



City Council Meeting Minutes

Tuesday, December 7, 2021

6:00 PM

1) Call to Order

President Feibel called the meeting to order at 6:01 pm.

2) Roll Call of Members

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

Council Members Absent: None

3) Pledge of Allegiance

4) Presentations/Special Guests

A) Bexley High School Girls Varsity Soccer - State Semi-Finalists

B) Proclamation for Elaine Pelz of the Bexley Chamber of Commerce.

Mayor Kessler presented a proclamation to the Bexley High School Lady Lions soccer team and coaches.

Mayor Kessler then presented a proclamation honoring Elaine Pelz for her work for the Bexley Chamber of Commerce.

5) Public Comments

No public comments at this time.

6) President's Report

President Feibel reminded everyone the next Council meeting is December 14th and that the appeal hearing for 2300 Livingston is on December 15th at 6:00 pm.

Monday, January 3 will also be a swearing in ceremony for our new City Auditor, Matt McPeck, and our new City Council member, Sam Marcellino, at 7:00 pm.

7) **City Attorney Report**
No report at this time.

8) **Administrative Update:**

A) **Service Department- Service Director, Andy Bashore**

Mr. Bashore has nothing to add to his written report. Ms. Saad complimented the progress on the dog park and asked a question about a road safety project, which Mr. Bashore answered. Mayor Kessler provided some additional information on traffic safety work.

B) **Police Department Update- Chief Rinehart**

Chief Rinehart had nothing to add to his written report. Ms. Feibel mentioned that there are some helpful items on his written report Ms. Lampke offered thanks to the police department in reference to items in the latter part of the Chief's report.

C) **Recreation and Parks Update- Mike Price**

Mr. Price had no additions to his written report. Ms. Feibel complimented the recent tree lighting event.

D) **Finance Department Update- Bill Harvey**

Mr. Harvey has no update at this time. There were no questions at this time.

E) **Mayor's Update**

Mayor Kessler summarized the content of his report. Ms. Lampke asked a question about potential Santa visit, which Mr. Kessler answered. Mr. Klingler asked about a potential speed control vehicle, which Mr. Kessler answered.

9) **Consent Agenda:**

A) November 16, 2021 Meeting Minutes

B) Resolution 14-21 to schedule the Bexley City Council meeting dates and times for the year 2022, introduced by Lori Ann Feibel on November 9, 2021.

C) Resolution 15-21 to authorize the Mayor to seek financial assistance from the State of Ohio and the Ohio Department of Natural Resources for funding of a pedestrian and bicyclist bridge at Schneider Park near Astor Avenue, introduced by Mr. Klingler on November 9, 2021.

Mr. Fishel read the items on the consent agenda and Ms. Feibel asked if Council or those in attendance had any questions or comments.

Mr. Klingler moved to accept the items on the consent agenda.

Ms. Robinson seconded.

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

Opposed: None

Motion passed 7-0.

10) Ordinances/Resolutions with visiting presenters

None.

11) Third Readings:

A) Ordinance 50-21 to establish the Water and Sewer rates charged by the City of Bexley, introduced by Troy Markham on November 9, 2021.

Mr. Fishel read the summary of this ordinance and Mr. Markham summarized the background and some of the changes. Mr. Kessler provided elaboration on some of the changes. Ms. Lampke

Mr. Markham moved to amend Ordinance #50-21
Mr. Klingler seconded.

Mr. Sharp asked a question about Section 4, which Mr. Fishel answered

Ms. Feibel then continued, requesting the vote on Mr. Markham's motion.

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

Opposed: None

Motion passed 7-0.

Mr. Markham moved to adopt Amended Ordinance #50-21
Mr. Klingler seconded.

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

Opposed: None

Motion passed 7-0.

12) Second Readings:

A) Ordinance 51-21 to Approve the Collective Bargaining Agreement between AFSCME, Ohio Council 8, Local 3318 and the City of Bexley introduced by Troy Markham on November 16, 2021

Mr. Fishel read the summary of this ordinance and Mr. Markham invited him to provide additional information. Mr. Markham summarized the changes, most of which are quite minor.

B) Ordinance 52-2021 to Ban the Discharge, Ignition, or Explosion of Fireworks with the City of Bexley introduced by Jen Robinson on November 16, 2021.

Mr. Fishel read the summary of this ordinance and Ms. Robinson stated the purpose of this ordinance and also discussed some of the proposed amendments.

Ms. Robinson moved to approve the amendments to Ordinance 52-21
Ms. Feibel seconded.

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

Opposed: None

Motion passed 7-0.

This ordinance will be put on the consent agenda if Marc has no other questions. He will let Natalie know if there are other considerations.

C) **Ordinance 53-21 to authorize supplemental appropriations for calendar year 2021 introduced by Troy Markham on November 16, 2021.**

Mr. Fishel read the summary of Ordinance 53-21 and Mr. Markham encouraged Council to review the different sections outlining the appropriations. Mr. Kessler provided some additional information. Mr. Sharp asked a question about the water fund, which Mr. Kessler and Mr. Harvey answered.

D) **Ordinance 54-21 to immediately rescind the City's "State of Emergency" first declared on March 15th, 2020 and as last amended on September 10th, 2021, and all Executive Orders issued relating to the COVID-19 pandemic, except for previously approved Temporary Signage at Commercially Zoned Properties, Temporary Expansions of Restaurant Patios, and Temporary Facilities for COVID-19 Testing and Vaccination, which will be extended until June 30th 2023. Introduced by Richard Sharp on November 16, 2021.**

Mr. Fishel read the ordinance summary and Mr. Sharp provided a more thorough summary and summary of the intent behind this ordinance. Ms. Feibel asked if there were any questions at this time. Hearing none, she moved on.

E) **Ordinance 55-21 to renew the "City of Bexley Housing Voucher Acceptance Program Grant" previously established by Third Amended Ordinance 43-20, for the purpose of encouraging Bexley rental property owners to accept and participate in various state/local government and "not for profit organization" housing voucher programs, introduced by Richard Sharp on November 16, 2021.**

Mr. Fishel read the summary of this ordinance and Mr. Sharp provided additional information and rationale behind this voucher acceptance program.

F) **Resolution 16-21 Confirming the Mayor's appointment of members to the Bexley Community Improvement Corporation, introduced by Jessica Saad on November 16, 2021**

Mr. Fishel read the summary of this ordinance and Ms. Saad provided some detail on the appointments. Mr. Sharp asked if there were any other residents who expressed interest and Mr. Kessler confirmed that there was other interest, for a variety of reasons he felt this was good.

Resolution will go to consent agenda. Date will be fixed to 2024 from 2025

G) **Ordinance 57-21 to establish rates for the Police Chief and Police Captain of the City of Bexley, effective as of January 1, 2022 and to approve the revised pay step schedule attached hereto as Exhibit A, introduced by Troy Markham on November 16, 2021.**

Mr. Fishel read the summary of this ordinance and Mr. Markham asked Mr. Kessler to provide an overview of the proposed changes, which Mr. Kessler did. Ms. Feibel asked if Council would like to wait to vote on these amendments and Council members agreed to this.

- H) **Ordinance 56-21 to authorize appropriations of \$55,000 from the General Fund into the Grants Account, for the purpose of funding the Kindness Park and Senior/Community Center projects, introduced by Troy Markham on November 16, 2021.**

Mr. Fishel read the summary of this ordinance and Mr. Kessler asked Mr. Price if there was any additional information or need for a suspension of the three reading rule. Mr. Price answered there was not.

13) First Readings:

- A) **Ordinance 58-21 to revise Section 432.38 of the Bexley City Code to restore regulations relating to weaving and full time and attention while operating a motor vehicle or motorcycle that were inadvertently overwritten by Ordinance 27-16, introduced by Jen Robinson on December 7, 2021.**

Mr. Fishel read the summary of this ordinance and Ms. Robinson provided some background about this ordinance which works to restore language inadvertently overwritten by Ordinance 27-16.

14) Tabled Ordinances:

- A) **Ordinance 46-21 authorizing appropriations for calendar year beginning January 1, 2022, to confirm the appointment of Marc Fishel as City Attorney, to create an Infrastructure Development Fund: and to authorize transfers to the Capital Improvements, Infrastructure Fund and Budget Stability fund of \$500,000 \$1,100,000 and \$100,000 respectively (Introduced by Troy Markham on October 26, 2021)**

Mr. Markham moved to remove Ordinance 46-21 from the table for discussion.

Mr. Klingler seconded.

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

Opposed: None

Motion passed 7-0

Mr. Fishel read the ordinance and Mr. Markham and Mr. Kessler provided an overview of the proposed amendments and addressed questions from Council members regarding same.

Mr Markham moved to amend Ordinance 46-21

Mr. Klingler seconded

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

Opposed: None

Motion passed 7-0.

Mr. Markham moved to approve Amended Ordinance 46-21.

Mr. Klingler seconded.

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

Opposed: None

Motion passed 7-0.

- B) **Ordinance 41-21 accepting the proposed donation of the Columbia Place private street in the Columbia Place subdivision by the City of Bexley for a public street. (Introduced by Jessica Saad September 28, 2021)**

No action at this time.

- C) **Ordinance 24-21 (Tabled), to award the Bexley Electricity Aggregation Program contract to AEP Energy, based upon the terms and conditions provided for in their RFP, as modified by the Board of Control, introduced by Mr. Sharp. (Introduced on May 25, 2021)**

No action at this time.

- D) **Ordinance 12-21 (Tabled), 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).**

No action at this time.

- E) **Ordinance 47-21 to amend section 408.01 (d) of the codified ordinances, in order to allow for income-based fines for minor misdemeanors, introduced by Jen Robinson on October 26, 2021.**

Ms. Robinson asked to remove Ordinance 47-21 from the table.

Mr. Sharp seconded.

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

Opposed: None

Motion passed 7-0.

Ms. Robinson discussed some of the proposed amendments to this ordinance which address some of the feedback she's received from Council members. Ms. Feibel thanked Ms. Robinson for her work on this ordinance, and expressed her initial reservations and how they have evolved. Mr. Sharp mentioned a concern about language in d, ii. Mr. Fishel located and uploaded the accurate version of the proposed amendments and Council members reviewed.

Ms. Robinson asked to approve amendments to Ordinance 47-21

Mr. Sharp seconded.

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

Opposed: None

Motion passed 7-0.

Mr. Sharp and other Council members briefly discussed options for accountability to monitor the success of this ordinance.

Ms. Robinson moved to approve amended Ordinance 47-21

Mr. Klingler seconded

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

Opposed: None

Motion passed 7-0.

- F) **Ordinance 49-21 to create Chapter 270, Board of Control, to specify contracting procedures in accordance with Section 59 of the City Charter, and to establish Encouraging Diversity, Growth and Equity (EDGE) procurement policies, introduced by Mr. Markham on October 26, 2021.**

Mr. Markham moved to remove Ordinance 49-21 from the table for discussion.

Ms. Robinson seconded.

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

Opposed: None

Motion passed 7-0.

Mr. Markham discussed some of the proposed amendments briefly, and invited Mr. Kessler to provide additional background and detail on the changes. Mr. Klingler thanked Mr. Markham and the Mayor for their work to address his concerns. Mr. Sharp echoed this thanks, specifically noting the addition of the language regarding the Finance Chair's participation, which he supports.

Mr. Markham moved to amend Ordinance 49-21

Mr. Klingler seconded.

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

Opposed: None

Motion passed 7-0.

Mr. Klingler moved to approved amended Ordinance 49-21.

Ms. Robinson seconded.

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

Opposed: None

Motion passed 7-0.

15) Service and Environmental Committee - Richard Sharp, Chair

Mr. Sharp has no report at this time, but he did mention that Laurie Lea Schaefer was Bexley's Miss America in 1972 and she'll be recognized on the December 16th pageant. Mr. Sharp asked if a proclamation might be in order to acknowledge this. The Bexley Historical Society is also establishing a dialogue with Bexley in UK.

Mr. Kessler also read a complimentary email from a resident regarding Andy Bashore's work in the City.

16) Finance Committee - Troy Markham, Chair

Mr. Markham reported that the Audit for 2019 and 2020 is complete and the City of Bexley passed.

17) Safety and Health Committee - Jen Robinson, Chair

Ms. Robinson reminded everyone about the Gift a Poinsettia program. Please contact Dawn Overly at the Police Department to order.

Ms. Robinson also thanked Council for passing the Ordinance 47-21 and provided some other complimentary comments.

18) Zoning and Development Committee - Jessica Saad, Chair

ARB meeting December 9 at 5:00 pm. Checking on BZAP - possible meeting. CIC January 4 at 6:00 pm. Ms. Saad asked us to double check the December 15 hearing meeting to make sure that we post agendas. Mr. Kessler and Council members briefly discussed where meetings show on the calendar and Mr. Kessler will follow up to ensure consistency.

19) Recreation and Parks Committee - Matt Klingler, Chair

Mr. Klingler has nothing to report.

20) Judiciary and Strategic Committee - Monique Lampke, Chair

Ms. Lampke has nothing to report.

Ms. Feibel then stated that an Executive Session will need to be held before adjournment.

21) Public Comments (No Speaker Slip Required)

No public comment at this time.

Ms. Feibel moved to enter Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, and invited Mr. McPeck and Mr. Marcellino to join this session.

Mr. Klingler seconded.

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

Opposed: None

Motion passed 7-0.

Executive Session was entered at 7:52 pm.

Ms. Lampke needed to depart prior to the conclusion of Executive Session.

Ms. Feibel moved to exit Executive Session at 8:25 pm.

Mr. Klingler seconded.

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

Opposed: None

Motion passed 6-0.

22) Adjourn

Ms. Feibel moved to adjourn.

Mr. Klingler seconded.

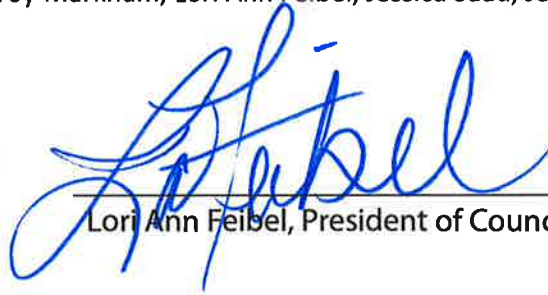
All in Favor: Matt Klingler, Richard Sharp, Troy Markham, Lori Ann Feibel, Jessica Saad, Jen Robinson

Opposed: None

Motion passed 6-0.

MINUTES APPROVED:

12-14-21



Lori Ann Feibel, President of Council



William Harvey, Clerk of Council

