



City Council Meeting Agenda

Tuesday, November 15, 2022

6:00 PM

- 1) **Call to Order**
- 2) **Roll Call of Members**
- 3) **Pledge of Allegiance**
- 4) **Presentations/Special Guests**
 - A) Bexley Citizen's Police Academy Graduation
- 5) **Public Comments (Speaker Slip Required)**
- 6) **President's Report**
- 7) **City Attorney Report**
- 8) **Ordinances/Resolutions with visiting presenters**
 - A) Resolution 9-22 confirming the Mayor's appointment of members to the Recreation Board, the Tree and Public Gardens Commission, the Citizen Review Board, and the Environmental Sustainability Advisory Committee Executive Board, introduced by Jen Robinson on October 25, 2022. (This is the 3rd Reading)
 - i) Eric Action - Proposed Appointment to Recreation Board
 - ii) Lisa Kelly - Proposed Appointment to Citizen Review Board
 - B) Ordinance 42-22 to create Section 265, Naming and Renaming Policy, and to adopt the Naming and Renaming Policy attached as Exhibit A, introduced by Jen Robinson on October 25, 2022.
 - i) Jim Wilson to Discuss Naming and Renaming Policy
 - C) Ordinance 41-22 authorizing appropriations for the calendar year beginning January 1, 2023; to confirm the appointment of Marc Fishel as City Attorney; and to authorize 2022 transfers to the Economic Bond Development Retirement Fund, the Capital Improvements Fund; and the Infrastructure Development Fund, of \$694,328, \$500,000 and \$500,000 respectively, introduced by Monique Lampke on October 25, 2022 (This is the 2nd Reading)
 - i) Recreation and Parks Presentation

9) Auditor's Report

10) Administrative Update:

- A) Police Department Update - Chief Lewis
- B) Recreation and Parks Update - Mike Price
- C) Service Update: Andy Bashore- Service Director
- D) Finance Department Update - Beecher Hale
- E) Mayor's Update

11) Consent Agenda: (No Speaker Slip Required)

- A) Meeting Minutes from November 8, 2022 City Council Meeting.

12) Third Readings: (No Speaker Slip Required)

13) Second Readings: (Speaker Slip Required)

- A) Ordinance 43-22 to Establish the Water, Sewer, and Refuse Rates charged by the City of Bexley introduced by Monique Lampke on November 8, 2022
- B) Ordinance 44-22 Amending Chapter 291 of the City of Bexley Codified Ordinances to add section 291.02 authorizing certain City officials to issue subpoenas in furtherance of investigations of misdemeanor crimes introduced by Jen Robinson on November 8, 2022
- C) Ordinance 45-22 to establish the salary for the office of Bexley Mayor for the years 2024-2027, introduced by Monique Lampke on November 8, 2022.
- D) Ordinance 46-22 to create Chapter 220.04, Compensation, and to establish the salary for the office of City Council Member for the years 2024 and beyond introduced by Monique Lampke on November 8, 2022.
- E) Ordinance 47-22 to establish compensation for non-bargaining unit employees of the City of Bexley, effective as of January 1, 2023 introduced by Monique Lampke on November 8, 2022.

14) First Readings: (Speaker Slip Required)

- A) Ordinance 48-22 to create Chapter 837, Tobacco Retail License and Regulations and to remove Chapter 636.16 of the Codified Ordinances, Illegal distribution of cigarettes, other tobacco products or alternate nicotine products introduced by Sam Marcellino on November 15, 2022.
- B) Resolution 10-22 to schedule the Bexley City Council meeting dates and times for the year 2023 introduced by Troy Markham on November 15, 2022.

15) Tabled Ordinances:

- 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 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) **Strategic Committee - Jen Robinson, Chair**
- 17) **Service and Environmental Committee - Lori Ann Feibel, Chair**
- 18) **Finance Committee - Monique Lampke, Chair**
- 19) **Safety and Health Committee - Sam Marcellino, Chair**
- 20) **Zoning and Development Committee - Matt Klingler, Chair**
- 21) **Recreation and Parks Committee - Jessica Saad, 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.**
- 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

RESOLUTION NO. 09 - 22

By: Jen Robinson

A Resolution confirming the Mayor’s appointment of members to the Recreation Board, the Tree and Public Gardens Commission, the Citizen Review Board, and the Environmental Sustainability Advisory Committee Executive Board

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

Section 1. That City Council hereby confirms the following appointments to the Recreation Board:

Nominee	Position	Term Expiring
Eric Acton	Member	June 30, 2024

Section 2. That City Council hereby confirms the following appointments to the Tree and Public Gardens Commission:

Nominee	Position	Term Expiring
Mary McMunn	Member	June 30, 2023
Larry Helman	Alternate Member	June 30, 2023

Section 3. That City Council hereby confirms the following appointments to the Citizen Review Board:

Nominee	Position	Term Expiring
Lisa Kelly	Member	June 30, 2024

Section 4. That City Council hereby confirms the following appointments to the Environmental Sustainability Advisory Committee Executive Board:

Nominee	Position	Term Expiring
Kathleen Hayden	Chair	June 30, 2024
Lisa Goldsand	Secretary	June 30, 2025

Section 5.
That this Resolution 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: October 25, 2022

Second Reading:

Third Reading:

Ordinance 42 - 22

By: Jen Robinson

**An Ordinance to create Section 265, Naming and Renaming Policy,
and to adopt the Naming and Renaming Policy attached as Exhibit A**

WHEREAS, Recognizing the importance of naming or renaming opportunities for its facilities, parks, and features, it is necessary for the City to create a policy to provide for predictable, consensus-derived naming decisions; and

WHEREAS, A formal selection process is important in order to determine the appropriate response tonaming requests and opportunities; and

WHEREAS, A group of Bexley board and commission members has met to craft the proposed Naming and Renaming policy attached hereto as Exhibit A;

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

Section 1.

That Section 265 be created as follows:

CHAPTER 265
Naming and Renaming Policy

265.01 NAMING AND RENAMING POLICY

A Naming and Renaming Policy may be adopted to help govern the naming and renaming of facilities and parks within and under the purview of the City. In the event such a policy has been adopted and is in effect, it shall serve as the definitive criteria and guidelines for considering the naming and renaming of facilities, parks, or features.

Section 2.

That the “Naming and Renaming Policy”, attached hereto as “Exhibit A,” is hereby adopted in accordance with Section 265, Naming and Renaming Policy.

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 McPeek, Clerk of Council

Approved: _____, 2022

Ben Kessler, Mayor

First reading:



City of Bexley

Naming and Renaming Facilities and Parks

Adopted _____, 2022

Overview

Recognizing the importance of naming or renaming opportunities for its facilities, parks, and features, this document sets forth the City's naming policy. A formal selection process is important in order to determine the appropriate response to naming requests and opportunities.

Purpose:

This policy has been created to establish criteria and guidelines for considering the naming and renaming of facilities, parks, or features. This may include, but is not limited to, facilities, recreation areas, park features, park programs, park site furnishings, public gardens and features in the rights of way.

Circumstances for naming areas, programs, or features:

A facility, park or feature can be named or renamed by any of the following or a combination thereof:

- 1) the City;
- 2) a donor/sponsor request;
- 3) a neighborhood organization request; or
- 4) an individual.

Approval Authority:

The Mayor and City Council are the ultimate authority in approving of the naming of parks, facilities, and features. In his/her role as administrator, the Mayor supervises and oversees this policy and its provisions.

Naming Advisory Board

In the administration of naming rights, a Naming Advisory Board is assembled to advise on this policy and the naming of parks, facilities, and major features.

- a. The Naming Advisory Board shall consist of the Mayor, the President of City Council, the Chair of the Tree and Public Gardens Commission, the Chair of Parks and Recreation Board, the Chair of the Bexley Historical Society, the Director of Recreation and Parks, and the Chair of the Bexley Community Foundation.
- b. The Mayor will chair the Naming Board. The City Council President will chair in the Mayor's absence.
- c. The Naming Board shall have the authority to review or recommend naming for various areas or features (other than minor features as described below) to the Parks and Recreation Board and the Tree and Public Gardens Commission.
- d. Approval of a naming recommendation requires a 5/7th vote of the Naming Board.
- e. Prior to approving a naming recommendation, the Parks and Recreation Board and the Tree and Public Gardens Commission shall give opportunity for public comment.

The Parks and Recreation Board has the authority to recommend approval of any naming requests for features or programs within the City parks over which it has jurisdiction, based upon a recommendation from the Naming Board. The Parks and Recreation Board recommendation shall be presented to City Council for approval by a majority vote.

The Tree and Public Gardens Commission has the authority to recommend approval of any naming requests for features or programs within the right of way and those parks over which it has jurisdiction, based upon a recommendation from the Naming Board. The Tree and Public Gardens Commission recommendation shall be presented to City Council for approval by a majority vote.

Discontinuation of name: If the individual or organization of which a facility, park, or feature, has been named or renamed, or any of its officers, directors, board members, principals, employees, agents, or representatives commits any act which, in the reasonable and good faith opinion of the City, would disparage or impair the reputation and integrity of the City (including, without limitation, being convicted of any felony or a crime involving moral turpitude, ethical violations or any other act of moral turpitude), the City shall have the right to terminate any naming rights agreement without liability to the other party upon thirty (30) days written notice

Discontinuation of facilities and features: If a named facility or feature is moved, damaged, stolen, or otherwise rendered unfit for continued use or exhibition, the City will make reasonable efforts to notify the donor that the facility or feature named on their behalf is no longer in use.

Time period: Naming rights will not extend past the life of the item or beyond the normal life of the park, facility or feature. When a naming right is recognized, a time period for use may be established (e.g. 5 years). At the end of the established time period, the donor may have the first opportunity to negotiate an extension.

Rejection of Name: If, at any time, the Naming Board chooses to reject the proposed name, the affected party will be notified in writing as to the reasons for the rejection.

Naming of Minor Features

An individual or organization may request the use of his, her, their, or its name for a minor features (benches, trees, furnishings, or other similar items), which shall be memorialized on a plaque consistent with the policies of the Tree and Public Gardens Commission or the Recreation Board, depending on its location. This donation shall include the cost of maintenance for the feature during its expected life. If the feature is damaged or destroyed, the City shall make reasonable efforts to notify the original donor, who shall have the opportunity to donate funds for the feature's repair or replacement, unless the city determines the feature is no longer needed or appropriate. At the conclusion of the expected life of the feature, it may be removed without further obligation to the donor. No review by the Naming Board is required for the naming of minor features as described in this paragraph.

Appendix A

Criteria for Naming Major Features

I. Naming by a Board or Commission:

When the City and its boards or commissions recommends a name in accordance with the authority granted it under this policy, it will review the following:

- Acknowledgment or affirmation of a donor if one exists;
- The reputation of the individual or organization in the community, of which a facility, park, or feature is recommended to be named;
- Natural, archaeological or geographical features of the facility, park, or feature;
- Local community history including, but not limited to: a former landowner; an individual who made a significant contribution to the area; names identified with the property by the neighborhood; local historical events; or historical significance of the park, facility, or feature;
- Local civic, community, or philanthropic leaders who have made a significant contribution locally or globally and/or have been instrumental in acquiring the park, facility, or feature. In most instances, it is preferred to honor the person posthumously; (proposed) and such time period for consideration of a deceased honoree shall be a minimum of ten years after passing.
- Marketability of the name for the proposed usage of the park, facility, or feature;
- List of name proposals on file; and
- Deed restrictions.

II. Sponsor/Donor:

If a donor specifies naming rights as a condition of donating property, services or funds to the City, the Board or Commission responsible for determining if a naming request should be granted shall apply the following criteria, with assistance from the appropriate department's staff.

Naming rights should only be considered if the donor provides a donation of:

- no less than 50 percent of the appraised value of a land donation

or

- no less than 50 percent of the overall construction cost of the entity to be named, together with 50% of the expected cost of maintenance of the facility .

Once the value is established and met, the responsible Board or Commission will review the proposal to determine the appropriateness and how it relates to the following:

- The donor's request;
- Value of entity to be named;
- Local history and culture;
- Natural, archaeological or geographical features of the entity;
- Neighborhood characteristics;
- Community input;
- Marketability of the name for the proposed usage of the entity;
- Whether the name is to be permanent or for a designated length of time;
- Deed restrictions (if any); and
- Long-term impact.

III. Neighborhood, Area Commission, Civic or Home Owner Association or Individuals:

When a community group such as a neighborhood, civic or home owner group or an individual requests that a City facility, feature, or object be named to recognize contributions made to the neighborhood or the city, the responsible Board or Commission will review the proposal to determine the appropriateness and how it relates to the following:

- Value of entity to be named;
- The requested person's or group's level of contribution (monetary and/or in-kind) to the city, department, and/or relative neighborhood;
- Local history and culture;
- Natural, archaeological or geographical features of the entity;
- Neighborhood characteristics;
- Community input;
- Marketability of the name for the proposed usage of the entity;
- Whether the name is to be permanent or for a designated length of time;
- Deed restrictions (if any); and

- Long-term impact.

Selection Criteria for Renaming of Existing Facility, Park, or Entity

The above criteria and processes will apply to renaming an existing facility, park, or something within either of those entities. Renaming may only be considered if the entity does not have a permanent name or at the discretion of the responsible Board or Commission.

In addition, in order for the City to consider a renaming, it will be the responsibility of the person(s) making the request to provide the responsible Board or Commission with all of the relative background information necessary for deliberation.

The renaming process includes:

- Submission of a letter of request the responsible Board or Commission;
- The responsible Board or Commission will provide a form to the requestor that must be completed and returned to the address stated above; a form not completed in its entirety will not be processed for consideration;
- The responsible Board or Commission will evaluate the request and validate the information submitted;
- **The responsible Board or Commission will review the request with the requestor and/or any other community representatives;** the responsible Board or Commission may also choose to hold a public meeting to inform those interested parties of the naming proposal to receive feedback from the community before a responsible Board or Commission recommendation is made;
- The responsible Board or Commission may also choose to select an alternative name for consideration, and will communicate the substitute name to the requestor to receive feedback before any final recommendation is made.

PROPOSED AMENDED Ordinance 41 -22

By: Monique Lampke

An ordinance authorizing appropriations for the calendar year beginning January 1, 2023; to confirm the appointment of Marc Fishel as City Attorney; to authorize 2022 transfers to the Economic Bond Development Retirement Fund, the Capital Improvements Fund; and the Infrastructure Development Fund, of \$694,328, \$400,000 and \$400,000 respectively and to create a "Pool Replacement Fund", for the purpose of paying for capital repairs, improvements, and replacement of the municipal swimming pool. In the event that the Auditor declares a fiscal state of emergency, this fund may function as a Budget Stability Account..

Whereas, Section 26 of the Bexley City Charter requires City Council to adopt an operating budget for the ensuing fiscal year on or before December 31 and to adopt an appropriation ordinance authorizing an appropriation for each program or activity by department or major organizational unit:

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

Section 1.

That appropriations for calendar year beginning January 1, 2023 are authorized as follows:

GENERAL FUND DEPARTMENTS

Mayors Office and City Hall	
Total Personal Services	\$ 359,150
Total Other Expenditures	<u>\$ 93,550</u>
Total Mayor's Office	\$ 452,700
Grant Reimbursed Expenditures	\$ 1,459,000
Auditor's Office	
Total Personal Services	\$ 306,797
Total Other Expenditures	<u>\$ 557,017</u>
Total Auditor's Office	\$ 863,813
City Attorney's Office	\$ 190,000
Civil Service/HR	\$ 23,000
City Council	
Total Personal Services	\$ 54,771
Total Other Expenditures	<u>\$ 11,000</u>
Total City Council	\$ 65,771
Mayor's Court	
Total Personal Services	\$ 77,489
Total Other Expenditures	<u>\$ 110,750</u>
Total Mayor's Court	\$ 188,239
Development and Communications Office	
Total Personal Services	\$ 101,406
Total Other Expenditures	<u>\$ 193,500</u>
Total Development Office	\$ 294,906
Technology	
Total Personal Services	\$ 122,024
Total Other Expenditures	<u>\$ 307,502</u>
Total Technology Department	\$ 429,526
Building and Zoning Department	
Total Personal Services	\$ 376,405
Total Other Expenditures	<u>\$ 274,950</u>
Total Building Department	\$ 651,355
Senior Programs	
Total Personal Services	\$ 107,861
Total Other Services	<u>\$ 60,180</u>
Total Senior Programs	\$ 168,041
Boards and Commissions	
Total Personal Services	\$ 7,576
Total Other Expenditures	<u>\$ 23,000</u>
Total Boards and Commissions	\$ 30,576
Police Department	
Total Personal Services	\$ 5,811,559
Total Other Expenditures	<u>\$ 491,800</u>
Total Police Department	\$ 6,303,359
Fire Contract	\$ 2,619,177
Emergency Warning	\$ 20,475
Street Lighting	
Total Personal Services	\$ 101,064
Total Other Expenditures	<u>\$ 290,000</u>
Total Street Lighting	\$ 391,064
Health Department	\$ 182,067

Service Department	
Total Personal Services	\$ 215,221
Total Other Expenditures	\$ 12,300
Total Service Department	\$ 227,521
Building Maintenance and Parks	
Total Personal Services	\$ 926,077
Total Other Expenditures	\$ 673,000
Total Maintenance and Parks	\$ 1,599,077
State Highway /Street Fund Transfer	\$ 370,000
Jeffrey Mansion	
Total Personal Services	\$ 147,779
Total Other Expenditures	\$ 156,870
Total Jeffrey Mansion	\$ 304,649
Parks	
Total Personal Services	\$ 341,886
Total Other Expenditures	\$ 156,400
Total Parks	\$ 498,286
Recreation Fund Transfer	\$ 250,000
Debt Service - Transfer to Bond Retirement Fund	\$ 1,230,213
Debt Service - Transfers to Eco. Development Bond Retirement	\$ -
Total General Fund Operating Expenditures	\$ 18,812,815
Transfer to Swimming Pool Fund	\$ 120,000
Transfer to Infrastructure Development Fund	\$ 600,000
Transfer to Employee Payout Fund	\$ 30,000
Capital Transfer (to Capital Improvements Fund)	\$ 1,200,000
Transfer to Budget Stability Fund	\$ 50,000
	\$ 2,000,000
Total General Fund	\$ 20,812,815
NON-GENERAL FUND DEPARTMENTS	
State Highway Fund	
Total Personal Services	\$ 12,412
Total Other Expenditures	\$ 65,000
Total State Highway	\$ 77,412
Street Maintenance Fund	
Total Personal Services	\$ 721,873
Total Other Expenditures	\$ 361,921
Total Street Maintenance	\$ 1,083,794
RECREATION FUND	
Recreation Administration	
Total Personal Services	\$ 587,507
Total Other Expenditures	\$ 59,300
Total Recreation Admin.	\$ 646,807
Recreation Programs	
Total Personal Services	\$ 24,874
Total Other Expenditures	\$ 363,550
Total Recreation Programs	\$ 388,424
Jeffrey Preschool	
Total Personal Services	\$ 339,399
Total Other Expenditures	\$ 17,000
Total Preschool	\$ 356,399
Before and After Care	
Total Personal Services	\$ 336,652
Total Other Expenditures	\$ 50,825
Total Before and After Care	\$ 387,477
Jeffrey Summer Camp	
Total Personal Services	\$ 369,225
Total Other Expenditures	\$ 87,700
Total Jeffrey Summer Camp	\$ 456,925
Transfer to Bond Retirement	\$ 111,747
Total Recreation Fund	\$ 2,347,778
Bond Retirement Fund	\$ 2,656,491
Economic Development Debt Service Fund	\$ 788,975
Water Fund	

Water Administration	
Total Personal Services	\$ 145,300
Total Other Expenditures	\$ 2,252,631
Total Water Admin.	\$ 2,397,931
Water Distribution	
Total Personal Services	\$ 369,255
Total Other Expenditures	\$ 294,000
Total Water Distribution	\$ 663,255
Capital	
Debt Service	\$ 308,017
Total Water Fund	\$ 3,369,203
Sewer Fund	
Sewer Administration	
Total Personal Services	\$ 31,899
Total Other Expenditures	\$ 2,098,592
Total Sewer Administration	\$ 2,130,491
Sewer Service	
Total Personal Services	\$ 194,549
Total Other Expenditures	\$ 989,667
Total Sewer Service	\$ 1,184,216
Capital	
Debt Service	\$ 77,964
Total Sewer Fund	\$ 3,392,671
Refuse Fund	
Total Personal Services	\$ 43,754
Total Other Expenditures	\$ 1,605,500
Total Refuse Expenditures	\$ 1,649,254
Police Pension Fund	
Total Personal Services	\$ 890,615
Total Other	\$ 8,500
Total Police Pension Expenditures	\$ 899,115
Swimming Pool Fund	
Swimming Pool Operations	
Personal Services	\$ 22,482
Other	\$ 404,200
Total Pool Operations	\$ 426,682
Pool Concessions	\$ 4,000
Pool Capital	\$ 50,000
Total Swimming Pool Fund	\$ 480,682
Road and Alley Fund	
Operating Expenses	\$ 1,388,150
Transfer to Bond Retirement	\$ 435,916
Total Road and Alley Fund	\$ 1,824,066
Mayor's Court Computer Fund	\$ 1,500
T.I.F. Fund	\$ 1,789,500
T.I.F. Fund Transfer to Bond Retirement	\$ 164,640
City Hall TIF Fund	\$ 32,000
City Hall Fund TIF Transfer to Eco. Develop Bond Retirement	\$ 75,000
Capital Improvements Fund	\$ 1,532,432
Health Insurance Fund	\$ 1,737,329
Events and Equipment Fund	\$ 1,500
Friends of Jeffrey Park	\$ 1,200
Bexley Youth Athletic	\$ 12,000
Tourism and Community Events	\$ 5,000
Bexley Celebrations and Events	\$ 65,000
Maryanna Holbrook	\$ 30,000
Employee Separation Fund	\$ 30,000
Special Assessments Fund	\$ 94,000
Friends of Jeffrey Preschool	\$ 5,250
Building Standards Fees	\$ 1,800
American Rescue Plan Fund	

Section 2. To confirm the appointment of Marc Fishel as City Attorney for 2023.

Section 3. That 2022 transfers to the Economic Bond Development Retirement Fund, the Capital Improvements Fund, and the Infrastructure Development Fund \$694,328 , \$400,000, and \$400,000 respectively are hereby authorized.

Section 4. To create a "Pool Replacement Fund", for the purpose of paying for capital repairs, improvements, and replacement of the municipal swimming pool. In the event that the Auditor declares a fiscal state of emergency, this fund may function as a Budget Stability Account.

Section 5. 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

Mayor Ben Kessler

Attest: _____
Matt McPeek

Ordinance 41-22

By: Monique Lampke

An ordinance authorizing appropriations for the calendar year beginning January 1, 2023; to confirm the appointment of Marc Fishel as City Attorney; and to authorize 2022 transfers to the Economic Bond Development Retirement Fund, the Capital Improvements Fund; and the Infrastructure Development Fund, of \$694,328, \$500,000 and \$500,000 respectively.

Whereas, Section 26 of the Bexley City Charter requires City Council to adopt an operating budget for the ensuing fiscal year on or before December 31, and to adopt an appropriation ordinance authorizing an appropriation for each program or activity by department or major organizational unit.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY

Section 1.

That appropriations for calendar year beginning January 1, 2022 are authorized as follows:

GENERAL FUND DEPARTMENTS

Mayors Office and City Hall	
Total Personal Services	\$ 361,209
Total Other Expenditures	\$ 93,550
Total Mayor's Office	<u>\$ 454,759</u>
Grant Reimbursed Expenditures	\$ 895,000
Auditor's Office	
Total Personal Services	\$ 302,603
Total Other Expenditures	\$ 622,282
Total Auditor's Office	<u>\$ 924,884</u>
City Attorney's Office	\$ 188,000
Civil Service/HR	\$ 23,000
City Council	
Total Personal Services	\$ 54,771
Total Other Expenditures	\$ 11,000
Total City Council	<u>\$ 65,771</u>
Mayor's Court	
Total Personal Services	\$ 68,455
Total Other Expenditures	\$ 123,000
Total Mayor's Court	<u>\$ 191,455</u>
Development and Communications Office	
Total Personal Services	\$ 101,528
Total Other Expenditures	\$ 193,500
Total Development Office	<u>\$ 295,028</u>
Technology	
Total Personal Services	\$ 121,027
Total Other Expenditures	\$ 295,502
Total Technology Department	<u>\$ 416,529</u>
Building and Zoning Department	
Total Personal Services	\$ 379,237
Total Other Expenditures	\$ 274,950
Total Building Department	<u>\$ 654,187</u>
Senior Programs	
Total Personal Services	\$ 107,861
Total Other Services	\$ 60,180
Total Senior Programs	<u>\$ 168,041</u>

Boards and Commissions	
Total Personal Services	\$ 7,576
Total Other Expenditures	\$ 23,000
Total Boards and Commissions	<u>\$ 30,576</u>
Police Department	
Total Personal Services	\$ 5,681,289
Total Other Expenditures	\$ 414,235
Total Police Department	<u>\$ 6,095,524</u>
Fire Contract	\$ 2,619,177
Emergency Warning	\$ 20,475
Street Lighting	
Total Personal Services	\$ 102,036
Total Other Expenditures	\$ 290,000
Total Street Lighting	<u>\$ 392,036</u>
Health Department	\$ 182,067
Service Department	
Total Personal Services	\$ 216,215
Total Other Expenditures	\$ 12,300
Total Service Department	<u>\$ 228,515</u>
Building Maintenance and Parks	
Total Personal Services	\$ 849,159
Total Other Expenditures	\$ 673,000
Total Maintenance and Parks	<u>\$ 1,522,159</u>
State Highway /Street Fund Transfer	\$ 330,000
Jeffrey Mansion	
Total Personal Services	\$ 149,440
Total Other Expenditures	\$ 156,870
Total Jeffrey Mansion	<u>\$ 306,310</u>
Parks	
Total Personal Services	\$ 333,162
Total Other Expenditures	\$ 116,400
Total Parks	<u>\$ 449,562</u>
Recreation Fund Transfer	\$ 250,000
Debt Service - Transfer to Bond Retirement Fund	\$ 1,230,213
Debt Service - Transfers to Eco. Development Bond Retirement	\$ 694,328
Total General Fund Operating Expenditures	<u>\$ 18,627,598</u>
Transfer to Swimming Pool Fund	\$ 120,000
Transfer to Infrastructure Development Fund	\$ 700,000
Transfer to Employee Payout Fund	\$ 30,000
Capital Transfer (to Capital Improvements Fund)	\$ 900,000
Transfer to Budget Stability Fund	\$ 50,000
	<u>\$ 1,800,000</u>
Total General Fund	\$ 20,427,598
NON-GENERAL FUND DEPARTMENTS	
State Highway Fund	
Total Personal Services	\$ 12,412
Total Other Expenditures	\$ 65,000
Total State Highway	<u>\$ 77,412</u>
Street Maintenance Fund	
Total Personal Services	\$ 687,046
Total Other Expenditures	\$ 361,921
Total Street Maintenance	<u>\$ 1,048,967</u>

RECREATION FUND**Recreation Administration**

Total Personal Services	\$	567,036
Total Other Expenditures	\$	61,300
Total Recreation Admin.	\$	<u>628,336</u>

Recreation Programs

Total Personal Services	\$	24,874
Total Other Expenditures	\$	363,550
Total Recreation Programs	\$	<u>388,424</u>

Jeffrey Preschool

Total Personal Services	\$	307,806
Total Other Expenditures	\$	212,350
Total Preschool	\$	<u>520,156</u>

Before and After Care

Total Personal Services	\$	336,652
Total Other Expenditures	\$	50,825
Total Before and After Care	\$	<u>387,477</u>

Jeffrey Summer Camp

Total Personal Services	\$	369,225
Total Other Expenditures	\$	87,700
Total Jeffrey Summer Camp	\$	<u>456,925</u>

Transfer to Bond Retirement

\$	111,747
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Total Recreation Fund

\$	2,493,064
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Bond Retirement Fund

\$	2,693,887
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Economic Development Debt Service Fund

\$	788,975
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Water Fund**Water Administration**

Total Personal Services	\$	146,038
Total Other Expenditures	\$	2,257,714
Total Water Admin.	\$	<u>2,403,752</u>

Water Distribution

Total Personal Services	\$	371,601
Total Other Expenditures	\$	310,667
Total Water Distribution	\$	<u>682,268</u>

Capital**Debt Service**

\$	270,154
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Total Water Fund

\$	3,356,173
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Sewer Fund**Sewer Administration**

Total Personal Services	\$	32,157
Total Other Expenditures	\$	1,778,900
Total Sewer Administration	\$	<u>1,811,057</u>

Sewer Service

Total Personal Services	\$	195,713
Total Other Expenditures	\$	989,667
Total Sewer Service	\$	<u>1,185,380</u>

Capital

Debt Service	\$ 78,431
Total Sewer Fund	\$ 3,074,869
Refuse Fund	
Total Personal Services	\$ 206,152
Total Other Expenditures	\$ 1,565,500
Total Refuse Expenditures	<u>\$ 1,771,652</u>
Police Pension Fund	
Total Personal Services	\$ 858,145
Total Other	\$ 8,500
Total Police Pension Expenditures	<u>\$ 866,645</u>
Swimming Pool Fund	
Swimming Pool Operations	
Personal Services	\$ 300,767
Other	\$ 129,700
Total Pool Operations	<u>\$ 430,467</u>
Pool Concessions	\$ 2,000
Pool Capital	\$ 65,000
Total Swimming Pool Fund	\$ 497,467
Road and Alley Fund	
Operating Expenses	\$ 1,388,150
Transfer to Bond Retirement	\$ 473,312
Total Road and Alley Fund	<u>\$ 1,861,462</u>
Mayor's Court Computer Fund	\$ 1,500
T.I.F. Fund	\$ 176,500
T.I.F. Fund Transfer to Bond Retirement	\$ 164,640
City Hall TIF Fund	\$ 32,000
City Hall Fund TIF Transfer to Eco. Develop Bond Retirement	\$ 75,000
Capital Improvements Fund	\$ -
Health Insurance Fund	\$ 1,737,329
Events and Equipment Fund	\$ 1,500
Friends of Jeffrey Park	\$ 1,200
Bexley Youth Athletic	\$ 12,000
Tourism and Community Events	\$ 5,000
Bexley Celebrations and Events	\$ 65,000
Maryanna Holbrook	\$ 30,000
Employee Separation Fund	\$ 30,000
Special Assessments Fund	\$ 94,000
Friends of Jeffrey Preschool	\$ 800
Building Standards Fees	\$ 1,800
American Rescue Plan Fund	

Section 2. To confirm the appointment of Marc Fishel as City Attorney for 2022.

Section 3. That 2022 transfers to the Economic Bond Development Retirement Fund, the Capital Improvements Fund, and the Infrastructure Development Fund \$694,328 , \$500,000, and \$500,000 respectively are hereby authorized.

Section 4. 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

10/24/22

Mayor Ben Kessler

Attest: _____
Matt McPeck

2023 Capital Budget Items (11.15.22 rev)

	Projected Cost	Capital Fund	Water Fund	Sewer Fund
Police Department				
2 Cruisers	\$130,100	\$130,100		
Golf Cart / OHV	\$35,000	\$35,000		
EV chargers	\$22,000	\$22,000		
Evidence Software	\$23,000	\$23,000		
Police Department Totals	\$210,100	\$210,100		
Service Department				
Spider lift for Forestry	\$50,000	\$50,000		
Front-end loader	\$180,000	\$60,000	\$60,000	\$60,000
Concrete buggy	\$17,000	\$17,000		
Pickup truck	\$47,500	\$47,500		
Delmar site	\$40,000	\$40,000		
Service Department Totals	\$334,500	\$214,500	\$60,000	\$60,000
City Hall				
Reconfig office				
Digitization of Bldg Dept files	\$15,000	\$15,000		
Front entry - ADA	\$25,000	\$25,000		
Security enhancements for city hall	\$12,500	\$12,500		
	\$52,500			
Technology				
Payroll & Scheduling Software	\$28,200	\$28,200		
Park Capital				
Schneider Splash Pad	\$70,000	\$70,000		
Schneider Site Furnishings	\$10,000	\$10,000		
Jeffrey Mansion HVAC Engineering	\$20,000	\$20,000		
Dog Park signage / entrypoint	\$20,000	\$20,000		
Commonwealth Pergolas (YOTP)	\$90,000	\$90,000		
Commonwealth Plaza (YOTP)	\$180,000	\$180,000		
Commonwealth Median (YOTP)	\$210,000	\$210,000		
4 Season Shelter Design	\$55,000	\$55,000		
Capital Repairs	\$200,000	\$200,000		
Park Signage	\$120,000	\$120,000		
Total Parks Capital	\$975,000			



Points of Interest:

• Financial Trends Since 2018:

Year	2018	2019	2020	2021	2022	2023
Revenue	\$1,642,000	\$1,718,000	\$704,000	\$1,411,000	\$1,764,000	\$1,860,000
Expense	\$1,565,000	\$1,649,000	\$1,161,000	\$1,542,000	\$1,990,000	\$2,240,000
Net	\$77,000	\$69,000	-\$457,000	-\$131,000	-\$226,000	-\$380,000

• Takeaways:

- 2018 and 2019 saw net positive years (2016 & 2017 saw net positives as well). Historically, rec expenses have outpaced revenue, resulting in the regular need for the general fund subsidy.
- With the COVID pandemic (2020 & 2021), we saw a significant decrease in revenue starting in 2000 (Nearly 60% decrease in revenue) as many programs were shutdown. In 2021, as programming opened back up, revenue increased, but still trailed the pre-pandemic revenue of 2019.
- As we have moved further from the height of the pandemic, we are now seeing exploding costs associated with program operations, with staffing costs representing the largest increase.
 - Jeffrey Summer Camp
 - Starting Pay in 2018 - \$8.30 vs. 2022 - \$12.50 (51% increase from 2018-2023)
 - Jeffrey Mansion Preschool
 - Average Wage in 2018 - \$12.15 vs. 2023 - \$18.30 (51% increase from 2018-2023).
 - Pool
 - Starting Pay in 2018 - \$8.80 vs. 2023 - \$15.00 (70% increase from 2018-2023)

• Impact:

- In an effort to support families during these difficult times, we saw little to no increases in the majority of our programs. COVID relief money was instrumental in reducing the impact on the departments overall budget.
- In order to mitigate against the huge swings in program expenses, we would have had to drastically increase program fees, in many cases for programs that are needs based.
 - Camp Fee Per Week - \$168 (2018)/\$179 (2022) vs. \$253 (2023)
 - Preschool Monthly Fee - \$650 (2018)/\$765 (2022) vs. \$982 (2023)
- The reality is that while we are hopeful that the staffing cost increases are beginning to stabilize (We have a new normal), we don't see any scenario in which those costs return closer to pre-pandemic levels.

• Plan:

- Thanks in large part to COVID relief money, the Rec Fund balance is strong. This will allow us to slowly address the shortfall in revenue and while we will need to increase program fees, we do not have to do it all at once. The Rec Board approved a 7% increase in camp prices, which is the

highest increase since I have been with the department, but much lower than the 51% increase need to cover operation cost increases. The plan will be to continue to have larger than normal increases without passing all of those costs on immediately.

- Philosophically, we are using COVID relief money to help us stabilize these programs and their costs over a 4-5 year period. With that said, we will need to continue to have philosophical discussion about the expectation of cost recovery within the Rec Fund and to what extent the general fund can/should/will subsidize rec services.
- Full-Time Staffing Levels/Changes
 - This budget works to address the impact of COVID specifically on the full-time staff associated with day care programming.
 - We considered the following related to Daycare Staff:
 - Direct impact on workload and stress as daycare staff worked to keep operations up and running during the height of COVID.
 - Staff retention concerns
 - Significant increase in pay for staff working under our full-time staff, causing a trickle up impact on pay levels
 - COVID relief money received with the intent to support daycare staff
 - Market pay for similar positions
 - 5 daycare full-time staff (That is all of our full-time daycare staff) will be promoted with pay increases based upon the approved pay scale.
 - 2 Tier 2 Rec Coordinators will move to Tier 1 Rec Coordinators
 - 2 Tier 1 Rec Coordinators will move to Tier 2 Rec Supervisor
 - 1 Tier 1 Rec Supervisor will move to Recreation Superintendent
 - This budget includes an additional parks maintenance staff member to help meet the increased demand on parks staff including but not limited to:
 - Increase in community event support
 - Increase in program offerings
 - Increase in facility upkeep (number of facilities and age of said facilities)
 - Schneider Park
 - Jeffrey Mansion Expansion
 - Pickleball Court Additions
 - Increase in maintenance standards
 - Landscape Improvements
 - Bloomers support
- Support for Significant Investments
 - This budget reflect an understanding that the City of Bexley has invested a significant amount of money over the past couple of years in the creation of Schneider Park Athletic Field and the renovation of Commonwealth East and West athletic fields. As well as the major investment in the renovation and expansion of Jeffrey Mansion.

- It is vitally important that moving forward we provided the needed support to ensure the long term success of these investments through organized maintenance plans. This has included securing contracts for a wide range of services needed to upkeep these investments.
 - Jeffrey Mansion Maintenance Program Contracts (With the addition, the JM increased by nearly 7,000 sq ft {5,000 programmable sq ft} compared to the roughly 8,000 original sq ft)
 - Cleaning – Glass/Carpet/Detailed
 - Ongoing Exterior door maintenance – Refinishing the exterior wood doors to protect from the elements
 - Ongoing Window Repair and maintenance
 - Ongoing tuck-pointing – Jeffrey Mansion Building and Stone walls
 - Athletic Fields (Schneider, Commonwealth East and Commonwealth West)
 - Field Source, our consultant on all three fields provided us a turf maintenance program (Chemical applications, over seed, aeration, ongoing soil amenities) - \$42k (Represents about a 2-3% of the capital investment in these fields).
 - Increased landscape budget to support landscape installments as well as the Bloomers volunteer program.
- Pool
 - Pool Management Plans for 2023
 - After an extensive review/evaluation, which looked at a great deal number of data points, included but not limited to multiple years of patron and staff surveys, budget analysis, meetings with fellow rec professionals, and review of other community pool models, I recommended and received unanimous approval to move forward with SwimSafe management in 2023.
 - While there are areas that we would like to continue to see improvements out of SwimSafe, the following were the general findings of the review:
 - Cost difference between in-house management and SwimSafe management is negligible. This was not a financially driven decision.
 - While it was clear that the culture that SwimSafe developed with their staff in 2021 did not come close to meeting our standard, they implemented the requested changes in 2022. And while we do not have staff survey results from 2021, 2022 staff survey results were fairly positive. Based on responses, we expect to see a strong staff retention rate going into 2023.
 - While there are always areas for improvement when we look at the patrons survey, the results in 2022 compared to 2017 (in-house operation survey) were nearly identical.
 - In their first 2 years of management, SwimSafe was significantly impacted by forces generally outside their control. Year one, they operated in the middle of a pandemic with a completely altered operational plan. Year two they experienced a national shortage on lifeguard that impacted nearly every community pool. We felt, given the impact of outside forces, that it was difficult

to get a fair assessment of SwimSafe's ability to manage the pool facility. We believe providing a 3rd year to evaluate is the right decision.

- Membership Fees

- The Recreation Board also approved a range for the pool membership fee structure in 2023.
 - In evaluating our membership pricing compared to other municipalities, it was clear that we are currently on the high side in terms of cost.
 - While our goal has been to do our best to cover operational costs of the pool, it has become more and more difficult to do that with the increased operational costs and upkeep.
 - Over the past number of years, costs have outpaced revenue and required a subsidy from the general fund.
 - With that said, in talking with other municipalities, including Grandview, which just built a new pool, philosophically speaking most municipalities do not shoot for 100% cost recovery. Their pools operations are subsidized by general fund support.
 - With that said, we did discuss with the Rec Board the concept of a lower membership rate, understanding it would result in a high general fund transfer. The board approved rates that could go as low as \$50 per individual to the current 2022 rates for memberships in 2023.

Senior Programs Expenditure Detail

Account	Description	2023 Budget	Revised 2022 Budget	2023 vs 2022	YTD 9/30/22	2021 Actual	Account Notes	2023 Budget Notes
Personal Services								
01-355-51010	SALARY & WAGES	\$ 81,679	\$ 78,957	3.4%	\$ 53,107	\$ 61,966	Senior Coordinator and PT Volunteer Coordinator	
01-355-51030	OPERS	11,435	11,054	3.4%	7,435	8,675		
01-355-51041	WORKER'S COMP	1,272	1,272	0.0%	322	943		
01-355-51070	TRANSFER TO HEALTH	11,846	11,846	0.0%	11,846	10,769		
01-355-51071	DENTAL	270	270	0.0%	179	248		
01-355-51072	VISION	79	79	0.0%	56	72		
01-355-51073	LIFE	96	96	0.0%	43	58		
01-355-51076	MEDICARE	1,184	1,145	3.4%	657	737		
	Total Personal Services	\$ 107,861	\$ 104,718	3.0%	\$ 73,645	\$ 83,470		
Other Expenditures								
01-355-51131	UTILITIES/ELEC	3,300	2,700	22.2%	1,601			Est. \$3000 for 2022 (10% increase for 2023)
01-355-51132	UTILITIES/GAS	3,080	2,800	10.0%	1,833			Est. \$2800 for 2022 (10% increase for 2024)
01-355-51133	CLEANING SUPPLIES	800	1,000	-20.0%	233			Spent Less than Estimated in 2022
01-355-51134	REPAIR/MAINTENANCE	1,500	1,500	0.0%	240			
01-355-51135	PROFESSIONALS	30,000	60,000	-50.0%	11,705			\$60k was an estimate for 2022. We have found that we have provided more programming at the Senior Center and as a result reduced the costs associated with trip based programming.
01-355-51310	OFFICE SUPPLIES	\$ 500	\$ 1,200	-58.3%	\$ -	\$ -	Paper products & office supplies	Used a lot less than budgeted
01-355-51320	OPERATING EXPENSES	5,000	5,000	0.0%	2,906	1,852	Stamps, event tickets, 4th of July supplies	We had to move money here in 2022 to cover expenses
01-355-51321	SENIOR CENTER DUE DILIGENCE	10,000	20,000	-50.0%	5,031	-	Feasibility and design studies for senior center concept(s)	New \$ in 2023- close and open what we did not spend in 2022?
01-355-51322	SOCIAL SERVICE NAVIGATORS PILOT PROGRAM	-	-		-	-	Contract with JFS to assist seniors and caretakers with social service needs	
01-355-51323	VOLUNTEER SERVICES	3,000	1,000	200.0%	-	-	Background checks for volunteers	Want to accomplish this in 2023
01-355-51324	MAILINGS	1,500	2,500	-40.0%	176	-	Newsletters and routine mailings	
01-355-51325	TRAVEL AND MEETINGS	1,500	1,500	0.0%	1,279	-	Annual conference expenses	
	Total Other Expenditures	\$ 60,180	\$ 99,200	-39.3%	\$ 25,003	\$ 1,852		
Total Seniors Programs		\$ 168,041	\$ 203,918	-17.6%	\$ 98,648	\$ 85,322		

Notes for City Council Presentation

*No Change to Staffing Levels

*Professionals Reduction better reflects the need we saw in 2022. This was a new process for the senior programs. Additionally, we increased programming done at the center.

*Senior Due Diligence - We are re-appropriating some of the unspent money from 2022.

Jeffrey Mansion Expenditure Detail

Account	Description	Revised 2023			YTD 9/30/22	2021 Actual	Account Notes	2023 Budget Notes
		2023 Budget	2022 Budget	vs 2022				
Personal Services								
01-540-51010	SALARY & WAGES	\$ 84,792	\$ 75,986	11.6%	\$ 55,988	\$ 58,347	1-Custodian, 1-Full-Time Service Worker (20%), 1-Full-Time Service Worker (67%)	No Change in staff
01-540-51011	OVERTIME	5,500	5,500	0.0%	120	66		
01-540-51030	OPERS	18,467	16,015	15.3%	12,062	12,544		
01-540-51041	WORKER'S COMP	1,156	1,111	4.0%	281	1,470		
01-540-51050	UNIFORM ALLOWANCE	1,400	1,400	0.0%	234	1,400		Two Staff Members (Custodian & Service Worker)
01-540-51070	TRANSFER TO HEALTH INSURANCE	33,883	33,218	2.0%	33,218	30,198		
01-540-51071	DENTAL INSURANCE	954	936	2.0%	619	860		
01-540-51072	VISION	183	179	2.0%	128	164		
01-540-51073	LIFE	199	195	2.0%	88	119		
01-540-51076	MEDICARE	1,245	1,080	15.3%	753	770		
Total Personal Services		\$ 147,779	\$ 135,620	9.0%	\$ 103,490	\$ 105,940		
Other Expenditures								
01-540-51131	UTILITIES/ELEC.	\$26,500	\$ 24,700	7.3%	\$ 18,865	\$ 26,911	AEP Bills for the Mansion	estimated \$25200 in 2022. Added 5% for 2023
01-540-51133	UTILITIES/GAS	9,700	9,300	4.3%	6,031	4,410	Columbia Gas Bills for the Mansion	Roughly 4% increase for 2023
01-540-51190	CONTRACTS	60,000	32,350	85.5%	12,040	17,694	HV/AC, ProGuard,	Generally speaking we need to increase Maintenance contracts on building upkeep and cleaning. Carpet Cleaning, Skylight Cleaning, Exterior door maintenance, Window Maintenance, Tuck Pointing, HVAC PM, OTIS, Culligan Water, Pest Control, Chardon Labs, overall cleaning contract, Move some of this to R+M? Ohio Heating Looking to add a Building Cleaning, Tuck Pointing PM, Exterior and Door PM contract.
01-540-51192	LEAD PAINT MONITORING	3,000	3,000	0.0%	2,720	1,360	Testing of preschool rooms for lead dust (preventative in nature)	
01-540-51320	OPERATING EXPENSES	14,500	14,500	0.0%	7,518	13,552	Bathroom supplies, light bulbs, paint, filters, Flooring work	No Change
01-540-51321	CLEANING SUPPLIES	11,200	11,200	0.0%	4,954	6,322	Cleaning Supplies for the Mansion	
01-540-51330	REPAIR/MAINT. SUPPLIES	27,950	22,950	21.8%	17,995	12,843	Welding on stair railing, supplies to fix issues with building hardware, HV/AC	add from Contracts for Ohio Heating repairs, troy filters. Continue to have ongoing HVAC issues. In the process of reviewing system.
01-540-51332	FIRE SUPPRESSION /LIFE SAFETY	4,020	4,020	0.0%	2,565	3,154	Security Monitoring, Fire suppression inspections	No Change
01-540-51440	MANSION EXPANSION					166,916		
Total Other Expenditures		\$ 156,870	\$ 122,020	28.6%	\$ 72,689	\$ 253,162		
Total Jeffrey Mansion		\$ 304,649	\$ 257,640	18.2%	\$ 176,179	\$ 359,102		

Notes for City Council Presentation

*No Change to Staffing Levels

*Contracts - Reflection of the increase in Mansion related maintenance program contracts

*Repair/Maintenance - We expect to continue to see an increase in repairs needed to the HV/AC system. We have engaged a 3rd party to do an independent review of the HV/AC system.

Parks Expenditure Detail

Account	Description	Revised 2023			YTD 9/30/22	2021 Actual	Account Notes	2023 Budget Notes
		2023 Budget	2022 Budget	vs 2022				
Personal Services								
01-570-51010	SALARY & WAGES	\$ 237,447	\$ 186,149	27.6%	\$ 140,730	\$ 187,357	1-Supervisor, 1-Full-Time Service Worker (33%), 1-Full-Time Service Worker (80%), 1-Full-Ground Maintenance Worker	Based on one additional Service Worker Position. We can't keep up with the work at current staffing levels. Impacted by number of community events, program additions.
01-570-51011	OVERTIME	17,000	17,000	0.0%	14,569	12,415		Community Events expansion. Had to move money in 2022 into overtime
01-570-51012	SEASONAL	14,000	-	#DIV/0!	-	9,447		We were budgeted for \$12k in 2022, but were not able to fill the positions and had to use funds on overtime expenditures.
01-570-51030	OPERS	46,382	42,777	8.4%	27,720	35,510		
01-570-51041	WORKER'S COMP	3,403	3,272	4.0%	828	2,098		
01-570-51050	UNIFORM ALLOWANCE	2,100	2,100	0.0%	700	2,013		3 Staff Members (Supervisor, Grounds Maintenance & Service Worker)
01-570-51070	TRANSFER TO HEALTH INSURANCE	17,250	16,912	2.0%	16,912	15,375		
01-570-51071	DENTAL INSURANCE	330	479	-31.2%	317	440		
01-570-51072	VISION	119	479	-75.1%	114	147		
01-570-51073	LIFE	75	479	-84.2%	73	99		
01-570-51076	MEDICARE	3,779	2,946	28.3%	2,226	2,977		
Total Personal Services		\$ 341,886	\$ 272,593	25.4%	\$ 204,189	\$ 267,878		
Other Expenditures								
01-570-51131	UTILITIES/ELEC.	\$ 2,800	\$ 1,900	47.4%	\$ 1,443	\$ 1,434	Park Lights	Increased Electric slightly short in 2022 plus the addition for CW parks
01-570-51190	CONTRACTS	49,000	4,050	1109.9%	3,789	3,800	Portable Restrooms	Increase accounts for Athletic Turf Maintenance program for CWW, CWE, & Schneider (\$42k) and Irrigation Contract of est. \$3,500.
01-570-51191	PARKS PLANNING	40,000	80,000		-	21,473		
01-570-51320	OPERATING EXPENSES	19,000	19,000	0.0%	7,802	1,100	Keys, nets, medical supplies, paint, picnic tables, pavers	No Change
01-570-51321	SMALL TOOLS AND EQUIPMENT	1,100	1,100	0.0%	257	8,619		
01-570-51330	REPAIR/MAINT. SUPPLIES	10,500	15,000	-30.0%	12,411	13,208	Utility vehicle repairs, playground equipment repairs	
01-570-51350	ATHLETIC FIELD MAINTENANCE	14,000	20,500	-31.7%	7,377	6,661	field paint, turf rehab,	Consolidated much of the turf maintenance work into a turf maintenance contract
01-570-51370	LANDSCAPING	20,000	14,000	42.9%	7,454	-	Plant material, playground mulch	Additional money to support Volunteer Bloomers installations and maintenance. ROI is very high due to the volunteer hours spent by Bloomers at Jeffrey Park.
Total Other Expenditures		\$ 156,400	\$ 155,550	0.5%	\$ 40,533	\$ 56,295		
Total Jeffrey Park		\$ 498,286	\$ 428,143	16.4%	\$ 244,722	\$ 324,173		

Notes for City Council Presentation

- *Staffing changes include one additional maintenance position as well as an increase in seasonal staff, which we were not able to fill in 2022.
- *Contracts - Athletic field maintenance program (\$42k) spec'd out by our consultant Field Source.
- *Parks Planning - We were not able to get to the parks planning effort for Jeffrey Park, however, we would still like to address in 2023. We do not believe we will need \$80k and have reduced it to \$40k.
- *Athletic Field - Reduction represents consolidation of maintenance into the athletic field maintenance contract.
- *Landscape - Increase is a reflection of upkeep on additional landscape installations as well as support for Bexley Bloomers efforts.

Recreation Fund

	2023 Budget	Revised 2022 Budget	2023 vs 2021	YTD 09/30/22	2021 Actual
Revenue					
Recreation Programs	\$ 420,000	\$ 410,000	2.4%	\$ 377,230	\$ 352,390
Mansion and Facility Rentals	105,000	95,000	10.5%	76,527	81,997
Jeffrey Summer Camp	535,000	509,000	5.1%	496,133	351,706
Preschool	335,000	280,000	19.6%	188,781	308,620
Before and After Care	460,000	445,000	3.4%	791,100	316,420
ARP Hazard Pay		42,000	-100.0%		
Misc.	5,000	5,000	0.0%	2,700	
Total Revenue	\$ 1,860,000	\$ 1,786,000	4.1%	\$ 1,932,471	\$ 1,411,133
Expenditures					
Administration	\$ 646,807	\$ 607,670	6.4%	\$ 457,212	\$ 483,937
Programs	388,424	336,112	15.6%	237,947	263,648
Preschool	356,399	290,435	22.7%	218,003	291,399
Before and After School Program	387,477	337,377	14.8%	204,214	238,724
Jeffrey Summer Camp	456,925	417,712	9.4%	360,139	264,319
Total Expenditures	\$ 2,236,031	\$ 1,989,306	12.4%	\$ 1,477,516	\$ 1,542,027
Revenues Over(Under) Expenditures	\$ (376,031)	\$ (203,306)		\$ 454,956	\$ (130,894)
Other Financing Sources					
Operating Transfers From the General Fund	\$ 250,000	\$ 250,000	0.0%	\$ 250,000	\$ 90,000
BWC Rebate					64,472
OCCRRA COVID Relief		575,977			
CARES					202,526
Total Other Sources	\$ 250,000	\$ 825,977	-69.7%	\$ 250,000	\$ 356,998
Other Financing Uses					
Recreation Capital	\$ 50,000				
Jeffrey Mansion Fund Capital					
Jeffrey Mansion Debt Service (Transfer to bond)	111,747	112,616	-0.8%	112,616	112,430
OCCRRA COVID Relief	200,000				
Prior Year Encumbrances		366,134	-100.0%	250,840	16,799
Total Other Uses	\$ 311,747	\$ 478,750	-34.9%	\$ 363,456	\$ 129,229
Beginning Fund Balance					
Net Increase (Decrease)	\$ 785,389	\$ 511,469	53.6%	\$ 511,469	\$ 414,594
Estimated Unspent Appropriations	(437,778)	143,921		341,500	96,875
Ending Fund Balance	\$ 130,000	\$ 130,000	-39.2%	\$ 852,969	\$ 511,469

Rec Board approved a 7% increase in 2023 to program costs with the intent to increase regularly over the next 4 years. This has been an effort to help cover the additional staffing costs associated with the current employee climate.

Rec Board approved a 20% increase in tuition in an effort to help offset significant increases in staffing cost driven by the current employee market.

Notes for City Council Presentation

*Revenue - While we continue to see an increase in rental revenue, the fairly strict limitations placed on alcohol events at JM has limited the revenue potential for the space. The Rec Board is going to review the annual rental report at the Dec. meeting and will also review the current restrictions with the expectation that some changes will be recommended to council.

*Expense increases are for the most part driven by staffing cost increases (Mainly seasonal staff rate increase)

*The Rec Board has approved rates increases to those programs most affected by staffing cost increases.

*COVID relief money allows us to absorb many of those increases so as not to pass along that cost all at once

*Other Financing Uses - OCCRRA Money - The program consists of money up front and then audits that might involve the need to reimburse a portion of the money not used per the grant program specs. While we don't expect that number to be as high as \$200k, we want to put in the worse case scenario.

Recreation Administration Expenditure Detail

Account	Description	Revised 2023			YTD 9/30/22	2021 Actual	Account Notes	2023 Budget Notes
		2023 Budget	2022 Budget	vs 2022				

Personal Services

05-510-51010	SALARY & WAGES	424,289	397,491.07	6.7%	295,336.16	331,012.66	1-Director, 1-Deputy Director (75%), 1-Tier 1 Rec Supervisor (15%) 1-Tier 1 Rec Supervisor (100%), 1-Tier 2 Rec Supervisors (Retire at end of 1st quarter), 2-Tier 2 Rec Coordinator, 1-Event Coordinator, 1-Front Desk (40%)	Staffing levels will remain the same, but there is one title change and pay rate change for one employee in this account.
05-510-51030	OPERS	59,400	55,649	6.7%	\$38,061.63	45,794		
05-510-51041	WORKER'S COMP	6,025	6,403	-5.9%	1,620	4,371		
05-510-51070	TRANSFER TO HEALTH	89,009	87,264	2.0%	87,264	79,331		
05-510-51071	DENTAL	2,044	2,004	2.0%	1,326	1,843		
05-510-51072	VISION	92	90	2.0%	64	82		
05-510-51073	LIFE	496	486	2.0%	219	297		
05-510-51076	MEDICARE	6,152	5,764	6.7%	4,192	4,664		
Total Personal Services		\$ 587,507	\$ 555,150	5.8%	\$ 428,083	\$ 467,394		

Other Expenditures

05-510-51021	MEETING MEALS	\$550	\$ 210	161.9%	\$ 210	\$ 200	Meals for staff meetings (i.e. lunch for Harvest Festival Set-Up)	Move concessions from 520 to this? \$300
05-510-51022	MILEAGE REIMBURSEMENT	2,750	2,060	33.5%	384	971	Reimbursement for staff for mileage they put on their personal vehicles	new staff plus milage rate increase
05-510-51141	REGISTRATION SOFTWARE CONTRACT	12,000	12,000	0.0%	10,290			We anticipate this being the fee in 2023 based on our program receipts
05-510-51310	OFFICE SUPPLIES	3,500	3,500	0.0%	2,097	2,573	Paper, note pads, pens, etc.	
05-510-51320	OPERATING EXPENSES	2,500	2,000	25.0%	1,887	2,525	Postage, Laminator, signs, business cards, OPRA membership	
05-510-51321	BROCHURE	21,000	18,750	12.0%	13,737	-	Cost to print and deliver the brochure 3 times a year	Inflationary increaes in printing and distribution costs.
05-510-51322	YOUTH SCHOLARSHIP CHALLENGE FUND	10,000	10,000	0.0%	-	10,000	Money to help cover programming costs for families that need a little assistance.	
05-510-51323	TRAINING/PROF DEVELOP	7,000	4,000	75.0%	524	274		OPRA membership and conference for staff
Total Other Expenditures		\$ 59,300	\$ 52,520	12.9%	\$ 29,129	\$ 16,543		

Total Recreation Admin.	\$ 646,807	\$ 607,670	6.4%	\$ 457,212	\$ 483,937
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Notes for City Council Presentation

*Staffing levels remain the same, but some of the title changes and pay changes hit this account.

*Training/Prof Develop - We would like to return to the OPRA conference as a staff. We have not done that since COVID

Recreation Programs Expenditure Detail

Account	Description	2023 Budget	Revised 2022 Budget	2023 vs 2022	YTD 9/30/22	2021 Actual	Account Notes	2023 Budget Notes
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Personal Services

05-520-51010	SALARY & WAGES	\$ 20,000	\$ 20,000	0.0%	\$ 3,961	\$ 3,515	All Seasonal Employees	No change
05-520-51011	RENTALS OT	750	750	0.0%	-	-		
05-520-51030	OPERS	3,550	2,800	26.8%	554	482		
05-520-51041	WORKER'S COMP	284	322	-11.8%	82	252		
05-520-51076	MEDICARE	290	290	0.0%	57	51		
	Total Personal Services	\$ 24,874	\$ 24,162	2.9%	\$ 4,654	\$ 4,299		

Other Expenditures

05-520-51320	OPERATING EXPENSES	\$9,500	\$ 10,500	-9.5%	\$ 7,841	\$ 14,076	Program shirts (Not Uniforms), BPAK supplies, print work, program snacks, medical supplies, league fees, tournament fees, background checks, Job fair registration,	Running low in 2022. Continue to expand programming.
05-520-51321	SPECIAL ACTIVITY SUPPLIES	29,000	29,000	0.0%	17,844	19,427	Pumpkins, Straw, Helium tank, campout supplies, 5k run supplies, egg hunt candy, bingo prizes, Youth triathlon supplies, etc.	
05-520-51322	COMMUNITY GARDEN	3,300	3,300	0.0%	2,876	2,847	We pay the community garden the registration fees that we collect	Pass Through - Maxed out
05-520-51323	UNIFORMS	29,000	25,600	13.3%	17,738	13,274	Sports team uniforms	Expense flow on Basketball jerseys (expecting 2 seasons in 1 calendar year). Plus inflationary costs on all jerseys.
05-520-51324	EQUIPMENT	7,350	5,850	25.6%	4,725	3,899	Generally sports equipment	Originally budgeted for \$7350 in 2022, but money was moved to cover shortfalls in other accounts.
05-520-51325	AWARDS	5,000	5,000	0.0%	2,754	2,500	Medals and trophies for participants.	No Change
05-520-51326	BACKGROUND CHECKS	1,500	1,500	0.0%	299	299		No Change
05-520-51710	PROFESSIONALS	260,000	215,000	20.9%	168,044	195,958	Pays instructors	Requested additional \$25k more (Ordinance 39-22) in 2022 (\$240k). This increase allows for new class offerings and inflationary increase to existing.
05-520-51720	REFEREES	18,900	15,900	18.9%	11,147	6,777	Umpire and referee costs for youth and adult sports	We expect increase in 2023 do to the ongoing shortage of officials/referees.
05-520-51730	CONCESSIONS		300	-100.0%	25	291	Food for program activities (i.e. volunteer meals)	moved to admin meals (510)
	Total Other Expenditures	\$ 363,550	\$ 311,950	16.5%	\$ 233,293	\$ 259,349		

Total Recreation Programs	\$ 388,424	\$ 336,112	15.6%	\$ 237,947	\$ 263,648
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Notes for City Council Presentation

*No change to staffing levels

*Operating - Original 2022 budget was \$8,500. \$2,000 was moved to cover increased costs. We believe \$9,500 will cover us in 2023.

*Uniforms - This is a cash flow timing issue with our basketball program. In 2023 we want to start the season a bit earlier, resulting in 2 basketball seasons uniform purchases in 2023.

*Professionals - This increase includes the 2022 additional appropriation of \$25k plus room for more programs and cost increases.

*Referees - There is a significant shortage on referees, which has driven up the costs.

Jeffrey Preschool

Account	Description	Revised		2023	YTD	2021	Account Notes	2023 Budget Notes
		2023	2022	vs				
		Budget	Budget	2022	9/30/22	Actual		

Personal Services

05-525-51010	SALARY & WAGES	\$ 284,110	\$ 227,000	25.2%	\$ 173,573	\$ 235,515	1-Tier 1 Rec Coordinator (75%),	Increase S&W to reflect the additional money needed for 2022 (\$30k - Ordinance 39-22) plus the increase in pay for teachers in current environment (Projecting an 11% increase in 2023. Board approved a 20% tuition increase in 2023/24
05-525-51015	CONTRACTUAL SEASONAL EMPLOYEES	3,600	1,800	100.0%	\$ -			
05-525-51030	OPERS	39,775	32,032	24.2%	24,185	32,884		
05-525-51041	WORKER'S COMP	4,034	3,685	9.5%	933	2,615		
05-525-51070	HEALTH INSURANCE	3,759	11,000	-65.8%	11,000	10,000		
05-525-51076	MEDICARE	4,120	3,318	24.2%	2,329	3,275		
Total Personal Services		\$ 339,399	\$ 278,835	21.7%	\$ 212,018	\$ 284,289		

Other Expenditures

05-525-51300	SNACKS	2,100	500	320.0%	199	42		OCCRA money purchases
0-5-525-51301	SUPPLIES	3,200	2,422	32.1%	1,770	1,203		OCCRA money purchases
0-5-525-51302	EQUIPMENT	1,200	1,524	-21.3%	1,357	946		OCCRA money purchases
0-5-525-51303	PROF DEVELOPMENT	2,500	500	400.0%	33	48		OCCRA money purchases
05-525-51320	OPERATING EXPENSES	8,000	6,654	20.2%	2,626	4,872		OCCRA money purchases
Total Other Expenditures		\$ 17,000	\$ 11,600	46.6%	\$ 5,985	\$ 7,111		

Total Recreation Programs	\$ 356,399	\$ 290,435	22.7%	\$ 218,003	\$ 291,399
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Notes for City Council Presentation

*No change to staffing levels, but continued increases in pay rates as seen across the board in the industry.

*Money provided from OCCRA will be used to offset the increases in the Other Expenditures

Before and After School Care

Account	Description	2023 Budget	Revised 2022 Budget	2023 vs 2022	YTD 9/30/22	2021 Actual	Account Notes	2023 Budget Notes
Personal Services								
05-526-51010	SALARY & WAGES	\$ 288,056	\$ 246,156	17.0%	\$ 167,353	\$ 194,598	Includes 1-Tier 1 Rec Supervisor (50%), 3-Tier 2 Rec Coordinators (70%, 70% & 65%), and Seasonal Staff	This includes job title/pay increases for full-time leadership staff as well as cost of living increases for all seasonal staff. OCCRRA COVID Relief money will be used to help offset these costs. We will also look at program cost increases for the 2023-24 school year.
05-526-51015	CONTRACTUAL SEASONAL EMPLOYEES		\$ -		\$ -			
05-526-51030	OPERS	40,328	34,462	17.0%	23,430	27,179		
05-526-51041	WORKER'S COMP	4,090	3,965	3.2%	1,003	2,715		
05-526-51076	MEDICARE	4,177	3,569	17.0%	2,354	2,775		
Total Personal Services		\$ 336,652	\$ 288,152	16.8%	\$ 194,140	\$ 227,267		
Other Expenditures								
05-526-51320	OPERATING EXPENSES	\$6,825	\$6,825	0.0%	\$ 4,206	\$ 3,923	Background checks, bus parts, Lowes supplies, cleaning supplies	
05-526-51321	BACKGROUND CHECKS	2,500	1,550	61.3%	518	-		increase in fees and number of staff
05-526-51322	SNACKS	12,000	11,350	5.7%	2,769	168	Daily snacks	back to normal spending
05-526-51323	SUPPLIES	6,000	6,000	0.0%	560	413	Art supplies, science project supplies, paper, pencils	
05-526-51440	EQUIPMENT	7,000	7,000	0.0%	1,315	2,149	Games, books, balls, etc.	
05-526-51710	PROFESSIONALS	16,500	16,500	0.0%	706	4,804	Field trips and special guests	not doing field trips, but use for bringing activities to the school.
Total Other Expenditures		\$ 50,825	\$ 49,225	3.3%	\$ 10,074	\$ 11,457		
Total Recreation Programs		\$ 387,477	\$ 337,377	14.8%	\$ 204,214	\$ 238,724		

Notes for City Council Presentation

*No change to the number of full-time staff, but changes to titles. This also includes an increase in starting pay for seasonal staff in the program.

*Other expenditures only see small increases

Jeffrey Camp Expenditure Detail

Account	Description	Revised		2023 vs 2022	YTD 9/30/22	2021 Actual	Account Notes	2023 Budget Notes
		2023 Budget	2022 Budget					
Personal Services								
05-580-51010	SALARIES & WAGES	\$ 315,928	\$ 283,897	11.3%	\$ 260,377	\$ 207,457	1-Tier 1 Rec Supervisor (35%), 1-Tier 1 Rec Coordinator (25%), 2-Tier 2 Rec Coordinator (30%), and seasonal staff	This includes job title/pay increases for full-time leadership staff as well as cost of living increases for all seasonal staff. The board has approved a 7% program cost increase and is committed to continually review costs in an effort to recover increased costs.
05-580-51015	CONTRACTUAL SEASONAL EMPLOYEES		\$ -		\$ -			
05-580-51030	OPERS	44,230	39,746	11.3%	36,453	29,017		
05-580-51041	WORKER'S COMP	4,486	4,573	-1.9%	1,157	4,255		
05-580-51076	MEDICARE	4,581	4,117	11.3%	3,739	2,964		
Total Personal Services		\$ 369,225	\$ 332,332	11.1%	\$ 301,726	\$ 243,692		
Other Expenditures								
05-580-51260	REFUNDS	\$ -	\$ 500	-100.0%	\$ -	\$ -	Participation refunds	99% pay off CC. Will cover out of Operating
05-580-51320	OPERATING EXPENSES	9,500	9,000	5.6%	7,143	6,154	Staff & camper shirts, art supplies, background checks, equipment, licensing, medical supplies.	Inflationary increase
05-580-51321	BACKGROUND CHECKS	3,000	2,080	44.2%	2,080	-		increase in fees and number of staff
05-580-51322	SNACKS	3,000	2,600	15.4%	2,000	-		back to normal spending
05-580-51323	SUPPLIES	2,700	2,700	0.0%	1,711	3,254		
05-580-51324	EQUIPMENT	2,000	1,600	25.0%	1,600	938		
05-580-51325	SHIRTS	7,500	6,900	8.7%	6,819	1,036		
05-580-51710	PROFESSIONALS	60,000	60,000	0.0%	37,060	9,244	Field trips, busing, and special guests	
Total Other Expenditures		\$ 87,700	\$ 85,380	2.7%	\$ 58,414	\$ 20,627		
Total Jeffrey Camp		\$ 456,925	\$ 417,712	9.4%	\$ 360,139	\$ 264,319		

Notes for City Council Presentation

*No change to the number of full-time staff, but changes to titles. This also includes an increase in starting pay for seasonal staff in the program.

*Other expenditures only see small increases

Swimming Pool Fund

This fund pays for operation of the swimming pool. Operating activity is paid for by membership and other fees. Debt service for this fund is paid by the General Fund.

	2023 Budget	Revised 2022 Budget	2023 vs 2022	YTD 09/30/22	2021 Actual
Revenue					
Memberships etc.	\$ 320,000	\$ 320,000	0.0%	\$ 339,835	
Pool Concessions Ordinance 12-22					\$ 273,682
Total Revenue	\$ 320,000	\$ 320,000	0.0%	\$ 339,835	\$ 273,682
Expenditures					
Operating Expenditures	\$ 426,682	\$ 370,331	15.2%	\$ 299,769	\$ 275,776
Concessions	4,000	4,000	0.0%	1,957	1,788
Estimated Unspent Appropriations	(50,000)	(50,000)			
Total Expenditures	\$ 380,682	\$ 324,331	17.4%	\$ 301,726	\$ 277,564
Revenues Over(Under) Expenditures	\$ (60,682)	\$ (4,331)		\$ 38,109	\$ (3,882)
Other Financing Sources					
BWC Rebate/General Fund Transfer	\$ 120,000	\$ 200,000		\$ 150,000	\$ 14,367
Total Other Sources	\$ 120,000	\$ 200,000		\$ 150,000	\$ 14,367
Other Uses					
Capital	\$ 50,000	\$ 65,000	-23.1%	\$ 9,522	
Prior Year Encumbrances		32,964	-100.0%	29,257	\$ 3,632
Total Other Uses	\$ 50,000	\$ 97,964	-49.0%	\$ 38,779	\$ 3,632
Beginning Fund Balance					
Net Increase (Decrease)	9,318	97,705		149,330	6,853
Ending Fund Balance	\$ 455,065	\$ 445,746	2.1%	\$ 497,372	\$ 348,042

Notes for City Council Presentation

*This budget reflects retention of SwimSafe for Pool Management.

*Contract rate for SwimSafe went from \$193k to \$291k with early all the additional costs driven by substantial increase in lifeguard pay. This moved from an expected pay of \$9.50 in 2022 to a plan for \$15 in 2023.

*Cost Estimate to run the pool in-house - \$430k vs. SwimSafe - \$426k

Pool Operations Expenditure Detail

Account	Description	Revised		2023	YTD	2021	Account Notes	2023 Budget Notes
		2023 Budget	2022 Budget	vs 2022				
Personal Services								
14-550-51010	SALARY & WAGES	\$ 19,205	\$ 18,479	3.9%	\$ 13,580	\$ 18,648	1-Deputy Director (25%), 1-Tier 2 Rec Coordinator (35%), and seasonal staff	One full-time employee partial S&W is paid out of this account.
14-550-51015	CONTRACTUAL SEASONAL EMPLOYEES	\$ -						
14-550-51030	OPERS	2,689	2,587	3.9%	1,901	2,475		
14-550-51041	WORKER'S COMP	310	298	4.1%	75	3,166		
14-550-51076	MEDICARE	278	268	3.9%	181	253		
	Total Personal Services	\$ 22,482	\$ 21,631	3.9%	\$ 15,737	\$ 24,542		
Other Expenditures								
14-550-51131	UTILITIES-ELEC.	\$ 17,000	\$ 16,500	3.0%	\$ 14,321	\$ 13,584	EAP Bills	
14-550-51133	UTILITIES-GAS	9,800	9,900	-1.0%	8,800	7,151	Columbia Gas Bills	
14-550-51140	REPAIR/MAINT. SERVICES	16,000	16,000	0.0%	7,055	4,694	Capital City Awning, Ohio Heating, Pool painting	
14-550-51190	POOL MANAGEMENT	300,000	246,000	22.0%	225,166	190,685		SwimSafe contract has gone up significantly to address lifeguard pay and to help ensure a full staff for next years operation. Average guard pay will be \$15/hr.
14-550-51260	REFUNDS	-	1,000		(282)	399	Refunds for memberships	
14-550-51320	OPERATING EXPENSES	13,900	12,900	7.8%	6,975	5,334	Backflow, new cash register, Treasure Hunt, swim lessons items, rope and floats, medical supplies, pool licenses, staff whistles, office tv, red cross supplies,	
14-550-51321	CHEMICALS	-	-		-	-		
14-550-51322	HEALTH AND SAFETY (Previous Operating Expense)	2,500	2,500	0.0%	-	700	Security monitoring, Varmint Guard	
14-550-51323	UNIFORMS	-	-		-	-		
14-550-51324	CLEANING SUPPLIES	-	-		-	-		
14-550-51440	MACHINERY/EQUIP.	5,000	3,900	28.2%	2,627	3,075	New vacuum	
14-550-51710	PROFESSIONALS	14,000	14,000	0.0%	12,869	13,766	Consulting fees for pool audits and private swim lessons instructor fees	
14-550-51711	SWIM TEAM	20,000	20,000	0.0%	6,500	11,845		
14-550-51712	TRAINING/CERTIFICATIONS	6,000	6,000	0.0%	-	-	Payment to swim board and coaches fees	
	Total Other Expenditures	\$ 404,200	\$ 348,700	15.9%	\$ 284,031	\$ 632,731		
Total Pool Operations		\$ 426,682	\$ 370,331	15.2%	\$ 299,769	\$ 657,274		

Pool Concessions Expenditure Detail

		Revised 2023						
Account	Description	2023 Budget	2022 Budget	vs 2022	YTD 9/30/22	2021 Actual	Account Notes	2023 Budget Notes
14-560-51140	REPAIR/MAINT. SERVICES	\$ 2,000	\$ 2,000	0.0%	\$ 1,000	\$ 985	Repair to pool concessions equipment (i.e. sink, freezer)	No Change
14-560-51320	OPERATING EXPENSES	2,000	2,000	0.0%	957	803	Franklin Board of Health licensing	No Change
Total Pool Concessions		\$ 4,000	\$ 4,000	0.0%	\$ 1,957	\$ 1,788		



Council Update – Chief of Police

November 15, 2022

Detective Bureau – Sergeant Otte began his transition to the Detective Bureau last Thursday and is learning his new role in his new assignment.

School Incident – Detective Sergeant Otte and Detective Briley assisted the St. Charles with an incident between a former student and a current student at the school.

Thefts Cases – Detectives have been working hard on following up on many different credit card theft cases and retrieving video from stores to identify suspects. Detectives also presented cases to the Grand Jury.

Narcotics Investigation – Detective Fleming received a search warrant and is working with the State Highway Patrol crime lab to get information from a suspect's cell phone.

Citizens Police Academy – Last week, Detective Fleming and Detective Sergeant Otte discussed the topic “drinking and driving” with the Bexley Police Department Citizens Police Academy.

Detective Elis Hardee, Franklin County Sheriff’s Office Human Trafficking Task Force, will give a presentation on Thursday, November 17th to both Alumni members and our officers.

A Firearms Refresher course for Alumni members will take place on December 7th, 6:00-7:30 p.m.

R.A.D – Detective Briley is currently attending R.A.D. (Rape, Aggression, Defense) training in order to assist Sergeant Overly with teaching self-defense classes.

Sergeant Overly and Det. Briley will conduct this training December 5th, 8th and 12th. The program has a requirement of 9 class room hours.

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	11/14/2022	11508	343	864	322	164	1,350	200	57	51	9
1/1/2021	11/14/2021	10963	11	1,007	402	207	1,616	268	22	61	11
11/15/2021	11/14/2022	13007	343	1,005	388	186	1,579	241	64	60	9
11/15/2020	11/14/2021	12263	13	1,131	438	230	1,799	305	26	73	13

Correction to last week's stats: (2022 Motor Vehicle Theft and Theft incorrectly reported)

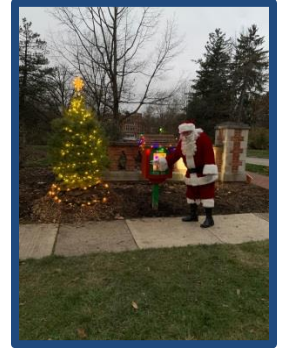
Start Date	End Date	Calls for Service	Business Check	Incident & Offense Reports	Arrest Reports	Crash Reports	Total Reports	Theft	Motor Vehicle Theft	Burglary/ B&E	Robbery
1/1/2022	11/1/2022	10965	292	823	310	155	1,288	193	54	51	9
1/1/2021	11/1/2021	10549	11	965	386	197	1,548	255	21	58	11
11/2/2021	11/1/2022	12878	292	1,006	392	187	1,585	250	62	64	9
11/2/2020	11/1/2021	12159	13	1,122	431	229	1,782	308	28	72	14

Recreation Board Meeting:

- The next Recreation Board meeting is scheduled for Wed., Dec. 7th.
 - The board will be presented with the Jeffrey Mansion Rental Report for 2022.
 - As part of this process, the board will review current rental policies.
 - The board will be presented the annual BACPack report.

Letter to Santa Mailbox:

- Starting Mon., Nov. 21st through Mon., Dec. 5th Jeffrey Mansion will once again host a Santa Mailbox.
- Santa Claus loves to get letters from boys and girls who have been good all year.
- Children can drop off their letters to Santa in Santa's mailbox out front of Jeffrey Mansion. Don't forget to include your return address so Santa can write back.

**Tree Lighting – Sun., Dec. 4th:**

- The community Tree Lighting event will be held on Sun., Dec. 4th at 4:30p at Drexel Circle.
- Join us at Drexel Circle for amazing music from the Jeffrey Mansion Preschool and Bexley High School Vocal Ensemble, cookies and hot chocolate, a visit from the very busy Santa Claus, and the lighting of the community tree.

**Pancake Breakfast – Sat., Dec. 10th:**

- The Bexley Recreation and Parks and Bexley Historical Society Pancake Breakfast will be held on Sat., Dec. 10th from 8:30a-11:30a in the new Carriage Court at Jeffrey Mansion.
- We are so excited to bring this wonderful community event back and to hold this event in the amazing new lower space at Jeffrey Mansion.
- This is a joint event put on by the Recreation and Parks Dept. and Historical Society.
- As in years past, we would greatly appreciate volunteers from City Council and the Recreation Board to help serve pancakes to our community. We will have 1 hour volunteer shifts (8:30a, 9:30a & 10:30a).

Bexley Community Ice Rink:

- Preparations are underway for the construction of the Community Ice Rink at Jeffrey Park.
- Once again, the Community Rink will be located by the pool parking lot.
- As the weather starts to turn and the temperature drops, we will begin to promote days in which the ice will be frozen and the rink will be open.
- Skaters will need to register in advance as we will continue to limit the number of skaters at any given time in an effort to make it a fun and safe environment for all on the ice.

**Upcoming Events:**

- Letters to Santa Mailbox opens at Jeffrey Mansion on Fri., Nov. 21st
- Tree Lighting - Sun., Dec. 4th at 4:30p at Drexel Circle
- Pancake Breakfast – Sat., Dec. 10th from 8:30a-11:30a at Jeffrey Mansion



Service Department Update

Service Director

Andy Bashore

November 14th 2022

Street Department:

The crews main focus is leaf removal and will continue until late December. The whole dept. is on leaf removal and a fourth truck has been deployed. The dept. has been working overtime in the evenings and working on Saturdays.

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 fence has been installed and mulch is being spread for the ground covering. The grounds crews have finished up the mowing season and are working on stump removals. The tree crew has started on tree removals and planting.

Drexel Project

Drexel-Main to Broad-The water main line work is complete. Storm inlet installs are underway and will be complete in late November. 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 has started their pole replacement and should be done in early December.

2022 Street Project-

The project is complete, pavement markings were installed last week.

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 bids were reviewed at the Board of Control meeting and the base bid and the 1st alternate were awarded. The project will start in mid-January, which include both sanitary and storm sewer work.

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 will finish up next week.

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 .
- The 2022 alley light project has been completed.
- 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.
- Finishing up a street lighting project around the Capital campus.
- The street dept. installed a brick paver walk at schneider park.
- The annual fall tree planting project is underway.

CITY COUNCIL MEETING NOVEMBER 15, 2022

Ordinance 14-22 to Amend Section 1266.14 Solar Panels, in order to provide for consistent regulation and a s...

0% GO TO ITEM

VIEW: ITEM FILES 2 ACTIONS SAVE ITEM START APPROVALS

Item Reports 0

EDIT ORDER CREATE/UPLOAD REPORT

ITEM REPORT NAME	CREATED BY	FILES	IN PACKET	ACTIONS
No data to display				

Attachments 2

EDIT ORDER ADD ATTACHMENTS

ATTACHMENT NAME	CONFIDENTIALTY	PORTAL	ACTIONS
MK Proposed Amended Ordinance 14-22 Solar code amendments	All Departments	✓	[Download] [Edit] [Delete]
Ordinance 14-22 Solar code amendments	All Departments	✓	[Download] [Edit] [Delete]

ITEM CATEGORY
Ordinance

AGENDA STATUS
Agenda is Unlocked

ITEM STATUS
Item is Unlocked
Status: New

MEETING TODAY
11/15/2022 6:00 PM

LEGISLATIVE BODY
City Council

TAGS (0)



City Council Meeting Minutes

Tuesday, November 8, 2022

6:00 PM

1) Call to Order

Council president 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, Matt Klingler, Monique Lampke, Troy Markham, Jessica Saad

3) Pledge of Allegiance

4) Presentations/Special Guests

None.

5) Public Comments (Speaker Slip Required)

None.

6) President's Report

Mr. Markham reminded everyone that Council will meet on next week to keep the Thanksgiving week free for everyone. Mr. Markham then spoke about his disgust at a recent uptick in anti-Semitic rhetoric and activity in the nation. He then expressed his gratitude of being in a community with so many Jewish friends and neighbors and spoke of our responsibility as individuals to speak up against these acts and attitudes and further stated that such behaviors will not be tolerated at Council meetings.

7) City Attorney Report

Mr. Fishel spoke in appreciation for Mr. Markham's comments and spoke on the importance of elected officials speaking out and taking action against anti-Semitic behavior and against other situations when people are being oppressed.

Mr. Kessler asked a question about the recent meeting and developments on concealed carry in Ohio, which Mr. Fishel answered.

8) Auditor's Report

Auditor is not yet present.

9) Administrative Update:

A) Police Department Update - Chief Lewis

Chief Lewis invited questions on his report after briefly highlighting an upcoming event on Project Taillight.

Ms. Saad asked a question about Project Taillight and the statistics regarding utilization of this program and Chief Lewis and Mayor Kessler both answered this.

Ms. Feibel asked for concerns about the post office to be included in the past.

Mr. Marcellino complimented the decrease in crime statistics on Chief Lewis's report.

B) Recreation and Parks Update - Mike Price

Mr. Price highlighted some information on upcoming rate increases for summer camp. Mr. Price also thanked everyone for their support of the Halloween Bash, which was largely successful.

Ms. Lampke also added that she has been working with Mr. Price, Mr. Kessler, and Councilwoman Saad about the pool management plans for 2023 and will be publishing survey results for 2022 for Swimsafe.

Mr. Price also added that he'd be providing a Google link with some budget support information to further explore and document the increases to programming costs.

C) Service Update: Andy Bashore- Service Director

Mr. Bashore didn't have much to add to his report, but he did note the crew is moving slow on leaf collection because so many leaves have already dropped.

Ms. Saad asked if we could share the link to the leaf pick-up page on the website, and Mr. Kessler agreed to manage this.

D) Finance Department Update - Beecher Hale

No report.

E) Mayor's Update

Mr. Kessler highlighted some of the events on his report, including the productive meeting with Board and Commission chairs and vice chairs and the Alley of the Future judging that took place today.

Mr. Klingler asked about pumpkin pick-up which did not take place as scheduled today. Mr. Kessler is aware and will ensure pumpkins are properly collected.

Ms. Lampke asked about a recent swearing in ceremony for a reserve officer and Mr. Kessler and Chief Lewis provided some additional information.

10) Ordinances/Resolutions with visiting presenters

A) Resolution 9-22 confirming the Mayor's appointment of members to the Recreation Board, the Tree and Public Gardens Commission, the Citizen Review Board, and the Environmental Sustainability Advisory Committee Executive Board, introduced by Jen Robinson on October 25, 2022. (This is the 2nd Reading)

i) Mary McMunn - Proposed for Appointment to Tree and Garden Commission

Mr. Kessler introduced Ms. McMunn who introduced herself and spoke about her background and her interest in the Commission and her work in the Community Garden along with her gratitude for the community.

Ms. Robinson spoke her support and gratitude for Ms. McMunn's commitment to being a "professional volunteer".

Ms. Saad also spoke about her positive experiences with Ms. McMunn and her gratitude for her service.

Mr. Kessler asked Ms. McMunn about her favorite tree species.

Mr. Price thanked Ms. McMunn and Ms. Quintenz, who was in attendance, for their hard work with the Bloomers on the Jeffrey Mansion grounds and spoke about how impactful this has been.

ii) Lisa Goldsand - Proposed for Appointment to Environmental Sustainability Advisory Commission

Mr. Kessler introduced Ms. Goldsand who introduced herself and spoke about her background and interest in the Environmental Sustainability Advisory Committee and her professional background.

Ms. Marcellino congratulated Ms. Goldsand on her career goal shift and his gratitude for her work here in Bexley.

Ms. Feibel spoke about her positive encounters with Ms. Goldsand and Ms. Saad also added her positive comments on this.

B) Ordinance 41-22 authorizing appropriations for the calendar year beginning January 1, 2023; to confirm the appointment of Marc Fishel as City Attorney; and to authorize 2022 transfers to the Economic Bond Development Retirement Fund, the Capital Improvements Fund; and the Infrastructure Development Fund, of \$694,328, \$500,000 and \$500,000 respectively, introduced by Monique Lampke on October 25, 2022 (This is the 2nd Reading)

Mr. Fishel read the ordinance and Ms. Lampke briefly discussed what would be covered tonight.

Mr. Kessler then provided a highlight of the items that will be covered this evening and some of the changes that will be discussed in the budget documents. Mr. Kessler then invited Chief Lewis to walk us through the police budget.

Chief Lewis discussed some of the budget items for the coming year including some new

initiatives geared toward career development for officers, department succession planning and a new strategic plan that's being finalized with Mayor Kessler. Chief Lewis responded to Council questions as they arose.

Mr. McPeek arrived.

Hearing no more questions, Mr. Kessler invited Mr. Bashore to walk us through the remaining items in his budget, which he did. Mr. Kessler also added some comments and both responded to multiple questions and comments from Council members. ((We need to check OPWC projects that should be showing on the Sewer fund and aren't))

11) 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.

Mr. Markham moved to enter executive session to consider the appointment, employment, dismissal, discipline, etc.

Ms. Feibel seconded

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

Motion Passed 7-0.

Entered 7:55 pm.

Mr. Markham moved to exit Executive Session.

Ms. Lampke seconded.

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

Motion Passed 7-0.

Exited 8:56 pm.

12) Consent Agenda: (No Speaker Slip Required)

A) Meeting Minutes from October 25, 2022 City Council Meeting.

B) 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.

Mr. Fishel read the items on the Consent Agenda.

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

Ms. Lampke seconded.

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

Motion Passed 6-0.

Mr. Markham asked for the minutes to reflect that Mr. Klingler had to depart after the Executive Session concluded.

13) Third Readings: (No Speaker Slip Required)

- A) 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.

Mr. Fishel read the ordinance and Ms. Lampke asked Mr. Kessler to provide an explanation of the proposed amendments. Mr. Kessler walked Council members through the proposed amendments.

Ms. Lampke moved to amend Ordinance 39-22 as attached.

Ms. Feibel seconded.

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

Motion Passed 6-0.

Ms. Lampke moved to adopt Ordinance 39-22.

Ms. Robinson seconded.

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

Motion Passed 6-0.

14) Second Readings: (Speaker Slip Required)

- A) Ordinance 42-22 to create Section 265, Naming and Renaming Policy, and to adopt the Naming and Renaming Policy attached as Exhibit A, introduced by Jen Robinson on October 25, 2022.

Mr. Fishel read the ordinance and Ms. Robinson provided some background and rationale behind this ordinance. Mr. Fishel asked if they'd be checking to make sure the attachment is the version that was passed, which Ms. Robinson confirmed. Mr. Wilson will be here next week to talk about this in more depth.

15) First Readings: (Speaker Slip Required)

- A) Ordinance 43-22 to Establish the Water, Sewer, and Refuse Rates charged by the City of Bexley introduced by Monique Lampke on November 8, 2022

Mr. Fishel read the ordinance and Mr. Kessler provided some background information and detail as to the content. Ms. Lampke asked some clarifying questions about the ordinance, which Mr. Kessler answered. Mr. McPeek asked a question about the rates which Mr. Kessler answered.

- B) Ordinance 44-22 Amending Chapter 291 of the City of Bexley Codified Ordinances to add

section 291.02 authorizing certain City officials to issue subpoenas in furtherance of investigations of misdemeanor crimes introduced by Jen Robinson on November 8, 2022

Mr. Fishel read the ordinance and Ms. Robinson asked Mr. Fishel to provide some more information on this ordinance and Mr. Fishel provided some detail as to the rationale and history behind the crafting of this ordinance. Ms. Robinson asked a clarifying question about the term "Acting City Attorney" which Mr. Fishel addressed. Ms. Saad asked a clarifying question on process and potential safety issues that could be delayed by this. Mr. Fishel and Mr. Kessler will double check this. Mr. Fishel will add emergency language to ensure this doesn't have a waiting period after being passed.

- C) Ordinance 45-22 to establish the salary for the office of Bexley Mayor for the years 2024-2027, introduced by Monique Lampke on November 8, 2022.

Mr. Fishel read the ordinance and Ms. Lampke stated that Mr. Kessler asked to be excused for this discussion. Hearing no concerns from Council, Mr. Kessler left Chambers. Ms. Lampke provided some information for the background of this ordinance including the MORPC salary survey information for Mayors and City Administrators which was reviewed. Ms. Saad and Mr. Marcellino asked for additional information on which of the municipalities had both a Mayor and a City Administrator. Hearing no further questions, Mr. Markham moved on.

- D) Ordinance 46-22 to create Chapter 220.04, Compensation, and to establish the salary for the office of City Council Member for the years 2024 and beyond introduced by Monique Lampke on November 8, 2022.

Mr. Fishel read the ordinance and Ms. Lampke turned this to the Mayor and City Auditor. Mr. Kessler provided information on the survey results for Council member pay in the Central Ohio area and the logic and rationale behind the recommendations included in this ordinance.

Multiple Council Members asked questions which Mr. Kessler answered.

- E) Ordinance 47-22 to establish compensation for non-bargaining unit employees of the City of Bexley, effective as of January 1, 2023 introduced by Monique Lampke on November 8, 2022.

Mr. Fishel read the ordinance and Mr. Kessler provided some background and detail on this ordinance. Hearing no questions, Mr. Markham moved us on.

16) Tabled Ordinances:

- 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 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

No action at this time.

17) Recreation and Parks Committee - Jessica Saad, Chair

Ms. Saad highlighted the success of the Halloween Bash and reminded the community that the Mansion is renovated and available for event rental to the public.

18) Strategic Committee - Jen Robinson, Chair

No report.

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

Ms. Feibel reminded everyone of the Climate Action Plan Community Forum on November 9 at the library.

20) Finance Committee - Monique Lampke, Chair

Ms. Lampke reminded everyone of upcoming budget work.

21) Safety and Health Committee - Sam Marcellino, Chair

No report.

22) Zoning and Development Committee - Matt Klingler, Chair

23) Public Comments (No Speaker Slip Required)

Constance Lewis of 663 Euclaire presented a photograph of the ground mounted solar panels and what they'd look like. She is in opposition to allowing ground mounted solar panels.

24) Adjourn

Mr. Marcellino moved.

Ms. Robinson seconded.

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

Motion Passed 6-0.

Mr. Markham adjourned the meeting at 9:36 pm.

PROPOSED AMENDED ORDINANCE NO. 43 - 22

Introduced By: Monique Lampke

An Ordinance to Establish the Water, Sewer, and Refuse Rates charged by the City of Bexley, and to declare an emergency.

WHEREAS, the City of Columbus is increasing water rates charged to the City of Bexley by 4% and is increasing the sewer rates charged to the City of Bexley by 5%; and

WHEREAS, Water and sewer rates also assist with the cost of maintaining and repairing the City's water and sewer infrastructure; and

WHEREAS, the Rumpke contract for solid waste, recycling, and yard waste collection includes an increase for the 2023-2024 contract period and the potential 2025-2026 extensions, and there are adequate reserves in the refuse fund to support a staggered increase in rates; and

WHEREAS, Refuse rates also assist with the costs of the City's organics recycling contract and the cost of administering the city's leaf collection program; and

WHEREAS, the City must pass along these increases to the residents in order to maintain the operation of the City's systems;

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

Section 1.

That the water rate charged by the City of Bexley for water used on or after January 1st, 2023 shall be at a rate of ~~\$63.86~~ \$67.00 per 1,000 cubic feet.

Section 2.

That the sewer rate charged by the City of Bexley for sewer service on or after January 1st, 2023 shall be at the rate of ~~\$81.33~~ \$86.00 per 1,000 cubic feet.

Section 3.

That the refuse rate charged by the City of Bexley for refuse service on or after January 1st, 2023 shall be at the rate of ~~\$81.10~~ ~~\$84.00~~ \$85.17 per quarter.

(a) To provide necessary funds for equipment, personnel and other expenses in connection with the collection and disposal of solid waste, recyclable materials, yard and food waste in the City, an annual charge of three hundred and fourteen dollars and ninety nine cents (~~\$314.99~~), payable quarterly in advance, commencing January 1, 2019, is hereby levied and assessed for the collection and disposal of solid waste, recyclable materials, yard and food waste from each residential unit based upon the following schedule:

Commencement Date	Per Year
Commencing January 1, 2023:	\$340.66
Commencing January 1, 2024:	\$350.88
Commencing January 1, 2025:	\$361.41
Commencing January 1, 2026:	\$372.22

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. 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. No refund shall be made for any part of a payment if service is discontinued during such period.

1060.11 CHARGES TO SENIOR CITIZENS

(a) The refuse collection charges set forth in Section 1060.10(a) shall not apply to those senior citizens who are residents of the City of Bexley and occupy a Bexley residence, who maintain Bexley utility and refuse accounts in their own names for such residences, who are sixty (60) years of age or older, and who make application to the City Water Department for exemption from the refuse collection charges set forth in Section 1060.10(a).

(b) Senior citizens who meet all of the requirements set forth in subsection (a) hereof shall be billed for refuse service on or after January 1, 2023 shall be at the rate of \$76.65 at the rate of two hundred eighty-three dollars and forty-four cents (\$300.50) per year, payable quarterly in advance, based upon the following schedule:

Commencing January 1, 2023:	\$306.60 per year
Commencing January 1, 2024:	\$315.81 per year
Commencing January 1, 2025:	\$325.27 per year
Commencing January 1, 2026:	\$335.03 per year

Section 4.

That all existing Ordinances of the City of Bexley are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

Section 5.

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

Approved: _____, 2022

Benjamin J. Kessler, Mayor

First Reading: 11/8/22

Second Reading:

Third Reading:

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WHEREAS, Refuse rates also assist with the costs of the City's organics recycling contract and the cost of administering the city's leaf collection program; and

WHEREAS, the City must pass along these increases to the residents in order to maintain the operation of the City's systems;

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Passed: _____, 2022

Lori Ann Feibel, President of Council

Attest: _____
Matt McPeek, Clerk of Council

Approved: _____, 2022

Benjamin J. Kessler, Mayor

First Reading:
Second Reading:
Third Reading:

PROPOSED AMENDED ORDINANCE 44 - 22

An Ordinance Amending Chapter 291 of the City of Bexley Codified Ordinances to add section 291.02 authorizing certain City officials to issue subpoenas in furtherance of investigations of misdemeanor crimes

By Jen Robinson

WHEREAS, the Bexley Police Department, when investigating criminal misdemeanors, are in need of subpoenas for information and documents in the course of these investigations; and

WHEREAS, The Franklin County Municipal Court, as a general practice does not issue subpoenas in misdemeanor cases; and

WHEREAS, the use of subpoenas instead of warrants can be more effective and less intrusive;

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

Section 1.

That Chapter 291 of the City of Bexley Codified Ordinances be amended to add section 291.02 as follows:

291.02 MISDEMEANOR INVESTIGATION; EXAMINATION OF WITNESSES AND EVIDENCE.

(a) After a misdemeanor offense has been committed, and before a criminal complaint has been filed or an arrest has been made, the Mayor's Court Magistrate, City Attorney, Acting City Attorney, or any judge of the Franklin County Municipal Court, may cause a subpoena, with a copy of this section attached, to issue returnable before such court, for any person to give information concerning such misdemeanor offense, including designated books, records, or other documents. The subpoena shall require the witness to appear forthwith at a time designated in the subpoena. In cases when the subpoena only seeks books, records, or other documents, the subpoena may allow the responding party to provide such documents in lieu of appearing.

(b) Before a witness is required to give information or produce documents under this section, the witness must be informed of the purpose of the inquiry, and that the witness is required to tell the truth concerning same. The witness shall then be sworn and be examined under oath by the Mayor's Court Magistrate, City Attorney, Acting City Attorney, or by the court, subject to the constitutional right against self-incrimination.

(c) If after being sworn, or during the inquiry, a witness subpoenaed under this section asserts the constitutional right against self-incrimination, the Mayor's Court Magistrate, City Attorney, or the Acting City Attorney shall cease the inquiry.

(d) No person shall fail to appear, or fail to be sworn, at the designated time and place in response to a subpoena issued under this section. A witness who has been subpoenaed and intends to assert the constitutional right against self-incrimination is not excused from appearing or being sworn in response to a subpoena issued under this section but may assert such privilege after appearing and being sworn, and at such time the parties shall proceed in accordance with division (c) of this section.

(e) Any person who violates division (d) of this section is guilty of a minor misdemeanor upon first offense and is guilty of a misdemeanor of the fourth degree upon second and subsequent offenses.

Section 2.

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants for the reason that this Ordinance is required to be immediately effective, wherefore this Ordinance shall be in force and effect immediately upon its passage by and approval by the Mayor.

Passed: _____, 2022

Troy Markham, Council President

Attest: _____
Matt McPeck Clerk of Council

Mayor Ben Kessler

First Reading: November 8, 2021
Second Reading: November 15, 2022
Third Reading:

ORDINANCE 44 - 22

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By Jen Robinson

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(d) No person shall fail to appear, or fail to be sworn, at the designated time and place in response to a subpoena issued under this section. A witness who has been subpoenaed and intends to assert the constitutional right against self-incrimination is not excused from appearing or being sworn in response to a subpoena issued under this section but may assert such privilege after appearing and being sworn, and at such time the parties shall proceed in accordance with division (c) of this section.

(e) Any person who violates division (d) of this section is guilty of a minor misdemeanor upon first offense and is guilty of a misdemeanor of the fourth degree upon second and subsequent offenses.

Section 2.

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

Passed: _____, 2022

Troy Markham, Council President

Attest: _____
Matt McPeck Clerk of Council

Mayor Ben Kessler

First Reading: November 8, 2021

Second Reading:

Third Reading:

PROPOSED AMENDED ORDINANCE 45 - 22

By: Monique Lampke

**An Ordinance to create Chapter ~~220.04~~ 230.03, Compensation, and to establish the salary for the office of Mayor for the years 2024-2027.
to establish the salary for the office of Bexley Mayor for the years 2024-2027.¶**

WHEREAS, the Bexley City Charter calls for the salaries of elected officials to be passed by ordinance, at least one year prior to the commencement of the new term for the elected position; and

WHEREAS, salary for the office of the Mayor of Bexley must be established for the term 2024 through 2027;

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

Section 1:

230.03(A)- The Mayor's annual salary shall be established as follows:

YEAR	Annual Salary
2024	\$161,000
2025	\$167,000
2026	\$173,000
2027	\$176,000

Section 2:

230.03(B)- The Mayor's annual vehicle allowance shall remain at **be five thousand five hundred dollars (\$5,500) annually** for the years 2024 through 2027.

Section 3:

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

Passed: _____, 2022

Attest: _____
Matt McPeck, Clerk of Council

Troy Markham, President

Approved: _____, 2022

Ben Kessler, Mayor

First Reading: 11-8-22
Second Reading:
Third Reading:

ORDINANCE 45 - 22

By: Monique Lampke

An Ordinance to establish the salary for the office of Bexley Mayor for the years 2024-2027.

WHEREAS, the Bexley City Charter calls for the salaries of elected officials to be passed by ordinance, at least one year prior to the commencement of the new term for the elected position; and

WHEREAS, salary for the office of the Mayor of Bexley must be established for the term 2024 through 2027;

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

Section 1:

The Mayor’s annual salary shall be established as follows:

YEAR	Annual Salary
2024	\$161,000
2025	\$167,000
2026	\$170,000
2027	\$173,000

Section 2:

The Mayor’s annual vehicle allowance shall remain at \$5,500 for the years 2024 through 2027.

Section 3:

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

Passed: _____, 2022

Attest: _____
Clerk of Council

Troy Markham, President

Approved: _____, 2022

Ben Kessler, Mayor

First Reading: 11-8-22
Second Reading:
Third Reading:

Ordinance 46 - 22

By: Monique Lampke

An Ordinance to create Chapter 220.04, Compensation, and to establish the salary for the office of City Council Member for the years 2024 and beyond.

WHEREAS, The Bexley City Charter calls for the salaries of elected officials to be passed by ordinance, at least one year prior to the commencement of the new term for the elected position; and

WHEREAS, The salary for the office of City Council member has not been adjusted since 2002, and;

WHEREAS, At the request of Council, the Mayor and Auditor have performed an analysis of comparable council member salaries throughout the central Ohio region and provided a recommendation for Bexley City Council members; and

WHEREAS, this ordinance reflects the recommendations of the Mayor and Auditor that resulted from their study;

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

Section 1.

That Chapter 220.04, Compensation, shall be created as follows:

220.04 Compensation

The compensation of Council members, for terms commencing on or after January 1, 2024, are hereby established as follows:

Effective January 1, 2024:	\$8,500
Effective January 1, 2026:	\$9,000
Effective January 1, 2028:	\$9,500
Effective January 1, 2030:	\$10,150
Effective January 1, 2032:	\$10,750

Such compensation shall be payable in salary and/or benefits as elected, from time to time, by each such member.

Section 2.

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

Passed: _____, 2022

Troy Markham, President

Attest: _____
Matt McPeck, Clerk of Council

Approved: _____, 2022

Ben Kessler, Mayor

First Reading: November 8, 2022

Second Reading:

Third Reading:

ORDINANCE 47 - 22

By Monique Lampke:

An Ordinance to establish compensation for non-bargaining unit employees of the City of Bexley, effective as of January 1, 2023.

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

Section 1. That the Mayor will be paid \$155,000 in accordance with Ordinance 43-18.

Section 2. That all other elected officials of the City of Bexley are to be paid in a manner prescribed by the Charter and Ordinances.

Section 3. That all non-bargaining unit employees shall be paid in accordance with attached Exhibit A.

Section 4. That the Service Director shall receive an annual car allowance of \$5,000.

Section 5. That all part time, temporary and casual employees will be paid hourly as follows:

POLICE DEPARTMENT

COMMUNICATIONS TECHNICIAN	(1)	\$30.61
PARKING CONTROL OFFICER	(1)	\$20.92
ADMINISTRATIVE ASSISTANT	(1)	\$34.03
COURT BAILIFF	(1)	\$49.03
DISPATCHERS: (5 allowed)		
STEP 1	(0)	\$26.12
STEP 2	(1)	\$30.74
STEP 3	(3)	\$35.39

PARKS AND RECREATION - To be determined by Recreation Director

General Recreation Leaders	\$10.10 - \$16.00/hour
Umpire / Referees	\$10.10 - \$50.00/hour or game
Score Keepers	\$10.10 - \$13.00/hour
Jeffrey Mansion Attendant	\$10.10 - \$16.00/hour
Park Attendant	\$10.10 - \$16.00/hour
Pool Manager	\$15.00 - \$23.00/hour
Assistant Pool Manager	\$14.00 - \$22.00/hour
Swim Lesson Coordinator	\$2,500 - \$5,000/season
Lifeguards	\$10.10 - \$18.00/hour
Swim/Dive Team Coaches	\$100 - \$4,500/season
Swim Instructors	\$10.10 - \$18.00/hour
Pool Office / Concession	\$10.10 - \$18.00/hour
Camp Program Director	\$12.50 - \$22.00/hour
Camp Counselor	\$10.10 - \$15.00/hour

Camp Director	\$12.00 - \$20.00/hour
Assistant Camp Director	\$11.00 - \$18.00/hour
Camp Administrator	\$11.00 - \$20.00/hour
Specialized Camp Director	\$10.10 - \$15.00/hour
Before/After Care Site Director	\$12.00 - \$20.00/hour
Before/After Care Assistant Director	\$11.00 - \$18.00/hour
Before/After Care Counselor	\$10.10 - \$16.50/hour
Site Supervisor	\$12.00 - \$16.00/hour
Sports Instructor	\$10.10 - \$15.50/hour
Recreation Office Aide	\$10.10 - \$15.50/hour
Lead Preschool Teacher	\$17.00 - \$23.00/hour
Preschool Teacher Aide	\$13.00 - \$18.00/hour
Extended AM/PM Leader	\$14.00 - \$18.00/hour
Part-Time Jeffrey Park Service Worker	\$11.00 - \$19.00/hour
Part-time/Casual/Temporary/Seasonal	

MISCELLANEOUS

Volunteer Coordinator	\$16.40 - \$22.55/hour
Code Enforcement	\$17.43 - \$23.58/hour
Front Desk Operations	\$15.38 - \$20.50/hour
Secretary of Minutes	\$13.33 - 17.43/hour
Sustainability Coordinator	\$24.84 - 35.87/hour

Section 6. That the provisions of this ordinance shall take effect as of January 1, 2023.

Section 7. That all ordinances or parts thereof which are inconsistent herewith are hereby repealed.

Section 8. That in order to assure uninterrupted City services, this Ordinance is an emergency measure, necessary for the immediate preservation of the public peace, health and safety and this ordinance shall go into effect upon its passage and approval by the Mayor, to be effective January 1, 2023.

Passed: _____

Troy Markham, Council President

Attest _____
Matt McPeck, Clerk of Council

Mayor Ben Kesler

First Reading: November 8, 2022
Second Reading:
Third Reading:

Exhibit A.

Position	2023 Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
	Year 1-3	Year 4-6	Year 7-9	Year 10-12	Year 13-15	Year 16-18	Year 19+
Clerk of Courts	\$53,725	\$57,704	\$61,684	\$65,664	\$69,643	\$73,623	\$77,602
Water Department Manager	\$61,684	\$61,684	\$66,659	\$71,633	\$76,608	\$81,582	\$86,557
Chief Executive Assistant	\$56,709	\$61,684	\$66,659	\$71,633	\$76,608	\$81,582	\$86,557
Executive Assistant	\$53,725	\$57,704	\$61,684	\$65,664	\$69,643	\$73,623	\$77,602
Executive Assistant	\$53,725	\$57,704	\$61,684	\$65,664	\$69,643	\$73,623	\$77,602
Building Department Assistant Manager	\$53,725	\$57,704	\$61,684	\$65,664	\$69,643	\$73,623	\$77,602
Building & Zoning Director	\$86,557	\$91,034	\$95,511	\$99,988	\$104,465	\$108,942	\$113,419
Code Enforcement & Fire Inspector	\$64,470	\$67,454	\$70,439	\$73,424	\$76,409	\$79,393	\$82,378
Rec Director	\$85,960	\$91,531	\$97,103	\$102,674	\$108,245	\$113,817	\$119,388
Deputy Rec Director	\$69,886	\$74,739	\$79,592	\$84,445	\$89,299	\$94,152	\$99,005
Recreation Superintendent	\$71,633	\$74,120	\$76,607	\$79,095	\$81,583	\$84,069	\$86,557
Rec Supervisor - Tier I	\$58,238	\$62,121	\$66,003	\$69,886	\$73,768	\$77,651	\$81,534
Rec Supervisor - Tier II	\$52,531	\$56,212	\$59,893	\$63,574	\$67,255	\$70,937	\$74,618
Rec Program Supervisor - Tier II	\$52,531	\$56,212	\$59,893	\$63,574	\$67,255	\$70,937	\$74,618
Rec Program Coordinator - Tier I (event planner)	\$46,561	\$49,745	\$52,929	\$56,113	\$59,296	\$62,480	\$65,664
Rec Program Coordinator - Tier I	\$46,561	\$49,745	\$52,929	\$56,113	\$59,296	\$62,480	\$65,664
Rec Program Coordinator - Tier I	\$52,531	\$56,212	\$59,893	\$63,574	\$67,255	\$70,937	\$74,618
Rec Program Coordinator - Tier II	\$39,398	\$42,482	\$45,567	\$48,651	\$51,735	\$54,820	\$57,904
Rec Program Coordinator - Tier II	\$39,398	\$42,482	\$45,567	\$48,651	\$51,735	\$54,820	\$57,904
Service Director	\$107,450	\$110,434	\$113,419	\$116,404	\$119,388	\$122,373	\$125,358
Assistant Service Director	\$84,766	\$86,955	\$89,143	\$91,332	\$93,521	\$95,710	\$97,898
Water & Sewer Supervisor	\$71,633	\$74,120	\$76,607	\$79,095	\$81,583	\$84,069	\$86,557
Streets Supervisor	\$71,633	\$74,120	\$76,607	\$79,095	\$81,583	\$84,069	\$86,557
Parks Supervisor	\$71,633	\$74,120	\$76,607	\$79,095	\$81,583	\$84,069	\$86,557
Right-of-Way Coordinator	\$71,633	\$74,120	\$76,607	\$79,095	\$81,583	\$84,069	\$86,557
Finance Director	\$95,511	\$99,490	\$103,470	\$107,450	\$111,429	\$115,409	\$119,388
Payroll and HR Coordinator	\$52,566	\$56,460	\$60,353	\$64,247	\$68,141	\$72,035	\$75,928
IT Manager	\$81,184	\$84,567	\$87,949	\$91,332	\$94,715	\$98,097	\$101,480
Communications & Community Affairs Manager	\$55,432	\$59,774	\$64,116	\$68,459	\$72,801	\$77,143	\$81,485
Police Department Command Staff	Annual Salary						
Chief of Police	\$181,990						
Deputy Chief of Police	\$140,759						
Captain	\$135,346						
Lieutenant	\$130,428						

Exhibit B.

POLICE DEPARTMENT

COMMUNICATIONS TECHNICIAN	(1)	\$30.61
PARKING CONTROL OFFICER	(1)	\$20.92
ADMINISTRATIVE ASSISTANT	(1)	\$34.03
COURT BAILIFF	(1)	\$49.03
DISPATCHERS: (5 allowed)		
STEP 1	(0)	\$26.12
STEP 2	(1)	\$30.74
STEP 3	(3)	\$35.39

PARKS AND RECREATION - To be determined by Recreation Director

General Recreation Leaders	\$10.10 - \$16.00/hour
Umpire / Referees	\$10.10 - \$50.00/hour or game
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Park Attendant	\$10.10 - \$16.00/hour
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Assistant Pool Manager	\$14.00 - \$22.00/hour
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Lifeguards	\$10.10 - \$18.00/hour
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Swim Instructors	\$10.10 - \$18.00/hour
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Lead Preschool Teacher	\$17.00 - \$23.00/hour
Preschool Teacher Aide	\$13.00 - \$18.00/hour
Extended AM/PM Leader	\$14.00 - \$18.00/hour
Part-Time Jeffrey Park Service Worker	\$11.00 - \$19.00/hour

MISCELLANEOUS

Volunteer Coordinator	\$16.40 - \$22.55/hour
Code Enforcement	\$17.43 - \$23.58/hour
Front Desk Operations	\$15.38 - \$20.50/hour
Secretary of Minutes	\$13.33 - 17.43/hour
Sustainability Coordinator	\$24.84 - 35.87/hour

ORDINANCE NO. 48 - 22

By: Sam Marcellino

An Ordinance to create Chapter 837, Tobacco Retail License and Regulations and to remove Chapter 636.16 of the Codified Ordinances, Illegal distribution of cigarettes, other tobacco products or alternate nicotine products.

Whereas, The City of Bexley seeks to promote the health, wellness and safety of all residents; and,

Whereas, The City of Bexley has historically been a leader in anti-smoking efforts, being the first community in the State of Ohio to enact an indoor smoking ban; one of the first central Ohio communities to ban the sale of smoking products to persons under the age of 21; and the first to ban flavored vaping products; and,

Whereas, tobacco use remains the leading cause of preventable death in the United States, killing nearly half a million people each year. It causes or contributes to many forms of cancer, as well as heart disease and respiratory diseases, among other health disorders; and

Whereas, it is in the best interest of all parties to protect young people from flavored tobacco products, and these products also disproportionately impact minority populations who smoke menthol cigarettes as a result of targeted marketing practices; and

Whereas, commercial tobacco use is the foremost preventable cause of premature death in America, causing a half million deaths annually, and has been responsible for 20.8 million premature deaths in the U.S. since the first U.S. Surgeon General's report on smoking in 1964;

Whereas, 53% of e-cigarettes are purchased from convenience stores, food, drug and mass retail chains in comparison to 28% from online retailers and 19% from specialty/vape shops; and,

Whereas, the density of tobacco retailers, particularly in neighborhoods surrounding schools, has been associated with increased youth smoking rates; and

Whereas, several studies have found that the density of tobacco retailers near schools was positively associated with the prevalence of students reporting experimental smoking; and

Whereas, a local licensing system for tobacco retailers is appropriate to ensure that retailers comply with federal, state, and local tobacco control laws and business standards in order to protect the health, safety, and welfare of our residents;

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

Section 1.

That Chapter 837, Tobacco Retail License and Regulations, be created as follows:

Chapter 837

Tobacco Retail License and Regulations

837.01 Purpose

This chapter is created to ensure that retailers comply with federal, state, and local tobacco control laws and business standards in order to protect the health, safety, and welfare of our residents.

837.02 Definition

- (a) “Arm’s length transaction” means a sale in good faith and for valuable consideration that reflects the fair market value between two informed and willing parties, neither of which is under any compulsion to participate in the transaction.
- (b) “Compliance checks” mean the system the city uses to investigate and ensure that those authorized to sell tobacco products are following and complying with the requirements of this ordinance. Compliance Checks involve the use of persons over the age of 18, but under the age of 21 who purchase or attempt to purchase tobacco products. Compliance checks may also be conducted by the city or other units of government for educational, research, and training purposes or for investigating or enforcing federal, state, or local laws and regulations relating to tobacco products.
- (c) “Delivery sale” means the sale of any tobacco product to any person for personal consumption and not for resale when the sale is conducted by any means other than an in-person, over-the- counter sales transaction in a licensed retail establishment. Delivery Sale includes but is not limited to the sale of any tobacco product when the sale is conducted by telephone, other voice transmission, mail, the internet, or app-based service. Delivery Sale includes delivery by licensees or third parties by any means, including curbside pick-up.
- (d) “*Electronic smoking device*” means any device that may be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah. Electronic

smoking device includes any component, part, or accessory of the device, and also includes any substance intended to be aerosolized or vaporized during the use of the device, whether or not the substance contains nicotine. Electronic smoking device does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration for cessation purposes, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

- (e) “Flavored tobacco product” means any tobacco product that imparts a taste or smell, other than the taste or smell of tobacco, either prior to, or during the consumption of, a tobacco product, including, but not limited to, any taste or smell relating to fruit, menthol, mint, wintergreen, chocolate, cocoa, vanilla, honey, or any candy, dessert, alcoholic beverage, herb, or spice.
- (f) “Moveable place of business” means any form of business that is operated out of a kiosk, truck, van, automobile or other type of vehicle or transportable shelter and that is not a fixed address or other permanent type of structure licensed for over-the-counter sales transactions.
- (g) “Person” means any natural person.
- (h) “Purchaser” means any person who obtains or attempts to obtain a tobacco product.
- (i) “Sale” includes transfer or delivery of goods for money, trade, barter, gift, or other consideration.
- (j) “Self-service display” means any display from which customers may select a tobacco product without assistance from the tobacco retailer or the tobacco retailer’s agent or employee and without a direct person-to-person transfer between the purchaser and the tobacco retailer or tobacco retailer’s agent or employee.
- (k) “Tobacco product” means: (1) any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; (2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or (3) any component, part, or accessory of (1) or (2), whether or not any of these contain tobacco or nicotine, including but not limited to filters, rolling papers, blunt or hemp wraps, and pipes. Tobacco product does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration for cessation purposes, as those terms are defined in the Federal Food, Drug and Cosmetic Act.
- (l) “Tobacco retail establishment” means any place of business where tobacco products are available for sale to the general public. The term includes but is not limited to grocery stores, tobacco product shops, kiosks, convenience stores, gasoline service stations, bars, and restaurants.

- (m) “Tobacco retailer” means any person, partnership, joint venture, society, club, trustee, trust, association, organization, or corporation who owns, operates, or manages any tobacco retail establishment. Tobacco retailer does not mean the nonmanagement employees of any tobacco retail establishment.
- (n) “Youth-oriented facility” means any facility with residents, customers, visitors, or inhabitants of which 25 percent or more are regularly under the age of 21 or that primarily sells, rents, or offers services or products that are consumed or used primarily by persons under the age of 21. Youth-oriented facility includes, but is not limited to, a licensed care facility or preschool, day care centers, public or private schools, playgrounds, a library open to the public, recreation centers, and parks.

837.03 License Required

- (a) Each individual tobacco retail establishment location engaging in the sale of tobacco products at a fixed tobacco retail establishment shall secure a tobacco retail license from Franklin County Public Health before engaging or continuing to engage in such business. The tobacco retail license shall be on display at the tobacco retail establishment all times. No tobacco retailer shall sell tobacco products without a valid tobacco retail sales license.
- (b) An application for a license to sell tobacco products must be made on a form provided by Franklin County Public Health. The application must contain the full name of the applicant, the applicant’s residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the city deems necessary.
- (c) Franklin County Public Health may approve or deny the application for a license, or it may delay action for a reasonable period of time to complete any investigation of the application or the applicant deemed necessary. If Franklin County Public Health approves the application, the license will be issued to the applicant. If Franklin County Public Health denies the application, notice of the denial will be given to the applicant along with notice of the applicant’s right to appeal the decision.
- (d) Denial of License. Grounds for denying the issuance or renewal of a license include, but are not limited to, the following:
 - 1) the applicant is under 21 years of age;
 - 2) the applicant has been convicted within the past five years of any violation of a federal, state, or local law, ordinance provision, or other regulation relating to tobacco products;
 - 3) the applicant has had a tobacco retail license revoked due to violations of this ordinance within the preceding thirty-six (36) months of the date of application;

- 4) the applicant fails to provide the information required on the licensing application or provides false or misleading information;
 - 5) the applicant is prohibited by federal, state, or other local law, ordinance, or other regulation from holding a license;
 - 6) the applicant is in arrears with respect to any fine imposed for violation of this ordinance;
 - 7) the business for which the license is requested is a moveable place of business.
Only fixed-location tobacco retail establishments are eligible to be licensed.
- (e) For purposes of subdivision (D) of this Section, “applicant” shall include entities with common ownership or management to the entity or natural person listed on the application.
- (f) If a license is mistakenly issued or renewed, the city shall revoke the license upon the discovery that the applicant was ineligible for the license under this ordinance. The city will provide the applicant or licensee with notice of the revocation, along with information on the right to appeal.
- (g) The fee for a tobacco retail sales license shall be set by the Health Department, who shall have the authority to adjust the fee as deemed necessary. Such fees shall be calculated to recover the cost of administration and enforcement of this Ordinance, including, but not limited to, issuing licenses, administering the license program, tobacco retailer education, tobacco retailer inspection and compliance checks, documentation of violations, and prosecution of violators. All fees and interest on proceeds from fees shall be used to exclusively fund the administration and enforcement of this Ordinance.
- (h) All licenses issued are valid only on the premises for which the license was issued and only for the applicant to which the license was issued. The transfer of any license to another location, person, or entity is prohibited.
- (i) Such license shall be renewed annually and is valid for a period beginning with the date of license to the first day of [Month] next succeeding the date of the license unless sooner revoked as allowed by penalties in this article, or unless the tobacco retailer to whom it was issued discontinues business, in either of which cases the holder of the license shall immediately return it to Franklin County Public Health. A license shall not be transferred from one tobacco retailer to another or from one location to another.
- (j) The issuance of a license is a privilege and does not entitle the license holder to an automatic renewal of the license.
- (k) No tobacco retail license shall be issued or renewed unless the tobacco retailer signs a form stating that the tobacco retailer has read this ordinance and has provided training to all employees on the sale of tobacco products. Such training shall include information that the sale of tobacco products to persons under 21 years of age is illegal and shall

subject the tobacco retailer to penalties, the types of identification legally acceptable for proof of age, and that the sale of flavored tobacco products is illegal and shall subject the tobacco retailer to penalties.

- (l) Tobacco retailing without a valid license. In addition to any other penalty authorized by law, if a court of competent jurisdiction determines, or the Department finds based on a preponderance of evidence, after notice and an opportunity to be heard, that any tobacco retailer has engaged in tobacco product retail sales at a location without a valid tobacco retail license, either directly or through the tobacco retailer's agents or employees, the tobacco retailer shall be ineligible to apply for, or to be issued, a tobacco retail license as follows:
 - 1) After a first violation of this section at a location within any 36-month period, the location shall receive a written warning from the Department (unless ownership of the business at the location has been transferred in an arm's length transaction).
 - 2) After a second violation of this section at a location within any 36-month period, no new license may issue for the tobacco retailer or the location (unless ownership of the business at the location has been transferred in an arm's length transaction), until ninety (90) days have passed from the date of the violation.
 - 3) After a third or subsequent violation of this section at a location within any 36-month period, no new license may issue for the tobacco retailer or the location (unless ownership of the business at the location has been transferred in an arm's length transaction), until five (5) years have passed from the date of the violation.

837.04 Prohibited Sales

(a) Minimum Legal Sales Age for Tobacco Products

The sale of any tobacco product to a person under the age of 21 is prohibited.

(b) Age Verification

Before distributing any tobacco product, the tobacco retailer or the tobacco retailer's agent or employee shall verify that the purchaser is at least 21 years of age. Each tobacco retailer or tobacco retailer's agent or employee shall examine the purchaser's government-issued photographic identification. No such verification is required for a person over the age of 30. That a purchaser appeared to be 30 years of age or older shall not constitute a defense to a violation of this section.

(c) Signage

- 1) No tobacco retailer shall sell, permit the sale of, or furnish tobacco products in the City unless a notice, as proscribed in this section, is posted at all locations where tobacco products are available for purchase. All notices must be posted in a manner conspicuous to both employees and consumers, unobstructed from view in their entirety, and within six feet of each register where tobacco products are available for purchase. Franklin County Public Health shall provide this notice, which shall prominently state “No person under the age of 21 may be sold nicotine or tobacco products, including electronic smoking devices”. The notice must be at least 14” by 11” and the words on the notice must be legibly printed in such a way as to be highly visible and easily legible.
- 2) Selling tobacco products in any place that does not have a sign consistent with this section is prohibited by law and punishable under this Chapter.

(d) Flavored Tobacco Product Sales Prohibition.

- 1) It shall be unlawful for a tobacco retailer or its agent, employee, or representative to sell or offer for sale any flavored tobacco product.
- 2) There shall be a rebuttable presumption that a tobacco product is a flavored tobacco product if a tobacco retailer, manufacturer, or any employee or agent of a tobacco retailer or manufacturer:
 - i. makes a public statement or claim that a tobacco product imparts a taste or smell other than the taste or smell of tobacco; or
 - ii. uses text, images, or coloring on the tobacco product’s labeling or packaging to explicitly or implicitly indicate that the tobacco product imparts a taste or smell other than the taste or smell of tobacco.

(e) Delivery Sales

Delivery sales of tobacco products by any means are prohibited under this ordinance.

(f) Self Service Displays

No tobacco retailer or their employee or agent shall sell or otherwise distribute tobacco products by or from a self-service display, including through vending machines, except in places where persons under the age of 21 are not permitted access at any time.

837.05 Education

Franklin County Public Health shall engage in a continuing public health education program to explain and clarify the purposes and requirements of this ordinance to persons and entities affected by it, and to guide tobacco retailers and their agents or employees in their compliance. The program may include publication of a brochure for affected tobacco retailers explaining the provisions of this ordinance and signage mandated by this ordinance.

837.06 Proximity to youth-oriented facilities

No license shall be granted to any person or entity for a tobacco retail establishment location that is within 1,000 feet of a youth-oriented facility, as measured by the shortest line from the property line of the space to be occupied by the proposed licensee to the nearest property line of a youth-oriented facility. This restriction does not apply to an existing license holder that holds a current state tax license for the sale of tobacco products in that same location for at least one year before the date this section was enacted into law.

837.07 Responsibility

All licensees are responsible for the actions of their employees regarding the sale, offer to sell, and furnishing of tobacco products on the licensed premises. The sale, offer to sell, or furnishing of any tobacco product by an employee shall be considered an act of the licensee.

837.08 Enforcement

Each individual licensed tobacco retail establishment shall be subject to at least two unannounced compliance checks per year. The [Health Department/Designated Authority] shall conduct compliance checks by engaging persons between the ages of 18 and 20 to enter the tobacco retail establishment to attempt to purchase tobacco products. Unannounced follow-up compliance checks of all non-compliant tobacco retailers are required within three months of any violation of this ordinance. The results of all compliance checks shall be published by Franklin County Public Health at least annually and made available to the public upon request.

837.09 Penalties

(a) Tobacco retailers

Any tobacco retailer found to have violated this ordinance in person, by agent, representative, or employee or in any other way shall be subject to:

- 1) For a first violation, a fine no less than \$500;
- 2) For a second violation within a 36-month period, a fine no less than \$750 and the tobacco retailer shall be prohibited from distributing tobacco products for a minimum of seven days;

- 3) For a third violation within a 36-month period, a fine no less than \$1,000 and the tobacco retailer shall be prohibited from distributing tobacco products for a minimum of 30 days; and
- 4) For a fourth and any subsequent violation within a 36-month period, a fine no less than \$1,000, revocation of the current tobacco retail license, and prohibition from distributing tobacco products for a period of three years.

(b) Related violations

A violation of any federal, state, or local law, ordinance provision, or other regulation relating to tobacco products is also a violation of this ordinance and shall be considered an enumerated violation under this ordinance. In addition to any other penalty, a tobacco retailer who violates any provision of this ordinance or any federal, state, or local law, ordinance provision, or other regulation relating to tobacco products, shall be subject to penalties stated in this ordinance, including fines and a prohibition of the distribution of tobacco products.

(c) Exceptions

- 1) Nothing in this ordinance prohibits an underage person from handling tobacco products in the course of lawful employment by a tobacco retailer.
- 2) Nothing in this ordinance prevents the provision of tobacco products to any person as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice.

837.10 Rules and Regulations

Franklin County Public Health is hereby authorized to promulgate rules and regulations to carry out the purpose and intent of this Ordinance in order to protect the public health, safety, and welfare.

837.11 Liberal Construction

This ordinance shall be liberally construed so as to further its purposes.

837.12 Severability

If any provision of this ordinance, or the application thereof to any person, entity, or circumstance, is held invalid, such invalidity shall not affect any other provision of this ordinance that can be given effect without the invalid provision or application. Each invalid provision or application of this ordinance is severable.

Section 2.

That Section 636.16 shall be removed from the Codified Ordinances and shall no longer be in effect.

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

Approved: _____, 2022

Benjamin J Kessler, Mayor

First Reading
Second Reading
Third Reading

Resolution No. 10 - 22

By: Troy D. Markham

A Resolution to schedule the Bexley City Council meeting dates and times for the year 2023.

Whereas, Section 21 of the Bexley City Charter, requires the establishment of meeting times (and dates) by ordinance or resolution of at least twice per month, except for one month in the summer season designated as vacation; and

Whereas, it is beneficial to council, staff and citizens to know in advance that circumstances or holidays necessitate a change from the traditionally held 2nd and 4th Tuesdays for regular council meetings;

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

Section 1. The official meeting dates and times for the Bexley City Council meetings for 2023 are set forward as Exhibit A.

Section 2. That this Resolution shall be in full force and effect from and after the earliest period allowed by law.

Passed: _____, 2022

Troy D. Markham, President of Council

Attest: _____
Matt McPeck, Clerk of Council

Approved: _____, 2022

Ben Kessler, Mayor

First Reading: November 15, 2022
Second Reading:
Third Reading:

Schedule A

Bexley City Council 2023 Council Calendar

Meetings start at 6:00 p.m. unless otherwise indicated

January

January 10th Council Meeting
 January 24th Council Meeting

February

February 14th Council Meeting
 February 28th Council Meeting

March

March 14th Council Meeting
 March 20th Bexley Spring Break
 March 28th Council Meeting

April

April 11th Council Meeting
 April 7th and 14th Passover Seders
 April 9th Easter
 April 25th Council Meeting

May

May 9th Council Meeting
 May 23rd Council Meeting
 May 29th Memorial Day

June

June 13th Council meeting
 June 27th Council meeting

July

Council Recess

August

August 8th Council Meeting
 August 17th Bexley First Day of School?
 August 22nd Council Meeting

September

September 4 Labor Day
 September 12th Council Meeting
 September 15th Rosh Hashanah
 September 25th Yom Kippur
 September 26th Council Meeting

October

October 10th Council Meeting
 October 24th Council Meeting

November

November 7th Council Meeting
 November 14th Council Meeting
 November 23rd Thanksgiving

December

December 5th Council Meeting
 December 12th Council Meeting
 December 19th If needed

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:

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-six (610)~~ feet in height.
3. Staff may require screening from adjacent properties by fencing or structures (detached garages, neighboring accessory structures, etc) or a combination of evergreen and deciduous plantings.
- 2-4. Ground mounted solar panels installations may not exceed capacity limits for residential service established by the Public Utilities Commission of Ohio.

Commented [B01]: Does lot coverage ratio apply?

(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:

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: