at any meeting, Council shall elect a President Pro Tempore. Thereafter, Council shall meet at such times as may be prescribed by ordinance or resolution, but shall meet at least twice a month, except that Council may designate one month in the summer season for vacation.



SECTION 24: Meetings, President of Council

(previously section 21)

Existing

The Mayor, President of Council, or any four members thereof, may call special meetings of Council upon written notice ~~served personally upon each member, or left at the member's usual place of residence at least six hours previous to the time fixed for such meeting.~~ Any request for a special meeting and the notice calling the same shall state the subjects to be considered, and such meeting shall be limited to a consideration of such subjects.

(Amended Nov. 6, 1990)

New

The Mayor, President of Council, or any four members thereof, may call special meetings of Council upon written notice ***provided at least six hours in advance of the special meeting. Written notice may be provided electronically via email or similar electronic means commonly used for Council notifications provided the member acknowledges receipt or delivered personally to the member, or left at the member's place of residence.*** Any request for a special meeting and the notice calling the same shall state the subjects to be considered , and such meeting shall be limited to a consideration of such subjects.



SECTION 66: Time for Holding Elections

(previously section 64)

Existing

Regular Municipal elections shall be held on the first Tuesday after the first Monday in November in the odd numbered years and shall be conducted and the results canvassed and announced by the regular election authorities. Any matter which by the terms of this Charter or ordinance of Council may be submitted to the electors of the City at any special election may be submitted at a general Municipal election, ~~but not at any State election.~~

New

Regular Municipal elections shall be held on the first Tuesday after the first Monday in November in the odd numbered years and shall be conducted and the results canvassed and announced by the regular election authorities. Any matter which by the terms of this Charter or ordinance of Council may be submitted to the electors of the City shall be submitted to the electors at the next regular Municipal election ***if one shall occur not less than sixty nor more than 120 days after its passage or the submission of the required petition or at the next regular State election if one shall occur not less than ninety nor more than 120 days after its passage or the submission of the required petition: otherwise it shall submit the amendment, initiative, or referendum at a special election to be called and held not less than sixty nor more than 120 days after its passage or the submission of the required petition.***



SECTION 77: Amendments

Existing

Amendments to this Charter may be submitted to the electors of the City by a two-thirds vote of the Council, and shall be submitted by Council upon a petition signed by ten percent of the electors of the City, setting forth any such proposed amendment. The ordinance providing for the submission of any such amendment shall require that it be submitted to the electors ~~at the next regular Municipal election if one shall occur not less than sixty nor more than 120 days after its passage; otherwise it shall provide for the submission of the amendment at a special election to be called and held within the time aforesaid.~~

Notice of any proposed amendment shall be given in one of the following ways:

New

Amendments to this Charter may be submitted to the electors of the City by a two-thirds vote of the Council, and shall be submitted by Council upon a petition signed by ten percent of the electors of the City, setting forth any such proposed amendment. The ordinance providing for the submission of any such amendment shall require that it be submitted to the electors ***in accordance with Section 66 of this Charter.*** Notice of any proposed amendments shall be given in one of the following ways:



SECTION 77: Amendments (cont'd)

Existing

(a) Not less than thirty days prior to the election at which the amendment is to be submitted to the electors, the City Clerk shall mail a copy of the proposed amendment to each elector whose name appears upon the poll of the last regular Municipal or general election.

(b) The full text of the proposed amendment shall be published ~~once a week for not less than two consecutive weeks in a newspaper published in the City, with the first publication being at least fifteen days prior to the election at which the amendment is to be submitted to the electors. If no newspaper is published in the City, then such publication shall be made in a newspaper of general circulation within the City.~~

(c) Any other procedure authorized by the general laws of the State applicable to cities.

(Amended Nov. 6, 1990)

If such proposed amendment is approved by a majority of the electors voting thereon, it shall become a part of the Charter.

New

a) Not less than thirty days prior to the election at which the amendments are to be submitted to the electors, the City Clerk shall mail a copy of the proposed amendments to each elector whose name appears upon the poll of the last regular Municipal or general election.

b) The full text of the proposed amendments shall be published *electronically by the City on whatever available platform or platforms the administration determines reasonably appropriate to reach the greatest number of residents within the City, once a week for not less than two consecutive weeks, with the first publication being at least fifteen days prior to the election at which the amendments are to be submitted to the electors.*

c) Any other procedure authorized by the general laws of the State applicable to cities.

If such proposed amendments are approved by a majority of the electors voting thereon, they shall become part of the Charter.



Group B: Suggested Issues to Be Considered for Possible Legislative Action by Council:

- Section 25 - Quorum, Rules, Journal, Public Meetings
- Section 33 – Bonds of Officers and Employees
- Section 64 - Public Utilities
- Section 79 - Future Charter Review



Group C: Suggested Issues To Be Considered During Future Discussion:

- Section 9 - Term and Qualifications of Mayor
- Section 17 – Right of Mayor and Officials in Council
- Section 40 - Recall
- Section 48 - Powers and Duties of Chief
- Section 49 – Term; Removal of Chief
- Section 62 - Conflicts of Interest, Ethics and Campaign Financing
- Section 81- Environment