



City Council Minutes
Tuesday, April 23, 2024

1. Call to Order

President Lampke called the meeting to order at 6:04 pm.

2. Roll Call of Members

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

3. Pledge of Allegiance

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

Sharon Montgomery of Gahanna, Ohio stopped to speak to about Distracted Driving Month, thanking the City for their support through legislation and speaking on the dangers of distracted driving.

5. Visiting Guests

1. Kelsey Ellingsen with COTA – Presenting on LinkUS

Kimberly Sharp, Senior Director of Development, and Elliott Lewis, Senior Planner at Mid-Ohio Regional Planning Commission were also present to assist Kelsey with the presentation.

Ms. Sharp presented on the LinkUS project and the benefits and scope of the project. Mr. Marcellino expressed concerns about congestion and parking implications with this LinkUS plan. Ms. Sharp answered these concerns. Mayor Kessler also shared that design specifics are still being established and a dedicated lane is not yet decided in Bexley or not, as there are several studies still needed for parking, congestion, and other related issues. Ms. Sharp added to this. Mr. Hurley asked how COTA determined Main Street over other major east-west corridors in the City and also shared that he'd like to discuss some accessibility concerns offline. Mr. Silverman asked about timing and hours for the lines being considered which Ms. Sharp answered. She also answered some follow up questions from Mr. Silverman. Ms. Lampke asked some additional questions which Ms. Sharp answered and Ms. Saad asked for some clarification on the 60%, which Ms. Sharp provided.

6. President's Report

Ms. Lampke thanked Ms. Saad for leading the last meeting in her absence. She also thanked Council for joining her at the Bexley Community Foundation and the State of the City address. Ms. Lampke also invited everyone to join her at the BMPA Circle of Excellence event this Sunday.

7. City Attorney Report

Ms. Fishel shared that the Motion for Temporary Restraining order prohibiting the State from restricting existing legislation on tobacco had been awarded. He also shared that the next step in this process is an injunction hearing.

8. Auditor's Report

Mr. McPeek shared a letter from the Ohio Division of Liquor Control regarding a request for a license from Giant Eagle Market District.

9. Administrative Update

1. Development and Administration – Megan Meyer

Ms. Meyer shared the highlights of her update. Ms. Feibel complimented Ms. Meyer's work on the State of the Community and Mr. Silverman thanked her for her appearance with her family at the Earth and Arbor Days Celebration.

2. Service Department – Andy Bashore

Mr. Bashore doesn't have any updates to his update. Ms. Saad asked when Drexel will be paved and why it's a bit out of our hands. Mr. Bashore shared that ODOT will pay for this repavement so we are reliant on their schedule. It's looking like August. Mr. Silverman asked for an update on some other areas, including Chelsea which Mr. Bashore answered. Ms. Feibel and Mr. McPeek complimented Drexel Avenue.

3. Finance Department – Karrie Martin

Ms. Martin shared the financial report which has been updated from the previous format. She then covered some of the highlights and takeaways from her update. Ms. Feibel asked about income tax revenue, which Ms. Martin clarified is up and then asked about a couple of different specific funds. Mr. Markham thanked her for the update and refreshed look.

3. Mayor's Update

Mayor Kessler covered some of the highlights of his report. Mr. Hurley asked about the referendum attempt and the potential deadline for this, which Mr. Kessler and Mr. Fishel believe is 30 days after the passage of the ordinance (March 26, 2024) and asked about next steps. Mr. Fishel shared that Council will be notified of developments. Ms. Feibel asked about the potential cost to the City, which Mayor Kessler shared is unknown at this time, though there would be a cost to the City if it's a special election, which we don't know yet. Mayor Kessler did answer her question about what Council members are permitted to share on social media, which Mr. Fishel confirmed and added to. Mr.

Silverman asked a question about Love Your Alley and Alley of the Future, which Mayor Kessler answered, sharing a presentation on Love Your Alley

Ms. Saad revisited the history of Ordinance 04-24 and reiterated the timeline of the ordinance, including the three reading dates, the tabling of the ordinance for additional thought and consideration, and the March 26 unanimous passage of the ordinance. She encouraged anyone with questions to visit the City's website for accurate information.

10. Consent Agenda (No Speaker Slip Required)

1. Meeting Minutes from April 9, 2024
2. **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.
3. **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 items on the Consent Agenda.

Ms. Lampke moved to adopt the Consent Agenda.

Mr. Marcellino seconded.

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

Motion Passed 7-0.

11. Third Readings

1. **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 additional information. Mayor Kessler clarified that there is a change with the proposed amended ordinance to remove one property on Columbia Place that paid their amount due.

Ms. Saad moved to amend Ordinance 11-24.

Ms. Lampke seconded.

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

Motion Passed 7-0.

Ms. Saad moved to approve Amended Ordinance 11-24.

Ms. Feibel seconded.

All in Favor: Danny Hurley, Sam Marcellino, Jessica Saad, Monique Lampke, Troy Markham, Lori Ann Feibel, Alex Silverman
Motion Passed 7-0.

12. Second 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 provided some brief background and did ask what recourse the City has for prosecuting contractors for failing to abide by legislation. Mr. Fishel doesn't believe there is anything directly within our code for this, but is looking into a possibility that after a hearing a contractor's registration to work in the City could be revoked. He is still looking into this. Mr. Markham asked what happens if we do not pass the ordinance. Mayor Kessler clarified that if we don't pass this ordinance, it would deny the right to install the columns planned to flank the driveway and one other space along the yard. Mayor Kessler and Mr. Fishel answered some follow up questions from Mr. Markham. Mr. Silverman then asked about additional properties and how these are located and whether this is a Code Enforcement process, which Mayor Kessler confirmed. Ms. Feibel asked if there's a way to look into this to provide some potential options for the contractor. Mr. Hurley asked if we've ever declined a similar ordinance in the past, which Mayor Kessler couldn't recall.

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 provided some brief background and shared he has interest in researching consequences to contractors. Mr. Hurley asked if this will be seen at BZAP and Mayor Kessler will need to follow up on that answer.

13. First Readings (Speaker Slip Required)

1. **Ordinance 14-24** to Approve the Collective Bargaining Agreement between the Fraternal Order of Police, Capital City Lodge No. 9 and the City of Bexley introduced by Jessica Saad on April 23, 2024.

Mr. Fishel read the ordinance and Ms. Saad invited Mr. Fishel to provide some background on this ordinance, which he did sharing the process that led to this proposed agreement. Mr. Silverman asked a question about appropriate methods for asking about details, which Mr. Fishel answered.

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.

Mr. Marcellino moved to remove Ordinance 40-23 from the table.

Ms. Lampke seconded.

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

Motion Passed 7-0.

Mr. Marcellino shared the background of this ordinance and impact on development within the City. Mr. Marcellino invited Mayor Kessler to provide some input. Mayor Kessler shared that he’s a supporter of this ordinance and feels the prohibition is appropriate at this time. Ms. Lampke asked about the proposed amendments and Mayor Kessler reviewed these.

Mr. Marcellino moved to amend Ordinance 40-23 to

Ms. Lampke seconded.

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

Motion Passed 7-0.

Mr. Hurley asked some questions about potential developments proposing a dispensary, and Mayor Kessler clarified that we have seen some. Mr. Hurley asked some follow up questions on this, which Mayor Kessler answered.

Ms. Saad spoke, sharing that this ordinance has been available for review for some time and she feels the time to vote on this matter is now. Mr. Markham also spoke about his experiences speaking with members of the community, where he is hearing support for this ordinance from those who both do and do not support the legalization of cannabis. Mr. Silverman also spoke to this asking if there is a potential for this in the future and asked what the future of recreational marijuana. Mr. Marcellino shared that he doesn’t feel this is a permanent statement of any sort, but simply pumps the breaks on an issue that is new to our entire state. He encouraged everyone to watch this issue closely. Mr. Hurley shared that he doesn’t have any particular concern with dispensaries and would love to revisit in the future when we know more and this issue develops a little more fully in the Statehouse and in the State.

Mr. Marcellino moved to approve Amended Ordinance 40-23

Ms. Feibel seconded.

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

Motion Passed 7-0.

15. Finance Committee – Jessica Saad, Chair

Ms. Saad shared that the new pool liner for the outdoor pool is coming for the Jewish Community Center and announced dates of the pool membership opening. Ms. Saad also shared about the upcoming Pedal for Pancakes and congratulated a student for a recent clean-up project in Bexley.

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

Ms. Feibel reminded everyone about the Bexley Bloomers Omelet Palooza and the upcoming COSI Science Fest and first Main Event of the season. Ms. Feibel also spoke about Passover and wished our community a Happy Passover and also commended the Recreation Department for changing the date of activity registration to ensure Jewish communities and spoke about a recent resolution passed in Hilliard by their City Council and her opinion that this action brings to her mind concerns of overreach and potential anti-Semitism. She also stated that she would vehemently oppose any similar legislation in Bexley and urged Council to continue to create a welcoming and inclusive space for all.

17. Service and Environmental Committee – Alex Silverman, Chair

Ms. Silverman applauded Ms. Feibel's speech and has no further report.

18. Zoning and Development Committee – Sam Marcellino, Chair

Mr. Marcellino spoke to upcoming meetings for BZAP, CIC and Land Use Strategy and that State Wrestling Champion Mr. Garcia for the next meeting.

19. Strategic and Health Committee – Danny Hurley, Chair

Mr. Hurley spoke about the recent Board of Health meeting and discussions on the tobacco ordinance and her plans and restated the Council Retreat is rescheduled for May 7, 2024 at the library.

20. Safety Committee – Troy Markham, Chair

Mr. Markham spoke about the Centennial Celebration Kickoff at the library this Thursday and also spoke about upcoming Love Your Alley. Mr. Markham also spoke about his family's Passover celebration and his concerns with the often-violent nature of some of these difficult conversations and encouraged Council to reach out to Jewish friends and neighbors with support.

21. Public Comments (No Speaker Slip Required)

22. Adjourn

Ms. Lampke moved to adjourn

Mr. Marcellino seconded.

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

Motion Passed 7-0.

Meeting was adjourned at 7:54 pm.

City Council Policy for Public Comments:

Public Comments:

For the purpose of receiving the orderly comments from all speakers desiring to address City business before Council, adopts the following policy:

- Any speaker addressing Council shall complete a Speaker Slip to be turned in prior to the start of the meeting.
- Any speakers who have public comments at the end of the meeting do not have to have a Speaker Slip but they do still need to provide their name and address.
- Please note that all public comments should pertain to City of Bexley business only.
- All reasonable comments must be made within a maximum of five (5) minutes when addressing City Council.
- Undue interruption or other interference with the orderly conduct of remarks is not permitted.
- Defamatory or abusive remarks are always out of order.
- If the subject of the comment is not on the Council Agenda, the public may discuss the City issue during the Public Comments portion of the meeting. If the subject of the comment is on the Council Agenda, the public may discuss the issue at the time the issue is addressed during the Council meeting.
- Violation of this policy may result in termination of the speaker's comments and/or removal from the meeting.
- President of Council reserves the right to limit the length and scope of all Public Comments.

Presentations and Guests:

While we are grateful to have you attend a City Council meeting, please be sure to keep your presentation to a maximum of five (5) minutes in order to keep the meeting moving in an efficient and productive manner. Thank you for your understanding.

City Council Policy for Correspondence:

All correspondence addressed to City Council or requested to be distributed to City Council by the named 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, but pertains City business, 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.