



City Council Minutes  
**Tuesday, April 9, 2024**

**1. Call to Order**

Mr. Fishel started the meeting at 6:01 pm and invited a Council member to elect a President Pro Tem in light of Ms. Lampke's absence.

Mr. Markham moved to appoint Jessica Saad as President Pro Tem  
Ms. Feibel seconded.

All in Favor: Jessica Saad, Danny Hurley, Sam Marcellino, Troy Markham, Lori Ann Feibel, Alex Silverman

Motion Passed 6-0.

Ms. Saad called the meeting to order at 6:03 pm.

**2. Roll Call of Members**

Council Members in Attendance: Jessica Saad, Danny Hurley, Sam Marcellino, Troy Markham, Lori Ann Feibel, Alex Silverman

Ms. Saad moved to excuse Ms. Lampke's absence.

Ms. Feibel seconded.

All in Favor: Jessica Saad, Danny Hurley, Sam Marcellino, Troy Markham, Lori Ann Feibel, Alex Silverman

Motion Passed 6-0.

**3. Pledge of Allegiance**

**4. Public Comments regarding items not on the Agenda (Speaker Slip Required)**

None.

**5. Visiting Guests**

1. Hallie Raskin with Bexley Community Foundation

Ms. Raskin presented on the work and accomplishments of the Bexley Community Foundation and stressed the importance of their generous donors to making many great things in Bexley possible.

Ms. Feibel complimented Ms. Raskin on her excellent work and contributions to our community. Mr. Silverman echoed Ms. Feibel's compliments and also complimented Ms. Raskin for supporting other events. Mr. Silverman also asked about any potentially upcoming campaigns and how Council Members can help, which Ms. Raskin answered.

Mr. Price also complimented Ms. Raskin and acknowledged that many projects and events the Recreation Department puts together are possible thanks to Bexley Community Foundation. Mayor Kessler also shared about his past weekend which was full of spaces and events supported by BCF. Ms. Saad asked how named funds are created.

## **6. President's Report**

Ms. Saad shared the highlights of her report.

## **7. City Attorney Report**

Mr. Fishel spoke in memory of former Auditor, Mr. Bill Harvey. After this, Mr. Fishel shared that the City of Columbus filed a lawsuit against the State of Ohio in opposition to recent state legislative activity that effectively overrules local tobacco prohibitions and rules.

Mr. Fishel then shared some information about the referendum that is currently circulating in an effort to overturn Ordinance 04-24, the ordinance that amended zoning in the business district of Livingston Avenue. Mr. Hurley asked if any other communities have faced a referendum in recent history. Mr. Fishel confirmed that Whitehall has and they are researching others to learn more.

## **8. Auditor's Report**

Mr. McPeck shared that the internal audit has started and thanked staff members who would support that.

## **9. Administrative Update**

Mayor Kessler shared about his history about his history with Mr. Harvey and recognized and complimented his strengths as a person and expressed his appreciation for him both professionally and personally as a great friend.

### **1. Police Department Update - Chief Gary D. Lewis**

Chief Lewis had no additions to his update, but invited questions. Mr. Silverman noted that Officer Chapman's retirement and intent to return to the City is a compliment to BPD and the City. Mr. Silverman also complimented Officer Adams's recent work in a Starfish Reading Program. Chief Lewis also spoke about an event this evening with City Council and Mayor Kessler meeting a survivor of the October 2024 attacks in Israel and asked if we as a City had considered traveling to Israel to see how we could help and support the struggles they are facing.

### **2. Building & Zoning Department - Kathy Rose**

Ms. Rose didn't have any additions to her update but did announce her upcoming retirement. Mayor Kessler complimented Ms. Rose on her institutional knowledge and shared that he'll be missed, but shared his excitement for her next adventures. Mr. Marcellino expressed his congratulations and thanks for Ms. Rose's service, and also shared a compliment he received from a resident. Ms. Saad shared that when she was elected as a new Council Member housing projects picked up due to the pandemic and Ms. Saad thanked Ms. Rose for her support during that time and for her service throughout the years. Mr. Silverman asked about code enforcement on the Ferndale/Mayfield area.

### 3. Recreation Department - Mike Price

Mr. Price thanked Ms. Rose for her service to the community and expressed that he'll miss her. Mr. Price also spoke about his history with Mr. Harvey and shared that he'll personally and professionally miss Mr. Harvey. Ms. Feibel spoke about the hearing on the Pickleball Court light proposal, complimenting the civility of the residents who spoke about this issue both for and against the lights.

Mr. Feibel also spoke positively about the Total Eclipse in the Park event.

Mr. Price echoed some of Ms. Feibel's comments on the Pickleball Court Lighting Hearing and shared his thoughts on approach and next steps in this process.

Mr. Silverman also spoke about a recent issue with a system issue with pool memberships and Mr. Price's quick and positive resolution of the issue.

### 4. Mayor's Update

Mayor Kessler provided some information about two recent meetings with Ferndale/Mayfield owners and spoke positively about next steps toward environmental cleanup in this area.

Mayor Kessler then shared about a recent header and some details added to the website for information on Ordinance 04-24 to provide details as residents consideration. He also shared that a resolution for appointments to Boards and Commissions will likely be brought forward in May.

## **10. Consent Agenda (No Speaker Slip Required)**

### 1. Meeting Minutes from March 26, 2024

Ms. Saad moved to adopt the Consent Agenda.

Mr. Marcellino seconded.

All in Favor: Jessica Saad, Danny Hurley, Sam Marcellino, Troy Markham, Lori Ann Feibel, Alex Silverman

Motion Passed 6-0.

## **11. Third Readings**

**None.**

## **12. Second Readings (Speaker Slip Required)**

1. **Ordinance 9-24** to appropriate \$170,908.47 from the unencumbered General Fund to pay for expenses related to the Year of the Parks Grant awarded by the Bexley Community Foundation in 2023, introduced by Jessica Saad on March 26, 2024.

Mr. Fishel read the ordinance and Ms. Saad provided some additional background on this ordinance.

Ms. Saad moved to move this to the Consent Agenda for the next meeting.

Ms. Feibel seconded.

All in Favor: Jessica Saad, Danny Hurley, Sam Marcellino, Troy Markham, Lori Ann Feibel, Alex Silverman

Motion Passed 6-0.

2. **Ordinance 10-24** to appropriate \$45,500 from the Sewer Fund (Fund 10) and to reduce the appropriation by \$168,920 in the Bond Retirement Fund (Fund 6), introduced by Jessica Saad on March 26, 2024.

Mr. Fishel read the ordinance and Ms. Saad provided some background information this ordinance.

Ms. Saad moved to move

Ms. Feibel seconded.

All in Favor: Jessica Saad, Danny Hurley, Sam Marcellino, Troy Markham, Lori Ann Feibel, Alex Silverman

Motion Passed 6-0.

3. **Ordinance 11-24** to certify special assessments for the various sites where the work was not done by the property owner after being ordered by the City in accordance with Bexley Code Section 1490.15(b)(4)A or Bexley Code Section 1492.04(b)(1) and it was necessary to do the work and assess the owner, introduced by Jessica Saad on March 26, 2024.

Mr. Fishel read the ordinance and Ms. Saad provided some background on this ordinance and spoke about the proposed amendments.

### **13. First Readings (Speaker Slip Required)**

1. **Ordinance 12-24** authorizing the Mayor and Auditor to sign a Consent and Hold Harmless Agreement on behalf of the City of Bexley with the property owner 394 South Columbia (Parcel No. 020-002008), regarding improvements made upon and within the City owned right-of-way between the sidewalk and the property line, introduced by Sam Marcellino on April 9, 2024

Mr. Fishel read the ordinance and Mr. Marcellino asked the Mayor to speak. Mayor Kessler provided background on this ordinance. Mr. Markham asked about any potential liability, which Mr. Fishel answered stating that the language specifies the owner shall hold the City harmless for any damages.

2. Ordinance 13-24 authorizing the Mayor and Auditor to sign a Consent and Hold Harmless Agreement on behalf of the City of Bexley with the property owner 141 South Drexel Avenue (Parcel No. 020-002869), regarding improvements made upon and within the City owned right-of-way between the sidewalk and the property line, introduced by Sam Marcellino on April 9, 2024.

Mr. Fishel read ordinance 13-24 and Mr. Marcellino invited the Mayor to speak to this ordinance. Mr. Marcellino and Mr. Markham both individually expressed concerns about a pattern of approving these after installation with questions about potential precedent among other things.

Multiple Council members discussed this and Mr. Marcellino requested information on how to hold contractors responsible for these situations at the next meeting.

#### **14. Tabled Ordinances**

1. **Ordinance 35-23** to amend section 618.16(a)(5) of the Bexley Codified Ordinances to amend the definition of "Vicious Animal", and to reorder and amend existing Section 618.16(a)(8), introduced by Sam Marcellino on September 12, 2023.

2. **Ordinance 40-23** to amend Chapter 1254, Commercial and Institutional District Regulations, in order further affirm the prohibition of uses involving any Adult Use Cannabis Operator; Adult Use Cultivator, and Adult Use Dispensary introduced by Matt Klingler on November 14, 2023.

No action at this time.

#### **15. Finance Committee – Jessica Saad, Chair**

Report provided earlier.

#### **16. Recreation and Parks Committee – Lori Ann Feibel, Chair**

Ms. Feibel quickly reiterated her updates provided during the Recreation Update, and also spoke about the kickoff for the Bexley Bloomers, encouraging others to join the Bloomers.

#### **17. Service and Environmental Committee – Alex Silverman, Chair**

Mr. Silverman shared information about Earth and Arbor Month and asked for an update on Chelsea and nearby projects.

#### **18. Zoning and Development Committee – Sam Marcellino, Chair**

Mr. Marcellino provided an update on the recent CIC meeting.

#### **19. Strategic and Health Committee – Danny Hurley, Chair**

Hurley spoke about the upcoming Board of Health meeting where he'll speak about the tobacco lawsuit and spoke about the Land Use Strategy update and shared that public workshops are likely to come into place this Fall. Mr. Hurley also spoke about the Council retreat coming up.

## **20. Safety Committee – Troy Markham, Chair**

Mr. Markham spoke about the Bexley Public Library Centennial Celebration which kicks off this spring and also spoke in tribute to Mr. Bill Harvey for his mentorship and wit and shared how he will be missed. Ms. Saad spoke again in tribute to Mr. Harvey.

## **21. Public Comments (No Speaker Slip Required)**

Mayor Kessler said "Go Huskies" in Mr. Harvey's honor.

## **22. Adjourn**

Ms. Saad moved to adjourn

All in Favor: Jessica Saad, Danny Hurley, Sam Marcellino, Troy Markham, Lori Ann Feibel, Alex Silverman

Motion Passed 6-0.

Meeting adjourned at 7:40 pm