



City Council Meeting Agenda

Tuesday, October 11, 2022

6:00 PM

- 1) Call to Order**
- 2) Roll Call of Members**
- 3) Pledge of Allegiance**
- 4) Special Guests and/or Presentations**
- 5) Ordinances/Resolutions with visiting presenters**
- 6) Public Comments (Speaker Slip Required)**
- 7) President's Report**
- 8) City Attorney Report**
- 9) Auditor's Report**
- 10) Administrative Update:**
 - A) Service Update: Andy Bashore- Service Director
 - B) Finance Department Update - Beecher Hale
 - C) Police Department Update - Chief Lewis
 - D) Recreation and Parks Update - Mike Price
 - E) Mayor's Update
- 11) Consent Agenda: (No Speaker Slip Required)**
 - A) Meeting Minutes from September 27, 2022 City Council Meeting.
 - B) 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.
- 12) Third Readings: (No Speaker Slip Required)**
 - A) 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.

- B) 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.

13) Second Readings: (Speaker Slip Required)

- A) Ordinance 37-22 authorizing the City of Bexley to submit a MORPC-Attributable Funds roadway improvement project applications to the Mid-Ohio Regional Planning Commission for consideration for funding within the Transportation Improvement Program and to declare an emergency introduced by Monique Lampke September 27, 2022.
- B) Ordinance 38-22 to revise the Bexley Codified Ordinances for the protection of poll workers, and to declare an emergency, introduced by Sam Marcellino on September 27, 2022.

14) First Readings: (Speaker Slip Required)

- A) Resolution 8-22 authorizing the City of Bexley to submit an Ohio Department of Natural Resources Forestry Division Urban Canopy Restoration Grant application for \$25,000 introduced by Monique Lampke on October 11, 2022.
- B) Ordinance 39-22 to authorize a supplemental appropriation for Jeffrey Preschool and Recreation Programs for calendar year 2022 introduced by Monique Lampke on October 11, 2022.
- C) Ordinance 40-22 to amend 2022 pay rates for Part Time Dispatchers and retroactively apply said pay rates, in order to be consistent with increases negotiated as part of the dispatcher's collective bargaining agreement effective January 1, 2022, introduced by Monique Lampke on October 11, 2022.

15) 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

16) Safety and Health Committee - Sam Marcellino, Chair

17) Zoning and Development Committee - Matt Klingler, Chair

18) Recreation and Parks Committee - Jessica Saad, Chair

19) Strategic Committee - Jen Robinson, Chair

20) Service and Environmental Committee - Lori Ann Feibel, Chair

21) Finance Committee - Monique Lampke, Chair

22) Public Comments (No Speaker Slip Required)

23) 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, official, licensee, or regulated individual, unless the employee, official, licensee, or regulated individual requests a public hearing by division (G)(1) of section 121.22 of the Revised Code; and, to consider the purchase of property (both real and

personal, tangible or intangible), or to consider the sale of property (either real or personal) by competitive bid if disclosure of the information would give a competitive advantage to the other side by division (G)(2) of section 121.22 of the Revised Code.

24) 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



Service Department Update

Service Director

Andy Bashore

October 11th 2022

Street Department:

The crews are working on asphalt patches. The crew has also been doing some concrete repairs. The crews are finishing the asphalt and concrete work for the season. The crews are preparing for the 2022 leaf removal season. The 2022 leaf season will start on October 24th. Also, later this week the crew will be setting up for the Columbus Marathon.

Water and Sewer Department:

The Water/Sewer crew continues to clean and video the main lines, which is providing data for upcoming lining projects. The crew has been performing repairs on issues that were found when videoing the main lines.

Urban Forestry/Grounds Maintenance:

The tree crew is working on the dog park, drainage has been installed. The fencing contractor will be starting in the next couple of weeks. The grounds crews are starting to finish up with the mowing season and starting to work on stump removals.

Drexel Project

Drexel-Main to Broad-The water main line work is complete. Storm inlet installs will start this week. The concrete work will resume in the spring, which will include curbs, medians and bump outs. The sewer relining work is 90% complete and will resume in early winter. AEP will be starting their pole replacement in December.

2022 Street Project-

The project is 90% complete, there are couple of touch up areas that need to be finished.

Chelsea Sewer Relining Project

The project will be starting this week. The project will be complete in early February. The main portion of the project will be in the alley between Chelsea and Grandon.

2022 Sewer Lining Project

The phase 2 lining project will go out to bid in mid-October.

2022 Sidewalk Project

The project is underway and the project area will be:

Stanwood to Gould in the north and central sections and Vernon to Chelsea in the south.

The project is currently underway.

Service Dept. Highlights

- The street crew painted the Montrose school alley.
- The traffic engineer is working on an enhanced safety plan for the College Ave.
- The traffic engineer is looking at Cassady and Delmar to see if a no left turn sign is needed headed southbound.
- The street sweeper has been out constantly trying to keep the city streets clean.
- Fire hydrants were recently evaluated for their appearance and 75 hydrants have been painted throughout the city.
- The 2022 alley light project has been completed.
- The City took delivery of our first electric mower in mid-August.
- The annual lead and copper testing is complete and the City was in compliance.
- Working on the 2023 working agreement with Franklin Soil and Water.



Council Update – Chief of Police

October 11, 2022

Incident at Main Event – At the Main Event on Friday, September 30, 2022, the Bexley Police Department assigned an officer with equestrian experience to escort a mature, trained show horse, which was accompanying him as part of a pilot community relations effort. During the event, a 7-year-old was struck by the animal, requiring medical attention and observation.

Citizens Police Academy – We just completed week four of the BPD CPA. Detective Sergeant Brickey instructed Criminal Investigations. The class had the opportunity to investigate a mock crime scene.

Judith Oppenheimer won the Blink security package that the Alumni raffled on September 30th. Judith is excited to be getting the Blink doorbell!

Detective Bureau – October marks the introduction of a new approach in the way we assign investigative cases. The idea is to free up our detectives to more thoroughly investigate major cases while targeting identified crime trends. We also hope to more effectively engage patrol officers and, in turn, better prepare them for a full-time investigative roll should they chose to apply for a future bureau position.

We are also looking into new property room management software to more effectively manage the evidence we currently have in the property room.

The bureau is working on a plan to address deficiencies found in the recent audit of case management. We have already instituted some new strategies that should go a long way in revamping the way cases are handled.

Business Checks – The department has received some positive feedback from the community in regard to our business checks. This is proving to be a great way to encourage positive, open communication between the community and the department.

Crime – While the rate of car thefts remains higher than last year same period, there are no other crime trends to note.

Statistics:

Start Date	End Date	Calls for Service	Business Check	Incident & Offense Reports	Arrest Reports	Crash Reports	Total Reports	Theft	Motor Vehicle Theft	Burglary/B&E	Robbery
1/1/2022	10/6/2022	9787	172	734	293	140	1,167	173	47	43	6
1/1/2021	10/6/2021	9644	11	856	338	175	1,369	216	15	47	11
10/7/2021	10/6/2022	12605	172	1,026	423	194	1,643	266	61	66	6
10/7/2020	10/6/2021	11943	13	1,088	405	217	1,710	297	24	65	14

Recreation Board Meeting:

- The Recreation Board meeting scheduled for Wed., Oct. 12th has been postponed due to a quorum issue. We are currently working to reschedule the meeting
 - Annual reports on the Jeffrey Summer Camp and David H. Madison Community pool will be presented at the next board meeting.

BIG TABLE Event at Bexley Middle School – Thursday, Oct. 6th:

- I was lucky enough to participate in the BIG TABLE event held at the Bexley Middle School this past Thursday, Oct. 6th.
- I along with other community leaders met with middle school students to talk about how we can continue to work to make our community an even better place.
- This provided us a great opportunity to talk with middle school students about how we can begin to improve and expand middle school offerings for our community.
- Recreation and Parks staff has identified the middle school and high school populations as a community demographic that we need to continue to find ways to engage with. At our staff retreat, last month, the early stages of a student lead sounding board concept began taking shape.
- Our goal is to work with the middle school students to create a student lead committee that meets regularly with recreation and parks staff, providing insight into potential programming/services for middle school students.

**Youth Basketball – Kindergarten through 8th Grade:**

- The youth basketball program is set to start in early November. We will once again offer leagues for boys and girls grade kindergarten through 8th grade (Kindergarten Madness, 1st/2nd grade, 3rd/4th grade, 5th/6th grade and Tim Stowe {7th/8th grade}).
- Currently we have 255 kids registered and another 25 kids on the waitlists. We are working to get as many of the kids on the waitlist into the program as we can. We do have some limitation based on gym space, number of coaches, and how many kids we can put on each team. If anyone is still interested in registering, we encourage them to register as soon as possible. If their league is in a waitlist, we encourage them to add their child to the waitlist and will stay in communication as spots open.

**Upcoming Events:**

- Harvest Festival – Friday, Oct. 21st from 6p-8p
- Adult Halloween Bash – Saturday, Oct. 29th from 7p-11p at Jeffrey Mansion
- Halloween Patrol – Monday, Oct. 31st from 5:30p-7p



October 11, 2022 MAYOR'S UPDATE

Coming up in Bexley:

October 12, 4:00 pm:	Civil Service Commission
October 12, 5:30 pm:	Recreation Board
October 13, 4:00 to 7:00 pm:	Farmer's Market
October 13, 6:00 pm:	Architectural Review Board
October 14:	Alley of the Future Application Deadline!
October 16, 7:30 am to 12:00 pm:	Columbus Marathon
October 17, 6:30 pm:	Bexley Minority Parent Alliance
October 18, 5:30 pm:	Board of Health
October 18, 6:00 pm:	Environmental Sustainability Advisory Committee
October 19, 4:00 pm:	Tree and Public Garden Commission
October 19, 7:00 pm:	Board of Education
October 20, 4:00 pm:	Farmer's Market
October 21, 6:00 pm:	Harvest Festival
October 29:	Halloween Bash at Jeffrey Mansion
October 31, 5:30 to 7:00 pm:	Trick-or-Treat!

Some of What I've Been Up To:

- Weekly departmental meetings
- Routine staff and cabinet touch-base meetings
- Extensive work, planning, and research for 2023 budget
- Facilitated Ferndale/Mayfield Brainstorming Meeting
- Meeting with David Ingram and Chief Lewis and Youth Interaction Policy Meeting
- Lunch with Cecil Gouke
- MORPC Sustainability Advisory Committee Meeting
- Various research, meetings, calls and emails to address resident issues and questions.
- Columbus Regional ESID Meeting
- Spoke at Ribbon Cutting at DGB Kindness Park
- Met with Scout Troop 166
- Attended ReCycle Bikes Workshop
- Meetings and Planning for Chili cookoff
- Lunch with Eric Acton
- Meeting with Capital University
- Work and Meeting for Attributable Funds Committee
- Attended Govern 2.0 Symposium
- Student Interview for Bexley Torch
- Planning and Facilitation of Alley of the Future events
- Follow up calls and meetings for Feet on the Street
- EDAC Meeting
- COMMA Meeting
- Attended Big Table Event

Keep in touch! To sign up for weekly email updates from the City of Bexley, including information on community events and timely notifications and reminders, visit: www.bexley.org/blast



Alley of the Future

We've offered informational programs and open office hours to respond to questions and to help with project ideas for Alley of the Future. All entries are due at the end of this week. We currently have two submitted projects, but more may come in this week, so stay tuned.

Feet on the Street Update

Monday, October 10 marked the second week in Bexley's 4-week Feet on the Street program! The program has resulted in some great educational opportunities and productive conversations with residents. We are working through some process issues with the tagging operation to ensure the program runs as smoothly as possible in weeks three and four. To learn more about the program, visit bexley.org/FOTS

Nationwide Children's Columbus Marathon - Sunday 10/16

The 11th Annual Columbus Marathon and Half Marathon will pass through Bexley on Sunday, October 16 between 7:45-9:00am. Runners will travel east on Broad Street, south on Drexel, and west on Main Street. Please plan for morning closures and disruptions as we cheer on the participants.

Community Update: Proposed Mixed-Income Housing at Livingston and Cassady

This update has, in essence, been discussed verbally at previous council meetings, but I wanted to consolidate this update into a statement. In late 2020, The Community Builders, a developer of mixed-income housing, submitted a zoning application for approval of a proposed multi-site mixed-income development to be located at 2300 East Livingston Avenue (27 1-3 bedroom units) and 420 North Cassady Avenue (16 1-bedroom units). The project was submitted to a competitive annual federal tax credit program in early 2021 and, after not being selected for that year's funding, was resubmitted and approved for the 2022 round.

Current Status:

With a federal tax credit award in hand, this project is awaiting finalization of zoning entitlements and architectural review approval.

In 2021, residents in the vicinity of the 2300 East Livingston Avenue site appealed the City's Board of Zoning and Planning decision. City Council initially declined to hear the appeal out of concern that some council members had a conflict of interest, but after a Common Pleas judge determined their conflict of interest concerns were not relevant Council heard the appeal and upheld the decision of the BZAP. The Council decision was then appealed to the Common Pleas Court, where it was reversed in a decision released in August of 2022. The developer and the City of Bexley have both separately appealed that decision. The City's appeal is consistent with standard practice to defend decisions of the City's Board of Zoning and Planning as upheld by City Council, and is being overseen by the City Attorney with the participation of outside zoning counsel.

Upcoming Process:

While the 2300 East Livingston zoning question is reviewed by the 10th District Court of Appeals, the applicant is still in the process of continuing due diligence in their application, including moving forward with architectural review. A decision from the 10th District will take some time to arrive, and this development is expected to continue to have a protracted timeline.











City Council Meeting Minutes

Tuesday, September 27, 2022

6:00 PM

1) Call to Order

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

2) Roll Call of Members

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

Council Members Absent: Monique Lampke

Ms. Feibel moved to excuse Ms. Lampke's absence. Ms. Robinson seconded.

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

Opposed: None

Motion Passed 6-0.

3) Pledge of Allegiance

4) Special Guests and/or Presentations

Ms. Nana Wilson spoke to Council about Issue 10, which relates to increased assistance and support for senior citizens and provided some materials to Council members.

Darris Blackford with the Nationwide Children's Hospital Columbus Marathon spoke about the upcoming 42nd Columbus Marathon, including the route.

5) Ordinances/Resolutions with visiting presenters

6) Public Comments (Speaker Slip Required)

Mr. Kevin Acton of 894 S. Remington spoke in support of the Good Neighbor Ordinance and referenced a study being completed by the group. Mr. Markham requested a timeline for when this will be completed and presented to Council.

Mr. Korkeya Toney of 89 N. Remingston Road spoke in support of the Good Neighbor Ordinance and regarding concerns about policing in Bexley.

7) President's Report

Mr. Markham reported on the pre-budget finance committee meeting that occurred earlier today and thanked Ms. Feibel for supporting this in Ms. Lampke's absence.

8) City Attorney Report

No report.

9) Auditor's Report

No report.

10) Administrative Update:

A) Recreation and Parks Update - Mike Price

Mr. Price had no additions to his report. Ms. Feibel asked about the event on October 29, which Mr. Price confirmed is an adults only Halloween bash and provided some details about sign up. Ms. Saad also spoke about the successful community campout and expressed her gratitude for Mike's team and Troop 166 for campside assistance.

B) Service Update: Andy Bashore- Service Director

Mr. Bashore didn't have additions to his written report. Ms. Robinson asked about the Grandon water line street project and asked about the pricing and whether these type of projects might decrease in cost in the near future, which Mr. Bashore and Mr. Kessler both answered.

C) Finance Department Update - Beecher Hale

Mr. Hale said he doesn't have much to add to his written comments. We are well over our budgeted income and under our budgeted expenses. He did not our general fund balance is lower than last year, but that's primarily due to infrastructure and capital budget transfers. Mr. Klingler asked about the delay in collection of right of way fees, which Mr. Kessler answered. Mr. Bashore added some additional information and responded to a follow up question from Mr Klingler about 5G.

D) Police Department Update - Chief Lewis

Chief Lewis had nothing to add to his report. Mr. Marcellino asked about an increase in business checks, which Chief Lewis talked about as a process change. Mr. Marcellino also asked about the ordinance that was discussed earlier in Public Comments and asked if he'd received the data yet. Chief Lewis had not, but also expressed his commitment to looking into this further and that he'd taken notes. Ms. Feibel asked about a special duty officer at Giant Eagle, which Chief Lewis addressed and clarified that this is at the cost of the business. Chief Lewis also spoke about the railroad crossing on Cassady and some related work to address some of the traffic issues there. Chief Lewis and Mr. Kessler both spoke briefly about rodent. Ms. Saad asked if some of the animal control information could be included in the Blast.

E) Mayor's Update

Mr. Kessler provided an overview of some of the items on his report which is attached, including

a tentative summary of dates and scope of projects for Year of the Parks. Mr. Klingler asked about the presence at Cassingham and Broad with some of the changes there with police presence for school crossing support, which Chief Lewis addressed.

11) Consent Agenda: (No Speaker Slip Required)

A) Meeting Minutes from September 13, 2022 City Council Meeting.
Mr. Fishel read the item on the consent agenda.

Mr. Markham moved to adopt the items on the consent agenda.

Mr. Klingler seconded.

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

Opposed: None

Motion passed 6-0.

12) Third Readings: (No Speaker Slip Required)

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.

Mr. Fishel read the ordinance and Mr. Klingler provided a brief overview of the ordinance and asked for clarification on why this is coming back to Council specifically. This request relates to use variance which can only be granted by Council. Mr. Kessler also clarified that the planned expansion to the carriage house will add square footage and while the existing carriage house already has a granted use variance for living space, but the expansion creates new square footage that would require a new use variance to be approved. Council members and the Mayor discussed this ordinance before opening the floor to public comment:

Mr. Nathan Sampson of Grandview spoke in support of this ordinance and spoke about the process of this proposed project thus far.

Council continued to discuss this ordinance and their thoughts about different considerations involved in this decision.

Mr. Klingler moved to approve Ordinance 34-22.

Ms. Feibel seconded.

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

Opposed: None

Motion passed 6-0.

Mr. Kessler welcomed the new family to Bexley.

B) 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. Feibel spoke about the potential of this property and some of the rationale behind this ordinance and spoke about a small change to the language that requires an appraisal prior to closing.

Ms. Feibel moved to amend Ordinance 30-22 as noted.

Mr. Marcellino seconded.

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

Opposed: None

Motion passed 6-0.

Ms. Feibel moved to approve Ordinance 30-22 as amended.

Ms. Robinson seconded.

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

Opposed: None

Motion passed 6-0.

- C) 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 Ordinance 31-22 and Ms. Feibel reiterated the purpose of this ordinance and Mr. Kessler provided some additional information.

Ms. Feibel moved to approve Ordinance 31-22.

Ms. Saad seconded.

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

Opposed: None

Motion passed 6-0.

- D) 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 Ordinance 32-22 and Ms. Feibel discussed the rationale behind this ordinance and asked if there were any additional amendments.

Ms. Feibel moved to amend Ordinance 32-22 as noted.

Mr. Marcellino seconded.

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

Opposed: None

Motion passed 6-0.

Ms. Feibel moved to approve Ordinance 32-22 as noted.

Ms. Robinson seconded.

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

Opposed: None

Motion passed 6-0.

E) 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 Mr. Markham and Ms. Feibel provided some background and additional information and Mr. Kessler provided some additional detail and answered Council questions. Mr. Kessler also went through the more detailed budgeted document related to this ordinance to clarify specifics of these expenses.

Ms. Feibel moved to approve Ordinance 33-22 as noted.

Ms. Robinson seconded.

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

Opposed: None

Motion passed 6-0.

13) Second 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. Feibel briefly explained this ordinance. By Council agreement, this resolution will be moved to the Consent Agenda.

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 Ms. Feibel spoke about this ordinance. Mr. Marcellino offered some positive input from a community business member. Ms. Saad spoke about a recent experience at an out of town hockey tournaments. Mr. Kessler then spoke about the process involved in this ordinance. A representative from Rumpke was also present to speak to this as well.

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 this ordinance and Mr. Klingler asked about an example of the sign to be

considered here. Mr. Kessler will send this along.

14) First Readings: (Speaker Slip Required)

- A) Ordinance 37-22 authorizing the City of Bexley to submit a MORPC-Attributable Funds roadway improvement project applications to the Mid-Ohio Regional Planning Commission for consideration for funding within the Transportation Improvement Program and to declare an emergency introduced by Monique Lampke September 27, 2022.

Mr. Fishel read the ordinance and Mr. Kessler spoke about the background and rationale behind this ordinance.

- B) Ordinance 38-22 to revise the Bexley Codified Ordinances for the protection of poll workers, and to declare an emergency, introduced by Sam Marcellino on September 27, 2022.

Mr. Fishel read this ordinance and Mr. Marcellino talked about the background and rationale behind this ordinance. Some Council members briefly discussed this.

15) 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

Mr. Klingler moved to remove Ordinance 14-22 from the table.

Ms. Robinson seconded.

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

Opposed: None

Motion passed 6-0.

Mr. Klingler and Mr. Kessler provided an update on some of the recent votes to recommend this ordinance to Council through BZAP and ARB. Several Council members discussed and asked for more time to review the proposed amendments.

Mr. Klingler moved to table Ordinance 14-22.

Mr. Markham seconded.

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

Opposed: None

Motion passed 6-0.

- 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)

16) Finance Committee - Monique Lampke, Chair

Ms. Feibel has no report.

17) Safety and Health Committee - Sam Marcellino, Chair

Mr. Marcellino recommended residents to get their COVID boosters.

18) Zoning and Development Committee - Matt Klingler, Chair

No report.

19) Recreation and Parks Committee - Jessica Saad, Chair

No report.

20) Strategic Committee - Jen Robinson, Chair

No report.

21) Service and Environmental Committee - Lori Ann Feibel, Chair

Ms. Feibel met with Ms. Seals of CSG and will be checking her calendar for a time to come visit. She then discussed the impact of the fashion industry on the economy.

22) Public Comments (No Speaker Slip Required)

None.

23) Adjourn

Mr. Marcellino moved to adjourn.

Mr. Klingler seconded.

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

Opposed: None

Motion passed 6-0.

Mr. Markham adjourned the meeting at 8:07 pm

Resolution 7-22

Introduced by: Monique Lampke

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2023; and

WHEREAS, The Budget Commission of Franklin County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

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

Section 1,

By the Council of the City of Bexley Franklin County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

Section 2,

That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation for tax year 2022 (collection year 2023) as follows:

Section 3,

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

Passed: _____, 2022

Troy Markham , President of Council

Attest: _____

Matt McPeek, Clerk of Council

Ben Kessler, Mayor

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY APPROVED BY THE
BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

<i>FUND</i>	<i>Amount to be Derived from Levies Outside 10 Mill Limitation</i>	<i>Amount Approved by Budget Commission Inside 10 Mill Limitation</i>	<i>County Auditor's Estimate of Full Tax Rate to Be Levied</i>	
			<i>Inside 10 Mill Limit</i>	<i>Outside 10 Mill Limit</i>
<i>General</i>		\$666,327.73	1.00	
<i>General Fund Charter</i>				
<i>Bond Retirement</i>				
<i>Bond Retirement Charter</i>				
<i>Police Pension</i>		633,011.34	0.95	
<i>Police Operating</i>				
<i>Fire Pension</i>				
<i>Fire Operating</i>				
<i>Police/Fire Pension</i>				
<i>Capital Improvement Charter</i>				
<i>Road & Sidewalk Fund</i>	1,999,903.30			3.50
TOTAL	\$1,999,903.30	\$1,299,339.07	1.95	3.50

and be it further

RESOLVED, That the Clerk of this Council be and is hereby directed to certify a copy of

this Resolution to the County Auditor of said County.

_____ *seconded the Resolution and the roll being*

called upon its adoption the vote resulted as follows:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Adopted the _____ day of _____, 2022.

Attest:

Clerk of Council

President of Council

BEXLEY

Franklin County, Ohio.

Ordinance 35 - 22

By: Lori Ann Feibel

An Ordinance 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.

WHEREAS, The City of Bexley Zero Waste Plan has been adopted by Bexley City Council via Resolution 09-17; and

WHEREAS, the City of Bexley Zero Waste Plan calls for expanding recycling services to multifamily residential properties, businesses, and institutions; and

WHEREAS, the City of Bexley created recycling for single family households in 1990.

WHEREAS, governmental regulations are required in order for greenhouse gas emissions to not exceed more than 2 degrees above pre-industrial levels.

WHEREAS, significant action must be taken by municipalities prior to 2030, as determined by the International Panel on Climate Change; and

WHEREAS, environmental issues are human rights, health, and safety issues; and

WHEREAS, the United States is anticipated to re-commit to the Paris Accord in 2021; and

WHEREAS, the City of Bexley administration has been assisting with the creation of concepts for universal recycling, including pricing and legislative models; and

WHEREAS, the City of Bexley administration, with the support and assistance of the Environmental Sustainability Advisory Committee has been exploring concepts for universal recycling in Bexley; and

WHEREAS, in the Spring of 2020, the Environment, Economy, Development and Sustainability program of the School of Environment and Natural Resources at the Ohio State University assisted with researching similar programs throughout the country, and

WHEREAS, a substantial amount of waste would be diverted from the landfill and recycled as a result of universal recycling;

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

Section 1.

1060.01 Definitions be amended to add the following definitions:

“Multifamily Property” means a property that contains more than one dwelling unit, and includes condominium complexes.

“Institutional Property” means a property used for educational or religious purposes, or as a supervised residential facility with 24-hour onsite staff, and which has a contiguous facility footprint in excess of 10,000 square feet.

Section 2.

That new Section “1060.16 Recycling Service at Commercial, Institutional, and Multifamily Properties” be created as follows:

1060.16 Recycling Service at Commercial, Institutional, and Multifamily Properties

- (a) All Commercial, Institutional, and Multifamily Residential properties shall be provided with onsite single-stream recycling collection service, with the following minimum criteria.
 - a. Collection to occur on a weekly basis at a minimum.
 - b. Minimum capacities:
 - i. In the case of commercial properties under 10,000 square feet, a minimum recycling capacity of a 96 gallon toter shall be provided for single stream recycling.
 - ii. In the case of commercial properties in excess of 10,000 square feet, a minimum recycling capacity of four yards shall be provided for single stream recycling.
 - iii. In the case of Multifamily Properties, a recycling capacity of 24 gallons per unit, with a minimum of one 96 gallon toter provided for single stream recycling.
 - iv. Institutional Properties shall create a recycling plan that adequately services the recycling capacity of their institutions, which shall be submitted to the City by January 1, 2023, and fully implemented after review and approval by the Environmental Sustainability Advisory Committee Executive Committee (ESACEC).
- (b) Administrative Exceptions:
 - a. In instances of commercial users with specialized recycling needs, or where single stream recycling service would be less impactful than a customized recycling service, an exception may be provided after review and approval by the

- ESACEC. In such cases, a minimum 96 gallon single stream toter may still be required by the ESACEC.
- b. In instances of commercial or Multifamily environments where site plans do not allow for adequate capacity, lesser onsite capacity may be allowed if combined with more frequent pickup, subject to review and approval by the ESACEC.
 - c. Lesser onsite capacity may be allowed if capacity is provided by adjoining shared facilities, subject to review and approval by the ESACEC.
- (c) Commercial, Multifamily, and Institutional negotiated rates
- a. The City shall negotiate with a hauler for weekly single-stream recycling service to Multifamily, Commercial, and Institutional properties, to be billed to properties on a quarterly basis. In instance of properties in which a pre-existing contract prohibits using the City's contracted hauler, or in which property owners are able to obtain comparable service which is in compliance with this Chapter, properties may apply for exemption from the quarterly recycling rate, subject to review by the ESACEC.
- (d) Right of Appeal of ESACEC Decisions
- a. Any decision rendered per this Section by the ESACEC may be appealed to a review board comprised of the President of Council, the Service Chair of Council, and the Auditor. The decision of the review board shall be final.
- (e) Charges
- a. To provide necessary funds for equipment, personnel and other expenses in connection with the collection and disposal of recyclable materials as specified in this Chapter, a monthly charge shall be assessed based upon the following schedule:
 - i. 96 Gallon Toters: \$12 per month
 - ii. 4 Yard Dumpster: \$ ___ per month
 - iii. 6 Yard Dumpster: \$ ___ per month
 - iv. 8 Yard Dumpster: \$ ___ per month
 - v. 10 Yard Dumpster: \$ ___ per month
 - b. Monthly charges shall be payable quarterly in advance, commencing January 1, 2023.
 - c. Whenever service begins between payment periods, a payment at the rate of one twelfth of the current annual charge per month, for the balance of the current period, shall be made before service commences.
 - d. For periods of ten days or less in any one month, no charge shall be made, but eleven days or more shall be charged for a full month.
 - e. No refund shall be made for any part of a payment if service is discontinued during such period.

Commented [B01]: This pricing is based upon a Rumpke quote of \$12 per toter per month for commercial toters. Pricing would need to be competitively quoted, and ordinance would need to be updated with actual figures prior to passage.

Section 2.

That this Ordinance shall go into effect and be in force from and after January 1, 2023.

Passed: _____, 2022

Troy Markham, President of Council

Attest:

Matt McPeck, Clerk of Council

Approved: _____, 2022

Ben Kessler, Mayor

First reading:

Ordinance 36 - 22

By: Matt Klinger

An Ordinance 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 (Parcel No. _____) regarding improvements made upon and within the City owned street right-of-way adjacent to Stanwood Ave.

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

Section 1.

That the Bexley City Schools (Parcel No. _____) has sought and obtained permission from the City of Bexley to install certain plaques and signage in the City Right-of-Way on Stanwood Ave. adjacent to the tennis courts described above and in Exhibit "A" attached hereto and incorporated herein by reference.

Section 2.

That the Mayor and Auditor be, and they hereby are, authorized to enter into a Consent and Hold Harmless Agreement with the Bexley City Schools in form and substance satisfactory to the City Attorney, authorizing the encroachments as proposed in accordance with the submitted request on the condition that the property owners assume all responsibility for damage, loss and injury arising out of the location of said building features, including any additional cost to the City of Bexley incurred in connection with its use of right-of-way occasioned by the location of the improvements.

Section 3.

That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Troy Markham President of Council

Attest: _____
Matt McPeek, Clerk of Council

Ben Kessler, Mayor

First Reading:
Second Reading:

Third Reading:

AGREEMENT AND RELEASE

The undersigned, for themselves and their heirs, executors, administrators, successors and assigns, acknowledge that the signage and plaques located on the City right-of-way on the east side of the property located at [School address] and adjacent to the tennis courts as set forth in Exhibit A attached hereto have been approved by Bexley City Council (Ordinance __-22). This approval is subject to the execution of this agreement. The undersigned further acknowledge and agree that the issuance of a permit for these improvements referenced above by the City of Bexley, Ohio (the “City”) does not waive the rights of the City or any other party granted pursuant to such easement, that construction of the improvements within the easement is subject to all rights granted by the easement and that they may, at some future time, be required to remove the improvements if it interferes with rights granted by the easement. In consideration for the City’s approval, the undersigned, for themselves and their heirs, executors, administrators, successors and assigns, accept the foregoing conditions and release the City and its officials, employees and agents from any and all actions, causes of action, claims, demands, damages, costs, losses and expenses resulting from the construction of the improvements within said easement and the exercise by the City or any other party of rights granted by the easement. The undersigned, for themselves and their heirs, executors, administrators, successors and assigns, hereby further agree to indemnify the City and its officials, employees and agents and save them harmless from all actions, causes of action, claims, demands, damages, costs, losses, settlements and expenses (including without limitation, any property damage or injury suffered by any person and legal fees and expenses) relating to the construction of the improvements covered by this agreement across said easement and the exercise by the City or any other party of rights granted by the easement.

IN WITNESS WHEREOF, the undersigned have executed this Release on this _____ day of _____, 2022.

Signed and acknowledged
in the presence of:

STATE OF OHIO)
) ss:
COUNTY OF FRANKLIN)

the foregoing instrument was acknowledged before me this _____ day of _____, 2022.

Notary Public

Ordinance No. 37 – 22

By: Monique Lampke

An Ordinance authorizing the City of Bexley to submit a MORPC-Attributable Funds roadway improvement project applications to the Mid-Ohio Regional Planning Commission for consideration for funding within the Transportation Improvement Program and to declare an emergency.

WHEREAS, the Mid-Ohio Regional Planning Commission (MORPC) will be accepting MORPC Attributable Funding applications through September 28,2022; and

WHEREAS, MORPC requires the legislation authorizing these applications to be effective by October 29, 2022; and

WHEREAS, this is an opportunity for the City of Bexley to secure outside funding for its joint Livingston Avenue roadway improvement project with the City of Columbus; and

WHEREAS, MORPC requires that a designated official be authorized to submit said applications and execute project agreements for approved projects;

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

SECTION 1.

That the Mayor be and hereby is authorized to submit roadway improvement project applications to the Mid-Ohio Regional Planning Commission for consideration for funding within the Transportation Improvement Program and/or its component sub-programs, the Surface Transportation Block Grant Program (STBG); the Transportation Alternatives Program (TAP) and the Congestion Mitigation & Air Quality Program (CMAQ) and that City Council hereby endorses applications for the following project, which is a new application and requires a complete application:

- Livingston Avenue, from IR-70 to Kellner Road. Anticipated construction in 2029. This is a joint project with the City of Columbus, and Bexley is the lead applicant. Total project cost estimate is approximately \$22,372,475. The total additional attributable funding request is approximately \$16,593,981.

SECTION 2.

That in regard to any/all projects for which funding is approved within the context of this application process, the City of Bexley and the City of Columbus will assume and bear one hundred percent (100%) of the cost of construction within its corporate limits minus the

portion eligible for federal and state participation and provide maintenance to the improvements in accordance with the provisions of the statutes and maintenance agreements relating thereto and will make ample financial and other provisions for such maintenance.

SECTION 3.

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

Passed: _____, 2022

Troy Markham, President of Council

Attest: _____
Matthew McPeek, Clerk of Council

Approved: _____, 2022

Benjamin J. Kessler, Mayor

First Reading:

Second Reading:

Third Reading:

ORDINANCE NO. 38 - 22

By: Sam Marcellino

An Ordinance to revise the Bexley Codified Ordinances for the protection of poll workers, and to declare an emergency.

WHEREAS, in order to help sustain civility and protect democracy in the City of Bexley, this Council hereby wishes to enact legislation that would criminalize harassment of poll workers; and

WHEREAS, this Council hereby proposes that a new Section, *Harassment of an Elected Official* be enacted and subsequently codified into the Bexley Codified Ordinances.

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

Section 1.

That Chapter 636 of the Bexley Codified Ordinances be amended to add new section Section 636.19 "Harassment of Precinct Election Officials or Voting Location Managers" be created as follows:

636.19 HARASSMENT OF PRECINCT ELECTION OFFICIALS OR VOTING LOCATION MANAGERS.

- a. No person shall, directly or indirectly, knowingly make or cause to be made a telecommunication, or knowingly permit a telecommunication to be made from a telecommunication device under such person's control, to a precinct election official or voting location manager with the intent to threaten, intimidate, menace, coerce, abuse, or harass such person regarding or in connection with such person's duties or responsibilities regarding any past, current, or future general, primary, or special election.
- b. No person shall, directly or indirectly, knowingly engage in conduct or any form of communication or knowingly encourage another to engage in such conduct or communication with a precinct election official or voting location manager with the intent to threaten, intimidate, menace, coerce, abuse, or harass such person regarding or in connection with such person's duties or responsibilities regarding any past, current, or future general, primary, or special election.
- c. The telecommunication, conduct, or communication prohibited against a precinct election official or voting location manager in (A) and (B), above, shall be similarly prohibited against such precinct election official's or voting location manager's immediate family, parents, grandparents, and grandchildren, and any member of the precinct election official's or voting location manager's household.

d. As used in this ordinance “telecommunication” has the same meaning as in section 2913.01 of the Revised Code and without limitation shall include, but not be limited to, any email, voicemail, fax, text, instant message, communication over or through any social media platform, and any other form of digital, electronic, or telephonic communication. As used in this ordinance “telecommunications device” has the same meaning as in section 2913.01 of the Revised Code. As used in this ordinance “communication” shall include, any other method of communication not set forth above including, but not limited to, any communication via U.S. Mail, private mail service, private delivery service, by in-person conduct, or through any other method intended to communicate with a precinct election official or voting location manager.

e. As used in this ordinance a “precinct election official” is an individual who has at any time been appointed as a precinct election official by the Franklin County Board of Elections pursuant to Revised Code Section 3501.22.

f. As used in this ordinance, a “voting location manager” is an individual who has at any time been designated as a voting location manager by the Franklin County Board of Elections pursuant to Revised Code Section 3501.22.

g. A violation of this ordinance shall be a misdemeanor of the first degree. The court shall impose a mandatory term of imprisonment of at least three (3) days, which shall not be suspended.

Section 2.

That Chapter 642 of the Bexley Codified Ordinances be amended to add section 642.11 as follows:

642.11 MISCONDUCT AT AN ELECTION.

(A) On the day of an election held under the laws of this city or state, during the hours when the voting places are open, no person other than a voter about to vote shall knowingly do any of the following:

(1) Stand or loiter within one hundred (100) feet of any poll, stand or voting place.

(2) Within one hundred (100) feet from any poll or voting place, give or tender or exhibit any ballots or tickets to any person other than a duly authorized judge of elections.

(3) Within one hundred (100) feet from any poll or voting place, influence or attempt to influence an elector in casting the elector's vote at any such election held under the laws of this city or state.

(4) No person shall hinder or interfere with an election official in the execution of his or her duties, including but not limited to, the prohibitions set forth in the section 3501.35 of the Revised Code.

(B) This section does not apply to any persons privileged or otherwise authorized by law to be or remain in or about a voting place.

(C) Whoever violates this section is guilty of misconduct at an election, a misdemeanor of the first degree.

Section 3.

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

Passed: _____, 2022

Troy Markham, President of Council

Attest: _____
Matt McPeek, Clerk of Council

Ben Kessler, Mayor

First Reading: September 27, 2022

Second Reading:

Third Reading:

Resolution 8-22

By: Monique Lampke

A Resolution authorizing the City of Bexley to submit an Ohio Department of Natural Resources Forestry Division Urban Canopy Restoration Grant application for \$25,000.

WHEREAS, The Ohio Department of Natural Resources (ODNR) will be accepting Urban Canopy Restoration Grant applications through October 14, 2022; and

WHEREAS, ODNR requires the resolution authorizing these applications to be **adopted** by October 14, 2022; and

WHEREAS, This is an opportunity for the City of Bexley to secure outside funding for its Fall 2022 tree restoration project; and

WHEREAS, ODNR requires that a designated official be authorized to submit said applications for grant funds and that any awarded grant funds must be matched dollar for dollar; and

WHEREAS, There is adequate appropriation to cover the costs of the City's match for the annual tree restoration program;

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

SECTION 1.

That the Mayor is authorized to submit an Ohio Department of Natural Resources Forestry Division Urban Canopy Restoration Grant application for consideration for funding and that City Council hereby endorses applications for the following project:

- 2022 Street Tree Restoration Project. This project will involve replacement planting for 88 City of Bexley owned trees, with more than 26 unique tree species included in the planned planting. Total project cost, which includes equipment, contracted labor for planting, and maintenance of newly planted trees is approximately \$50,000.

SECTION 2.

This Resolution shall go into full force and effect at the earliest date allowed by law.

Passed: _____, 2022

Troy Markham, President of Council

Attest: _____
Matthew McPeek, Clerk of Council

Approved: _____, 2022

Benjamin J. Kessler, Mayor

First Reading:

Second Reading:

Third Reading:

ORDINANCE NO. 39-22

By: Monique Lampke

An ordinance to authorize a supplemental appropriation for Jeffrey Preschool and Recreation Programs for calendar year 2022.

WHEREAS: Due to COVID and staff shortages, it was necessary to increase teacher pay in order to hire and retain teachers for the Bexley Preschool during 2022; and

WHEREAS: The City has received State COVID financial support to help offset the cost of these wage increases; and

WHEREAS: Recreation program registration has been stronger than anticipated resulting in a shortage in the professionals account, which is used to pay program instructors; and

WHEREAS: There is an offset to this additional expense reflected in an updated recreation program revenue estimate increase of \$20,000.

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

Section 1.

That \$30,000 is hereby appropriated from the Recreation fund to pay for Jeffrey Preschool Salaries and Wages for the remainder of 2022.

Section 2.

That \$25,000 is hereby appropriated from the Recreation fund to pay for Recreation Program Professionals for the remainder of 2022.

Section 3.

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

Passed: _____, 2022

Troy Markham, President of Council

Attest: _____
Matt McPeck, Clerk of Council

Approved: _____, 2022

Mayor Ben Kessler

First Reading: October 11, 2022

Second Reading:

Third Reading:

ORDINANCE 40 - 22

By Monique Lampke

An ordinance to retroactively amend 2022 pay rates for Part Time Dispatchers, in order to be consistent with increases negotiated as part of the FOP Ohio Labor Council collective bargaining agreement effective January 1, 2022.

WHEREAS: When the 2022 pay ordinance was crafted the FOP Ohio Labor Council collective bargaining agreement had not yet been finalized; and

WHEREAS: The pay ordinance did not provide for a prospective increase due to the unknown outcome of the collective bargaining agreement; and

WHEREAS: A cost-of-living adjustment is appropriate in order to provide for parity with other employees of the City, particularly given inflationary conditions in 2022;

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

Section 1.

That the Part Time Dispatcher pay rate shall be amended to \$25.12 to \$34.03, effective retroactively to January 1, 2022.

Section 2.

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

Troy Markham, Council President

Attest: _____
Matt McPeek Clerk of Council

Mayor Ben Kessler

Ordinance 14 – 22

By: Matt Klingler

An ordinance to Amend Section 1266.14 Solar Panels, in order to provide for consistent regulation and a streamlined approval process for solar panel projects.

Whereas, City staff has been reviewing the City’s solar panel code in light of recommendations provided through the City’s climate action planning process; and

Whereas, This proposed ordinance provides for more streamlined approval of solar panel installations, while simultaneously preserving aesthetic controls; and

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

Section 1.

That Section 1266.14 shall be amended as follows:

1266.14 SOLAR PANELS.

A solar photovoltaic panel, or solar hot air or water panel collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat, shall comply with the following restrictions:

(a) Location.

(1) Ground mounted solar panels exceeding two (2) square feet in area shall be located in a side or rear yard only, **with the same setback requirement as accessory structures.** ~~shall maintain a setback of ten (10) feet from property lines.~~

(2) Roof and flush-mounted solar panels shall be allowed, subject to ~~architectural review~~ **staff review.**

~~Architectural~~ **Staff** review will consider the following:

A. Rear and side locations are preferred. Any installations on the front roof facade shall be justified by providing an analysis of why the front facade is necessary in order to generate viable output.

B. The color of the solar panels **and solar panel trim** shall be complementary to roof color as determined by staff ~~the Architectural Review Board.~~ **For the purpose of this provision, “complimentary” does not mean that staff shall require panel or panel trim colors that are not standard selections that are readily available on the market.**

C. The configuration and profile of the assembly shall be complementary to the roof line **and roof façade** as determined by **staff review** ~~the Architectural Review Board.~~ Installations should minimize the number of corners, and should avoid complex and/or nonsymmetrical configurations.

D. Wiring and supporting infrastructure should be designed in such a way as to minimize visibility from the right-of-way.

E. Installations should be sensitive to the property, surrounding properties, and neighborhood context.

(b) Height.

(1) Ground mounted solar panels shall not exceed **the height limit for accessory structures.** ~~six (6) feet in height.~~

(2) Roof and flush-mounted solar panels shall not project vertically above the peak of the roof to which it is attached, or project vertically more than four (4) feet above a flat roof installation.

~~—(c) Aesthetic Consideration. Ground mounted solar panels shall be fully screened at grade from adjacent properties by fencing or structures (detached garages, neighboring accessory structures, etc) or a combination of evergreen and deciduous plantings. Flat roof solar installations shall be appropriately screened, as determined by the Architectural Review Board and applicable design guidelines.~~

~~—(d) Glare. No glare, lights, or reflection shall be permitted which are a nuisance to other property owners or tenants or which could impair the vision of a driver or any motor vehicle or which are detrimental to public health, safety, and welfare.~~

(e) Exemptions.

(1) Solar panels less than two (2) square feet in area and those installed within the right-of-way by the City are not subject to the regulations set forth above.

~~—(2) Solar panels that are not facing an adjacent street right-of-way are exempt from review by the Architectural Review Board and are subject to review and approval by the Zoning Officer, applying the standards set forth in this section.~~

Passed _____, 2022

Troy Markham, President of Council

Attest: _____, 2022
Matt McPeek, Clerk of Council

Approved: _____, 2022

Benjamin Kessler, Mayor

First Reading: April 12, 2022

Second Reading:

Third Reading:

Proposed Amended Ordinance 14 – 22

By: Matt Klingler

An ordinance to Amend Section 1266.14 Solar Panels, in order to provide for consistent regulation and a streamlined approval process for solar panel projects.

Whereas, City staff has been reviewing the City’s solar panel code in light of recommendations provided through the City’s climate action planning process; and

Whereas, This proposed ordinance provides for more streamlined approval of solar panel installations, while simultaneously preserving aesthetic controls;

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

Section 1.

That Section 1266.14 shall be amended as follows:

1266.14 SOLAR PANELS.

A solar photovoltaic panel, or solar hot air or water panel collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat, shall comply with the following criteria:

(a) Roof Mounted Solar Panels

Roof and flush-mounted solar panels shall be allowed, subject to staff review. Review will consider the following:

1. Rear and side locations are preferred. Installations on the front roof facade shall be approved in instances where the front façade component is demonstrably necessary to provide adequate output to power the subject property.
2. The color of the solar panels and solar panel trim shall be complementary to roof color. For the purpose of this provision, “complimentary” does not mean that staff shall require panel or panel trim specifications that are not commonly available in the marketplace.
3. The configuration and profile of the assembly shall be complementary to the roof line and roof façade. Installations should minimize the number of corners and should avoid complex and/or nonsymmetrical configurations.
4. Wiring and supporting infrastructure should be designed in such a way as to minimize visibility from the right-of-way.
5. Solar panels shall not project vertically above the peak of the roof to which it is attached, or project vertically more than four (4) feet above a flat roof installation.

6. In the event that Solar Panel Design Guidelines are adopted by the Architectural Review Board with approval by City Council, the application must substantially conform to said Solar Panel Design Guidelines.

(b) Ground Mounted Solar Panels

1. Ground mounted solar panels exceeding two (2) square feet in area shall be located in a side or rear yard only, with the same setback requirement as accessory structures.
2. Ground mounted solar panels shall not exceed ten (10) feet in height.

(c) Provision for Additional Review. In the instance of an application which does not substantially conform to adopted Solar Panel Design Guidelines or to the provisions of this Section due to a novel application or novel materials or technologies, or where staff deems it necessary to refer the application for further feedback and review for any other cause, staff may refer the application to review by the Architectural Review Board.

(d) Exemptions.

The following installation types are not subject to the regulations set forth above:

1. Solar panels less than two (2) square feet in area
2. Solar panels installed within the right-of-way by the City

Section 2.

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

Passed _____, 2022

Troy Markham, President of Council

Attest: _____, 2022
Matt McPeek, Clerk of Council

Approved: _____, 2022

Benjamin Kessler, Mayor

First Reading: April 12, 2022

Second Reading:

Third Reading: