



## City Council Meeting Minutes

Tuesday, September 13, 2022

6:00 PM

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**1) Call to Order**

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

**2) Roll Call of Members**

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

**3) Pledge of Allegiance**

**4) Special Guests and/or Presentations**

**5) Continuation of Hearing on 81 N. Drexel Appeal to City Council (Hearing Date August 24, 2022)**

Mr. Klingler moved to grant the appellant and overturn the BZAP decision.

Ms. Lampke seconded.

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

Opposed: None

**Motion passed 7-0.**

**6) Ordinances/Resolutions with visiting presenters**

- A) Ordinance 34-22 to amend the use variance at 216 South Columbia Avenue, to allow for expansion of the existing carriage house introduced by Matt Klingler on August 23, 2022. This is the Second Reading of this ordinance.

Mr. Fishel read the ordinance and Mr. Markham discussed the structure of the discussion.

Nathan Sampson of 990 W. Third Avenue, represents the applicant. He provided the background of the renovation and expansion plans, including the firm's consultation with the City, the unanimous approval of BZAP, and the effort to honor City guidelines. Mr. Sampson then spoke of

the proposed amendment to expand the existing carriage house zoning, which would permit the detached structure to be expanded and used for living space. Mr. Sampson further explained

Erica McIntyre of 172 South Columbia spoke in opposition to the expansion, stating that the structure appears to her to be a house and she isn't clear on why it wouldn't be classified as such and taxed as such. Ms. McIntyre also stated she feels the proposed expansion is a substantial change in character and would negatively impact nearby property values.

Matt Eshelbrenner of 225 S. Drexel is not speaking in favor or against the proposed variance but was curious about why the 1997 ordinance stated that the structure could not be expanded. This is not a question and answer session, but Mr. Markham did agree to have Mr. Fishel or Mr. Kessler follow-up on this question.

Hearing no more comments, Mr. Markham invited Mr. Sampson to return for final comments. Mr. Markham spoke about his understanding with the intent of the 1997 ordinance language on expansion and reiterated the intended use for this expansion.

Mr. Marcellino asked questions about potential taxation and potential tax loss and stated he has concerns about the taxation implications of a independently occupied residence not being taxed.

Mr. Fishel clarified that the 1997 ordinance already protects the existing residential use of the structure. The question before council is only to approve or deny the use variance on the proposed expansion section of the carriage house.

Ms. Saad asked about the definition of family member, not only for the existing resident, but in the future. Mr. Fishel clarified a family member is defined by law as related through blood or marriage.

Ms. Lampke asked if the existing residents have heard concerns from other neighbors and about any efforts to address any concerns or issues brought forth, which Mr. Sampson clarified.

Mr. Klingler asked if Mr. Kessler could discuss his thoughts on the expansion as it relates to property value given his background in appraisal, which he addressed, speaking of his thoughts.

Mr. Fishel reminded everyone that any party can speak about this ordinance at the next meeting as it will be a third reading.

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

Erica McIntyre of 172 S. Columbia had some additional questions and concerns about the process and opportunities for comment, which Mr. Fishel and Mr. Markham clarified, inviting her to email Council members and also reminding her that she's free to comment at the next Council meeting as well.

**8) President's Report**

Mr. Markham complimented Mr. Klingler on his efforts on the Zoning Committee and also complimented Ms. Lampke on some of the improvements she made to meeting process.

**9) City Attorney Report**

No report.

**10) Auditor's Report**

A) September 13, 2022 Auditor Report

Mr. McPeck provided highlights from his report and invited Council members to make suggestions or ask questions.

**11) Administrative Update:**

A) Police Department Update - Chief Lewis

Chief Lewis thanked City Council and Community members for the warm welcome. He then covered the highlights of his report including the introduction of foot patrols to businesses and new presence at Broad and Cassady for school start and end times, and consideration of a quarterly newsletter.

Mr. Marcellino asked about special duty at Giant Eagle Markeet District in Bexley and asked if this personnel cost is paid by Giant Eagle and Chief Lewis confirmed that it is.

Ms. Robinson complimented the police presence at Cassady and Broad and thanked Chief Lewis for this change.

Mr. Markham encouraged Chief Lewis to continue to help Council understand police and crime statistics and reports better and thanked Chief Lewis for his time.

B) Recreation and Parks Update - Mike Price

Mr. Price had no additions to his report. Mr. Kessler asked Mr. Price to provide some additional information on the Halloween Bash, which Mr. Price did, clarifying that this will be an adults-only event.

Ms. Saad also stated she and her family have signed up for the Community Campout and she complimented this program. Mr. Price and Mr. Kessler echoed these positive sentiments.

Mr. Kessler thanked Mr. Price for he and his team's hard work on different events.

C) Service Update: Andy Bashore- Service Director

Mr. Bashore does not have any additions to his written report, but invited questions.

Mr. Klingler asked how the electric mower is working out, which Mr. Bashore answered.

D) Finance Department Update - Beecher Hale

Mr. Hale doesn't have a report, but did clarify that we are doing well.

E) Mayor's Update

Mr. Kessler mentioned some of the upcoming events on his report and covered some highlights of his report, including an update on the budget process, Year of the Parks, and Scooters around Bexley among other issues. Mr. Klingler asked about potential revenue from fining companies for improper drop off of scooters, and the Mayor stated there are no current plans for this. Ms. Lampke asked Chief Lewis for his perspective on this, which he provided.

Mr. Kessler also stated that Havenwood Park will be a zero emissions park, with only electric mowers, trimmers, and other landscape equipment.

Mr. Klingler asked about Mr. Kessler meeting with MORPC about LinkUs. Mr. Kessler clarified that the initial LinkUS plan was closely linked with a potential levy, which COTA has decided against so currently this initiative is quiet.

Mr. Kessler then provided some additional information on a potential out of state conference for sustainability for Elizabeth Ellman.

Ms. Lampke moved to approve the out of state conference for Elizabeth Ellman.

Mr. Marham seconded.

**Motion was approved by voice vote 7-0.**

**12) Consent Agenda: (No Speaker Slip Required)**

A) Meeting Minutes from August 23, 2022 City Council Meeting.

B) Resolution 6-22 adopting the 2022 recommendations of the Bexley Tax Incentive Review Council regarding tax-abated properties in the City of Bexley, introduced by Monique Lampke on August 9, 2022.

Lori Ann Feibel departed at 6:45 pm.

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

Mr. Klingler seconded.

All in Favor: Sam Marcellino, Jennifer Robinson, Troy Markham, Matt Klingler, Jessica Saad, Monique Lampke, Opposed: None

**Motion passed 6-0.**

**13) Third Readings: (No Speaker Slip Required)**

A) Ordinance 29-22 to appropriate \$10,000 from the water fund and \$10,000 from the sewer fund to pay overtime for the remainder of 2022, introduced by Monique Lampke on August 9, 2022.

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

Ms. Lampke moved to approve ordinance 29-22.

Mr. Klingler seconded.

All in Favor: Sam Marcellino, Jennifer Robinson, Troy Markham, Matt Klingler, Jessica Saad,

Monique Lampke, Opposed: None

**Motion passed 6-0.**

**14) Second Readings: (Speaker Slip Required)**

- A) Ordinance 30-22 to approve the purchase of property located at 2838-2840 Delmar Drive, Bexley, Ohio; to appropriate \$105,000 from the Capital Fund for expenses associated with the purchase of said property; and to declare an emergency, introduced by Monique Lampke on August 23, 2022.

Mr. Fishel read the ordinance and Ms. Lampke provided some detail and background on this ordinance and asked Mr. Kessler for any additional updates, which Mr. Kessler provided, including a brief discussion of the staff assessment of the property.

- B) Ordinance 31-22 to establish a special fund designated the Stanbery Avenue and Chelsea Avenue Improvements Fund to record all revenue and expenses associated with the Stanbery and Chelsea improvements project, to appropriate \$5,178,342 from this fund to pay for the cost of the project, to authorize transfers from the Water, Sewer and Road and Alley Funds of \$137,330, \$60,742 and \$66,024 respectively to the Stanbery and Chelsea Project Fund. Introduced by Monique Lampke on August 23, 2022.

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

- C) Ordinance 32-22 to certify special assessments for the repair of sidewalks, and or other required work, where the work was not done by the owner after being ordered by the City in accordance with Bexley Code Section 1490.15(b)(4)A or Bexley Code Section 1492.04(b)(1) and it was necessary to do the work and assess the owner, introduced by Monique Lampke on August 23, 2022.

Mr. Fishel read the ordinance and Ms. Lampke provided some background information. Ms. Lampke noted that there will be amendments proposed as people pay.

- D) Ordinance 33-22 to authorize supplemental appropriations for calendar year 2022 introduced by Troy Markham on August 23, 2022.

Mr. Fishel read the ordinance and Ms. Lampke invited Mr. Kessler to take Council through the ordinance, which he did. Mr. Marcellino asked about the legal expenses, which feels like a significant increase which Mr. Kessler and Mr. Fishel answered. Ms. Lampke asked about the refuse contract and the significant increase there. Mr. Kessler answered this.

**15) First Readings: (Speaker Slip Required)**

- A) Resolution 7-22 accepting the amounts and rates as determined by the budget commission and authorizing the necessary tax levies and certifying them to the County Auditor introduced by Monique Lampke on September 13, 2022.

Mr. Fishel read the ordinance and Ms. Lampke asked Mr. McPeek to provide some background. Mr. McPeek will need to circle back on detail but did clarify this is a routine annual ordinance.

- B) Ordinance 35-22 to amend Section 1060, in order to require recycling service to be provided at commercial, institutional, and multi-family properties within the City of

Bexley, introduced by Lori Ann Feibel on September 13, 2022.

Mr. Fishel read the ordinance and Mr. Markham expressed his excitement over this ordinance which is a long time in the making. Mr. Markham then invited Mr. Kessler to provide some detail and background on the ordinance. Mr. Markham then talked about his excitement about this initiative and stated that one of the things he appreciates most about Council and the City of Bexley is the commitment to sustainability. Mr. Marcellino asked about any potential cost to the City, which Mr. Kessler addressed would be primarily administrative and we have capacity for. Mr. Marcellino also asked if we anticipate buy in or push back from businesses, which Mr. Kessler addressed.

Ms. Saad asked how many of our current businesses recycle and pay for that expense. Mr. Kessler clarified that we don't have detailed data on this but did provide some incidental information. Ms. Saad also asked if we'd be working with the Chamber of Commerce about this, which Mr. Kessler confirmed we will.

- C) Ordinance 36-22 authorizing the Mayor and Auditor to sign a Consent and Hold Harmless Agreement on behalf of the City of Bexley with the Bexley City Schools regarding improvements made upon and within the City owned street right-of-way adjacent to Stanwood Ave, introduced by Matt Klingler on September 13, 2022.

Mr. Fishel read the ordinance and Mr. Klingler asked Mr. Kessler to provide some background information on this, which he did clarifying that this is for a plaque on right of way in school area.

**16) Tabled Ordinances:**

- A) Ordinance 14-22 to Amend Section 1266.14 Solar Panels, in order to provide for consistent regulation and a streamlined approval process for solar panel projects introduced by Matt Klingler on April 12, 2022

Mayor Kessler

- 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)

Ms. Saad moved to remove Ordinance 41-21 from the table for discussion.

Mr. Marcellino seconded?????

All in Favor: Sam Marcellino, Jennifer Robinson, Troy Markham, Matt Klingler, Jessica Saad, Monique Lampke, Opposed: None

**Motion passed 6-0.**

Ms. Saad discussed the proposal from the Columbia Place residents to donate this street which is currently private. They have met with the residents to discuss some changes needed to ramps, curbs in accordance with ADA requirements. Mr. Kessler said the residents have considered this. Mr. Kessler hopes to have clear figures by the next meeting, which is the last opportunity to approve this ordinance without reintroduction. Mr. Klingler asked about the tax productivity analysis and the potential maintenance of the property, which Mr. Kessler will bring. Several

Council members asked questions and provided comments on this ordinance.

Mr. Markham moved to re-table Ordinance 41-21

Ms. Saad seconded

All in Favor: Sam Marcellino, Jennifer Robinson, Troy Markham, Matt Klingler, Jessica Saad, Monique Lampke, Opposed: None

**Motion passed 6-0.**

- 17) Executive Session for Conference with the public body's attorney concerning pending or imminent court action by division (G)(3) of section 121.22 of the Revised Code. Court action is "pending" if a suit has been commenced; court action is "imminent" if it is on the point of happening or impending.**

Mr. Markham moved.

Mr. Klingler seconded.

All in Favor: Sam Marcellino, Jennifer Robinson, Troy Markham, Matt Klingler, Jessica Saad, Monique Lampke, Opposed: None

**Motion passed 6-0.**

**Entered Executive Session 8:17 pm**

Mr. Markham moved to exit Executive Session.

Mr. Marcellino seconded.

All in Favor: Sam Marcellino, Jennifer Robinson, Troy Markham, Matt Klingler, Jessica Saad, Monique Lampke, Opposed: None

**Motion passed 6-0.**

**Exited Executive Session 8:38 pm.**

Mr. Kessler and Council members discussed the moving allowance of \$7,500 that was mistakenly not included in the written contract. Mr. Kessler presented a contract addendum specifying this \$7,500 moving allowance and wanted to have Council's approval on this addendum.

Mr. Markham moved to approve the above referenced addendum to the contract.

Ms. Robinson seconded.

All in Favor: Sam Marcellino, Jennifer Robinson, Troy Markham, Matt Klingler, Jessica Saad, Monique Lampke, Opposed: None

**Motion passed 6-0.**

- 18) Service and Environmental Committee - Lori Ann Feibel, Chair**

No report.

- 19) Finance Committee - Monique Lampke, Chair**

Ms. Lampke mentioned that there will be a financial retreat at 5:00 pm before the next Council meeting and spoke about budget season and the process of budgeting for the next year.

- 20) Safety and Health Committee - Sam Marcellino, Chair**

Mr. Marcellino provided some environmental updates for Ms. Feibel, including reminding everyone of the solar panel co-op informational session on September 14. Mr. Marcellino also provided information about additional opportunities to learn more about reducing food waste and talked about the upcoming Taste of Bexley.

No report for Safety and Health.

**21) Zoning and Development Committee - Matt Klingler, Chair**

Complimented the good work on Livingston and spoke to the successful reduction in traffic speed. Mr. Klingler also spoke about St. Charles Convocation Center.

**22) Recreation and Parks Committee - Jessica Saad, Chair**

Ms. Saad reported the adult Halloween Party on October 29 at 7pm and complimented Emily Perfect for the idea. Ms. Saad also mentioned the upcoming Harvest Festival.

**23) Strategic Committee - Jen Robinson, Chair**

Ms. Robinson complimented the Bexley Historical Society and expressed her enjoyment at being involved. She also reported about an upcoming program at the Drexel.

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

Don Lewis of 663 Euclair asked about oil disposal and who is responsible for the associated costs, which Mr. Kessler answered.

**25) Adjourn**

Hearing no other business Mr. Markham asked for a motion to adjourn.

Mr. Klingler moved to adjourn.

Mr. Marcellino seconded.

All in Favor: Sam Marcellino, Jennifer Robinson, Troy Markham, Matt Klingler, Jessica Saad, Monique Lampke, Opposed: None

**Motion passed 6-0.**

Mr. Markham adjourned the meeting at 8:48 pm.